

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
OCTOBER 5, 2021

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Donald O. Burnette at 6:30 p.m.

Silent Invocation

Pledge of Allegiance

Roll Call

Present:

Council Member Jonathan Foley
Council Member Chase Tramont
Council Member Scott Stiltner
Vice Mayor Drew Bastian
Mayor Donald Burnette

Also Present:

City Manager Wayne Clark
City Attorney Matthew Jones
City Clerk Robin Fenwick

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. 2021 IBJJF Pan Am Championship Gold Medal Recognition for Professor Regis Calixto de Lima and Joe DiBella of Ralph Gracie Jiu Jitsu Academy

Vice Mayor Drew Bastian recognized and congratulated Professor Regis Calixto de Lima and Joe DeBella for earning gold medals at the recent championship. Captain Michael Fowler, Daytona Beach Shores Public Safety, spoke regarding the partnership they have had with Professor Calixto.

5. Domestic Violence Awareness Proclamation

Mayor Don Burnette read a proclamation for domestic violence awareness and presented the proclamation to the Victim Advocate for Port Orange, Odetta Horrunitiner.

6. Drug-Free Pain Management Awareness Month Proclamation

Mayor Don Burnette read the proclamation for drug-free pain management awareness month and presented the proclamation to Dr. Peter Martin, Palmer Chiropractic College.

7. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided an update on the course conditions and financial position of the golf course. He also re-introduced Darren Bache, Superintendent, and provided a review of the year.

CONSENT AGENDA

8. Public Comments on Consent Agenda Items Only

There were none.

9. Agenda Approval

Vice Mayor Drew Bastian requested Item #14 be pulled for further discussion with the applicant.

Motion to approve the Agenda as amended was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by voice vote.

10. Approval of Minutes

- a. September 21, 2021 - Regular City Council Meeting
- b. September 21, 2021 - Joint Special Meeting of City Council & Town Center CRA
- c. September 22, 2021 - City Council Special Meeting

11. Bid Awards and Contract Items

- a. Intent to Award ITB No. 21-16 to Don Bell Signs LLC for City Center Entrance LED Sign Board
- b. Renewal of MetLife Agreement for employee dental, vision, and group term life insurance for 2022
- c. Approval of Agreement with Florida Health Care Plans for Employee Health Insurance
- d. Approval of License Agreement with Council on Aging of Volusia County

12. Resolution No. 21-33 - Revising Fees at Cypress Head Golf Course

13. Resolution No. 21-53 - Statewide Mutual Aid Agreement for Emergency

Management

14. Approval of Major Special Event Request – Daytona's Original First Turn Biketoberfest Event at 5164, 5204, and 5236 South Ridgewood Avenue

15. Approval of Interlocal Agreement with Volusia County Property Appraiser for the Utilization of the Uniform Method of Collection of Non-ad Valorem Assessments

16. Temporary Construction Easement for 3641 Ridgewood Avenue (Dave's Pest Control Property)

Motion to approve Consent Agenda as amended was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

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Penelope Cruz, Planning Manager, spoke regarding the Major Special Event Request from Daytona's Original First Turn Biketoberfest Event and advised the applicant is requesting an additional hour of music (to end at 11:00 p.m. rather than 10:00 p.m.)

Matthew Jones, City Attorney, spoke regarding the City's noise ordinance and the business would still need to adhere to the ordinance.

Shane Snipes, applicant and owner, spoke regarding his request and upgrades they have worked on since purchasing the property. He thanked Staff for the help and support in the transition. He agreed to an additional hour on Friday and Saturday night as suggested by Council Member Scott Stiltner.

Mayor Don Burnette is concerned with the noise level at other establishments that regularly get complaints and allowing First Turn to have music longer, will set a precedence that he's not willing to do.

Motion to approve the application for Item #14 as recommended by Staff with an amendment of Friday and Saturday's outside music allowed until 11:00 pm was made by Council Member Scott Stiltner and Seconded by Council Member Jonathan Foley. Motion carried 4-1 by roll call vote with Mayor Don Burnette voting no.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There were none.

Mayor Don Burnette recognized the Port Orange/South Daytona Chamber of Commerce Leadership Class and thanked them for their participation and attendance.

COUNCIL COMMENTS

17. Comments/Concerns from Council Members

Council Member Scott Stiltner thanked all involved with making Port Orange Family Days a huge success. He also encouraged citizens to patron the businesses at the Down Under area under the Dunlawton Bridge.

Council Member Chase Tramont also thanked those involved with Port Orange Family Days and also asked for an update on the new REC facility and new programs to come.

Council Member Jonathan Foley thanked the Leadership Class members for their participation.

PUBLIC HEARING

18. Second Reading - Ordinance No. 2021-22 - Port Orange Communications in Rights-of-Way Amendment

Mayor Don Burnette read Ordinance No. 2021-22.

ORDINANCE NO. 2021-22

AN ORDINANCE OF THE CITY OF PORT ORANGE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF PORT ORANGE BY AMENDING CHAPTER 58, ARTICLE IV, SECTIONS 58-70 – 58-80, KNOWN AS THE "PORT ORANGE COMMUNICATIONS RIGHTS-OF-WAY ORDINANCE;" PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR BONDS; PROVIDING FOR CONSTRUCTION METHODS; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-22 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried 4-1 by roll call vote with Mayor Don Burnette voting no.

19. Second Reading - Ordinance No. 2021-25 - Amendment to the Port Orange Town Center Community Redevelopment Plan (Case No. 21-15000001)

Mayor Don Burnette read Ordinance No. 2021-25.

ORDINANCE NO. 2021-25

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMMUNITY REDEVELOPMENT; AMENDING THE COMMUNITY REDEVELOPMENT AREA PLAN FOR PORT ORANGE TOWN CENTER AND THE RIVERWALK PLANNED COMMUNITY

CONCEPT DEVELOPMENT PLAN; REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-25 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

20. Second Reading Ordinance No. 2021-26 - LDC Amendment/ Chapters 2, 17, and 18 (Case No. 21-25000005)

Mayor Don Burnette read Ordinance No. 2021-26.

ORDINANCE NO. 2021-26

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 2 OF CHAPTER 2 RELATING TO DEFINITIONS; AMENDING CHAPTERS 17 AND 18 RELATING TO RIVERWALK OVERLAY DISTRICT (ROD) AND THE PLANNED COMMERCIAL-RIVERWALK (PC-R) ZONING DISTRICT REGULATIONS FOR THE PURPOSE OF SUPPORTING REDEVELOPMENT EFFORTS IN THE RIVERWALK AREA; AMENDING THE BOUNDARY OF THE RIVERWALK OVERLAY DISTRICT (ROD); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-26 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

21. First Reading - Ordinance No. 2021-24 - 21-1 Large-Scale Comprehensive Plan Amendment/Property Rights Element (Case No. 21-20000001)

Mayor Don Burnette read Ordinance No. 2021-24.

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; AMENDING THE COMPREHENSIVE PLAN BY CREATING A NEW PROPERTY RIGHTS ELEMENT IN ACCORDANCE WITH SECTION 163.3177(6)(i), FLORIDA

STATUTES; PROVIDING FOR CONFLICTING ORDINANCES,
SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-24
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Mrs. Cruz spoke regarding the addition of a new property rights element. There is no
impact to local residents.

Motion carried unanimously by roll call
vote.

22. Approval of Subdivision Plat for The Palms at Ashton Lakes Subdivision
(Case No. 21-50000002)

Motion to approve the subdivision plat
for The Palms at Ashton Lakes
Subdivision was made by Vice Mayor
Drew Bastian and Seconded by Council
Member Scott Stiltner.

Mrs. Cruz provided details of the project and recommended approval by Council.

Motion carried unanimously by roll call
vote.

ADDITIONAL ITEMS

23. City Attorney

There was nothing further from the City Attorney.

24. City Manager

a. County Wide Universal Pet License

Deputy City Manager Jamie Miller provided details of the request from the County
regarding a county wide universal pet license. Staff recommended partnering with the
County but asked for objections from Council. Council consensus is to move forward.

COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

a. River to Sea TPO - Council Member Scott Stiltner was unable to attend
the meeting but will provide the minutes once received.

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b. General Employees' Pension Plan - Council Member Scott Stiltner provided an update on the meeting held recently. Plan is doing well.

ADJOURNMENT - 7:59 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk

