

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MAY 21, 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 Chaplain A. Ray Campbell of Florida Hospital at New Smyrna

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

Mayor Don Burnette removed Item #9 from the Consent Agenda.

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

6. Approval of Minutes

a. May 7, 2024 - Regular City Council Meeting

7. Bid Awards and Contract Items

a. Approval of Task Authorization No. 4 with Zev Cohen & Associates, Inc. under the Master Contract for Engineering and Environmental Services as it relates to the City Center Ball Field Rehabilitation

b. Ratification of Task Authorization No. 4 to Meeks Plumbing for Emergency Sewer Hauling Services rendered in November 2023

c. Approval of the Intent to Award ITB #24-06 for Parks Office Building to Paul Culver Construction, Inc.

d. Approval to Award ITB #24-08 for Police Department HVAC Renovation to Paul Culver Construction, Inc.

e. Approval of Change Order No. 1 to Construction Agreement for the Water Treatment Plant Generator Replacement Project with Chinchor Electric, Inc.

f. Approval of the Lease Agreement between City of Port Orange and Florida Department of Transportation (FDOT) for the Causeway/Down Under Area

8. Approval to Remove a Residential Historic Tree at 1110 Silver Creek Run

9. Retirement of K-9 Nico and Transfer of Ownership to Officer Jarrad Alevisatos

Motion to approve the Consent Agenda Items #6-8 was made by Vice Mayor Scott Stiltner and seconded by Councilman Tracy Grubbs. Motion carried unanimously by roll call vote.

Item #9 - Retirement of K-9 Nico and Transfer of Ownership to Officer Jarrad Alevisatos

Motion to approve Item #9 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian.

Police Chief, Manny Marino, spoke about Nico's career with the Port Orange Police Department, but due to his health declining, ownership will be transferred to his handler, Officer Alevisatos. Officer Alevisatos pointed out Nico's achievements and specialties as a K-9 officer.

Mayor and Council congratulated both Nico and Officer Alevisatos for a wonderful job well done.

Motion carried unanimously by voice vote.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Jordan Snipes, founder of the nonprofit organization Tomorrow Needs You, spoke to raise awareness for the 3rd Annual 22 mile walk for veterans and first responders.

COUNCIL COMMENTS

10. Comments/Concerns from Council Members

Councilman Tracy Grubbs highlighted projects the City has done including lift stations, paving, public safety, etc. and thanked staff.

Mayor Don Burnette encouraged residents to attend the Memorial Day ceremony with the VFW and Knights of Columbus. He also thanked Debbie Phillips from Congressman Cory Mills' office for attending the Council meeting.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

11. Citizen Advisory Committee for TPO

Bobby Ball, CAC for the TPO, provided details from their recent meeting and upcoming maintenance projects.

PUBLIC HEARING

12. Second 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 adopt Ordinance No. 2024-04 was made by Vice Mayor Scott Stiltner and seconded by Councilman Tracy Grubbs. Motion carried unanimously by roll call vote.

13. Second Reading - Ordinance No. 2024-05 - Amendment of the Code of Ordinances Chapter 14, Article II, Section 14-27 Amendments to the International Property Maintenance Code (IPMC)

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE CITY OF PORT ORANGE CODE OF ORDINANCES CHAPTER 14, ARTICLE II, SECTION 14-27, TO MODIFY THE CURRENTLY ADOPTED INTERNATIONAL PROPERTY MAINTENANCE CODE AS FURTHER PROVIDED HEREIN WITH GENERAL AND TECHNICAL AMENDMENTS, DELETIONS AND REVISIONS; PROVIDING FOR PROTECTION OF COPYRIGHT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2024-05 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley. Motion carried unanimously by roll call vote.

14. Second Reading - Ordinance No. 2024-07 - Parks & Recreation Bond

Mayor Don Burnette read Ordinance No. 2024-07.

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, FLORIDA AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF PORT ORANGE, FLORIDA, IN THE AGGREGATE AMOUNT NOT TO EXCEED \$30,000,000 FOR THE PURPOSE OF FINANCING THE DESIGN, CONSTRUCTION, RENOVATION, EXPANSION, AND IMPROVEMENT OF PUBLIC PARKS AND RECREATION FACILITIES AND RELATED INFRASTRUCTURE LOCATED IN THE CITY OF PORT ORANGE, SUBJECT TO APPROVAL AT A REFERENDUM HEREIN CALLED; PROVIDING FOR AND CALLING A BOND ELECTION OF THE QUALIFIED ELECTORS RESIDING IN THE CITY TO BE HELD ON AUGUST 20, 2024 ON THE QUESTION OF THE ISSUANCE OF SUCH GENERAL OBLIGATION BONDS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Motion to adopt Ordinance No. 2024-07 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley.

Councilman Tracy Grubbs commented on the costs and how the Parks and Recreation Department has a calculator on their website for residents to see how much they will pay. Susan Lovallo, Parks and Recreation Director, answered questions from Council regarding the need for the bond based on increasing numbers of sports participants, limited field space, anticipated recreation on the west side of the city and the bond costs versus regular upkeep and costs of maintenance.

Barry Pitek, resident, commented that the City needs to be very resourceful on promoting and advertising the bond and how the increase will benefit the residents.

Bobby Ball, resident, expressed his excitement for the bond to be approved for the future residents and their kids.

Motion carried unanimously by roll call vote.

15. First Reading - Ordinance No. 2024-08 - Seventh Amendment to the Clark Professional Center and Wedding Chapel Planned Commercial Development and Master Development Agreement (CASE NO. PRZA-24-0001)

Mayor Don Burnette read Ordinance No. 2024-08.

ORDINANCE NO. 2024-08

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE SEVENTH AMENDMENT TO THE CLARK PROFESSIONAL CENTER AND WEDDING CHAPEL PLANNED COMMERCIAL DEVELOPMENT MASTER AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-08 was made by Vice Mayor Scott Stiltner and seconded by Councilman Tracy Grubbs.

Penelope Cruz, Planning Manager, provided details of the Amendment for the bed and breakfast concept and answered questions from Council.

Motion carried unanimously by roll call vote.

16. First Reading - Ordinance 2024-09 - Tenth Amendment to the Master Development Agreement for the Crystal Lake Planned Unit Development (Case No. PRZA-24-0002)

Mayor Don Burnette read Ordinance No. 2024-09.

ORDINANCE NO. 2024-09

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

Motion to approve Ordinance No. 2024-09 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian.

Tim Burman, Community Development Director, explained that the City acquired this property but will be marketed for sale and outlined the allowed uses and zoning.

Robert Reinhagen, resident, commented that the City should turn the property into affordable housing.

Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

17. City Manager Evaluation

Mayor and Council made positive comments on Wayne Clark's managerial style, the re-organization of internal and external assistant managers, and boosting morale. Mr. Clark responded to the Council's feedback, thanked them and staff. Mayor and Council discussed options to increase Mr. Clark's salary and his defined contribution retirement plan percentage.

Motion to approve an annual wage increase to \$195,000 and increase retirement contribution by 2% effective October 1, 2024, was made by Vice

Mayor Scott Stiltner and seconded by Councilman Reed Foley. Motion carried unanimously by roll call vote.

18. City Attorney Evaluation

Mayor and Council made positive comments on Matt Jones' responsiveness and mindfulness of the City's budget. Many felt his compensation needed to be increased to a specific dollar amount rather than a percentage increase to be competitive with the market.

Motion to approve the City Attorney's salary to \$180,000 and increase retirement contribution by 2%, effective October 1, 2024, was made by Councilman Reed Foley and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

Attorney Jones thanked Council and his staff.

COUNCIL COMMITTEE REPORTS

19. City Council Committee Reports

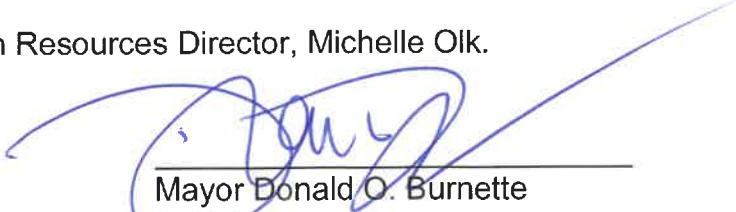
- a. Fire Pension Board - Councilman Reed Foley provided details from their recent meeting.
- b. Police Pension Board - Councilman Drew Bastian provided details from their recent meeting.
- c. Arthaus - Councilman Tracy Grubbs missed the last meeting but mentioned some upcoming projects.
- d. First Step Shelter - Mayor Don Burnette provided details from their recent meeting.
- e. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette provided details from their recent meeting and upcoming events.
- f. Roundtable of Elected Officials - Mayor Don Burnette provided details from their recent meeting.

Mr. Clark introduced the new Human Resources Director, Michelle Olk.

ADJOURNMENT – 8:20 p.m.

Attest:


Robin Fenwick, MMC, City Clerk


Mayor Donald O. Burnette

