

REGULAR CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
PORT ORANGE, FLORIDA  
JANUARY 22, 2019

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.

OPENING

Invocation - Rev. Diane Langworthy of United Church of Christ

Pledge of Allegiance

Roll Call                    Present:                    Councilman Drew Bastian  
   Councilman Scott Stiltner  
   Vice Mayor Chase Tramont  
   Mayor Donald Burnette

   Also Present:                    City Manager Jake Johansson  
   City Clerk Robin Fenwick  
   Deputy City Attorney Matthew Jones

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

There were no changes.

6. Approval of Minutes
  - a. January 8, 2019 - Special City Council Meeting
  - b. January 8, 2019 - Regular City Council Meeting
7. Bid Awards and Contract Items
  - a. Approval of Change Order No 1 to Task Authorization No 10 under the Master Contract for Engineering Services with Kimley-Horn and Associates, Inc as it relates to Engineering Services
  - b. Approval of Change Order No 1 to the EJCDC Agreement to Petticoat-Schmitt Civil Contractors, Inc. as it relates to ITB17-41 WWTP Influent Bypass.
8. Approval to Submit Grant Application for St. Johns River Water Management District's FY2019-2020 Cost Share Program and authorizing the execution of the Cost Share Agreement
9. Fee Waiver Request from Spruce Creek High School Softball Team

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

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

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

There were none in attendance.

COUNCIL COMMENTS

10. Comments/Concerns from Council Members

Councilman Scott Stiltner asked Council if one hour is enough time to discuss all of the items needed at the workshop with the Volusia County School Board. Council agreed to begin the workshop at 4:30 p.m. on February 19, 2019 subject to the School Board's availability. Mr. Johansson has provided the following topics to the School Board for discussion: Port Orange school ratings; child protection; traffic concerns; new school at Town West. Councilman Stiltner asked to also discuss new programs being considered by the school board at the high school levels, as well as curriculum concerns. Vice Mayor Tramont would like to discuss the plan for any renovations at Spruce Creek High School.

Mayor Burnette asked for the dates of the Tallahassee trip relating to Port Orange and Volusia Days. Mr. Johansson provided the dates.

Motion to re-open Citizen Participation as Terry Rowe is in attendance was made by Vice Mayor Chase Tramont and Seconded by Councilman Scott Stiltner. Motion carried unanimously by voice vote.

Terry Rowe, citizen, asked for information relating to payment on the License Agreement Council has revoked. He submitted receipts two months ago and believes he should have received a phone call relating to the payment.

Mr. Johansson provided an update on the revocation of the License Agreement, which will be terminated on February 8, 2019. He will execute a contract once the License Agreement is revoked legally.

SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

11. Report from KemperSports on the Cypress Head Golf Course

Bob Duquette, General Manager, provided information from the recent golf course reports.

BOARD APPOINTMENTS, INTERVIEWS, REPORTS

12. Citizen Advisory Committee for TPO

Bobby Ball was unable to attend the meeting to provide the report. He will update Council in February.

13. Golf Advisory Board Report

Richard Lee, Chairman, provided details from the recent meetings. He congratulated Bob Duquette for executing the budget and being in the black at year end. He asked Council to continue budgeting appropriately to ensure the course remains in good shape. He expressed concern with the success of the restaurant. He asked if a notice could be included on the water bill.

14. Fire Pension Board - Interim member

Jake Johansson, City Manager, asked Council to consider appointing Councilman Stiltner to the Fire Pension Board as an interim member until a new council member is elected and Council appoints someone.

Motion to appoint Scott Stiltner as the interim member of the Fire Pension Board was made by Councilman Drew Bastian and Seconded by Vice Mayor Chase Tramont. Motion carried unanimously by voice vote.

PUBLIC HEARING

15. Second Reading – Ordinance No. 2018-32 - Amending Chapter 10 of the Code of Ordinances pertaining to Urban Chickens

Mayor Burnette read Ordinance No. 2018-32.

ORDINANCE NO. 2018-32

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES,

CHAPTER 10, SECTION 10-20 ESTABLISHING A PERMANENT URBAN CHICKEN PROGRAM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-32 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried 3-1 by roll call vote with Councilman Scott Stiltner voting no.

16. Second Reading – Ordinance 2019-1 - LDC Text Amendment/ Chapter 15 - Residential Subdivision Signage (Case No. 18-25000008)

Mayor Burnette read Ordinance No. 2019-1.

ORDINANCE NO. 2019-1

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA AMENDING THE LAND DEVELOPMENT CODE CHAPTER 15 RELATING TO RESIDENTIAL SUBDIVISION SIGNAGE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-1 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

17. Second Reading - Ordinance No. 2019-3 - Amending Section 2-275 of the Code of Ordinances relating to Local Preference

Mayor Burnette read Ordinance No. 2019-3.

ORDINANCE NO. 2019-3

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 2, ARTICLE VI, DIVISION 2, SECTION 2-275 TO ESTABLISH A NEW SUBSECTION REGARDING APPLICATION OF THE LOCAL PURCHASING PREFERENCE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-3 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

18. Second Reading - Ordinance No. 2019-4 - Amending the Code of Ordinances relating to the Golf Course Advisory Board

Mayor Burnette read Ordinance No. 2019-4.

ORDINANCE NO. 2019-4

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING SECTION 50-108, CODE OF ORDINANCES, TO REDUCE THE NUMBER OF MEMBERS ON THE GOLF ADVISORY BOARD AND REMOVE THE CITY COUNCILMEMBER POSITION ON THE GOLF ADVISORY BOARD; AMENDING SECTION 50-109, CODE OF ORDINANCES, TO PROVIDE FOR INITIAL APPOINTMENT TERMS; AMENDING SECTION 50-111, CODE OF ORDINANCES, TO REDUCE THE NUMBER OF BOARD MEMBERS NECESSARY TO FORM A QUORUM; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-4 was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian. Motion carried unanimously by roll call vote.

19. First Reading - Ordinance 2019-5 - LDC Amendment/Chapter 2, 16, 17, and 18 - Wireless Communications Facilities Siting (Case No. 18-25000010)

Mayor Burnette read Ordinance No. 2019-5.

ORDINANCE NO. 2019-5

AN ORDINANCE OF THE CITY OF PORT ORANGE, FLORIDA AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF PORT ORANGE TO AMEND CHAPTER 2, SECTION 2 DEFINITIONS; TO REPEAL AND REPLACE CHAPTER 16, MISCELLANEOUS REGULATIONS, SECTION 9, PERSONAL WIRELESS COMMUNICATIONS, WITH A NEW CHAPTER 16,

MISCELLANEOUS REGULATIONS, SECTION 9, ENTITLED WIRELESS COMMUNICATIONS FACILITIES SITING, WITH THE FOLLOWING SUBSECTIONS: PURPOSE; GENERAL SITING PREFERENCES; PROCEDURAL REQUIREMENTS; SPECIFIC REGULATIONS AND PROCEDURES FOR PROPOSED FACILITIES MODIFICATION APPLICATIONS; PROTECTION OF THE PUBLIC; AMATEUR RADIO ANTENNAS; ENFORCEMENT; AMENDING CHAPTER 18, SECTION 3(b)(25) ADDRESSING SPECIAL REQUIREMENTS FOR COMMUNICATIONS TOWERS IN RESIDENTIAL DISTRICTS; AMENDING CHAPTER 16, SECTION 4 ADDRESSING HEIGHT; AMENDING CHAPTER 16, SECTION 5 ADDRESSING SPECIAL SETBACKS; AMENDING CHAPTER 17, ZONING REGULATIONS, SECTION 1, IN GENERAL, TO REFERENCE THE WIRELESS COMMUNICATIONS FACILITIES SITING REGULATIONS SET FORTH IN CHAPTER 16, SECTION 9; AMENDING CHAPTER 17, ZONING REGULATIONS, TO REMOVE ALL REFERENCES TO ANTENNAS, CAMOFLAGED ANTENNAS, AND CAMOFLAGED, GUYED, LATTICE AND MONOPOLE COMMUNICATION TOWERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE TERMINATION OF MORATORIUM ADOPTED PURSUANT TO ORDINANCE NO. 2018-25; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2019-5 to include the changes as presented was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Tim Burman, Community Development Director, provided details of the code changes. Mr. Burman answered questions from Council.

Katie Cole, Attorney for Crown Castle, advised of some comments she has regarding the ordinance.

Matthew Jones, Deputy City Attorney, does not currently have any recommended changes but will provide Council with any comments and recommendations prior to the second reading.

Robert Reinhausen, citizen, expressed his concerns regarding a special fee included in the ordinance.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

20. Ratification and approval of Task Authorization No 20 with Mead and Hunt for the Taylor Road Bridge at B-19 and Sweetwater Emergency Repairs

Motion to approve was made by Vice Mayor Chase Tramont and Seconded by Councilman Drew Bastian.

Mr. Johansson provided details of the quotes received in the emergency situation. Staff did their due diligence to protect the funds of the City and taxpayers while getting the job done quickly.

Motion carried unanimously by roll call vote.

21. Ratification of emergency PO to P&S Paving for Taylor Road Repairs

This item relates to item #20 and was discussed together.

Motion to approve was made by Vice Mayor Chase Tramont 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

Mr. Johansson asked Councilman Stiltner to consider the appointment of Jeff Martindale to the Bicycle Pedestrian Trail Committee with the TPO. Council agreed to the appointment. Councilman Drew Bastian volunteered to be the alternate on the TPO board to attend if/when Councilman Stiltner can't.

Mr. Johansson advised that Staff will be staying away from civil affairs between neighbors that have been coming up lately.

Mr. Johansson asked Council to consider allowing Staff to update the Purchasing Policy without Council's approval as Council approves all of the ordinances dictating how the procedures are written in the Purchasing Policy. Council agreed.

COUNCIL COMMITTEE REPORTS

24. City Council Committee Reports

Regular City Council Meeting

January 22, 2019

Page 8 of 8

- a. First Step Shelter – Vice Mayor Tramont has nothing new to share.
- b. Port Orange/South Daytona Chamber of Commerce – Mayor Burnette provided an update on the upcoming events.
- c. Arthaus – There was no report.

ADJOURNMENT 7:54 p.m.



\_\_\_\_\_  
Mayor Donald O. Burnette

Attest:



\_\_\_\_\_  
Robin Fenwick, CMC  
City Clerk

