

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MAY 2, 2023

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 Stephen Johnson of New Life Church

Pledge of Allegiance

Roll Call	Present:	Councilman Tracy Grubbs Councilman Drew Bastian Councilman Scott Stiltner Vice Mayor Reed Foley Mayor Don Burnette
	Also Present:	City Attorney Matthew Jones City Manager Wayne Clark Assistant City Clerk Tracee Cody

RECOGNITION AND PROCLAMATIONS

4. Port Orange University Certificates

Michael Springer, Public Information Officer, provided an overview of Port Orange University. Mr. Springer presented the class of Port Orange University 2023 with certificates. Mayor Don Burnette along with Council congratulated them individually.

5. Professional Municipal Clerks Week Proclamation

Mayor Burnette read the proclamation for Professional Municipal Clerks Week and presented it to Robin Fenwick, Assistant City Manager/City Clerk, and Tracee Cody, Assistant City Clerk.

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 Vice Mayor Reed Foley and seconded by Councilman Tracy Grubbs. Motion carried unanimously by voice vote.

8. Approval of Minutes
 - a. April 18, 2023
9. Bid Awards and Contract Items
 - a. Approval of Ratification for Tomoka Construction Emergency Repairs for Dunlawton Ave Reclaim Main Break February 2023
10. Approval of a Declaration of Restrictive Covenants of the Port Orange Field Operations Facility property
11. Approval of Volusia County Justice Assistance Grant (JAG) Agency Funding Allocation

Motion to approve the Consent Agenda as presented was made by Vice Mayor Reed Foley and seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Robert Reinhegan, resident, suggested the City holds website training for citizens.

COUNCIL COMMENTS

12. Comments/Concerns from Council Members

Councilman Grubbs agreed with Mr. Reinhegan's comment. Wayne Clark, City Manager, explained that the agendas and the layout look different because CivicPlus updated the portal. Vice Mayor Foley suggested that website training be included as a part of Port Orange University. Vice Mayor Foley also suggested a change to the agenda approval process.

All council members spoke highly of the newly renovated REC center and the grand opening. Mayor Burnette touched on the upcoming Parks & Rec bond.

Councilman Stiltner asked Mr. Clark and city staff to provide a brief update on the Sugar Forest community impacted by flooding and drainage issues, the house that caught fire that presented problems with Code Enforcement violations, and the Portona area. Mr. Clark explained that a lot of the flooding came from water collecting in the Nova Canal with no place for the water to run off. He informed Council of plans for allowing water to run off and projects currently underway, and also explained the ditches haven't been

maintained due to defunct Home Owners Associations, which the City is trying to resolve.

Robin Fenwick, Assistant City Manager/City Clerk, provided an update that the Public Works drainage staff has been out in the Sugar Forest community and other areas cleaning out drains. She explained that the house that caught fire was a quadruplex, each individually owned and insured, and is scheduled for a Special Magistrate hearing in June. If the owners do not come into compliance, the City is asking for authority to demolish the structure. Mrs. Fenwick also provided an update on potential Portona projects.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

13. Environmental Advisory Board Report

Kristine Cunningham, Chair of the Environmental Advisory Board, provided details from their meetings. She mentioned there are two openings on the board.

PUBLIC HEARING

14. First Reading - Ordinance No. 2023-03 – Fourth Amendment to the Master Development Agreement for the Riverwood Planned Unit Development / Case No. PRZA-23-0001 Mayor Don Burnette read Ordinance No. 2023-03.

ORDINANCE NO. 2023-03

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

Penelope Cruz, Planning Manager, provided details on the request. Jessica Gow, attorney for the applicant, provided further details of the request. Andrew Halpern and Mrs. Halpern, property owners, explained their contractor misled them on permitting requirements and that the structure was approved by their Homeowners Association.

Councilman Drew Bastian questioned the applicants on the back story of the structure being built, the steps they took during the build, and how the city became involved. Councilman Bastian expressed concern that the sketches shown to the Homeowners Association did not raise flags regarding the location in relation to buffers.

Mr. Reinhagen commented that he would have liked to see the opposing person's withdrawal included in the packet. Mag Bishara, Riverwood Plantation Homeowners Association Board member, informed Council that their HOA paperwork indicates that residents must inquire about permit requirements and agreed that their contractor

misled the property owners. Ms. Cruz provided a breakdown of the owner's costs for permits and fines, etc. at Councilman Stiltner's request.

Motion to approve Ordinance No. 2023-03 was made by Vice Mayor Reed Foley and seconded by Councilman Tracy Grubbs. Motion carried 4-1 by roll call vote with Councilman Drew Bastian voting no.

ADDITIONAL ITEMS

15. City Attorney

There was nothing further.

16. City Manager

Mr. Clark announced that Junos Reed is now the City Engineer and Director of the Engineering Department, Tom DiEulio has been promoted to the Public Works Director, and Steve Parnell is the Deputy Public Utilities Director. Mr. Clark noted his evaluation is at the next council meeting and the City Attorney's is in June.

Mrs. Fenwick gave an update on legislative projects and explained all three projects submitted will receive funding, almost \$4 million, as long as the governor doesn't veto them.

COUNCIL COMMITTEE REPORTS

17. City Council Committee Reports

a. River to Sea TPO - Vice Mayor Reed Foley

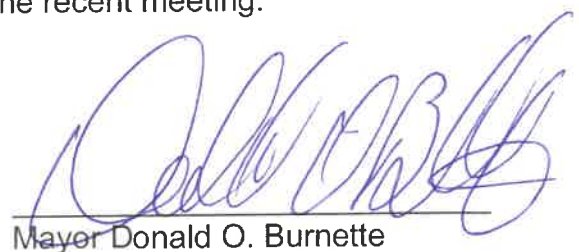
Vice Mayor Reed Foley provided details from the recent meeting.

ADJOURNMENT – 8:06 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette

