

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
APRIL 2, 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 Mike Swingle of First Baptist Church of Harbor Oaks

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

RECOGNITION AND PROCLAMATIONS

4. Fair Housing Month Proclamation

Mayor Don Burnette read the Fair Housing Month Proclamation and presented it to representatives of the Daytona Beach Area Association of Realtors.

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 Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

7. Approval of Minutes

a. March 19, 2024 - Regular City Council Meeting

8. Bid Awards and Contract Items
 - a. Approval of Woodhaven Traffic Enforcement Agreement
 - b. Approval of Task Authorization No. 11 with Pegasus Engineering, LLC to provide assistance in preparing and submitting a grant application for the FEMA Hurricane Idalia Hazard Mitigation Grant Program (HMGP) Application for the Acquisition and Demolition of 4 Flood-Prone Homes
9. Authorization for County of Volusia, Mosquito Control Division to perform low-level flights to provide aerial mosquito control services
10. Approval of Memorandum of Understanding (MOU) with the International Association of Firefighters (IAFF)
11. Resolution No. 24-06 – Hurricane Idalia Hazard Mitigation Grant Program (HMGP) Application to Request Funds to Acquire four (4) homes
12. Resolution No. 24-07 - Edward Byrne Memorial Justice Assistance Subgrant Agreement for \$110,365.00 from the Florida Department of Law Enforcement
13. Resolution No. 24-08 - Approval of the Grant Application for Florida Inland Navigational District (FIND) for construction of the South Causeway Boat Ramp and Floating Docks Improvements

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

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Emma Clark, member of the Port Orange/South Daytona Chamber of Commerce, thanked Council for their continued support and spoke about upcoming events.

Michelle Utter, resident, spoke about being vaccine injured to spread awareness.

COUNCIL COMMENTS

14. Comments/Concerns from Council Members

Councilman Tracy Grubbs thanked City Engineer Junos Reed and staff for finding a state issued grant worth over \$15 million dollars that was awarded to the City for water facility upgrades. Councilman Grubbs also thanked the Environmental Advisory Board for their efforts and announced a water goat is being installed on Friday, April 12 at Riverwalk Park and that at the last major event, the board donated over 180 trees to the community. Lastly, he mentioned that the new Arthaus facility at the REC will be debuting art from high school students in the IB program on Friday, April 5.

Vice Mayor Scott Stiltner made Council aware that he has asked the City Manager, Wayne Clark, to have staff look into the current developments in the Pioneer Trail corridor and Venetian Bay area that encompass the south portion of Port Orange. He would like to be updated as to how regional partners, such as Volusia County and the

City of New Smyrna Beach, are handling plans for drainage and stormwater. Vice Mayor Stiltner also informed Council that he was contacted by a YMCA board member regarding renewing their current lease. Mayor Don Burnette said he also spoke to Mr. Clark about having discussions with the YMCA to possibly get an agreement in place that are favorable to both parties and bring back further information to Council.

Mayor Burnette attended Mary Wittmeyer's 100th birthday celebration and 41st anniversary for serving as a Volunteer in Police Service (VIPS) and acknowledged her hard work and dedication. He also reminded Council that the City Attorney and City Manager reviews are coming up so they could prepare.

SPECIAL REPORTS

15. FY2023 Audit Discussion with James Moore & Company

Zach Chalifour, CPA with James Moore & Company, provided details about the FY2023 Audit. He noted the City rated favorable and timeliness is a good indicator of that.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

16. Environmental Advisory Board Appointment

Applicant Mark Heldreth introduced himself and is the owner of Atlas Dewatering.

Motion to nominate Mark Heldreth to serve on the Environmental Advisory Board with an expiration date of May 7, 2027 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley. Motion carried unanimously by roll call vote.

TABLED ITEMS

17. Selection of Alternate Member to serve on the River To Sea Transportation Planning Organization (TPO) Board (Tabled on March 19, 2024)

Motion to remove the item from the table for discussion was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley. Motion carried unanimously by voice vote.

Councilman Reed Foley explained the reason for the selection of an alternate member as virtual attendance is not allowed to establish a quorum and provided further details of

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the meeting dates, time, and location.

Motion to nominate Councilman Tracy Grubbs as an alternate member of the TPO Board was made by Councilman Reed Foley and seconded by Councilman Scott Stiltner. Motion carried unanimously by roll call vote.

PUBLIC HEARING

18. First Reading - Ordinance No. 2024-04 - Adoption of the City of Port Orange Comprehensive Plan 2022-2045

Mayor Don Burnette read Ordinance No. 2024-04.

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CITY OF PORT ORANGE COMPREHENSIVE PLAN IN ITS ENTIRETY PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR ADOPTION OF THE CITY OF PORT ORANGE COMPREHENSIVE PLAN 2022-2045, INCLUDING AMENDMENTS TO THE FUTURE LAND USE ELEMENT, THE TRANSPORTATION ELEMENT, THE HOUSING ELEMENT; THE PUBLIC FACILITIES ELEMENT, THE PUBLIC SCHOOL FACILITIES ELEMENT, THE RECREATION AND OPEN SPACE ELEMENT, THE COASTAL ZONE MANAGEMENT ELEMENT, THE CONSERVATION ELEMENT, THE INTERGOVERNMENTAL COORDINATION ELEMENT, THE CAPITAL IMPROVEMENTS ELEMENT, AND THE PROPERTY RIGHTS ELEMENT; INCLUSIVE OF ALL ASSOCIATED TABLES, EXHIBITS AND MAPS; PROVIDING FOR THE REPEAL OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO REVIEWING AGENCIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-04 was made by Vice Mayor Scott Stilner and seconded by Councilman Tracy Grubbs.

Penelope Cruz, Planning Manager, provided details of the Comprehensive Plan update including each element, and level of service standards and answered questions from Council. Mrs. Cruz explained if approved by Council on the first reading, then the Plan

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will be sent to required review agencies, and second reading will be tentatively in May or June 2024 for final adoption.

Robert Reinhagen, resident, commented on compatible uses in regard to wetland areas and suggested having a house boat ordinance.

Motion carried unanimously by roll call vote.

19. First Reading - Ordinance No. 2024-06 - Amendment of the Code of Ordinances Chapter 70, to add a new Article IV, Golf Cart Regulations

Mayor Don Burnette read Ordinance No. 2024-06.

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 70 – TRAFFIC, TO ADD AN ARTICLE REGULATING THE USE OF GOLF CARTS WITHIN THE CITY OF PORT ORANGE; PROVIDING FOR GENERAL ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-06 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian.

Vice Mayor Stiltner provided a recap of the situation that brought the ordinance forth. Councilman Grubbs expressed concerns with allowing golf carts on sidewalks. City Attorney, Matt Jones, informed Council that would be a policy decision for the City but commonly the State allows for an 8-foot wide minimum to allow for pedestrians and carts. Police Chief Manny Marino also noted the 8-foot wide minimum is the same for Department of Transportation but signage would be required. Councilman Grubbs and Chief Marino also discussed legal age requirements and underage usage. Chief Marino believes there needs to be public education and then possible enforcement.

Motion carried 3-2 by roll call vote with Councilman Reed Foley and Councilman Tracy Grubbs voting no.

ADDITIONAL ITEMS

20. City Attorney

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There was nothing further.

21. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

22. City Council Committee Reports

a. River to Sea TPO - Councilman Reed Foley

Councilman Foley had nothing to report.

ADJOURNMENT – 7:44 p.m.

Attest:



Robin Fenwick, MMC
City Clerk



Mayor Donald O. Burnette

