

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JULY 18, 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 Joshua Owen of Spruce Creek Presbyterian 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:

Assistant City Attorney, Shannon
Balmer
City Manager, Wayne Clark
Deputy City Clerk, Tracee Cody

RECOGNITION AND PROCLAMATIONS

4. Parks and Recreation Month Proclamation

Mayor Don Burnette read the proclamation for Parks and Recreation Month and presented it to Susan Lovallo, Parks & Recreation Director.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

Robert Reinhagen, resident, commented on agenda item #10 particularly in regards to wells that are not included in the study.

6. Agenda Approval

Mayor Burnette asked to pull Item #10 for further discussion.

Motion to approve the agenda as amended was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by voice vote.

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7. Approval of Minutes
 - a. June 20, 2023 - Regular City Council Meeting
8. Bid Awards and Contract Items
 - a. Approval of Task Authorization No. 1 with Insituform Technologies LLC for the FY23 Cured in Place Pipe lining (CIPP) Project for Ravenwood/Foxboro/Deep Forest Subdivisions
 - b. Approval of Amendment and Renewal No. 1 with Better Barricades, Inc. for Street Striping
 - c. Approval of Change Order No. 1 to the Contract for Services with General Underground, LLC (CA8036) for the emergency temporary repairs at the Cambridge Stormwater Pump Station
 - d. Approval of Task Authorization No. 1 with Advanced Roofing, Inc. for Roof Replacement on the Maintenance Barn at Cypress Head Golf Course
 - e. Approval of Task Authorization No. 2 with Advanced Roofing, Inc. for YMCA Roof Repairs
 - f. Approval to award ITB 23-07 to Danus Utilities, Inc. for Sanitary Sewer Manhole Lining
9. Resolution No. 23-23 - Vacation of a portion of the buffer requirement established in Plat Note No. 7 of the Palmas Bay Club Subdivision Plat
10. Resolution No. 23-24 - 2023 City of Port Orange Water Supply Work Plan
11. Resolution No. 23-25 - Establishing Notice and Hearing Requirements for Certain Assessment Increases
12. Concurrence Request - Department Head Residency Requirement per Section 2-186 of the Code of Ordinances

Motion to approve the Consent Agenda Items #7-#9, #11 and #12 as presented was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

Item #10 - Resolution No. 23-24 - 2023 City of Port Orange Water Supply Work Plan

Motion to approve Item #10 was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner.

Mayor Burnette commented that there are over 40 wells in use in the City with about 80 percent of them being in the city's conservation field. He explained the State approves consumptive use permit in increments of 10 years, but based on our consumption levels and our water supply plan, the State approved our permit for 20 years and he credited Wayne Clark, City Manager, and his staff for their hard work.

Motion carried unanimously by roll call vote.

PUBLIC PARTICIPATION (Agenda)

13. Barracks of Hope Presentation by Halifax Urban Ministries

Stacy Cantu, Daytona Beach Commissioner, spoke on behalf of the Barracks of Hope which offers housing and support to veterans, in hopes of the Port Orange City Council sponsoring a room with a \$25,000.00 donation. Buck James, Executive Director of Halifax Urban Ministries, provided further details on the project and introduced members of veteran organizations that participate in many different ways. Rolf Matter (Commander of the Military Order of the Purple Heart, Chapter 316), Bob Adkins (President of the Vietnam Veterans of America, Chapter 1048), Michael Deem (Marine Corps League of Department of Florida), and Senator Tom Wright all pointed out how the donation would help veterans.

All Council members expressed their gratitude to veterans and support of the Barracks of Hope's mission. Mayor Burnette, with the consensus of Council, requested Mr. Clark to budget \$30,000.00 for sponsorship in hopes of challenging other cities to do the same.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Carolyn Sanders-James and Pam Hansen-Peterson, residents, commented about the community of Freemanville and Mount Moriah Baptist Church in hopes of bringing awareness and preservation of the church.

Rick Brown, resident of Daytona Beach and property owner in Port Orange, thanked Council for their support of Barracks of Hope and commented on maintenance issues in and around the Port Orange Pavilion.

James Houlahan and Geri Nehall, Sugar Forest residents, expressed their concerns about flooding and other issues around the subdivision.

COUNCIL COMMENTS

14. Comments/Concerns from Council Members

Mayor Burnette asked Mr. Clark for an update on the Sugar House Blvd. quadruplex that caught fire and work that maintenance staff is doing around the neighborhood. Mr. Clark said an agenda item is scheduled for August 1st to present a quote to Council for demolition of the quadruplex. Mr. Clark also provided an update that maintenance crews are constantly out maintaining ditches, pipes, etc. throughout multiple neighborhoods and that the Nova Canal capital improvement project will help the flow of water. Mayor Burnette touched on the fact that one of the challenges with the Sugar Forest neighborhood is that the Home Owners Association is defunct and that the City doesn't have legal rights to operate on land it doesn't own.

Vice Mayor Foley thanked Senator Wright and Representative Chase Tramont for visiting and presenting the City with a check for legislative appropriations. Councilman Grubbs thanked them as well and addressed concerns from the Sugar Forest residents. Councilman Stiltner stressed that residents can help the city acquire funds for needed projects by contacting their state reps and he also encouraged residents of neighborhoods with defunct HOAs to re-form them. Councilman Drew Bastian agreed and told residents to report concerns to the city.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

15. Parks & Recreation Advisory Board Appointment

Motion to re-appoint Michael Navarra to the Parks & Recreation Advisory Board was made by Councilman Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

16. Golf Advisory Board Appointment (x3)

Motion to re-appoint Lance Green, Dennis Flesch and appoint Mike Bagnato to his first term was made by Councilman Drew Bastian and seconded by Councilman Scott Stiltner. Motion carried unanimously by voice vote.

Council recessed at 7:54 p.m. and reconvened at 8:03 p.m.

PUBLIC HEARING

17. Second Reading - Ordinance No. 2023-04 - Code of Ordinances Amendment/Chapter 58, Article III - Special Events

Mayor Don Burnette read Ordinance 2023-04.

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING CHAPTER 58, ARTICLE III OF THE CODE OF ORDINANCES RELATING TO SPECIAL EVENTS; AMENDING SECTION 58-1 TO MAKE MINOR CHANGES TO THE DEFINITION OF MAJOR SPECIAL EVENT; AMENDING SECTION 58-53 TO ALLOW FOR SPECIAL EVENT SALES ASSOCIATED WITH LEGAL HOLIDAYS AND SEASONAL EVENTS AND TO

PROVIDE AN INCREASE IN THE AMOUNT OF DAYS FOR A SPECIAL EVENT WITHIN THE RIVERWALK AND DOWN UNDER ENTERTAINMENT DISTRICT REGARDLESS OF PARCEL SIZE; AMENDING SECTION 58-56 TO REMOVE THE BOND REQUIREMENT FOR MAJOR SPECIAL EVENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-04 was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

18. Second Reading - Ordinance No. 2023-05 - Fourth Amendment to the Master Development Agreement for the Woodhaven Planned Unit Development (Case No. PRZA-23-0003)

Mayor Don Burnette read Ordinance No. 2023-05

ORDINANCE NO. 2023-05

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

Motion to adopt Ordinance No. 2023-05 was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

19. Second Reading - Ordinance No. 2023-06 - Second Amendment to the Master Development Agreement for the Southwinds Center Planned Commercial Development (Case No. PRZA-23-0002)

Mayor Don Burnette read Ordinance No. 2023-06

ORDINANCE NO. 2023-06

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA

COUNTY, FLORIDA, APPROVING THE FOURTH AMENDMENT TO SECOND AMENDMENT TO THE AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT FOR SOUTHWINDS CENTER PLANNED COMMERCIAL DEVELOPMENT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-06 was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

20. Second Reading - Ordinance No. 2023-07 - Amendment to Chapter 54, Article IV, Fire & Rescue Pension Fund of the Code of Ordinances

Mayor Don Burnette read Ordinance No. 2023-07

ORDINANCE NO. 2023-07

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, ARTICLE IV, FIRE AND RESCUE PENSION FUND, BY AMENDING SECTION 54-77, DEFINITIONS; AMENDING SECTION 54-104, BENEFITS AND CONTRIBUTION FOR MEMBERS HIRED ON OR AFTER DECEMBER 4, 2012; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-07 was made by Vice Mayor Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

21. City Attorney

There was nothing further.

22. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

23. City Council Committee Reports

a. Arthaus - Vice Mayor Reed Foley

They have yet to have a meeting.

ADJOURNMENT – 8:08 p.m.



Attest:

Robin Fenwick, MMC
City Clerk

Mayor Donald O. Burnette