

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 5, 2024

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 Tom Nelson of First United Methodist Church

Pledge of Allegiance

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

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

There were no changes requested by Council.

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

6. Approval of Minutes

- a. February 20, 2024 - Regular City Council Meeting
- b. February 22, 2024 - Town Hall Meeting

7. Bid Awards and Contract Items

- a. Approval to Award RFSQ #23-17 Professional Surveying Services to five (5) firms: Bowman Consulting Group, CPH, LLC, L&S Diversified, NV5 and Southeastern Surveying and Mapping Corp.
- b. Approval of Award RFP #24-01 General Contracting Services for Small Projects up to \$200,000.

c. Approval of Task Authorization No. 7 with Mead & Hunt for Water Reclamation Facility Operating Permit Renewal

d. Approval of Task Authorization No. 10 with Kimley-Horn & Associates under the Master Contract for Engineering Services CA7763 (RSFQ 21-03) as it relates to the Sugar Forest Lift Station (LS 40) Relocation and Stormwater Improvements Project

e. Approval of Task Authorization No. 11 with Kimley-Horn & Associates for the Cypress Head Golf Club Consumptive Use Permit Renewal

f. Approval of a License Agreement with CS1031 Maplewood Estates MHC, DST for improvements to a portion of the Chamberlin Blvd. right-of-way within Maplewood Mobile Estates Subdivision

8. Approval of Revised Local Rules of Procedure

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

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Michelle Utter, resident, spoke about being Pfizer vaccine injured to bring awareness to others.

Michael Algri, Board Chair of the Port Orange South Daytona Chamber, thanked Council and the City Manager for their continued support.

COUNCIL COMMENTS

9. Comments/Concerns from Council Members

Councilman Reed Foley expressed his opinion on the agenda approval process and would like Item #5 removed from Council's process. Mayor Burnette explained that the agenda approval is to prevent members bringing surprise items at the end of meetings. However, every year, Council's Local Rules of Procedures are brought forth to adopt and changes can be discussed at that time for Council to vote on.

Councilman Tracy Grubbs reminded residents to be cautious of the PACE program postcards that are showing up in mailboxes and to make sure the contractors are properly licensed. He also thanked staff on the paving projects and mentioned Thrive Church will be doing their groundbreaking on Monday, March 11.

Vice Mayor Scott Stiltner complimented the great events at Riverwalk Park and everyone, including staff, that is a part of them.

Mayor Burnette asked City Manager, Wayne Clark, for an update on the traffic lights being out along Nova Road (from Herbert Street heading south toward Dunlawton Ave)

since Hurricane Ian. Mr. Clark informed him that there was an issue in determining if there was power or not to that section of lights. Staff was advised by FPL that they have found good power within that area and put a work order in to the Department of Transportation, which was around late December 2023. At the request of Mayor Burnette, Mr. Clark will follow up on the status.

SPECIAL REPORTS

10. Report from KemperSports on the Cypress Head Golf

Jeff Dayton, General Manager of KemperSports, provided an update on the financial and condition of the Cypress Head Golf Course.

PUBLIC HEARING

11. Hammock Preserve Project

Mayor Burnette opened Items #11a and #11b to be discussed together and then voted on individually.

a. First Reading – Ordinance No. 2024-02 - 23-1 Large-Scale Comprehensive Amendment/Hammock Preserve (Case No. CPAM-23-0001)

Mayor Burnette read Ordinance No. 2024-02.

ORDINANCE NO. 2024-02

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 (FLU) DESIGNATION FOR +5.2 ACRES OF PARCEL 6201-00-00-0010 FROM URBAN MEDIUM DENSITY RESIDENTIAL (4-8 UNITS/ACRE) TO COMMERCIAL; AMENDING THE FUTURE LAND USE DESIGNATION FOR +29.9 ACRES OF PARCEL 6201-00-00-0012 FROM SUBURBAN RESIDENTIAL (0-2 UNITS/ACRE) TO URBAN MEDIUM DENSITY RESIDENTIAL (4-8 UNITS/ACRE); AMENDING THE FUTURE LAND USE DESIGNATION FOR +2.5 ACRES OF PARCEL 6201-00-00-0012 FROM SUBURBAN RESIDENTIAL (0-2 UNITS/ACRE) TO COMMERCIAL; WITH TEXT AMENDMENT ADDING A FUTURE LAND USE ELEMENT POLICY TO PROVIDE DENSITY/INTENSITY LIMITS FOR THE OVERALL ±149.2-ACRE PROPERTY GENERALLY LOCATED ALONG THE NORTH AND SOUTH SIDES OF MADELINE AVENUE, EAST OF WILLIAMSON BOULEVARD; AUTHORIZE TRANSMITTAL TO

REQUIRED AGENCIES; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-02 was made by Vice Mayor Scott Stiltner and seconded by Councilman Tracy Grubbs. Motion carried 4-1 by roll call vote with Vice Mayor Scott Stiltner voting no.

b. First Reading – Ordinance No. 2024-03 – PUD Rezoning and Hammock Preserve Planned Unit Development (PUD) Master Development Agreement (MDA) and Conceptual Development Plan (CDP) (Case No. PRZA-23-0007)

Mayor Burnette read Ordinance No. 2024-03.

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY ±32.4 ACRES OF PARCEL 6201-00-00-0012 FROM R-8SF (SINGLE-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT AND ESTABLISHING THE HAMMOCK PRESERVE PLANNED UNIT DEVELOPMENT PUD MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR A ±149.2 ACRE SITE GENERALLY LOCATED ALONG THE NORTH AND SOUTH SIDES OF MADELINE AVENUE, EAST OF WILLIAMSON BOULEVARD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-03 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley.

Penelope Cruz, Planning Manager, provided details of each request consisting of three parcels.

Mark Watts, Attorney with Cobb Cole, spoke about the history of Williamson Blvd., the proposed PUD and traffic. Jessica Gow, Attorney with Cobb Cole, spoke more on the design, conceptual plan, and setbacks. Kris Rowley, Zev Cohen and Associates, spoke on drainage and waterflow.

Council recessed at 7:40 p.m. and reconvened at 7:48 p.m.

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Attorney Watts, Attorney Gow and Mr. Rowley answered questions from Council about run off water and traffic.

Multiple residents support the project but expressed their concerns regarding the B-19 canal flooding, the amount of units being proposed, and making sure residents are aware of what entity (City, County, private, etc.) is responsible for maintaining certain sections of the development.

Mr. Rowley, Attorneys Gow and Watts addressed residents' concerns.

Motion to amend Ordinance No. 2024-03 to allow commercial restriction of operating hours between 6 a.m. to 10 p.m. on parcel 2 was made by Councilman Tracy Grubbs and seconded by Councilman Reed Foley. Motion to amend the motion carried 4-1 by roll call vote with Vice Mayor Scott Stiltner voting no.

Main motion as amended to approve Ordinance No. 2024-03 carried 4-1 by roll call vote with Vice Mayor Scott Stiltner voting no.

Council recessed at 9:14 p.m. and reconvened at 9:21 p.m.

ADDITIONAL ITEMS

12. City Attorney

There was nothing further.

13. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

14. City Council Committee Reports

a. River to Sea TPO - Councilman Reed Foley

Councilman Foley stated the most recent meeting did not have a quorum.

b. Fire Pension Board - Councilman Reed Foley

Councilman Foley provided details from their recent meeting.

c. Police Pension Board - Councilman Drew Bastian

Councilman Bastian provided details from their recent meeting.

d. First Step Shelter - Mayor Don Burnette

Mayor Burnette provided details from their recent meeting.

e. General Employees Pension Board - Vice Mayor Scott Stiltner

Vice Mayor Stiltner provided details from their recent meeting.

ADJOURNMENT – 9:27 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette