

REGULAR CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
FEBRUARY 4, 2025

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Scott Stiltner at 6:30 p.m.

Invocation by Pastor Mike Swingle of First Baptist Church of Harbor Oaks

Pledge of Allegiance

|           |               |                                                                                                                                     |
|-----------|---------------|-------------------------------------------------------------------------------------------------------------------------------------|
| Roll Call | Present:      | Councilman Jonathan Foley<br>Councilman Shawn Goepfert<br>Councilman Lance Green<br>Vice Mayor Tracy Grubbs<br>Mayor Scott Stiltner |
|           | Also Present: | City Manager Wayne Clark<br>City Attorney Matthew Jones<br>Deputy City Clerk Amanda Bonin                                           |

4. Public Comments on Consent Agenda Items Only

There were none.

CONSENT AGENDA

5. Approval of Minutes
  - a. January 21, 2025 - Regular City Council Meeting
6. Bid Awards and Contract Items
  - a. Award of RFP #24-16 to Top Line Recreation, Inc. for the City Center Playground Project
  - b. Approval of Task Authorization No. 2 to DJ Design, Inc. for design of the All Children's Park Restroom Replacement
7. Resolution No. 25-04 - Approval of Local Agency Program (LAP) Agreement 446285-2-58-01 for construction of the Willow Run Blvd Sidewalk Project from Harms Way to Clyde Morris Blvd
8. Resolution No. 25-05 - Approval of Local Agency Program (LAP) Agreement 448772 for the Williamson Blvd./Willow Run Blvd. Sidewalk from south of Town Park Dr. to Chardonnay Dr.
9. Resolution No. 25-07 - Approval of FDOT Locally Funded Agreement 446285-1-62-02 Construction Engineering Inspection (CEI) for the Willow Run Blvd Sidewalk from Harms Way to Clyde Morris Blvd
10. Resolution No. 25-08 - Approval of FDOT Locally Funded Agreement 448772-1-62-02 Construction Engineering Inspection (CEI) for Williamson Blvd / Willow Run Blvd Sidewalk from south of Town Park Dr to Chardonnay Dr

11. Resolution No. 25-10 - Ratification of Emergency Powers Taken During Hurricane Milton and Temporarily Extending the Waiver of Certain Permit Fees
12. Removal of a Storm Damaged Historic Tree at 940 N Lakewood Terrace in HOA Common Area

Motion to approve the Consent Agenda as presented was made by Councilman Jonathan Foley and Seconded by Vice Mayor Tracy Grubbs. Motion carried unanimously by roll call vote.

#### PUBLIC PARTICIPATION (Non-Agenda – 20 minutes)

Robert Reinhagan, resident, spoke about building on wetlands.

Chuck Helman, resident, spoke on the hoarder situation in Sugar Forest and finished Heather's story from the previous Council meeting.

Kathleen Tarnow, resident, spoke on stormwater management, City projects, and the FEMA 50% rule.

Mayor Scott Stiltner mentioned the remaining people signed up to speak were here to speak on fluoride and indicated Council continues to look into the fluoride topic. This will be an item on the City Council Agenda on March 18, 2025.

Several residents and non-residents spoke on fluoride in the City's water system, the concerns with the effects from fluoridation, and thanked the Mayor for having this as an item on an upcoming agenda.

#### COMMENTS AND ADDITIONAL ITEMS

##### 13. Council Members

Councilman Lance Green looked at the hoarding property in Sugar Forest and mentioned it is a priority. Councilman Green also met with some property owners who flooded, and mentioned he understands the 50% rule is scary.

Councilman Shawn Goepfert also talked about the hoarding property and agreed it is a priority. He mentioned having citizens come forward to speak about their concerns is very helpful to them.

Vice Mayor Tracy Grubbs asked the Animal Control officers, Assistant Police Chief, and the K9 Officer, and Sergeant to come forward so he could recognize them. He recognized and thanked them for the job they do. Vice Mayor Grubbs mentioned the hoarding property in Sugar Forest as well, and said the Police Department and Code Enforcement did their due diligence and now the City Attorney is doing theirs. He asked the City Attorney for an update on the legal process for this property and asked the City

Manager if the four properties, where this hoarding situation is, could benefit the City for a stormwater project.

Attorney Matt Jones provided an update indicating the City has filed action to force a sale.

Mr. Clark stated the City can look at the property but understands a couple of the owners wanted to re-build. The City would have to speak with the property owners to see what route they would like to take.

Vice Mayor Grubbs also spoke on the fluoridation topic. He mentioned the Health Department and the CDC have a lot of educational material about fluoridation. He asked those on Council to look at all sources when researching this issue, as there are different views on it.

Councilman Jonathan Foley met and spoke with many citizens regarding fluoridation and has received a lot of information on the fluoridation of the City's water system. Councilman Foley mentioned there were some items on the Consent Agenda tonight that were passed. He thanked all of the citizens on the County's ECHO Grant Board and County Council for their support to get the Top Line City Center Playground Project agenda item passed. Regarding Code Enforcement, Councilman Foley apologized for the process and commented on one in his neighborhood. However, he also stated the State of Florida is pro-homeowner rights and the time it takes for the process can be lengthy.

Mayor Scott Stiltner brought up Major Terry Sanders who was a Retired Sheriff's Deputy. Major Sanders recently passed away. He was the 1st K9 officer for Port Orange in the 1970's, and always helped the residents of Port Orange. Mayor Stiltner suggested the Sugar Forest HOA get back together. This could help the maintenance of both common area properties as well as situations like the hoarding property.

On the topic of fluoride, Mayor Stiltner clarified his position with the company he works for and there is no conflict of interest. There is a lot of new information on fluoride out there, and he appreciates the comments and concerns from residents. He encouraged residents to reach out to the Council members and provided his new email.

#### 14. City Attorney

There was nothing further.

#### 15. City Manager

Mr. Clark brought up the budget calendar. Capital projects are typically brought forward first. This will be an item on one of the regular agendas coming soon and staff is looking to do a Council Workshop on June 24, 2025.

### BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

16. Environmental Advisory Board Report - Kristine Cunningham

Kristine Cunningham, Chair, provided an update which included a dying tree in Countryside, the Adopt a Storm Drain program that includes residents helping to clear storm drains before and after a storm, and a plant give away which will take place this fall. Sign up for the plant give away starts in July for Port Orange residents.

Councilman Lance Green mentioned the tree was voted on tonight and approved. Councilman Green and Councilman Grubbs both commented on the Adopt a Storm Drain program and discussed the issue of people blowing clippings down the storm drains.

REGULAR AGENDA

17. First Reading - Ordinance No. 2025-06 - Designating Registered Agent for Service of Process on the City

Attorney Jones read Ordinance No. 2025-06.

ORDINANCE NO. 2025-06

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE I TO ESTABLISH A NEW SECTION 2-5 DESIGNATING THE CITY ATTORNEY AS THE CITY'S REGISTERED AGENT FOR PURPOSES OF ACCEPTING SERVICE OF ORIGINAL PROCESS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2025-06 was made by John and Seconded by Tracy.

Mr. Jones explained State law changed as far as who can be served. Since the Legal Department needs to know as soon as the City has been served, it makes sense to have the City Attorney listed as the registered agent.

Motion carried unanimously by roll call vote.

18. Request for Approval of Waiver of Species of Animals

Officer Korey Fox, Port Orange Animal Control, provided a presentation regarding the property, animals, health, maintenance, and a species waiver on the limitation and species of animals.

Mayor Stiltner asked should something happen in the future that causes this to be a nuisance, can this be withdrawn.

Mr. Jones said if Council approves this request, they will need to approve it with the conditions as presented.

Vice Mayor Grubbs mentioned the code allows for a larger number of animals and asked if this permits them to bring in more or just the two.

Councilman Green asked about the zoning and if animal control will have to consistently check on the property and animals for compliance, creating regular maintenance.

Officer Fox mentioned they can set up regular inspections if that is what Council is requesting.

Sergeant William Harrison stated this will be a reactive maintenance and routine inspections will not be held. Should the owner not follow the rules as presented and approved by Council, the permission can be revoked.

Motion to approve the waiver with the conditions as presented was made by Councilman Jonathan Foley and Seconded by Vice Mayor Tracy Grubbs. Motion carried 4-1 by roll call vote with Councilman Lance Green voting no.

#### COUNCIL COMMITTEE REPORTS

##### 19. City Council Committee Reports

###### a. Volusia Flagler TPO - Jonathan Foley

Councilman Jonathan Foley provided details from their recent meeting and thanked his TPO counterparts.

#### ADJOURNMENT

7:52 p.m.

Attest:

  
Robin Fenwick, MMCCity Clerk

  
Mayor Scott Stiltner

