

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JUNE 7, 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 Mike Swingle of First Baptist Church of Harbor Oaks

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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CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

Robert Reinhausen, citizen, spoke regarding item 7(a). He doesn't believe the rental amount is fair since the YMCA is subletting to Brooks Rehab. He asked Council to remove it from the Consent Agenda.

5. Agenda Approval

Mayor Don Burnette asked for a motion to approve the agenda with the removal of Item #17 which will come before the Council on June 21, 2022.

Motion to approve the agenda with the removal of Item #17 was made by Vice Mayor Scott Stiltner and Seconded by Council Member Chase Tramont. Motion carried unanimously by voice vote.

6. Approval of Minutes

- a. May 17, 2022 - Regular City Council Meeting
- b. May 24, 2022 - City Council Workshop

7. Bid Awards and Contract Items

- a. Approval of Amendment #2 to the YMCA/Brooks Rehab Sublease
- b. Intent to award ITB 22-06 for the Removal and Replacement of Acrylic Panels at the City Center Walkway Tunnel to A.G. Pifer Construction Company

- c. Intent to Award ITB 22-09 Ridgewood Ave Watermain Improvements to General Underground, Inc.
8. Resolution No. 22-15 - Adopting Inventory List of Real Property to which City holds Fee Simple Title for Use as Affordable Housing (Required by Florida Statutes Section 166.0451)
9. Resolution No. 22-16 - Adoption Agreements for Mission Square Money Purchase Plans 108373, 108499, 109110, and 106920
10. Approval of Minor Special Event - Showtime Sparkler Sale at 4020 Nova Road
11. Approval of Proportionate Fair-Share Agreement for Town West Senior Living Apartments Site Plan (Case No. 21-80000008)
12. Approval of Proportionate Fair-Share Agreement for Stor-It Site Plan (Case No. 21-80000009)
13. Approval of Proportionate Fair-Share Agreement for Conviva Medical Office Site Plan (Case No. 21-80000012)
14. Approval of Volusia County Combined-Drug Task Force Multi-Agency Voluntary Cooperation Mutual Aid Agreement
15. Approval to Submit Application for the Federal Fiscal Year 2022 United States Department of Justice Patrick Leahy Bulletproof Vest Partnership (BVP)

Motion to approve 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)

Doug Pettit, candidate for County Council At Large, spoke regarding his campaign platform.

COUNCIL COMMENTS

16. Comments/Concerns from Council Members

Council Member Chase provided a report on the First Step Shelter.

Council Member Reed Foley spoke regarding Terry Town Trail paving concerns. The City Manager is addressing it already.

Vice Mayor Scott Stiltner spoke on the property owned by the City and the rights of property owners relating to development of their property, as well as the environmental impacts and responsibility property owners have and how the City takes that seriously. He also responded to Mr. Reinhagen's comments about the lease and sublease at the YMCA. The sublease does not subsidize taxpayers.

Mayor Don Burnette spoke regarding the recent budget passed by the State that includes a project for the City.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

17. Environmental Advisory Board Appointments (x2)

This item was rescheduled for June 21, 2022.

18. Golf Course Advisory Board Report

Lance Green, Chair, provided details of their recent meeting. The golf course is in good shape.

PUBLIC HEARING

19. Second 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 Chase Tramont. Motion carried unanimously by roll call vote.

20. Second 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 Drew Bastian. Motion carried unanimously by roll call vote.

21. First Reading - Ordinance No. 2022-4 - Sixth Amendment to the Master Development Agreement for the Crystal Lake Planned Unit Development / Case No. 21-40000002

Mayor Don Burnette read Ordinance No. 2022-4.

ORDINANCE NO. 2022-4

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE SIXTH AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR CRYSTAL LAKE PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-4 was made by Vice Mayor Scott Stiltner and Seconded by Council Member Drew Bastian.

Tim Burman, Community Development Director, provided details of the amendment being requested regarding walklights. Mr. Burman explained other walklights in the City that are connected to sidewalks. There are currently no other plans for connectivity or other walklights. He also discussed the requirement for the City to maintain the walklights after they are installed by the developer. The applicant has requested they not be required. Staff recommends approval.

Wayne Clark, City Manager, explained the safety requirement for lights, which will be covered by street lights rather than decorative walklights.

Stan Schmidt, citizen and Planning Commission member, spoke regarding the discussion the Commission had as it relates to safety concerns with the school nearby.

Motion carried 3-2 by roll call vote with Council Member Drew Bastian and Vice Mayor Scott Stiltner voting no.

22. First Reading - Ordinance No. 2022-15 - Code of Ordinances Amendment/Chapter 42, Article IV - Noise and Light Regulations related

to the Riverwalk, Down Under, and Ridgewood/Commonwealth
Entertainment Districts (Case No. 22-25000003)

Mayor Don Burnette read Ordinance No. 2022-15.

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY OF PORT ORANGE, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 42, NUISANCES, ARTICLE IV, NOISE AND LIGHT REGULATIONS, SECTION 42-79 TO REPLACE THE TOURIST USE OCCUPANCY WITH COMMERCIAL USE OCCUPANCY; SECTION 42-80 TO ADDRESS VEHICLE NOISE REGULATION PREEMPTION; SECTION 42-81 TO ADDRESS VESSEL NOISE REGULATION PREEMPTION; SECTION 42-82 TO CREATE A PREEMPTION EXEMPTION; REPEALING SECTION 42-83 RELATED TO SPECIAL NOISE PERMITS, AND REPLACING WITH THE CREATION OF ENTERTAINMENT DISTRICTS WITH SPECIAL NOISE RESTRICTIONS; SECTION 42-84 AMENDING METHODS OF ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2022-15
was made by Vice Mayor Scott Stiltner
and Seconded by Council Member Reed
Foley.

Mr. Burman spoke regarding the regulations being presented.

Motion carried 4-1 by roll call vote with
Mayor Don Burnette voting no.

ADDITIONAL ITEMS

23. City Attorney

There was nothing further.

24. City Manager

Wayne Clark, City Manager, discussed the need for extra meetings in July and August relating to the budget. Council agreed to an Executive Session on Monday, July 18 at 5:30 p.m. and a Budget Workshop on Monday, July 25 at 5:30 p.m. Consideration of the maximum millage rate will be included on the agenda for the regular meeting on August 2nd. Robin Fenwick, City Clerk, will send out meeting invites.

25. City Council Committee Reports

a. River to Sea TPO - Council Member Reed Foley had nothing new to report.

ADJOURNMENT - 7:20 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette