

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 15, 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 Rebecca Hyvonen of Cross Creek Community Church

Pledge of Allegiance

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

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. Port Orange Firefighter and Police Officer of the Year Recognition

Council recognized Lt. Ben Walker as the Firefighter of the Year and Detective Kelsie Nugent as the Police Officer of the Year and thanked them for their service.

5. Government Finance Professional's Week Proclamation

Mayor Don Burnette read the Proclamation for Government Finance Professional's Week and presented it to John McKinney, Finance Director.

City Council recessed at 6.42 p.m. to hold the Town Center and Eastport CRA Meetings, minutes of which are under separate cover and reconvened at 7:10 p.m.

CONSENT AGENDA

6. Public Comments on Consent Agenda Items Only

There were none.

7. Agenda Approval

There were no changes requested by Council.

Motion to approve the agenda as presented was made by Council Member Chase Tramont and Seconded by Vice Mayor Scott Stiltner. Motion carried unanimously by voice vote.

8. Approval of Minutes
 - a. March 1, 2022 - Regular City Council Meeting
9. Resolution No. 22-9 - Revising Parks & Recreation Fees
10. Resolution No. 22-10 - Temporarily Waiving Late Fees and Suspending Shut Offs for Delinquent Utility Accounts

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

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Mark Dickinson, citizen, spoke regarding a police chase that occurred from Port Orange to Flagler County and other police activity.

Anonymous asked Council to discuss the IT issues that have happened in the City recently.

COUNCIL COMMENTS

11. Comments/Concerns from Council Members

Vice Mayor Scott Stiltner spoke regarding the temporary sidewalk repairs happening throughout the City currently and the permanent repairs to come.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

12. Citizen Advisory Committee for TPO

Bobby Ball, member of CAC for TPO, provided an update.

13. Golf Advisory Board Appointments (x2)

Richard Lee and Jane Taylor's terms on the Golf Advisory Board are expiring in April and both have expressed interest in continuing to serve on the Board. There were no other applications received by the City Clerk.

Motion to re-appoint Richard Lee and Jane Taylor was made by Vice Mayor Scott Stiltner and Seconded by Council

Member Drew Bastian. Motion carried
unanimously by roll call vote.

PUBLIC HEARING

14. Second Reading - Ordinance No. 2022-3 - Amending Section 2-57 -
Public Records Management of the Electronic Information System
Standards Utilized by City Board Members

Mayor Don Burnette read Ordinance No. 2022-3.

ORDINANCE NO. 2022-3

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA,
FLORIDA, AMENDING SECTION 2-57 RELATED TO PUBLIC
RECORDS MANAGEMENT OF THE ELECTRONIC
INFORMATION SYSTEMS UTILIZED BY CITY BOARD MEMBERS;
PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING
FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-3
was made by Vice Mayor Scott Stiltner
and Seconded by Council Member Drew
Bastian.

Anonymous would like to see a delay on this vote so people can review it further.

Motion carried unanimously by roll call
vote.

15. Approval of Development Order Modification for the Final Plat and Plans
for Phase 2 of the Woodhaven Subdivision (Case No. 21-52000001)

Motion to approve the Development
Order Modification to the Final Plat and
Plans for Phase 2 of the Woodhaven
Subdivision as presented was made by
Vice Mayor Scott Stiltner and Seconded
by Council Member Chase Tramont.

Penelope Cruz, Planning Manager, provided details of the requested modifications that
include 1) removing 54 single-family lots and 2) expanding the proposed stormwater
ponds at the northeast and southeast portions of Phase 2.

Dick Smith, ICI Homes, spoke regarding the changes to make it a better project.

Motion carried unanimously by roll call
vote.

16. Approval of the Conditional Use Extension Request from Christ the King Community Church (Case No. 22-30000001)

Motion to approve the Conditional Use extension for an additional two years subject to the conditions listed in the Staff Report presented to Council was made by Vice Mayor Scott Stiltner and Seconded by Council Member Chase Tramont.

Gideon Smith, Planner, provided details of the requested extension due to delays in the construction industry that have prevented them from starting construction on the permanent facility. They are asking for an additional two years to continue meeting outdoors and allow for a food truck. Staff recommends approval subject to the conditions listed in the Staff Report.

Scott Kirschner, Pastor of Christ the King Community Church, provided background details and information on the request to extend the conditional use.

Council Member Drew Bastian supports the request and what the church community has done to the property.

Vice Mayor Scott Stiltner agreed and believes they will need to keep some services outdoors long term as the community is loving it.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

17. First Reading - Ordinance No. 2022-5 - LDC Amendment/ Chapter 9, Article II, Section 19 (Case No. 22-25000002)

Mayor Don Burnette read Ordinance No. 2022-5.

ORDINANCE NO. 2022-5

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 9, ARTICLE II OF THE LAND DEVELOPMENT CODE, TO ALLOW FUNDS FROM THE CITY'S TREE BANK TO BE USED FOR EDUCATIONAL OUTREACH PROGRAMS AND TREE GIVEAWAYS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-5 on first reading was made by Vice Mayor

Scott Stiltner and Seconded by Council
Member Drew Bastian.

Mrs. Cruz provided details of the ordinance and answered questions from Council.

Kat Atwood, citizen and Environmental Advisory Board member, spoke regarding the intent of the idea and discussions held with the Board.

Motion carried unanimously by roll call
vote.

18. Fourth Amendment to the Property Exchange Agreement (Former
Cardwell Funeral Home Property)

Motion to approve the Fourth Amendment to the Property Exchange Agreement (Cardwell Funeral Home Property); authorize the City Manager and City Attorney to finalize the Post-Closing Agreement; and authorize the Mayor and City Clerk to sign all necessary documents on behalf of the City in furtherance of the transfer of Cardwell Funeral Home Property was made by Council Member Chase Tramont and Seconded by Vice Mayor Scott Stiltner.

This item was discussed in detail with the Town Center CRA Board earlier in this meeting and Council had no further questions. Mayor Don Burnette opened it to public comment but there was none.

Motion carried unanimously by roll call
vote.

19. Third Amendment to the Escrow Agreement (Former Cardwell Funeral
Home Property)

Motion to approve the Third Amendment to the Escrow Agreement subject to removing the language releasing the \$48,000 cash bond, and authorizing the Mayor and City Clerk to sign all necessary documents related to the Escrow Agreement in furtherance of the transfer of Cardwell Funeral Home Property was made by Vice Mayor Scott Stiltner and Seconded by Council

Member Drew Bastian.

This item was discussed in detail with the Town Center CRA Board earlier in this meeting and Council had no further questions. Mayor Don Burnette opened it to public comment but there was none.

Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

20. City Attorney - There was nothing further.

21. City Manager

Wayne Clark, City Manager, asked Council to waive the bidding requirement relating to uniforms for Parks & Recreation. He spoke on the issues Staff has faced with two bids resulting in no responsive proposals. Staff has received quotes and requests the waiver so uniforms can be ordered for the upcoming sports seasons.

Motion to approve the waiver of bidding requirements to purchase uniforms for the upcoming baseball season and authorize an expenditure of more than \$25,000 was made by Council Member Chase Tramont and Seconded by Council Member Drew Bastian. Motion carried unanimously by roll call vote.

COUNCIL COMMITTEE REPORTS

22. City Council Committee Reports

- a. Fire Pension - Council Member Reed Foley was not present to report.
- b. First Step Shelter - Council Member Chase Tramont had nothing to report.
- c. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette - provided details of the recently held meetings and the upcoming events.

ADJOURNMENT - 7:49 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette