

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
OCTOBER 15, 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
	Absent:	Councilman Tracy Grubbs Councilman Reed Foley
	Also Present:	City Manager Wayne Clark City Attorney Matthew Jones Deputy City Clerk Amanda Bonin

4. Storm Update

Mayor Don Burnette asked for a motion to move this item to follow Item #13 under public participation (agenda).

Move to move item #4 to be heard after Item #13 was made by Councilman Drew Bastian and seconded by Vice Mayor Scott Stiltner. Motion passed unanimously by voice vote.

Wayne Clark, City Manager, provided a storm update for Hurricane Milton and improvement projects that the City has been working on since Hurricane Ian in 2022. Vice Mayor Scott Stiltner asked Wayne to elaborate on a few items (pumps, lift stations, etc.) which he did.

Mayor Don Burnette and Councilman Drew Bastian commented on Nova canal and the State maintenance responsibility for drainage canals.
The Army Corp of Engineers study is still underway.

Several citizens spoke about flooding in various neighborhoods and how it has individually affected them. They also commented about budgeting and where the money should be allocated, such as stormwater.

RECOGNITION AND PROCLAMATIONS

5. Florida City Government Week Proclamation

Mayor Don Burnette read the proclamation for Florida City Government Week and presented it to Mike Springer, Public Information Officer.

6. Red Ribbon Week Proclamation - Volusia Young Marines

Mayor Don Burnette read the proclamation for Red Ribbon Week and presented it to Volusia Young Marines.

CONSENT AGENDA

7. Public Comments on Consent Agenda Items Only

There were none.

8. Agenda Approval

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

9. Approval of Minutes

- a. September 24, 2024 - Special City Council Meeting
- b. October 1, 2024 - Regular City Council Meeting

10. Bid Awards and Contract Items

- a. Approval of Change Order No.1 to Task Authorization No. 3 with Mead and Hunt, Inc.
- b. Approval of License Agreement for Tanglewood Estates Mobile Home Park for Existing Improvements in the Right-of-Way
- c. Approval of First Amendment to the Lease Agreement with Volusia County for the Port Orange Library
- d. Approval of Task Authorization No. 3 for design services for Willow Run Park with Hall and Ogle Architects, Inc

11. Resolution No. 24-28 - Partial Vacation of Utility Easement at 1551 Dunlawton Avenue (Home Depot)

12. Resolution No. 24-43 - Ratification of all Emergency Action Taken for Hurricane Helene

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

PUBLIC PARTICIPATION (Agenda)

13. Tomorrow Needs You First Responders Volusia County - Presentation of Awards

Jordan Snipes, presented awards showing appreciation for the first responders.

Vice Mayor Scott Stiltner expressed his appreciation for Mr. Snipes and his hard work to help the community

PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

There were none.

COUNCIL COMMENTS

14. Comments/Concerns from Council Members

Councilman Drew Bastian and Vice Mayor Scott Stiltner sympathized with the residents and spoke on the development and how they try to minimize impacts to the City and surrounding areas.

Vice Mayor Scott Stiltner spoke about land ownership rights in the State of Florida. He encouraged residents to reach out to him, other Councilmembers and City Staff with their questions about the debris removal process and the FEMA regulations the City has to follow to be able to get taxpayer money back. He also touched on flood zones and who designates them, flood mitigation efforts. Vice Mayor Scott Stiltner also spoke regarding the role State legislators play in getting state funds for these efforts and asked residents to help by contacting the state legislators.

Mayor Don Burnette stated we handed out twenty percent more sandbags for this hurricane than we did for Hurricane Ian. He also mentioned permit fees have been waived for all repairs related to damages caused by the hurricane. Mayor Don Burnette would like the city to assess everything related to Hurricane Milton and have a workshop on how to recover. He would also like to have a storm update on every council agenda for the foreseeable future.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

15. Citizen Advisory Committee for TPO

No report.

16. Parks and Recreation Advisory Board Report

No report as there was no quorum at their board meeting.

17. First 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 approve Ordinance No. 2024-18 was made by Vice Mayor Scott Stiltner and Seconded by Councilman Drew Bastian.

Robert Reinhagen of Dexter Drive North questioned what the city's authority is based on a definition and the code.

Motion carried unanimously by roll call vote.

18. Riveryard Development/Bristol Amendments
- a. First Reading - Ordinance No. 2024-19 - Second Amendment to the Riveryard Master Development Agreement (Case No. PRZA-24-0006)
 - b. First Reading - Ordinance No. 2024-23 - Amending Code of Ordinances Chapter 6, Article 1 - Alcoholic Beverages
 - c. Third Amendment to the Contract for Sale of Riverwalk Property to Bristol Port Orange Partners, LLC

Items #18 a-c were continued to the November 6, 2024 City Council Meeting at the request of the developer.

19. First 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.

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

REGULAR AGENDA

20. First 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 approve was made by Vice Mayor Scott Stiltner and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

21. First 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 Ordinance No. 2024-22.

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

ADDITIONAL ITEMS

22. City Attorney

There was nothing further.

23. City Manager

There was nothing further.

COUNCIL COMMITTEE REPORTS

24. City Council Committee Reports

a. First Step Shelter - Mayor Don Burnette

Mayor Don Burnette spoke on the level of use being at an all-time high and helped people during the storm.

b. Port Orange/South Daytona Chamber of Commerce - Mayor Don Burnette

Mayor Don Burnette reported there was no meeting but there is an afterhours event on Thursday.

ADJOURNMENT - 10:14 p.m.

Attest:


Robin Fenwick, MMC
City Clerk


Mayor Donald O. Burnette

