

**REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JANUARY 18, 2022**

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 Pastor Ken Sharpe of High Point Pentecostal Church

Pledge of Allegiance

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

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. 2022 Certified Registered Nurse Anesthetist (CRNA) Week Proclamation

Mayor Don Burnette read and presented the CRNA Week Proclamation to Kate Olsen.

5. Human Trafficking Awareness Day Proclamation

Mayor Don Burnette read and presented the Human Trafficking Awareness Day Proclamation to Odetta Horruitiner.

6. Arbor Day Proclamation

Mayor Don Burnette read the Arbor Day Proclamation.

7. Report from KemperSports on the Cypress Head Golf

Bob Duquette, General Manager, provided an update as to the course conditions and financial position of the Cypress Head Golf Course.

CONSENT AGENDA

8. Public Comments on Consent Agenda Items Only

Robert Reinhausen, citizen, spoke regarding item #17. He would like to see collection of the fees or other consequences instead of them being written off.

9. Agenda Approval

There were no changes requested by Council.

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

10. Approval of Minutes

- a. December 7, 2021 - City Council/Town Center CRA Joint Special Meeting
- b. December 14, 2021 - Regular City Council Meeting
- c. December 14, 2021 - City Council/Town Center CRA Joint Special Meeting

11. Bid Awards and Contract Items

- a. Ratification of an emergency purchase to Danus Utilities, Inc. for the Wastewater Treatment Plant valve replacement for the East Influent Pump Station in the amount of \$64,955.
- b. Intent to Award ITB #21-24 to Drewry Site Development, LLC for Garnsey Water Plant Dewatered Lime Sludge Disposal
- c. Intent to Award RFSQ #21-03 Professional Engineering Services for Public Works & Utilities and Environmental Services
- d. Approval of Extension and Amendment No. 2 (CA5751) to Sliger & Associates, Inc. for a rate increase for surveying services.
- e. Approval of Extension and Amendment No. 1 (CA5750) to CPH for a rate increase for surveying services.
- f. Approval of Extension and Amendment No. 2 to Mead & Hunt for a rate increase for Professional Engineering Services (CA5670)

12. Resolution No. 22-1 - Budget Appropriation - FY2020-2021 Carryover of Open Encumbrances and Project Budgets

13. Resolution No. 22-2 - Revising the Parks & Recreation Youth Scholarships Program

14. Resolution No. 22-3 - Approving the grant agreement and award in the amount of \$404,640 from the U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant for Program Year 2021 (PY21).

15. Approval to submit a grant application for Victim's of Crime Act (VOCA) funding.

16. Approval of Temporary License Agreement with Intracoastal Villas Home Owners Association (HOA)

17. Approval to Write Off Uncollectible Accounts Receivable Debts

18. Approval of Proportionate Fair-Share Agreement for Woodspring Suites Site Plan - Case No. 21-80000013

19. Approval of Interlocal Agreement for Regional Opioid Settlement Fund Plan

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

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Don Drogowski, citizen, spoke regarding the procedure for notifying a property owner of "abnormal water usage detected". He has not been able to get a clear/concise procedure.

Sara Baker, 129 Old Sunbeam Drive, South Daytona, spoke regarding a noise complaint against Doghouse Bar & Grill.

An anonymous man asked that anonymous request for record be taken seriously.

COUNCIL COMMENTS

20. Comments/Concerns from Council Members

Council Member Jonathan Foley spoke regarding his discussion with the City Manager on allowing the Environmental Advisory Board to use tree mitigation funds to plant trees for Earth Day but currently the ordinance only allows the funds to be used on City owned property. He also spoke regarding his work on the website with Staff.

Council Member Chase Tramont asked for details regarding notification to citizens regarding abnormal water levels. Robin Hayes, Interim Finance Director, spoke regarding the process and the actions being taken moving forward to ensure information on accounts is up to date and complete.

Vice Mayor Scott Stiltner suggested having the Environmental Advisory Board look at the Brazilian peppers that are invasive along the shoreline. He also spoke regarding sidewalk repair that is in the works. He asked the City Manager to provide information to Council in February.

Mayor Don Burnette thanked Robin Hayes for her service with the City and congratulated her on her new position as City Manager of Cocoa Beach.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

21. Citizen Advisory Committee for TPO

Bobby Ball, CAC member, provided an update from their most recent meeting.

22. Golf Advisory Board Report

Lance Green was unable to attend. The City Clerk will reschedule.

23. Parks & Recreation Advisory Board Report

Mark Bowling, Chair, provided details from their recent meeting.

PUBLIC HEARING

24. Second Reading - Ordinance No. 2021-28 - 2021 Comprehensive Plan
Capital Improvements Element (CIE) Annual Update

Mayor Don Burnette read Ordinance No. 2021-28.

ORDINANCE NO. 2021-28

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE PLAN CAPITAL IMPROVEMENT ELEMENT; PROVIDING FOR THE FY2022-2027 FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS AND SUPPORTING DATA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-28 was made by Vice Mayor Scott Stiltner and Seconded by Council Member Chase Tramont. Motion carried unanimously by roll call vote.

REGULAR AGENDA

25. First Reading - Ordinance No. 2022-1 - Mayor and City Council
Compensation

Mayor Don Burnette read Ordinance No. 2022-1.

ORDINANCE NO. 2022-1

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE PORT ORANGE CODE OF ORDINANCES, SECTION 2-27 AND 2-30 PROVIDING FOR THE SALARY OF THE MAYOR AND MEMBERS OF CITY COUNCIL, RESPECTIVELY; PROVIDING FOR REPEAL OF CONFLICTING

ORDINANCES; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-1 as presented was made by Vice Mayor Scott Stiltner and Seconded by Council Member Drew Bastian.

Mayor Don Burnette spoke regarding his request to consider Mayor and Council's compensation. After 20 plus years, he believes there should be an increase to their salaries and suggested a formula similar to the one used by New Smyrna Beach. The ordinance as presented is a salary to the Mayor of 60% of the County Chair's salary each year and the Council Members salary would be 75% of the Mayor's salary. He believes this Council should be paid more than New Smyrna Beach but not necessarily as much as Daytona Beach.

Jamie Miller, Deputy City Manager, provided details regarding the Charter provisions around Mayor and Council's compensation and explained the formula being presented.

Vice Mayor Scott Stiltner discussed the increased demands of Council Members as the City grows.

Motion failed 2-3 by roll call vote with Council Member Jonathan Foley, Council Member Chase Tramont, and Vice Mayor Scott Stiltner voting no.

Vice Mayor Stiltner believes an adjustment is warranted but not as high as presented. He suggested a different percentage and would like to discuss it further.

Motion to reconsider was made by Vice Mayor Scott Stiltner and Seconded by Council Member Drew Bastian. Motion carried unanimously by voice vote.

Motion to amend Ordinance No. 2022-1 to 45% for the Mayor's salary instead of 60% was made by Vice Mayor Scott Stiltner and Seconded by Council Member Jonathan Foley.

Stan Schmidt, citizen, spoke regarding the pay for the County Commission and school board, as well as the benefits they receive.

Motion to amend the ordinance carried 3-2 by roll call vote with Council Member Jonathan Foley and Council Member Chase Tramont voting no.

Motion to adopt Ordinance 2022-1 as amended was made by Council Member Drew Bastian and Seconded by Vice Mayor Scott Stiltner. Motion carried 3-2 by roll call vote with Council Member Jonathan Foley and Council Member Chase Tramont voting no.

26. Adoption of Port Orange City Council Local Rules of Procedure ("Local Rules") for 2022

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

ADDITIONAL ITEMS

27. City Attorney

There was nothing further.

28. City Manager

City Manager Wayne Clark thanked Robin Hayes for her service and wished her well.

COUNCIL COMMITTEE REPORTS

29. City Council Committee Reports

a. First Step Shelter - Council Member Tramont

Council Member Chase Tramont provided details from their recent meeting.

b. Arthaus - Council Member Tramont

Council Member Chase Tramont had nothing to report.

c. Port Orange/South Daytona Chamber of Commerce - Mayor Burnette

Mayor Don Burnette asked if anyone was available to attend the meeting on Friday morning in his place as he is not able to attend. Council Member Jonathan Foley volunteered.

d. Roundtable of Elected Officials - Mayor Burnette

Mayor Don Burnette provided details from their recent meeting.

e. River to Sea TPO - Council Member Foley

Council Member Jonathan Foley advised the meeting is on January 26, 2022. He spoke regarding the Bicycle Pedestrian Committee, which is looking for an appointment from Port Orange. Council Member Foley has asked a resident and once confirmed will advise the Council.

ADJOURNMENT - 8:00 p.m.

Attest:

A handwritten signature in blue ink, appearing to read "Robin Fenwick", written over a horizontal line.

Robin Fenwick, MMC
City Clerk

A handwritten signature in blue ink, appearing to read "Donald O. Burnette", written over a horizontal line.

Mayor Donald O. Burnette