

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
DECEMBER 5, 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 Nathan Buker of Victorious 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 Manager, Wayne Clark City Attorney, Matt Jones Deputy City Clerk, Tracee Cody

4. Election of Vice Mayor for 2024

Motion to nominate Councilman Scott Stiltner for Vice Mayor was made by Vice Mayor Reed Foley and seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

There were none.

6. Agenda Approval

There were no changes requested by Council.

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

7. Approval of Minutes

a. November 14, 2023 - Regular City Council Meeting

8. Bid Awards and Contract Items
 - a. Approval of Contract to Purchase 819 Madeline Avenue
 - b. Approval of the Sponsorship Agreement with Advent Health for a \$50,000.00 contribution toward the replacement of the gym floors for REC Courts 2 and 3

9. Amendment to Easement - 3350 Ridgewood Avenue
10. Approval of the 2024 City Council Meeting Calendar
11. Resolution No. 23-59 - Volusia ECHO Grant Application for City Center Playground Improvement
12. Resolution No. 23-62 - Cybersecurity Framework
13. Resolution No. 23-64- Approval of Grant Agreement for \$1,000,000 with Florida Department of Environmental Protection for the Ridgewood Avenue & North Commonwealth Water Main Replacement
14. Resolution No. 23-66- Approval of Grant Agreement for \$2,500,000 with Florida Department of Environmental Protection for the Sewer Force Main Halifax River Crossing

Motion to approve the Consent Agenda as presented was made by Councilman Scott Stiltner and seconded by Vice Mayor Reed Foley. Motion carried unanimously by roll call vote.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

There were none.

COUNCIL COMMENTS

15. Comments/Concerns from Council Members

Councilman Scott Stiltner read Ben Talluto's obituary into the record, who was former member and Vice Mayor of Council and who served on the Port Orange Town Center Community Redevelopment Agency.

Vice Mayor Reed Foley thanked the staff for a job well done on the Christmas Parade and also thanked Atlantic Marine and Gary Yeoman Ford. Vice Mayor Foley further thanked staff for their hard work on bringing forth Item #8a, Contract to Purchase of 819 Madeline Avenue, to help out with flooding and drainage issues. Lastly, he advised Council that he would be absent at the December 12 City Council & Town Center CRA Joint Special meeting, but wanted to express his support of the extension to Bristol for the Riverwalk project "based on the environment that is around us".

Councilman Tracy Grubbs spoke about mailing costs associated with utility billing and

would like to urge residents to receive electronic bills or possibly pay a surcharge for regular mail.

Mayor Don Burnette requested staff to add utility billing as a discussion item on the January 9 agenda for further direction. Mayor Burnette also mentioned Cops for Christmas is still accepting donations.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

16. Golf Advisory Board Report

Richard Lee, Chairman of the Golf Advisory Board, provided details from their recent meetings.

PUBLIC HEARING

17. Second Reading - Ordinance No. 2023-11 - Amending Chapter 2 Administration - Finance - Payments for Utilities

Mayor Don Burnette read Ordinance No. 2023-11.

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, SECTION 2-240 RELATED TO PAYMENTS FOR UTILITIES TO REVISE THE LATE PAYMENT PENALTY, ESTABLISH A DELINQUENT FEE, AND EXPAND THE AUTHORITY OF THE CITY MANAGER TO MAKE UTILITY BILLING ADJUSTMENTS; ESTABLISHING A NEW SECTION 2-242 AUTHORIZING DELINQUENT ACCOUNT PAYMENT PLANS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-11 was made by Councilman Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

18. Second Reading - Ordinance No. 2023-16 - Land Development Code Amendment/Chapter 21 - Update to City Impact Fees (Case No. DCAM-23-0001)

Mayor Don Burnette read Ordinance No. 2023-16.

ORDINANCE NO. 2023-16

AN ORDINANCE OF CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING AND CONSOLIDATING CERTAIN PROVISIONS OF CHAPTER 21 OF THE CITY'S LAND DEVELOPMENT CODE RELATED TO IMPACT FEES IMPOSED BY THE CITY OTHER THAN WATER AND SEWER DEVELOPMENT FEES; PROVIDING FOR UNIFORMITY AND CONSISTENCY OF IMPACT FEE ADMINISTRATION AND PROCEDURES; PROVIDING FOR REORGANIZATION, REVISIONS, ADDITIONS AND DELETIONS TO EFFECTUATE CONSOLIDATION OF THE IMPACT FEE CODE PROVISIONS; ADOPTING UPDATED SCHEDULES OF FIRE/RESCUE IMPACT FEES, TRANSPORTATION IMPACT FEES, AND PARKS AND RECREATION IMPACT FEES; PROVIDING FOR THE IMPOSITION OF POLICE IMPACT FEES; ADOPTING A SCHEDULE OF POLICE IMPACT FEES AND CLASSIFYING USES OF PROPERTY SUBJECT TO SUCH IMPACT FEES; PROVIDING DEFINITIONS, RULES OF CONSTRUCTION AND FINDINGS; PROVIDING FOR THE USE OF IMPACT FEE MONIES COLLECTED; PROVIDING FOR EXEMPTIONS IN CONNECTION WITH IMPACT FEES; PROVIDING FOR THE CALCULATION OF ALTERNATIVE IMPACT FEES; PROVIDING FOR CHANGES OF SIZE AND USE; PROVIDING FOR PAYMENT AND COLLECTION OF IMPACT FEES; PROVIDING FOR IMPACT FEE CREDITS; REQUIRING PERIODIC REVIEW OF IMPACT FEE STUDIES AND THIS ORDINANCE; DECLARATION OF EXCLUSION FROM THE ADMINISTRATIVE PROCEDURE ACT; PROVIDING FOR NOTICE OF THE UPDATED SCHEDULES OF FIRE/RESCUE IMPACT FEES, TRANSPORTATION IMPACT FEES, AND PARKS AND RECREATION IMPACT FEES AND FOR THE IMPOSITION OF POLICE IMPACT FEES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-16 was made by Councilman Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

19. Second Reading - Ordinance No. 2023-17 - Second Amendment to Restated First Amendment to the Master Development Agreement for Nova Depot Planned Commercial Development

Mayor Don Burnette read Ordinance No. 2023-17.

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE SECOND AMENDMENT TO RESTATED FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT NOVA DEPOT PLANNED COMMERCIAL DEVELOPMENT; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2023-17 was made by Councilman Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

20. City Attorney

Matt Jones, City Attorney, spoke about a national class action lawsuit involving all public water systems and provided information on the process. His recommendation was to stay in the class and the consensus of Council was to continue as is.

21. City Manager

Wayne Clark, City Manager, told Council that Bristol representatives would be in town next week available for meetings, if needed. Mr. Clark also spoke about the unusable soccer and baseball field at City Center due to soil issues and will update Council at the beginning of the year with solutions.

COUNCIL COMMITTEE REPORTS

22. City Council Committee Reports

a. Fire Pension Board - Vice Mayor Reed Foley

Vice Mayor Reed Foley discussed the details of their recent meeting.

b. Police Pension Board - Councilman Drew Bastian

Councilman Drew Bastian discussed details from their recent meeting.

c. General Employee's Pension Board - Councilman Scott Stiltner

Councilman Scott Stiltner was not able to attend but mentioned the market value of the board.

ADJOURNMENT – 7:14 p.m.



Mayor Donald O. Burnette

Attest:



Tracee Cody
Deputy City Clerk

