

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
FEBRUARY 16, 2021

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 Rev. Rebecca T. Hyvonen of Cross Creek Community Church

Pledge of Allegiance

Roll Call	Present:	Interim Council Member Jonathan Foley Council Member Chase Tramont Council Member Scott Stiltner Vice Mayor Drew Bastian Mayor Donald Burnette
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Also Present:	Interim City Manager Jamie Miller 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 his concerns and questions he has on Item #7(f).

5. Agenda Approval

Council did not request any changes to the agenda.

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

6. Approval of Minutes

- a. February 2, 2021 - Regular City Council Meeting
- b. February 9, 2021 - Special City Council Meeting

7. Bid Awards and Contract Items

a. Award of ITB #20-16 to 51 Site Services, Inc. for Ridgewood Ave and Farmbrook Rd Watermain Improvements

b. Approval of Change Order No. 1 to the Standard Contract for Services CA7258 with Gregori Construction Inc. relating to citywide Stormwater Improvement Project

c. Approval to waive formal bidding requirements for the repair of two (2) Pumps at the Water Reclamation Facility (WRF) by Power & Pumps, Inc.

- d. Approval and Ratification of the International Union of Police Association (IUPA) 2021-2023 Collective Bargaining Agreement
- e. Ratification of emergency Change Order No.1 relating to the repair of the City Hall Elevator by Premier Elevator Company
- f. Ratification of Emergency Change Order to the Standard Contract for Service CA7260 with Danus Utilities
- g. Ratification of emergency contract for repairs from Stewart & Stevenson (FDDA)
- h. Ratification of an emergency expenditure to Stewart & Stevenson, Power Rental Division
- i. Termination of AMI Agreement with Sensus USA, Inc. that is utilized for the water meter reading software in order move to a new software system
- 8. Resolution No. 21-6 - Budget Appropriation - FY20 Carryover of Open Encumbrances and Project Budgets
- 9. Resolution No. 21-7 - Budget Transfer of 401 Fund Balance for additional funding necessary for ITB #21-09 - Herbert and Nova Master Lift Station Improvements and Upgrade (SLS004)
- 10. Resolution No. 21-9 - Approval of Tree Conservation Easement Vacation at Bella Oaks Development
- 11. Resolution No. 21-10 - Easement Vacation 968 Tall Pine Drive
- 12. Approval of a License Agreement for 3649 Ridgewood Avenue/EcoTech
- 13. Approval of Modification #1 of Grant Agreement for Federal Emergency Management Agency for the Virginia Avenue and Monroe Street Drainage and Water Quality Project
- 14. Approval of Major Special Event Request for Lowes Spring Landscaping Sale/1751 Dunlawton Ave.
- 15. Approval of Historic Tree Removal Request at 107 Flamingo Drive in Treasure Isle Estates with Conditions

Motion to pull Item Nos. 7(d) and 14 was made by Council Member Chase Tramont and Seconded by Council Member Jonathan Foley. Motion carried unanimously by voice vote.

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

Item #7(d) – Approval and Ratification of the International Union of Police Association (IUPA) 2021-2023 Collective Bargaining Agreement

Mayor Don Burnette thanked Staff and the union representatives for their work on the contract.

Motion to approve Item #7(d) was made by Council Member Scott Stiltner and

Seconded by Vice Mayor Drew Bastian.
Motion carried unanimously by voice
vote.

Item #14 - Approval of Major Special Event Request for Lowes Spring Landscaping
Sale/1751 Dunlawton Ave.

Council Member Scott Stiltner thanked Lowes for their partnership.

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

Council recessed at 6:40 p.m. to hold the annual meetings of the Corporations, minutes
of which are under separate cover.

ANNUAL MEETING OF CORPORATIONS

16. Port Orange Property Development, Inc. Joint Annual Meeting of the
Members, Directors and Design Review Board

17. City Center Corporate Park Property Owner's Association, Inc. Joint Annual
Meeting of Members and Directors

Council reconvened at 6:47 p.m.

CITIZEN PARTICIPATION (Non-Agenda – 20 minutes)

There were none.

COUNCIL COMMENTS

18. Comments/Concerns from Council Members

Council Member Scott Stiltner asked for a workshop in or around March for discussion
on the Riverwalk vision before the new City Manager is hired.

Mayor Don Burnette asked Jamie Miller, Interim City Manager, to provide an update on
the Panhandling Ordinance. Mrs. Miller provided same. Mayor Don Burnette thanked
Staff for their work. He asked for an update on the annual audit. Mrs. Miller advised late
March is the current timeframe.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

19. Award ceremony presentation by the Police Department

Police Chief Thomas Grimaldi presented awards to members of the Police Department.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

20. Citizen Advisory Committee for TPO

Bobby Ball, member of the CAC, provided an update.

21. Golf Advisory Board Report

Lance Green, Chairman, provided an update from their recent meeting.

PUBLIC HEARING

22. Second Reading - Ordinance No. 2021-3 - Rezoning Catholic Church of the Epiphany 304, 308, 312, 316, 320, and 324 Fleming Avenue (Case No. 20-60000006)

Mayor Don Burnette read Ordinance No. 2021-3.

ORDINANCE NO. 2021-3

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +1.1 ACRES FROM R8SF SINGLE-FAMILY RESIDENTIAL TO GOVERNMENT/PUBLIC USE (GPU); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2021-3 was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont. Motion carried unanimously by roll call vote.

23. Second Reading - Ordinance No. 2021-4 - Residency Requirements for Administrative Officials

Mayor Don Burnette read Ordinance No. 2021-4.

ORDINANCE NO. 2021-4

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, SECTION 2-186, CODE OF ORDINANCES, TO CHANGE THE REQUIREMENTS OF ADMINISTRATIVE PROFESSIONALS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-4
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Council discussed the 15-mile radius and pros and cons to knowing there are potential
waivers that will result in the passing of the ordinance.

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

24. First Reading - Ordinance No. 2021-6 - LDC Amendment/Chapters 2, Section
2 and Chapter 8, Article III, Section 9 (Case No. 21-25000001)

Mayor Don Burnette read Ordinance No. 2021-6.

ORDINANCE NO. 2021-6

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA
COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT
CODE CHAPTER 2, SECTION 2 TO AMEND THE DEFINITION
OF ACCESSORY STRUCTURE AND DELETE OBSOLETE
TERMS AND DEFINITIONS RELATED TO NEW AND EXISTING
MOBILE HOME AND MANUFACTURED HOME PARKS OR
SUBDIVISIONS; AMENDING CHAPTER 8, ARTICLE III, SECTION
9 TO PROVIDE CRITERIA FOR ACCESSORY STRUCTURES IN
FLOOD HAZARD AREAS; TO SPECIFY ELEVATION OF
MANUFACTURED HOMES IN FLOOD HAZARD AREAS;
PROVIDING FOR APPLICABILITY; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-6
was made by Vice Mayor Drew Bastian
and Seconded by Council Member Scott
Stiltner.

Margaret Tomlinson, Construction and Engineering Supervisor, provided details of the
amendment.

Motion carried unanimously by roll call
vote.

25. First Reading - Ordinance No. 2021-7 - First Amendment to the Sunset Cove
PUD Master Development Agreement (Case No. 20-40000006)

Mayor Don Burnette read Ordinance No. 2021-7.

ORDINANCE NO. 2021-7

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE SUNSET COVE A RESIDENTIAL PUD MASTER DEVELOPMENT AGREEMENT (MDA); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2021-7 was made by Vice Mayor Drew Bastian and Seconded by Council Member Chase Tramont.

Penelope Cruz, Planning Manager, provided details of the amendment being requested.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

26. Award of RFP #21-01 for Solid Waste Collection and Disposal Services

Motion to approve RFP #21-01 as presented was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Lynn Stevens, Public Works/Utilities Director, provided details of the bid and the expiration of the current 10-year contract. She requested authorization to allow the Committee to negotiate regarding the structure of the commercial containers. There will be no change in the price after the negotiation. Alternates will be discussed at the Council Workshop on February 23, 2021. The Contract award will be brought before Council for consideration on March 2, 2021. Mrs. Stevens answered questions from Council.

Motion carried unanimously by roll call vote.

27. First Step Shelter update

Chief Grimaldi provided information concerning the number of persons offered use of the First Step Shelter, how many individuals from Port Orange agreed to use the shelter, and the process used by the Police Department to offer First Step shelter accommodations to persons.

Council Member Chase Tramont asked Council to discuss the financial requirement to the shelter for FY21 at a future meeting.

28. Authorization to submit the proposed project list for the River to Sea TPO 2021 Transportation Improvement Program Priority List

Motion to approve as presented was made by Vice Mayor Drew Bastian and Seconded by Council Member Scott Stiltner.

Ms. Tomlinson provided details of the items on the project list and asked Council for approval.

Mr. Reinhagen addressed the sidewalk project in Willow Run. He'd rather see the project include the north side of the road rather than the south.

Council Member Chase Tramont agreed that the sidewalk on the north side needs maintenance.

Motion carried unanimously by roll call vote.

29. Rules of Procedure ("Local Rules")

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

ADDITIONAL ITEMS

30. City Attorney

There was nothing further.

31. Interim City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

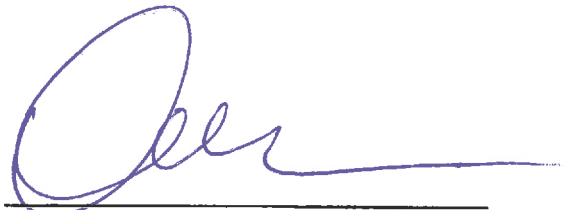
32. City Council Committee Reports

a. Fire Pension Board - Council Member Jonathan Foley provided details from their recent meeting.

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

c. Roundtable of Elected Officials - Mayor Don Burnette provided details from their recent meeting.

ADJOURNMENT – 8:11 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk

