

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
JUNE 18, 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
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 requested to pull Item #6 from the Consent Agenda.

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

6. Approval of Minutes

a. June 4, 2024 - Regular City Council Meeting

7. Bid Awards and Contract Items

a. Approval of Task Authorization No. 2 with CPH Consulting, LLC for Gopher

Tortoise Recipient Site Management

b. Approval of Extension No. 3 of Service Agreement with Halifax Humane

Society

8. Approval of Utilities Costs Recovery and Release Agreement for 258

Poinciana Avenue

9. Approval of FY 2024 Utility Billing and Accounts Receivable Accounting Adjustment

10. Approval of License Agreement with ADJ Madeline Commons LLC for Improvements in Right-of-Way

11. Approval of a Utility Cost Participation Agreement with ADJ Madeline Commons, LLC for upgrades to the residential sewer system on 5th Street

12. Ratification of a Volusia ECHO Award for the City Center Playground Improvements in the amount of \$150,000

13. Resolution No. 24-16 - Approval to apply for a Volusia ECHO Grant for the South Causeway Park Improvements Project

14. Resolution No. 24-17 - Approval to apply for a Volusia ECHO Grant Application for City Center Improvements Phase I Project

15. Resolution No. 24-18 - Establishing and Adopting Water, Wastewater, Reclaimed and Other Miscellaneous Utility Fees

16. Resolution No. 24-21 - Authorization to submit State Revolving Funds Loan Application Package to receive funding for the Water Reclamation Facility Filter Resiliency and Emergency Power Upgrades project

Motion to approve the Consent Agenda Items #7-16 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

Item #6 – Approval of Minutes

Mayor Don Burnette requested to pull Item #6 due to a minor change to the minutes that were originally posted and wanted to ensure all of Council were in favor of approving the revised minutes.

Motion to approve Item #6 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Robert Reinhausen, resident, commented on the 2022-2045 Comprehensive Plan in regard to the wetlands mitigation bank program and would like the City to have extra money available to buy flood prone houses.

COUNCIL COMMENTS

17. Comments/Concerns from Council Members

Councilman Tracy Grubbs shared an update on school safety that two Community Service Officers (CSOs) have been approved; one for Sugar Mill Elementary and one

for Horizon Elementary. He also spoke about the Parks Bond to inform residents on the goal of the initiative and the projects included. Lastly, he inquired why the City doesn't allow garage sale signs when residents obtain the required garage sale permit. City Manager, Wayne Clark, explained that our current ordinance is content neutral to comply with a recent supreme court ruling; however, Council can reconsider the sign language of the ordinance. City Attorney, Matt Jones, will look further into it so Council can discuss if they want to change the current ordinance.

Vice Mayor Scott Stiltner shared his thoughts on Councilman Grubbs' question that the challenge lies in these signs becoming overwhelming to traffic/drivers and residents not picking them up after the allotted time. Vice Mayor Stiltner also commented on the Mayor's golf tournament and thanked the Parks & Recreation Department and KemperSports. He also spoke on the upcoming hurricane season and how some of the City's facilities and parks, infrastructure, and assets are getting repaired but are waiting on FEMA funding. Lastly, he reminded residents of the upcoming Fourth of July event at City Center.

Councilman Drew Bastian and Councilman Reed Foley apologized for missing the Mayor's golf tournament. Councilman Foley thanked Volusia ECHO for the funding on the two projects on consent.

Mayor Don Burnette also spoke on the Mayor's golf tournament and thanked City and Cypress Head golf course staff. He also spoke on the July 4th event for residents to come out and join.

SPECIAL REPORTS

18. ArtHaus Annual update

Laurie Gomon Ring, President of ArtHaus, and Cameron Vintson, Executive Director of ArtHaus, provided details of their services, numbers, and their annual update. They offered the City a mural for the pillars under the Dunlawton Bridge. Mayor Don Burnette asked Mr. Clark to gather all of the necessary information and details of the mural to bring back to Council.

19. Report from KemperSports on the Cypress Head Golf

Jeff Dayton, General Manager of KemperSports, provided financial reports on the Cypress Head Golf Course and the course conditions.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

20. Citizen Advisory Committee for TPO

Bobby Ball, CAC for the TPO, provided details from their recent meeting.

21. Environmental Advisory Board Appointment

Motion to re-appoint Philip Klema to serve on the Environmental Advisory Board was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley.

Mayor Don Burnette introduced Philip Klema and Council thanked him for serving.

Motion carried unanimously by voice vote.

22. Golf Advisory Board Report

Richard Lee, chair of the Golf Advisory Board, provided details from their recent meeting and golf course conditions.

PUBLIC HEARING

23. Second 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 adopt Ordinance No. 2024-09 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley. Motion carried unanimously by roll call vote.

24. First Reading - Ordinance No. 2024-11 - First Amendment to the Restated Master Development Agreement for the Catfish Commons Planned Commercial (Case No. PRZA-24-0004)

Mayor Don Burnette read Ordinance No. 2024-11.

ORDINANCE NO. 2024-11

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

Motion to approve Ordinance No. 2024-11 was made by Vice Mayor Scott Stiltner and seconded by Councilman Tracy Grubbs.

Penelope Cruz, Planning Manager, provided details of the amendment and proposed plans.

Councilman Foley expressed his concerns about the right hand turn onto Dunlawton Avenue from Ridgewood Avenue needing to be addressed with TPO and/or FDOT.

Brandon Galbreath, developer of Catfish Commons, agreed with Councilman Foley's comment and said the right hand turn has been an issue well before this project. He also answered questions from Council regarding tenants coming to Catfish Commons.

Mr. Clark informed Council that TPO is already assessing the right hand turn section.

Motion carried unanimously by roll call vote.

25. First Reading - Ordinance No. 2024-12 - Small-Scale Future Land Use Map Amendment - 890 Taylor Road (Case No. CPAM-24-0002)

Mayor Don Burnette opened Items #25 and #26 to be discussed together but voted on separately.

Mayor Don Burnette read Ordinance No. 2024-12.

ORDINANCE NO. 2024-12

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 DESIGNATION FOR +0.7 ACRES FROM OFFICE/RESIDENTIAL TRANSITION TO RURAL RESIDENTIAL

(0-2 UNITS/ACRE); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-12 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

26. First Reading - Ordinance 2024-13 - Second Amendment to the Altamira Shopping Village Planned Commercial Development (PCD) and Master Development Agreement (MDA) (Case No. PRZA-24-0003)

Mayor Don Burnette read Ordinance No. 2024-13.

ORDINANCE NO. 2024-13

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

Motion to approve Ordinance No. 2024-13 was made by Vice Mayor Scott Stiltner and seconded by Councilman Drew Bastian.

Tim Burman, Community Development Director, provided details of the Ordinances and the proposed changes. He answered questions from Council confirming the amendment reduces the maximum density available to the subject lot and doesn't affect current retention.

Motion carried unanimously by roll call vote.

27. First Reading - Ordinance No. 2024-01 - Chapter 74 - Utilities - Article V. Stormwater

Mayor Don Burnette read Ordinance No. 2024-01.

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 74, ARTICLE V, STORMWATER UTILITY; AMENDING SECTION 74-156 TO ADD A DEFINITION FOR "EQUIVALENT DWELLING UNIT" AND DELETE UNUSED TERMS; AMENDING SECTION 74-159 TO DESCRIBE THE ASSIGNMENT OF EQUIVALENT DWELLING UNITS TO DEVELOPED RESIDENTIAL AND NON-RESIDENTIAL PROPERTIES; AMENDING SECTION 74-161 TO ELIMINATE THE REQUIREMENT TO DESIGNATE BY RESOLUTION THE PERCENTAGE OF THE STORMWATER DRAINAGE UTILITY FEE INTENDED FOR CAPITAL IMPROVEMENTS, STREAMLINE THE PROVISIONS BY WHICH NON-RESIDENTIAL DEVELOPED PROPERTIES MAY RECEIVE CREDITS AGAINST THE AMOUNT OF THE STORMWATER DRAINAGE UTILITY FEE AS A RESULT OF ONSITE STORMWATER RETENTION FACILITIES, AND DESCRIBE THE AUTHORIZED USES OF STORMWATER FEE PROCEEDS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SCRIVNERS ERRORS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2024-01 was made by Vice Mayor Scott Stiltner and seconded by Councilman Reed Foley.

Mr. Clark provided a recap of the Raftelis study and information regarding the terminology.

Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

28. City Attorney

There was nothing further.

29. City Manager

Mr. Clark pointed out some of the items on the Consent Agenda were awards of multimillion dollars of funding (grants) and clarified what the parks bond is intended for.

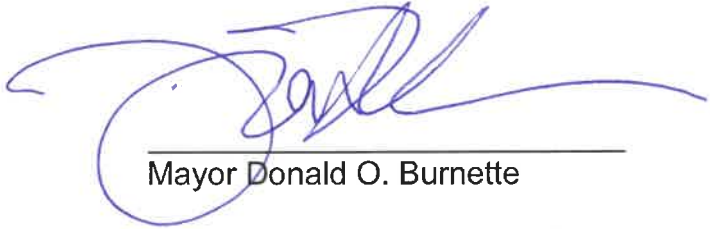
COUNCIL COMMITTEE REPORTS

30. City Council Committee Reports

a. First Step Shelter - Mayor Don Burnette provided details from their recent meeting and would like Council to consider increasing their sponsorship from \$35,000 to \$60,000.

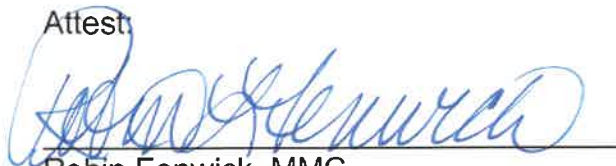
b. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette announced City Hall offices are closed on June 19 for Juneteenth and read a proclamation declaring June 19 as Juneteenth Independence Day.

ADJOURNMENT – 7:52 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk