

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
OCTOBER 19, 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.

Invocation by Chaplain Carlos Hidalgo of Advent Health

Pledge of Allegiance

Roll Call	Present:	Council Member Chase Tramont Council Member Scott Stiltner Vice Mayor Drew Bastian Mayor Donald Burnette
	Absent:	Council Member Jonathan Foley
	Also Present:	City Manager Wayne Clark City Attorney Matthew Jones City Clerk Robin Fenwick

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. Volusia County Road Program Presentation by Jon Cheney, P.E., County of Volusia Traffic Engineering

Jon Cheney, PE, County of Volusia Traffic Engineer, provided information regarding the road program in Volusia County and answered questions from Council.

5. Florida City Government Week Proclamation

Mayor Don Burnette read a proclamation for Florida City Government Week.

CONSENT AGENDA

6. Public Comments on Consent Agenda Items Only

Robert Reinhausen, citizen, spoke regarding Item #11 - Resolution No. 21-59. He recommended denying the item.

7. Agenda Approval

There were no changes requested by Council.

Motion to approve the agenda as
presented was made by Vice Mayor
Drew Bastian and Seconded by Council

Member Chase Tramont. Motion carried
unanimously by voice vote.

8. Approval of Minutes

a. October 5, 2021 - Regular City Council Meeting

9. Bid Awards and Contract Items

a. Approval of Change Order #1 to Playcore Wisconsin Inc. D/B/A

Gametime

10. Resolution No. 21-58 - Request to move \$55,000 from 401 Water and Sewer Fund balance to Project SSP015- Water Reclamation Facility Expansion project to cover the difference from 2020 project estimate and the current bid price

11. Resolution No. 21-59 - State of Florida Department of Transportation (FDOT) Landscape Maintenance Memorandum of Agreement for a 12-foot wide sidewalk along Ridgewood Avenue.

12. Fire Training Facility Items

a. Resolution No. 21-60 - Budget Appropriation to fund fire training facility using Fire Impact Fees

b. Approval of Change Order #4 to A.G. Pifer Construction Services Co., Inc. to extend the completion date of the fire training facility project by 60 days, to include the installation of well-points, removal of surface rust, and application of paint to the structural steel members of the fire training facility in the amount of \$36,815.60

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

CITIZEN PARTICIPATION (Agenda)

13. Obituary reading in memory of Port Orange citizen, Garrett R. Watson by Corey Kingsbury

Corey Kingsbury, citizen, read the obituary of Port Orange citizen, Garrett R. Watson, who passed by unexpectedly recently.

14. Volusia Forever: Call for Land Nominations and Collaborations - Derek LaMontagne

Derek LaMontagne, Volusia Forever Board Member, spoke regarding open positions on Volusia Forever.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There was none.

15. Comments/Concerns from Council Members

Council Member Scott Stiltner asked the City Manager to review the lighting at the Port Orange Pavilion. The complex is very dark due to lights being out.

Mayor Don Burnette provided additional details relating to Item #11 in response to Mr. Reinhausen's concerns.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

16. Citizen Advisory Committee for TPO

Bobby Ball, CAC member, was unable to attend the CAC meeting.

17. Golf Course Advisory Board Report

Lance Green, Chairman, provided an update from the Board's recent meeting.

PUBLIC HEARING

18. Second Reading - Ordinance No. 2021-13 - Land Development Code (LDC) Amendment/Chapters 2, 15, 16, 17, and 18 - Updated Sign Regulations (Case No. 21-25000004)

Mayor Don Burnette read Ordinance No. 2021-13.

ORDINANCE NO. 2021-13

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE CHAPTERS 2, 15, 16, 17 AND 18 UPDATING THE CURRENT SIGNAGE REGULATIONS TO ADOPT CONTENT-NEUTRAL REGULATION BY AMENDING DEFINITIONS; UPDATING SIGN STANDARDS TO INCLUDE NEW SIGN OPPORTUNITIES; REMOVING REDUNDANT AND OUT-OF-DATE PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-13 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

19. Second Reading - Ordinance No. 2021-23 - Rezoning and Approval of the Madeline Commons Planned Unit Development Master Development Agreement and Conceptual Development Plan (Case No. 20-65000002)

Mayor Don Burnette read Ordinance No. 2021-23.

ORDINANCE NO. 2021-23

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +/-34.6 ACRES LOCATED NORTH OF CHARLES STREET AND SUGAR MILL ELEMENTARY SCHOOL, BETWEEN MCDONALD ROAD AND 5TH STREET, FROM TWO-FAMILY RESIDENTIAL (R-2D) TO PLANNED UNIT DEVELOPMENT (PUD) AND APPROVAL OF THE MADELINE COMMONS PUD MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN; AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-23 was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont.

Matt Jones, City Attorney, asked Council to consider amending the motion to include the following language "*subject to receipt of the executed MDA*".

Motion to amend the Motion to adopt Ordinance No. 2021-23 to include the language "subject to receipt of the executed MDA" was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont. Motion carried 3-1 by roll call vote with Council Member Scott Stiltner voting no.

Joey Posey, Attorney for Applicant, spoke regarding the round-about proposed, as well as parking in the driveways. They are working through that concern from Council.

Motion carried 3-1 by roll call vote with Council Member Scott Stiltner voting no.

20. Special Exception/Port Orange Neighborhood Storage - 5404 S Williamson Boulevard (Case No. 21-70000001)

Motion to approve as presented was
made by Vice Mayor Drew Bastian and
Seconded by Council Member Chase
Tramont.

Penelope Cruz, Planning Manager, provided details of the project.

Mark Dowst, Applicant, spoke regarding the project.

Motion carried unanimously by roll call
vote.

Council recessed at 7:57 p.m. and reconvened at 8:04 p.m.

REGULAR AGENDA

21. Solid Waste

a. First Reading - Ordinance No. 2021-27 - Solid Waste Collection and
Disposal Services

Mayor Don Burnette read Ordinance No. 2021-27.

ORDINANCE NO. 2021-27

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT
CODE, CHAPTER 56, SOLID WASTE, ARTICLE II, COLLECTION
AND DISPOSAL SERVICE, UPDATING REQUIREMENTS FOR
GARBAGE, RECYCLING AND YARD WASTE SERVICE,
REMOVING THE ENERGY FEE, PROVIDING FOR AN
AUTOMATIC CPI ADJUSTMENT FOR CHARGES AND RATES;
AMENDING BILLING REQUIREMENTS; DELETING OBSOLETE
BILLING PROVISIONS; PROVIDING FOR ENFORCEMENT;
PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-27
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Lynn Stevens, Public Works/Utilities Director, asked Council to open Item #21(b) to be
discussed with this item. Council agreed. Mrs. Stevens provided details of the requested
amendment to the Solid Waste Collection and Disposal Services and fees.

Mr. Reinhagen spoke regarding paragraph 5 (d) and (e), which speaks to water services. Mrs. Stevens explained the garbage service is charged on the water bill for some customers.

Motion carried unanimously by roll call vote.

b. Resolution No. 21-57 - Solid Waste Rates

Mayor Don Burnette read Resolution No. 21-57.

RESOLUTION NO. 21-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; ESTABLISHING REVISED SERVICE CHARGES AND RATES FOR COLLECTION AND DISPOSAL OF SOLID WASTE; SUPERSEDING PRIOR RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Resolution No. 21-57 was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner. Motion carried unanimously by roll call vote.

22. Resolution No. 21-64 - Endorsing and conceptually approving the proposal for relocation of grant benefits and obligations for submission to Florida Communities Trust

Mayor Don Burnette read Resolution No. 21-64.

RESOLUTION NO. 21-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA; ENDORSING AND CONCEPTUALLY APPROVING THE PROPOSAL OF THE CITY OF PORT ORANGE, FLORIDA, PURSUANT TO RULE 62- 818.016, FLORIDA ADMINISTRATIVE CODE, FOR A LAND EXCHANGE AND RELOCATION OF THE GRANT BENEFITS AND OBLIGATIONS FROM THE MARCANTONIO PROPERTY (3814 HALIFAX DRIVE) TO A PORTION OF THE RIVERWALK PARK PROPERTY WHICH IS CONTIGUOUS TO THE HOFFMEISTER/WILSON PROPERTY, A TRUST PROJECT SITE; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Resolution No. 21-64
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Tim Burman, Community Development Director, explained the details of the item.

Motion carried unanimously by roll call
vote.

ADDITIONAL ITEMS

23. City Attorney

There was nothing further from Mr. Jones.

24. City Manager

Wayne Clark, City Manager, advised Council of the potential for a Special Meeting on November 9th regarding possible offers for the Riverwalk property. Council Member Chase Tramont would rather hold the meeting on another night the week of November 8th, if possible. The City Clerk will coordinate with Council members and CRA members.

COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

- a. ArtHaus - Council Member Chase Tramont had nothing to report.
- b. First Step Shelter - Council Member Chase Tramont provided details of the recent meeting.
- c. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette provided details of the recent meeting.
- d. Roundtable of Elected Officials - Meeting was cancelled.

ADJOURNMENT - 8:39 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk

