

REGULAR CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS – CITY HALL  
1000 CITY CENTER CIRCLE  
JUNE 19, 2018

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

1. Silent Invocation
2. Pledge of Allegiance
3. Roll Call:

Present: Councilman Bob Ford  
Councilman Chase Tramont  
Mayor Donald Burnette  
Councilman Drew Bastian  
Vice Mayor Scott Stiltner

Also Present: City Attorney Margaret Roberts  
Assistant City Manager Alan Rosen  
City Clerk Robin Fenwick

CONSENT AGENDA

4. Public Comments on Consent Agenda Items Only

There were none.

5. Agenda Approval

Motion to pull Item 7(a) from the Consent Agenda for further discussion was made by Councilman Bob Ford, and Seconded by Vice Mayor Scott Stiltner. Motion carried unanimously by roll call vote.

6. Approval of Minutes
  - a. June 5, 2018 - Regular City Council Meeting
7. Bid Awards and Contract Items
  - a. Approval of Second Amendment to Contract with KemperSports Management Company
  - b. Approval of Contract for Sale and Purchase of Real Property at Oak Street
8. Resolution No. 18-16 - Budget Appropriation

9. Approval of Sewer Impact Costs Recovery Agreement for 6048 Gladys.

Motion to approve the Consent Agenda as amended was made by Councilman Drew Bastian, and Seconded by Councilman Chase Tramont. Motion carried unanimously by roll call vote.

Item 7(a) - Approval of Second Amendment to Contract with KemperSports Management Company

Councilman Ford asked if the payroll company pulls money from the general cash account or is it a separate account. Susan Lovallo, Parks & Recreation Director, advised it is a separate account.

Motion to approve was made by Councilman Chase Tramont, and Seconded by Councilman Drew Bastian. Motion carried unanimously by voice vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Robert Reinlagen, citizen, spoke regarding the rezoning of the property at Willow Run. He does not support the rezoning.

Eric West, citizen, discussed seawater rising, retention ponds, and runoff.

Marjorie Johnson, citizen, addressed diversification in the workforce for the City. She also expressed concerns regarding the flow of traffic on Herbert Street.

Jim Schultz, Ormond Beach citizen, spoke regarding fluoridation.

COUNCIL COMMENTS

10. Comments/Concerns from Council Members

Councilman Tramont expressed concerns regarding parking in some of the new neighborhoods, which are creating safety hazards. He'd like some changes for any new development.

Councilman Ford is concerned with flooding issues and wants to identify smaller projects that might help mitigate flooding of homes.

Vice Mayor Stiltner is concerned with dilapidated docks floating loose in the river. He would like Staff to look into code violations and provide notices when violations occur. He also asked for an update as to storm preparations, such as sand bags and sand

Mayor Burnette asked for the status of DMS sites and debris removal from storms. He would also like a recap as to conservation efforts being done by the City.

#### BOARD APPOINTMENTS, INTERVIEWS, REPORTS

11. Citizen Advisory Committee for TPO

Bobby Ball, CAC Member, provided details from the most recent meeting. He asked for feedback through the Tell the TPO Survey.

12. Charter Review Board Update

Debbie Connors, Chair, provided details of the Board's meetings and recommendation.

#### PUBLIC HEARING

13. Second Reading - Ordinance No. 2018-10 - Angler's Cove Small-Scale Comprehensive Plan Amendment (Case No. 18-20000001)

Mayor Burnette read Ordinance No. 2018-10.

#### ORDINANCE NO. 2018-10

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 DESIGNATION FOR +/- 1.3 ACRES FROM URBAN HIGH DENSITY RESIDENTIAL (8-16 UNITS/ACRE) TO SUBURBAN RESIDENTIAL (2-4 UNITS/ACRE); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-10 on second reading was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford. Motion carried unanimously by roll call vote.

14. Second Reading - Ordinance No. 2018-11 - PUD Rezoning and Angler's Cove Master Development Agreement and Conceptual Development Plan (Case No. 18-65000001)

Mayor Burnette read Ordinance No. 2018-11.

ORDINANCE NO. 2018-11

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING PROPERTY CONSISTING OF APPROXIMATELY +/- 1.3 ACRES LOCATED AT 3626 SOUTH PENINSULA DRIVE, SOUTH OF THE ADMIRALTY CLUB CONDOMINIUM FROM R-3H (MULTI-FAMILY RESIDENTIAL) TO PUD (PLANNED UNIT DEVELOPMENT) AND APPROVING A MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR THE ANGLER'S COVE PUD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-11 on second reading was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford. Motion carried unanimously by roll call vote.

15. Final Plat and Plans for the Angler's Cove Subdivision (Case No. 18-50000001)

Motion to approve the Final Plat and Plans for the Angler's Cove Subdivision was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford. Motion carried unanimously by roll call vote.

16. First Reading - Ordinance No. 2018-14 - Annexation/1660 Anita Street, (Case No. 18-10000001)

Mayor Burnette read Ordinance No. 2018-14.

ORDINANCE NO. 2018-14

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ANNEXING APPROXIMATELY +/-0.57 ACRES OF PROPERTY LOCATED AT 1660 ANITA STREET; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Penelope Cruz, Planner, asked Council to open Items 16, 17, and 18 together. Council agreed. Ms. Cruz discussed the details of the annexations.

Motion to adopt Ordinance No. 2018-14 was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford. Motion carried unanimously by roll call vote.

17. First Reading - Ordinance No. 2018-15 - Small-Scale Future Land Use Map Amendment/1660 Anita Street (Case No. 18-20000004)

Mayor Burnette read Ordinance No. 2018-15.

ORDINANCE NO. 2018-15

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 DESIGNATION FOR +/- 0.57 ACRES FROM VOLUSIA COUNTY URBAN LOW DENSITY (ULI) TO CITY OF PORT ORANGE RURAL TRANSITION (0-2 UNITS/ACRE); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-15 was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford. Motion carried unanimously by roll call vote.

18. First Reading - Ordinance No. 2018-16 - Rezoning/1660 Anita Street (Case No. 18-60000001)

Mayor Burnette read Ordinance No. 2018-16.

ORDINANCE NO. 2018-16

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, REZONING +/- 0.57 ACRES LOCATED AT 1660 ANITA STREET FROM VOLUSIA COUNTY RURAL AGRICULTURE (A-2) TO SINGLE FAMILY RESIDENTIAL (R-20); AUTHORIZING REVISION OF THE OFFICIAL ZONING ATLAS; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-16 was made by Councilman Bob Ford, and Seconded by Councilman Chase

Tramont. Motion carried unanimously by roll call vote.

19. First Reading - Ordinance No. 2018-17 - Annexation/1389 Reed Canal Road (Case No. 18-1000002)

Mayor Burnette read Ordinance No. 2018-17.

ORDINANCE NO. 2018-17

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, ANNEXING APPROXIMATELY +/- 9.91 ACRES OF PROPERTY LOCATED AT 1389 REED CANAL ROAD; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-17 was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford.

Ms. Cruz discussed the request for annexation.

Jeff Brock, Attorney for the Applicant, discussed the project and the clean-up efforts of the property.

Motion carried unanimously by roll call vote.

REGULAR AGENDA

20. First Reading - Ordinance No. 2018-19 - Port Orange Police Pension Plan Increasing Equities Investment Limit

Mayor Burnette read Ordinance No. 2018-19.

ORDINANCE NO. 2018-19

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING THE PORT ORANGE POLICE PENSION FUND TO INCREASE THE INVESTMENT LIMIT ON EQUITIES; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2018-19 was made by Councilman Drew Bastian, and Seconded by Councilman Bob Ford.

Tyler Grumbles, AndCo Consulting Company, discussed their work with the Police Pension Plan and why this item is being requested.

Motion carried unanimously by roll call vote.

21. Report on the 2018 Citizen Survey

Alan Rosen, Assistant City Manager, provided details from this year's citizen survey.

22. Monthly Financial Report

Tracey Riehm, Finance Director, provided details from the financial report.

COMMENTS

23. City Attorney Comments

Margaret Roberts, City Attorney, updated Council on the litigation regarding the middle section of Yorktowne Blvd. Staff will be filing a motion for attorney's fees. She asked Council to approve her filing of the motion subject to the City Manager's review and approval.

Motion to approve was made by Vice Mayor Scott Stiltner, and Seconded by Councilman Chase Tramont.

Sarah Jones, citizen, objected to Council considering this item at this time as there was no public notice that this item would be discussed. The Yorktowne Blvd. project is highly contentious and she believes the item should be placed on an agenda for public notice.

Vice Mayor Stiltner doesn't believe the discussion is about a legal matter but rather someone costing taxpayers unnecessary expense. The item is permission to move forward with the lawsuit that has already been filed.

Motion carried unanimously by roll call vote.

24. City Manager Comments

- a. Report of single source Standard Contract for Services to CPH, Inc. as it relates to the Gopher Tortoise Long-Term Recipient Site FWC Permit Requirements.

Mr. Rosen advised Council of the City Manager's approval of a single source contract with CPH, Inc. There were no objections. He also reminded Council the ERP Project is

Regular City Council Meeting

June 19, 2016

Page 8 of 8

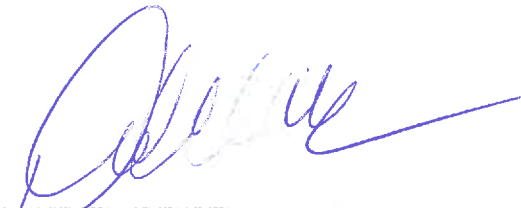
moving forward and putting a lot of pressure on Staff, particularly Finance. Quarterly reports will be provided by Finance rather than monthly but Council can ask for reports at any time.

COUNCIL COMMITTEE REPORTS

25. City Council Committee Reports

- a. ArtHaus - Councilman Ford provided details from their recent meeting.
- b. First Step - Councilman Tramont provided details of their recent meeting.
- c. Port Orange/South Daytona Chamber of Commerce - Mayor Burnette discussed details from their recent meeting, as well as upcoming events.
- d. Roundtable of Elected Officials - Mayor Burnette discussed details from their meeting.

ADJOURNMENT - 8:15 p.m.



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Mayor Donald O. Burnette

Attest:



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Robin Fenwick, CMC  
City Clerk