

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
APRIL 4, 2017

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Don Burnette at 6:33 p.m.

Pledge of Allegiance

Invocation was provided by Pastor Donn Dobberstein of Our Savior's Lutheran Church.

Roll Call:	Present:	Councilman Chase Tramont Councilman Drew Bastian Councilman Scott Stiltner Vice Mayor Bob Ford Mayor Don Burnette
	Also Present:	Jake Johansson, City Manager Margaret T. Roberts, City Attorney Robin Fenwick, City Clerk

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

Items #8 and 11 were pulled by Council for further discussion.

6. Bid Awards and Contract Items

- a. Approval of Task Authorization No. 2 to the Master Contract of Engineering Services with Quentin L. Hampton Associates.
- b. Approval of Task Authorization No. 3 to the Master Contract of Engineering Services with Quentin L. Hampton Associates.
- c. Approval of Change Order No. 1 to Piggyback Agreement with Shenandoah General Construction
- d. Hazen Construction - Deductive Order and request for final payment, White Acres Project
- e. Approval of Change Order No. 1 - Ryanwood Drive Culvert Replacement

7. Interlocal Agreement regarding Vargal Conservation Area for Police Shooting Range Training Facility, Article 3

8. License Agreement – 4029 North Waterbridge Circle

9. License Agreement – 1136 Harbour Point Drive

10. License Agreement – 1138 Harbour Point Drive

11. ITB #17-06 - Forklift for the Water Reclamation Facility, request to reject all bids

12. Approval of Freeman Mediation Settlement

Motion to approve the Consent Agenda as amended was made by Vice Mayor Ford, and Seconded by Councilman Tramont. Motion carried unanimously by roll call vote.

8. License Agreement – 4029 North Waterbridge Circle

Councilman Bastian believes Council should begin applying their direction from the recent workshop, which was to not allow brick pavers to replace the concrete sidewalk. Councilman Stiltner agreed but has difficulty changing courses on the applicants mid-stream.

Margaret Roberts, City Attorney, advised Council they have the freedom to approve this under the old process or the new direction. The new direction would require a delay.

Motion to approve the Consent Agenda Item #8 as presented was made by Vice Mayor Ford, and Seconded by Councilman Tramont. Motion carried 4-1 by roll call vote with Councilman Bastian voting no.

11. ITB #17-06 - Forklift for the Water Reclamation Facility, request to reject all bids

Motion to approve Consent Agenda Item #11 was made by Councilman Tramont, and Seconded by Councilman Bastian.

Councilman Stiltner asked if this equipment is needed right away. He wants to ensure Staff has what they need to serve the citizens and Staff isn't missing out on a good deal.

Lynn Stevens, Public Utilities Director, advised that all work is being completed for the citizens. This equipment will enhance Staff's performance in the way of easier scheduling of projects and deliveries because they will have the equipment on hand. If the bids are rejected, Staff will re-evaluate the requirements of the bid and put it back out for re-bidding. She advised that both bids were technically non-responsive.

Motion carried unanimously by roll call vote.

CITIZEN PARTICIPATION (Agenda)

13. Fee Waiver request - Ronnie Williams

Joe Biggs, local teacher, provided details regarding Ronnie Williams' success in basketball. She went to Atlantic High School and is the first woman to be drafted into the WNBA. Sherri Williams, Ronnie Williams' mother, discussed her daughter's

accomplishments and her desires to come back to the community and give back. They requested a fee waiver of the amphitheater and Lakeside Community Center to show the WNBA draft on Thursday, April 13, 2017 at 7:00 p.m.

Mayor Burnette believes the in-kind contributions that will come back to the community will be invaluable for our children. Council Members agreed.

Motion to approve the waiver request was made by Vice Mayor Ford, and Seconded by Councilman Bastian. Motion carried unanimously by voice vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

There were none.

COUNCIL COMMENTS

14. Comments/Concerns from Council Members

Councilman Bastian asked for an update on the Ridgewood Avenue median project. Mr. Johansson said a bid award will come before Council on April 18, 2017 on this project.

Vice Mayor Ford asked if Staff can check into the fence issue along the rear businesses in the 700 block of the north side of Dunlawton Avenue that were damaged in Hurricane Matthew. Wayne Clark, Community Development Director, said most of the property owners have complied. The only one to not comply is moving forward to the Special Magistrate this month; however, Staff understands the property owner has now contracted with a fence company to repair the damage.

Mayor Burnette asked the City Manager for an anti-littering campaign.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

15. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided details from the February 2017 reports on the golf course.

16. Child Abuse Prevention Month

Mayor Burnette read the proclamation regarding Child Abuse Prevention Month.

17. Water Conservation Month

Mayor Burnette read the proclamation regarding Water Conservation Month.

TABLED ITEMS

18. Purchasing Manual Section 3.01 revision relating to Purchasing Authority
(Tabled 3/28/17)

Motion to remove Item #18 from the table was made by Councilman Bastian, and Seconded by Councilman Tramont. Motion carried unanimously by voice vote.

Motion to approve Item #18 was made by Vice Mayor Ford, and Seconded by Councilman Stiltner.

Mr. Johansson discussed the request asking for Council's approval for the City Manager to delegate approval of contract items up to \$15,000 to Department Heads. This will result in a more efficient process. The new process will increase risk to the City but the ultimate accountability remains with the City Manager.

Discussion was held regarding current practice and current authorities. Ms. Roberts advised this is a process improvement request. She believes it is good for the organization to streamline the process. Councilman Stiltner would entertain a trial run.

Ms. Roberts encouraged Council to consider helping the organization grow by giving more responsibility to the leadership.

Councilman Tramont is also supportive of a trial run. He's not sure if this is a "need" versus a "want" though. Ms. Roberts explained that the Purchasing Division was handling these items prior to 2012 but after turnover, the City Attorney's Office took that assignment over. She will need another employee if Council doesn't want to approve the change. Department Heads are already handling contract items up to \$5,000; this request increases their authority to \$15,000.

Council expressed their concerns regarding the changes being proposed as it relates to delegating authority of contract items up to \$15,000 to Department Heads but, they agreed to remove the City Attorney from the process. They wanted to ensure there is strong accountability. Mr. Johansson assured Council that he is still ultimately responsible for all purchases and he is holding all Department Heads accountable for their items.

Tracey Riehm, Finance Director, explained the current process as well as the changes that will result from this request.

Motion to amend the motion to include language to allow purchases up to \$15,000 to exclude the City Attorney was made by Vice Mayor Ford, and

Seconded by Councilman Tramont.
Motion to amend carried 4-1 by roll call
vote with Councilman Bastian voting no.

Motion to allow purchases up to \$15,000
to exclude the City Attorney's review
carried 4-1 by voice vote with
Councilman Bastian voting no.

REGULAR AGENDA

19. First Reading - Ordinance No. 2017-9 - Amending Section 2-273 of the Code
of Ordinances

Mayor Burnette read Ordinance No. 2017-9.

ORDINANCE NO. 2017-9

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV,
DIVISION 2, SECTION 2-273 REGARDING ADDITIONAL
REGULATIONS AND PROCEDURES; PROVIDING FOR
CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2017-9 on
first reading was made by Councilman
Bastian, and Seconded by Councilman
Stiltner.

Mr. Johansson explained the request for the change to include final approval of the
Purchasing Manual being made by the City Manager rather than Council since it is a
procedural manual not policy.

Councilman Tramont wants to ensure Council is still able to discuss changes. Mr.
Johansson advised that council discusses changes during the ordinance consideration
process. How Staff executes the policy is tasked on the City Manager pursuant to the
City's Charter. Councilman Tramont supported the change to cut out red tape.

Vice Mayor Ford believes Council should continue to approve the Purchasing Manual to
ensure the interpretations are accurate.

Sarah Jones, citizen, agreed with Vice Mayor Ford's position.

Mr. Johansson suggested providing the proposed amendment to the Purchasing Manual
based on the Ordinance approvals via email rather than the bureaucracy of bringing it
back to Council for approval.

Motion failed 2-3 by roll call vote with
Councilman Tramont, Councilman
Stiltner, and Vice Mayor Ford voting no.

20. New Port Orange Website Progress Update

Jamie Miller, Administrative Services Director, and James Hicks, IT Manager, provided details of the progress with the City's new website design. Council liked the design as presented.

COMMENTS

21. City Attorney Comments

There was nothing further from the City Attorney.

22. City Manager Comments

Mr. Johansson advised Council of the invoice from Halifax Humane Society because of the cat hoarding issue.

COUNCIL COMMITTEE REPORTS

23. City Council Committee Reports

a. River to Sea TPO – Councilman Bastian was unable to attend as he was in Tallahassee for Volusia Days.

b. General Employees' Pension Plan – Councilman Stiltner reported the details of the plan from the recent meeting held.

ADJOURNMENT: 8:46 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, CMC
City Clerk