

REGULAR CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
JUNE 4, 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.

Silent Invocation

Pledge of Allegiance

Roll Call

Present:

Councilman Reed Foley  
Councilman Tracy Grubbs  
Vice Mayor Scott Stiltner  
Mayor Don Burnette

Absent:

Councilman Drew Bastian

Also Present:

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

DISCUSSION

4. Update on School Safety

Police Chief Manny Marino gave a brief update on the ongoing investigation into the traffic accident at Sugar Mill Elementary that led to a fourth grader's death. Wayne Clark, City Manager, provided details into different ideas for possible solutions that encompass school safety and the scope of authority and funding responsibility on each. Council expressed their thoughts and collectively hope to come up with solutions.

Multiple residents and parents expressed their concerns over school safety and actions they believe should take place to prevent future incidents.

Council took a 15 minute recess at 8:05 p.m. and reconvened at 8:20 p.m.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

There were none.

6. Agenda Approval

No changes were requested by Council.

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

7. Approval of Minutes
  - a. May 21, 2024 - Regular City Council Meeting
8. Bid Awards and Contract Items
  - a. Approval to Waive Formal Bidding Requirements and approve Professional Services Agreement with Pittman Law Group
  - b. Approval to Award a Contract for Services to ACF Standby Systems, LLC for Generator Maintenance
9. Approval of Change Order No. 5 to Task Authorization No. 9 with Stanley Consultants, Inc. for Environmental Permitting and Time Extension - SUN Trail
10. Resolution No. 24-13 - Approval of Florida Department of Transportation (FDOT) State-Funded Grant Supplemental Agreement to Contract G1X103 for Environmental Permitting and Time Extension No. 3
11. Resolution No. 24-14 - Approval of Florida Department of Transportation (FDOT) Supplemental Agreement for Additional Design Services 449770-2 Dunlawton Turn Lanes Bundle Project (#PNC200)
12. Resolution No. 24-20 - Approving a revised ballot summary in order to supplement Ordinance No. 2024-07

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)

Jordan Snipes, founder of the nonprofit organization Tomorrow Needs You, spoke about his fundraiser walk to raise awareness for Veterans and First Responders and other upcoming events they are having.

Kelly Moore, member of the Board of Directors for Port Orange/South Daytona Chamber of Commerce, thanked Council for their continued support and spoke about upcoming events.

Robert Reinhausen, resident, recommended Council consider making Chapter 9 of the Land Development Code regarding wetlands mitigation criteria more restrictive.

#### COUNCIL COMMENTS

13. Comments/Concerns from Council Members

Councilman Tracy Grubbs commented about Council's weekend at the Port Orange Fire Department (POFD) rescue/training facility and suggested having a joint Fire/Police day for citizens. Councilman Grubbs also announced Douglas Chumita's promotion to the Police Sergeant.

Councilman Reed Foley thanked FDOT for their plan to install a red light at the corner of Nova and Miles Drive. Councilman Foley also thanked Fire Chief Joe Wulfin and the POFD for having Council at their rescue/training facility for demonstrations. Lastly, he expressed his appreciation for first responders.

Mayor Don Burnette spoke about the 80th anniversary of D-Day on June 6.

### SPECIAL REPORTS

#### 14. Report from KemperSports on the Cypress Head Golf

This item will be re-scheduled for a future agenda.

### BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

#### 15. Golf Advisory Board Report

This item will be re-scheduled for a future agenda.

### PUBLIC HEARING

16. Second 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 adopt Ordinance No. 2024-08  
was made by Vice Mayor Scott Stiltner  
and seconded by Councilman Reed

Foley. Motion carried unanimously by  
roll call vote.

17. Resolution No. 24-15 - Approval of the Palmer Chiropractic College Bond  
Reissuance

Mayor Don Burnette read Resolution No. 24-15

RESOLUTION NO. 24-15

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, PROVIDING FOR AND AUTHORIZING THE REISSUANCE, EXECUTION AND DELIVERY BY THE CITY OF THE PRIVATE COLLEGE FACILITY REVENUE BONDS (PALMER COLLEGE OF CHIROPRACTIC PROJECT), SERIES 2019B IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,860,000; THE EXECUTION AND DELIVERY OF AN AMENDED AND RESTATED INDENTURE OF TRUST AND AMENDED AND RESTATED LOAN AGREEMENT TO PROVIDE FOR THE REISSUANCE OF SAID BONDS; PROVIDING THAT SAID REISSUANCE SHALL NOT CONSTITUTE A DEBT, LIABILITY OR OBLIGATION OF THE CITY BUT SHALL BE PAYABLE SOLELY FROM THE REVENUES HEREIN PROVIDED; AND PROVIDING FOR AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED BOND DOCUMENTS; PROVIDING CERTAIN OTHER DETAILS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 24-15  
was made by Vice Mayor Scott Stiltner  
and seconded by Councilman Reed  
Foley.

Mr. Reinhausen expressed his thoughts on the subsidy being discriminatory if it's not offered to every business in the City.

Attorney Tim Bramwell, the City's Bond Counsel, introduced himself and provided details of the Bond Reissuance and advised it is available to all 501(c)(3) businesses within the city.

Motion carried unanimously by roll call  
vote.

REGULAR AGENDA

18. FY 2024 - 2025 Budget Discussions (Preliminary Capital Improvements Plan, Capital Outlay and Fleet Replacement)

Mr. Clark provided a presentation to outline the preliminary capital improvements plan, capital outlay and fleet replacement. Mr. Clark also informed Council of future dates for workshops and public hearings to set the maximum millage and adopt the budget.

Councilman Foley commented on the elevator costs to repair the broken elevator and would like future discussion if the City could only have one elevator.

#### ADDITIONAL ITEMS

##### 19. City Attorney

There was nothing further.

##### 20. City Manager

Mr. Clark clarified the School Crossing Evaluation Committee is a Sheriff's committee and Mike Springer, Public Information Officer, found out more information and list of membership.

#### COUNCIL COMMITTEE REPORTS

##### 21. City Council Committee Reports

a. River to Sea TPO - Councilman Reed Foley provided details of their recent meeting. He mentioned that the committee might possibly be changing their name to Volusia/Flagler TPO as they encompass all of Flagler as well.

Vice Mayor Scott Stiltner added his report on the General Employees' Pension Board and provided details of their meeting last night.

ADJOURNMENT – 8:56 p.m.



Attest:

Robin Fenwick, MMC  
City Clerk

Mayor Donald O. Burnette