

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
NOVEMBER 6, 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 Father Karl Bergin of Catholic Church of the Epiphany

Pledge of Allegiance

Roll Call

Present:

Councilman Drew Bastian
Vice Mayor Scott Stiltner
Mayor Donald Burnette
Councilman Tracy Grubbs
Councilman Jonathan Foley

Also Present:

City Manager Wayne Clark
City Attorney Matthew Jones
Deputy City Clerk Amanda Bonin

4. Storm Update

Wayne Clark, City Manager, provided an update on storm recovery.

CITY COUNCIL & TOWN CENTER CRA JOINT SPECIAL MEETING

Council recessed to hold a Joint Special Meeting with the Town Center CRA, minutes of which are under separate cover.

CONSENT AGENDA

5. Public Comments on Consent Agenda Items Only

There were none.

6. Agenda Approval

Motion to approve was made by Vice Mayor Scott Stiltner and Seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

7. Approval of Minutes

a. Special Council Meeting - 10/7/2024

b. Regular City Council Meeting - 10/15/2024

8. Bid Awards and Contract Items

- a. Approval of Task Authorization No. 18 with Kimley-Horn & Associates, Inc. relating to a Nutrient Loading Analysis required for compliance with the City's Municipal Separate Storm Sewer Systems (MS4 Permit)

9. Resolution No. 24-45 - Reimbursement Resolution for Public Safety and Public Works Equipment

10. City Attorney's Report on Special Legal Counsel for FY2025

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

PUBLIC PARTICIPATION (Agenda)

11. Cops for Christmas Program - Officer Wayne Jean

Officer Wayne Jean of the Port Orange Police Department gave a presentation of the City's upcoming Cops for Christmas Program which began in June.

Vice Mayor Scott Stiltner suggested putting together a promotional video to advertise this program year after year. He also asked how the City could help. Council members applauded Officer Wayne Jean and the team's efforts and expressed their appreciation.

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Jake Johansson, County Councilmember, expressed his appreciation to City Council and the City Manager.

Kristin Johansson, Board of Directors for the Port Orange/South Daytona Chamber of Commerce, stated the Chamber's leadership class will be commencing this Friday, November 8, 2024, and thanked the City for their support. She invited the Council members and City management to attend graduation. Mrs. Johansson also provided dates for upcoming Chamber events.

Robert Reinhausen, a citizen, brought up the development of Aldi on Williamson Blvd. and asked where the stormwater is going to go with only two small retention ponds on site. Mr. Reinhausen also asked for staff to provide presentations to Council on specifics regarding development and the effects on stormwater.

Several citizens spoke regarding their concerns about drainage, stormwater/retention ponds, the alleged berm failure, lift station 19, hazard mitigation, flooding, and uplifting of the community,

Chuck Helman, resident, spoke regarding the hoarder who is slowing moving back onto a vacant parcel in Sugar Forest subdivision.

12. Comments/Concerns from Council Members

Following public comments and concerns regarding flooding and the City's efforts, Councilman Drew Bastian mentioned there is a plan, but it's a slow process. The City is working with the State to request funding for different projects. In the meantime the City is prioritizing maintenance issues, and he asked for the communities' patience.

Councilman Jonathan Foley apologized for not having something written as to why he was absent at the last Council meeting. Councilman Foley asked City Manager Wayne Clark for a timeline of mitigation efforts regarding the Cambridge repairs. Mr. Clark provided an update as requested. Councilman Foley also mentioned how his home flooded and stated he may not want to hear about why the flooding happened but knows that he needed to hear it and thanked Mr. Clark for his honesty.

Councilman Foley asked Mr. Clark about pump station 19. Mr. Clark mentioned there is a sewer liftstation number 19 and provided a brief explanation. Councilman Foley thanked City staff as they have worked extremely hard leading up to the storm, during and after.

Vice Mayor Scott Stiltner talked about the Cambridge Basin. He discussed flooding in the area in 2004, as well as times prior to that which led to the Cambridge Basin project. This particular project looked at the historical data for the City and surrounding area. Vice Mayor Stiltner discussed the pattern of the storms and how the rain impacts have dramatically increased in recent years but prior to today, were very low. Vice Mayor Stiltner also explained the process is very slow as there are several governmental agencies that are included in this process and went on to compliment City Engineer Junos Reed.

Additionally, Vice Mayor Stiltner discussed the Beacon Woods area. He mentioned that it was built prior to when the minimum stormwater standards were set in place. He also touched on the Nova canal system, how it functions and that this undertaking will take time and cooperation with other agencies. Lastly, he talked about ground water, stated stormwater management projects are underway and mentioned the Volusia Basket Brigade is running and stated if anyone who knows anyone in need or wants to donate, this is a great opportunity.

Councilman Tracy Grubbs apologized for his absence at the last Council meeting due to a recent injury. He suggested a standard operating procedure (SOP) change dealing with sidewalks in an effort to provide safety and allow citizens to utilize the sidewalks following a hurricane/natural disaster. Councilman Grubbs asked if the SOP could be modified so the sidewalks can be cleared near schools. Mr. Clark explained that in an emergency, the City pushes the debris out of the street to keep roads open for emergency and safety vehicles and will look at possible modifications.

Councilman Grubbs brought up water being pushed into residents' homes from people

driving by and creating a wake. He asked residents to not drive on flooded roads. He also thanked City staff for all of their efforts before, during and after the storm. Councilman Grubbs spoke about the history of water and when the stormwater code was implemented after 54% of our community was built. Councilman Grubbs asked the community to give City staff time and understanding as the current City's staff is proactive and was not in place when these issues started. Staff is uncovering issues and working towards making corrections. Lastly, Councilman Grubbs discussed development and Port Orange's growth and suggested a stormwater advisory board. Mayor Don Burnette stated this would need to be put on an agenda as an item so notice is provided to the public and Council has a chance to look into it.

Mayor Don Burnette suggested an emergency order be drawn up to address the temporary use of a camper for living and to ensure its tight enough so that it's not abused. Mr. Clark advised a recent state law addresses when a resident can live in a camper in their yard after a storm and what requirements need to be met.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

13. Environmental Advisory Board Report

There was none.

PUBLIC HEARING

14. Second Reading - Ordinance No. 2024-18 - First Amendment to the Angler's Cove PUD Master Development Agreement (Case No. PRZA-24-0007)

Matt Jones, City Attorney, read Ordinance No. 2024-18.

ORDINANCE NO. 2024-18

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE ANGLER'S COVE PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT AGREEMENT TO ESTABLISH A MODIFIED DEFINITION OF A SCREEN ENCLOSURE FOR LOT 4 OF THE ANGLER'S COVE SUBDIVISION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2024-18 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Jonathan Foley. Motion carried unanimously by roll call vote.

15. Second Reading - Ordinance No. 2024-20 - Land Development Code (LDC)
Amendment/Chapter 20 - Relating to Eligibility for Economic Development Incentives

Matt Jones, City Attorney, read Ordinance No. 2024-20 into the record.

ORDINANCE NO. 2024-20

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE CHAPTER 20 RELATING TO ELIGIBILITY FOR ECONOMIC DEVELOPMENT INCENTIVES AND UPDATING LANGUAGE RELATED TO IMPACT FEES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance 2024-20 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Johnathan Foley. Motion carried unanimously by roll call vote.

REGULAR AGENDA

16. Second Reading - Ordinance No. 2024-21 - Amendment to Chapter 54, Article V, Police Pension Fund of the Code of Ordinances

Matt Jones, City Attorney, read Ordinance No. 2024-21.

ORDINANCE NO. 2024-21

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, ARTICLE V, POLICE PENSION FUND, AMENDING SECTION 54-130, BENEFIT LEVEL, AMENDING SUPPLEMENTAL BENEFIT AND COST OF LIVING ADJUSTMENT ELIGIBILITY FOR CERTAIN MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2024-21 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

17. Second Reading - Ordinance No. 2024-22 - Amendment to Chapter 54, Article IV, Fire & Rescue Pension Fund of the Code of Ordinances

Matt Jones, City Attorney, read Ord No. 2024-22 into the record.

ORDINANCE NO. 2024-22

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, ARTICLE IV, FIRE AND RESCUE PENSION FUND, AMENDING SECTION 54-77, DEFINITIONS, AMENDING THE DEFINITION OF SALARY; AMENDING SECTION 54-82, RETIREMENT BENEFIT AMOUNTS AND ELIGIBILITY, AMENDING THE NORMAL RETIREMENT DATE FOR CERTAIN MEMBERS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2024-22 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Johnathan Foley. Motion carried unanimously by roll call vote.

18. First Reading - Ordinance No. 2024-24 - Amending Information Technology Policies for City Boards and Commissions

Matt Jones, City Attorney read Ordinance No. 2024-24 into the record.

ORDINANCE 2024-24

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, ARTICLE III, BOARDS AND COMMISSIONS, DIVISION 1, ELECTRONIC INFORMATION SYSTEMS; AMENDING TERMINOLOGY TO BE CONSISTENT WITH RECENTLY ADOPTED INFORMATION TECHNOLOGY AND CYBERSECURITY POLICIES, EXPANDING APPLICABILITY, ADDING ADDITIONAL PROHIBITED USES, ADDRESSING SECURITY AND LICENSING ISSUES, AMENDING THE PUBLIC RECORDS REQUIREMENTS, ESTABLISHING A NEW SECTION 2-58 ADDING USE REQUIREMENTS, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING AN EFFECTIVE DATE

Motion to adopt Ordinance No. 2024-24 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

ADDITIONAL ITEMS

19. City Attorney

There was nothing further.

20. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

21. City Council Committee Reports

a. River to Sea TPO - Councilman Jonathan Foley

Jonathan Foley provided an update and mentioned there will be a name change from River to Sea TPO to Volusia Flagler TPO.

ADJOURNMENT

9:01 p.m.



Mayor Donald O. Burnette

Attest:



Robin Fenwick, MMC
City Clerk

