

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 19, 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 David Troxler of First Christian Church

Pledge of Allegiance

Roll Call	Present:	Council Member Reed 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
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SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

4. National Crime Victims' Rights Week Proclamation

Mayor Don Burnette read the Proclamation and presented it to Odetta Horruitiner, Victim Advocate Coordinator for the City.

5. Vietnam War Veterans Day Proclamation

Council Member Chase Tramont requested this item be rescheduled as the representatives are unable to attend tonight. He will let the Clerk know when they are available.

Council recessed at 6:35 p.m. to hold the Joint Special Meeting with the Town Center CRA.

TOWN CENTER CRA JOINT SPECIAL MEETING

Roll Call:	Present:	Chairman Stan Schmidt Member Michael Benedict Council Member Jonathan Foley Council Member Chase Tramont Council Member Drew Bastian Vice Mayor Scott Stiltner Mayor Donald Burnette
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There were no objections to the meeting notice.

Mayor Don Burnette opened item 6 for joint discussion by the City Council and CRA Members.

6. Release of Mortgage on Caldwell Funeral Home Parcel in Riverwalk

CRA: Motion to recommend approval of the City's Release of the Mortgage encumbering the property known as Cardwell with a Parcel ID of 6303-10-02-0030; authorize the City Manager and City Attorney to finalize the release document and authorize Chairman and Agency Clerk to sign any necessary documents for completion of the release of the Cardwell property was made by Member Scott Stiltner and Seconded by Member Drew Bastian.

Council: Motion to approve the Release of the Mortgage encumbering the property known as Cardwell with a Parcel ID of 6303-10-02-0030; authorize the City Manager and City Attorney to finalize the release document and authorize the Mayor and City Clerk to sign any necessary documents for completion of the release of the Cardwell property was made by Vice Mayor Scott Stiltner and Seconded by Council Member Drew Bastian.

There were no comments or questions from Council, CRA Members, or the public.

Both motions carried unanimously by roll call vote.

There was no further business brought before the members of the Town Center CRA and City Council.

Motion to adjourn was made by Vice Mayor Scott Stiltner and Seconded by Council Member Reed Foley. Motion carried unanimously by voice vote.

The Joint Special Meeting adjourned at 6:38 p.m. and Council returned to the Regular City Council meeting.

7. Public Comments on Consent Agenda Items Only

There were none.

8. 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 Chase Tramont. Motion carried unanimously by roll call vote.

9. Approval of Minutes

a. April 5, 2022 - Regular City Council Meeting

10. Bid Awards and Contract Items

a. Approval of Task Authorization No 1 with Kimley Horn & Associates, Inc., for Construction Administration during construction phase of the Water Reclamation Facility Building Expansion project.

b. Approval of Change Order #7 to Saboungi Construction Inc. for Playground Equipment at the REC Center

11. Resolution No. 22-11 - Tree Bank Policy

12. Resolution No. 22-13 - Calling a Primary and Regular Election for the Purpose of Electing City Council Members for Districts 1, 2, and 4 and providing for the qualifying period and election dates

13. Approval of the Third Amendment to Interlocal Agreement for Fire and/or Rescue Mutual Aid within Volusia County

14. Approval of an Easement to Florida Power and Light at the REC Center

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)

Shawn Weddle, citizen, spoke regarding illegal businesses operating under the Dunlawton causeway that are affecting his legal business.

Toby Harrison, Powersports Unlimited Owner, expressed concern regarding boats blocking the ramp.

Andrew Smith, Family Custom Charters, agreed. He is concerned with the liability issues illegal businesses create.

Council asked the City Manager and City Attorney to look into these complaints.

COUNCIL COMMENTS

15. Comments/Concerns from Council Members

Mayor Don Burnette discussed the new Mary Swiderski Outstanding Women in Government Award. The very first award winner is Deputy City Manager, Jamie Miller.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

16. Citizen Advisory Committee for TPO

Bobby Ball, CAC Member, provided details from their recent meeting.

17. Golf Course Advisory Board Report

Lance Green, Chair, provided an update to Council from their recent meeting.

18. Parks & Recreation Advisory Board Report

Mark Bowling, Chair, provided an update to Council from their recent meeting.

PUBLIC HEARING

19. First Reading - Ordinance No. 2022-7 - Rezoning/5231 Nova Road (Case No. 22-60000002)

Mayor Don Burnette read Ordinance No. 2022-7.

ORDINANCE NO. 2022-7

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +/-1.8 ACRES FROM PLANNED COMMERCIAL DEVELOPMENT (PCD) TO COMMUNITY COMMERCIAL (CC); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-7
was made by Vice Mayor Scott Stiltner
and Seconded by Council Member
Reed Foley.

Penelope Cruz, Planning Manager, provided details on the rezoning request.

Motion carried unanimously by roll call vote.

20. Small-Scale Future Land Use Map Amendment & Rezoning for 3741 S. Nova Road

a. First Reading - Ordinance No. 2022-8 - Small-scale Future Land Use Map Amendment/3741 S. Nova Road (Case No. 22-20000001)

Mayor Don Burnette read Ordinance No. 2022-8.

ORDINANCE NO. 2022-8

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FOR +/-2.3 ACRES FROM OFFICE/RESIDENTIAL (ORT) TO COMMERCIAL FOR PROPERTY GENERALLY LOCATED AT 3741 SOUTH NOVA ROAD; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-8 was made by Vice Mayor Scott Stiltner and Seconded by Council Member Reed Foley.

Mrs. Cruz provided details regarding the Future Land Use amendment being requested.

Motion carried unanimously by roll call vote.

b. First Reading - Ordinance No. 2022-9 - Rezoning/3741 S. Nova Road (Case No. 22-60000001)

Mayor Don Burnette read Ordinance No. 2022-9.

ORDINANCE NO. 2022-9

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +2.3 ACRES FROM PROFESSIONAL OFFICE (PO) TO COMMUNITY COMMERCIAL (CC); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-9
was made by Vice Mayor Scott Stiltner
and Seconded by Council Member
Chase Tramont.

Mrs. Cruz provided details of the rezoning request.

Motion carried unanimously by roll call
vote.

21. First Reading - Ordinance No. 2022-10 - Land Development Code
Amendment/Chapters 2 and 15 (Case No. 22-25000002)

Mayor Don Burnette read Ordinance No. 2022-10.

ORDINANCE NO. 2022-10

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT
CODE CHAPTERS 2 AND 15 UPDATING THE CURRENT
SIGNAGE REGULATIONS ADDRESSING MINOR FORMATTING
MATTERS; PROVIDING FOR THE ALLOWANCE OF AND
REQUIREMENTS FOR ROOF SIGNS WITHIN THE
COMMERCIAL DISTRICT OF THE DOWN UNDER SPECIAL
CHARACTER DISTRICT AND THE RIVERWALK SPECIAL
CHARACTER DISTRICT, BOTH A PART OF THE PORT ORANGE
TOWN CENTER COMMUNITY REDEVELOPMENT AREA;
PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF
CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY;
AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-10
was made by Vice Mayor Scott Stiltner
and Seconded by Council Member
Chase Tramont.

Mrs. Cruz provided details of the code amendment relating to signs being presented.

Motion carried unanimously by roll call
vote.

REGULAR AGENDA

22. Discussion on ArtHaus Use Agreement

Susan Lovallo, Parks & Recreation Director, provided details of the ArtHaus Use
Agreement options and requested direction on the terms Council would like to see for
the space they will use in the REC Center.

Cameron Vintson, ArtHaus Executive Director, provided information relating to their role in the community.

Ron Nowviskie, Board President, thanked Council for their years of support.

Council supports the current arrangement with in-kind items and ArtHaus covering their own expenses. Mayor Don Burnette suggested no rent for two (2) years. Mr. Nowviskie and Ms. Vintson believe they can make that work but worry about entering into an agreement and then not being able to fulfill it.

Council Member Chase Tramont prefers a five (5) year agreement with no rent and is prepared to make a motion after discussion.

Council Member Drew Bastian and Vice Mayor Scott Stiltner also agreed to continue as the agreement is now and no rent payments for five (5) years.

Mayor Don Burnette asked for quarterly reports from ArtHaus. Council will revisit the agreement before the five (5) years is up.

ADDITIONAL ITEMS

23. City Attorney

There was nothing further.

24. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

a. First Step Shelter - Council Member Chase Tramont provided details from their recent meeting.

b. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette provided details from their recent meeting.

ADJOURNMENT - 7:57 p.m.




Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette