

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA
MARCH 18, 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.

OPENING

Invocation by Father Matt Mello of Our Lady of Hope Catholic Church

Pledge of Allegiance

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

4. Public Comments on Consent Agenda Items Only

Shirley Rice, resident, expressed her concerns on Task Authorization No. 22 which included the map, a stormwater pump station and new construction. Additionally, she requested the rules for new construction.

City Council recessed at 6:35 p.m. to hold the Port Orange Town Center CRA and Eastport Business Center CRA meetings, minutes of which are under separate cover.

TOWN CENTER CRA REGULAR MEETING

EASTPORT BUSINESS CENTER CRA REGULAR MEETING

Council reconvened at 6:41 p.m. to hold the regular City Council meeting.

CONSENT AGENDA

5. Approval of Minutes
 - a. March 4, 2025 - Regular City Council Meeting
6. Bid Awards and Contract Items
 - a. Approval to Award ITB #25-01 to RCM Utilities, Inc. for the Lowes Gateway Lift Station Rehabilitation Project
 - b. Approval to Award ITB #25-02 for the Construction of the Forestry Building to SA Casey Construction, Inc.

c. Approval of Task Authorization No. 21 - with Kimley Horn & Associates, Inc. for Construction Phase Services for ITB #25-02 - Lowes Gateway Lift Station Rehabilitation

d. Approval of Task Authorization No. 22 with Kimley-Horn & Associates, Inc. for the Sugar Forest Stormwater Pump Station, Collection System, and Force Main

e. Approval of Task Authorization No. 4 with Danus Utilities, Inc. for Sanitary Sewer Manhole Rehabilitation under the Standard Contract for Services pursuant to ITB #23-07

f. Approval of the First Amendment to the Second Addendum to the Third Amendment and Restatement of Lease Agreement with Palmer College Foundation, Inc. for Allen Green Center

g. Approval of Change Order No. 1 to AIA Agreement with Paul Culver Construction, Inc. for the Police Department HVAC Renovations

h. Approval of Change Order No. 2 to EJCDC Agreement for ITB #22-07 with Chinchor Electric, Inc. relating to the Water Treatment Plant Generator Replacement

7. Resolution No. 25-13 - Approval of the Application for a Florida Inland Navigation District (FIND) Waterways Assistance Program Grant for the Construction of a Day Dock at Riverwalk Park

8. Resolution No. 25-17 - Approval of Florida Division of Emergency Management Subrecipient Agreement for Hurricane Milton

9. Resolution No. 25-18 - Waiver of Building Permit Fees to bring a Substantially Damaged Structure into Compliance.

10. Resolution No. 25-20 - Budget Resolution for the Police Highwater Vehicle

11. Approval to submit the proposed project for the Volusia-Flagler TPO 2025 Transportation Improvement Program Priority List

12. Approval of Economic Incentive Agreement with Commons 4075 LLC (Catfish Commons - 4075 Ridgewood Avenue)

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)

Emma Clark with the Port Orange South Daytona Chamber of Commerce provided an update on the Chamber and their upcoming events to include a ribbon Cutting for Catfish Commons on March 19, 2025 and the Chamber of Commerce is actively seeking employers for a job fair.

Kat Atwood, resident, shared an event/conference they are hosting which will include a Kat Walk on November 8, 2025, to raise awareness for encephalitis.

Patricia Tolliver, resident of Briarwood Estates, spoke on flooding, the Normandy Canal maintenance, and street damage from tree roots on Normandy Boulevard. Ms. Tolliver asked the City to help get these issues resolved.

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Patricia Tolliver, resident of Briarwood Estates, spoke on flooding, the Normandy Canal maintenance, and street damage from tree roots on Normandy Boulevard. Ms. Tolliver asked the City to help get these issues resolved.

Theresa Perez, resident, spoke about her concerns regarding the boat ramps being closed.

Joe W, a resident of Pelican Bay, talked about a recent traffic accident his wife was in, expressed his concerns, and requested further investigation.

Michelle Utten, resident, spoke about her concerns with fluoridation of the water and the covid vaccination.

COMMENTS AND ADDITIONAL ITEMS

13. Council Members

Councilman Lance Green expressed his concerns with the Volusia County non-emergency phone line that is not being answered or responded to. He would like to see what can be done for our residents to get a response. Councilman Green also mentioned there is a new code manager coming on board.

Councilman Shawn Goepfert commended the staff who put everything together for the Tallahassee trip to meet with legislature to fight for funding for the City. He also publicly recognized the loss of an educator, Leslie Sparks due to cancer.

Vice Mayor Tracy Grubbs spoke about his concerns on electric bikes and clarified the job fair is April 9, 2025.

Mayor Scott Stiltner recognized Debbie Phillips from Congressman Cory Mills office as well as Senator Tom Wright and House Representative Chase Tramont.

14. City Attorney

There was nothing further.

15. City Manager

City Manager Wayne Clark stated earlier tonight, on the consent agenda, Council approved matching funds in the amount of \$810,260 for the FIND application for construction of the Riverfront Day Docks. Another grant source through the Florida Boating Improvement Program, has been identified that could potentially reduce our match by \$400,000, if awarded. There is no match requirement for this grant. Due to the timing, the application is due prior to the next meeting, so the City Manager is asking that Council acknowledge their desire for the City to go forward with this application. Council acknowledged.

Mr. Clark further advised the Normandy Canal is under the County's jurisdiction and the best resource to contact regarding the boat ramps is the Parks and Recreation Department.

BOARD APPOINTMENTS, INTERVIEWS, AND REPORTS

16. Citizen Advisory Committee for TPO

Bobby Ball, CAC member, provided an update on their monthly meeting to include the Department of Transportation (DOT) Miles Drive signal project is starting this month.

Council members along with Mr. Ball and Mr. Clark, clarified the trail project.

PUBLIC HEARING

17. First Reading - Ordinance No. 2025-09 - Comprehensive Plan Future Land Use Map Amendment/4009 & 4084 Halifax Drive (Case No. CPAM-24-0003)

Attorney Jones read Ordinance No. 2025-09 into the record.

Ordinance No. 2025-09

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 (FLU) DESIGNATION FOR +1.2 ACRES FROM COMMERCIAL TO MIXED-USE CENTER; AUTHORIZE TRANSMITTAL TO REQUIRED AGENCIES; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2025-09 was made by Councilman Shawn Goepfert and Seconded by Vice Mayor Tracy Grubbs. Motion carried unanimously by roll call vote.

Tim Burman, Community Development Director, requested to open item 18 for Ordinance 2025-10 with this item.

18. First Reading - Ordinance No. 2025-10 - Second Restated Master Development Agreement Catfish Commons Planned Commercial Development (Case No. PRZA-24-0008)

Attorney Jones read Ordinance No. 2025-10 into the record.

Ordinance No. 2025-10

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY ±0.58 ACRES FROM COMMUNITY COMMERCIAL (CC) TO CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT (PCD); APPROVING THE SECOND RESTATED MASTER DEVELOPMENT AGREEMENT CATFISH COMMONS PLANNED COMMERCIAL DEVELOPMENT (MDA) AND CONCEPTUAL DEVELOPMENT PLAN

(CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE

Motion to approve Ordinance No. 2025-10 was made by Councilman Shawn Goepfert and Seconded by Vice Mayor Tracy Grubbs. Motion carried unanimously by roll call vote.

Tim Burman, Community Development Director, provided a presentation of the property with details of the mixed-use project.

Councilman Goepfert asked staff about requirements regarding noise limits.

Mr. Burman mentioned the business would have to comply with the noise ordinance.

Vice Mayor Tracy Grubbs commented on the five-foot setback related to parking.

Applicant Brendan Galbreath provided further details on this matter.

Mayor Scott Stiltner commended Mr. Galbreath for this project and thanked him for his continued investment in the City of Port Orange.

Robert Reinhausen, resident, expressed his concerns regarding parking.

19. First Reading - Ordinance No. 2025-11 - First Amendment to the Summer Trees Plaza PCD Master Development Agreement (Case No. PRZA-25-0001)

Attorney Jones read Ordinance No. 2025-11 into the record.

Ordinance No. 2025-11

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT FOR THE SUMMER TREES PLAZA PLANNED COMMERCIAL DEVELOPMENT (PCD) TO ALLOW ADDITIONAL COMMERCIAL USES CONSISTENT WITH THE USES ALLOWED IN THE CITY'S CONVENTIONAL COMMERCIAL ZONING DISTRICTS AND UPDATE SIGNAGE AND ARCHITECTURE REQUIREMENTS TO BE CONSISTENT WITH CURRENT THE LAND DEVELOPMENT CODE S; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY OF; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2025-11 First Amendment to the Summer

Trees Plaza PCD Master Development Agreement (Case No. PRZA-25-0001) was made by Vice Mayor Tracy Grubbs and Seconded by Councilman Shawn Geopfert. Motion carried 3-2 by roll call vote with Councilman Jonathan Foley and Vice Mayor Tracy Grubbs voting no.

Mr. Burman provided a presentation on the Summer Trees PCD Master Development Agreement.

Mayor Stiltner asked for clarification of the stormwater locations.

Councilman Green asked for clarification on the addition of site A.

Mr. Burman provided further details.

Councilman Goepfert requested clarification of site B regarding the potential use of a school and brewery in the 4-tenant building.

Mr. Burman clarified the potential use of this property and provided further details.

Joey Posey, attorney for the applicant, provided further clarification on the potential uses of future businesses.

Councilman Goepfert expressed his concerns on the potential uses.

Mayor Stiltner spoke on the variations of impact in the City with different uses.

Mr. Clark provided further clarification of the code with regard to a school and an alcohol establishment in close proximity.

20. Approval of the Shoppes at Summer Trees Plat (Case No. SUBD-24-0001)

Mr. Burman provided a presentation on the Summer Trees Plat.

Mayor Stiltner asked for clarification on why the applicant is looking to do this project.

Councilman Green asked for clarification of the parking accommodations and the maintenance of the property and common areas.

Mr. Burman provided further details regarding the maintenance responsibility.

The applicant, Alana Smith with Cobb Cole Law Firm, stated the Aldi lease requires Aldi to be on its own individual lot, which in this case, is lot 2.

Mr. Clark clarified this is an administrative item and Council's vote is based on whether this meets the requirements and if the Property Owners Association (POA) was written

Further clarification was provided indicating the parking for both lots is commutable.

Motion to approve the Shoppes at Summer Trees Plat (Case No. SUBD-24-0001) was made by Councilman Shawn Goepfert and Seconded by Councilman Jonathan Foley. Motion carried unanimously by roll call vote.

REGULAR AGENDA

21. Direction on the Addition of Fluoride to the City's Water Supply

The City Council meeting recessed for a short break at 7:53 p.m. and reconvened at 8:00 p.m.

Mayor Scott Stiltner thanked the residents who reached out and provided information to Council members regarding the fluoridation of water and mentioned the Florida Surgeon General has recently made a recommendation to cease fluoridation.

Councilman Lance Green mentioned he has researched this topic and looked at the trends of both continuing and discontinuation of fluoridation.

Councilman Shawn Goepfert mentioned he has done a lot of research, looked at the surgeon general's recommendation, the national toxicology program, and provided information directly from the evaluation. He further provided options people can take to remove fluoride out of the water, if they don't want it. He would like to see this item placed on a ballot for the citizens to vote on rather than the council members making a decision based on the few concerns the City has received out of 65,000 residents.

Vice Mayor Tracy Grubbs, also mentioned he did a lot of research on this item. Eight to ten years ago, a previous Surgeon General told the City fluoride was needed. Now the current Surgeon General says fluoride is not needed. Additionally, Vice Mayor Grubbs agrees with Councilman Goepfert on placing this on a ballot.

Councilman Jonathan Foley mentioned the Council Members are open to new information and advised everyone about the bills at State level that will be voted on and mentioned there are many educated people at that level to make this decision. Councilman Foley would like to wait for that decision and follow the State's decision.

Mayor Scott Stiltner spoke on the fluoride levels declining over the years and his views on the studies and dental health options.

Several residents and non-residents expressed their concerns due to fluoridation in the water, talked about options, and commented on research studies.

Several practicing and retired dentists, medical staff and residents, spoke on the benefits of keeping fluoride in the City's water system.

Following public comments, Attorney Jones cleared the record and referenced a court case in the Northern District of California and provided clarification. Mr. Jones also indicated Florida Courts have addressed the fluoridation issue in the past and read a quote from a case from the 4th DCA.

The City proposes to fluoridate the water before it enters each household in the city; it is not seeking to introduce the mineral directly into [the customer's] bloodstream. Therefore, the city's fluoridation of its water stops with [the customer's] water faucet. The city is not compelling [the customer] to drink it. [The customer] is free to filter it, boil it, distill it, mix it with purifying spirits, or purchase bottled drinking water. [The customer's] freedom to choose not to ingest fluoride remains intact." Quiles v. City of Boynton Beach, 802 So. 2d 397.

Councilman Foley and Vice Mayor Tracy Grubbs thanked everyone for expressing their concerns but would like the City to follow suite with the State's decision.

Following a few public comments, Councilman Goepfert clarified a few of his previous comments and expressed his apology if he came across as unempathetic and stated he is here to represent the citizens of the City. Additionally, Councilman Goepfert asked if there have been any issues with OSHA regarding the quality of the City's water to which Mr. Clark stated there are no issues with OSHA.

Lastly, Councilman Goepfert asked the Public Utilities Director Steve Parnell to come forward. Mr. Parnell answered Council's questions and provided further details regarding raw water and the CDC's recommendations.

Councilman Green mentioned he can see the pros and cons of the removal of fluoride and would like to see what the state does prior to making a decision.

Attorney Jones mentioned Council could table this item indefinitely until the state makes a determination, if that is the direction they wish to take.

Motion to approve option No. 1 until the state makes a decision, otherwise come back to council once the state has decided and the final decision will be made by Council at that time was made by Councilman Jonathan Foley and Seconded by Shawn Goepfert.

Councilman Jonathan Foley withdrew his motion and Councilman Shawn Goepfert withdrew his second.

Motion to approve option No. 1 to continue adding fluoride to the City's water supply until the state makes a decision was made by Councilman Shawn Goepfert and Seconded by Councilman Jonathan Foley. Motion carried 3-2 with Councilman Lance Green and Mayor Scott Stiltner voting no.

COUNCIL COMMITTEE REPORTS

22. City Council Committee Reports

a. First Step Shelter - Councilman Shawn Goepfert

Councilman Shawn Goepfert provided a report on the First Step Shelter meeting.

b. Port Orange/South Daytona Chamber of Commerce - Councilman Shawn Goepfert

Councilman Shawn Goepfert provided a report on the Port Orange/South Daytona Chamber of Commerce meeting and added there are seven new members.

c. Arthaus - Vice Mayor Tracy Grubbs

Vice Mayor Tracy Grubbs provided an update from the Arthaus meeting to include money raised for Volusia County schools and Arthaus. He also mentioned he and Susan Lovallo received awards.

Mayor Scott Stiltner spoke on murals.

d. Roundtable of Elected Officials - Mayor Scott Stiltner

Vice Mayor Tracy Grubbs provided an update on the Roundtable of Elected Officials Meeting as he attended in Mayor Stiltner's place while he was in Tallahassee.

ADJOURNMENT - 9:39 p.m.



Mayor Scott Stiltner

Attest:



Robin Fenwick, MMC
City Clerk