

SPECIAL CITY COUNCIL MEETING
CITY OF PORT ORANGE
1000 CITY CENTER CIRCLE
COUNCIL CHAMBERS
MARCH 16, 2004

THE SPECIAL CITY COUNCIL MEETING of the City of Port Orange was called to order at 6:00 p.m. by Mayor Allen Green.

Pledge of Allegiance

Invocation

ROLL CALL: Present: Councilman George Steindorfer
 Councilman Bob Pohlmann
 Councilman Dennis Kennedy
 Vice Mayor Mary Martin
 Mayor Allen Green

 Also Present: Kenneth W. Parker, City Manager
 Margaret T. Roberts, City Attorney
 Shirley M. Kelly, Deputy City Clerk
 Glenda Leftwich, Recording Secretary

WORKSHOP

4. Madeline Avenue Project

Mr. Parker, City Manager, said this is a workshop only on the Madeline Avenue project which involves two sections, sidewalks and a divided road to go around oak trees. The area involved is a stretch of road off of Nova Road. There will be a neighborhood meeting on this project later this month. The total estimated cost of the project is \$685,000 and monies have been budgeted. Warren Pike, Public Works Director, said residents have voiced concern regarding being able to pass buses, etc., because of the large oak trees. Because of safety and traffic flow concerns some pruning will have to be done as well as the removal of one large tree and maybe smaller ones. Mayor Green said it has always been known when improvements were eventually made that there would have to be some trees sacrificed. There was discussion regarding the large 55-inch oak tree and the fact that safety outweighs the possibility of allowing it to remain.

Jonathon Martin, Kimley-Horn Associates, Inc., passed out a typical sidewalk sectional drawing. The new plan calls for turning the current roadway into a one-way westbound lane only and construction of a one-way eastbound lane that will start at Kon-Tiki and go east until merging with the existing road at Lazy Hammock. There is a large tree at the intersection of Madeline Avenue and Lazy

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Hammock that will definitely have to be removed. Also included in the program is a sidewalk, bike path, and five-acre passive park with a 3-acre lake off the north side of Madeline Avenue.

Warren Pike, Public Works Director, spoke regarding the root system of the trees, additional right-of-way that would be needed to relocate the roadway elsewhere, and asphalt to be used.

Mr. Parker oriented the City Council to where the project for Madeline Avenue is. It presently dead ends at Sauls Road and at McDonald. You have to turn at that location. If you are going north you go on Sauls and if you are going south you turn onto McDonald. The County has a road project that will take it through north of Sugar Mill Elementary and will basically on the boundary between the City of Port Orange and the City of South Daytona will then proceed until it touches U.S. 1. What this means at U. S. 1 and roughly north of Scotty's, Valley Street. At Valley and U.S. 1 is where Madeline will come out and intersect at that location. Mr. Parker led a discussion regarding the issue of how do you get an at-grade crossing at Madeline and the FEC. Discussions regarding this issue have been going on for a year or so. You have to close crossings in order to gain crossings. Staff found that under FEC rules an at-grade crossing for the Madeline Avenue project would require the abandonment of an existing crossing. Mr. Parker said most probably the one that would have to be abandoned would be near the overhead crossing, the one on Charles or Herbert Streets. Because of Herbert Street traffic it would probably be necessary to close the Charles Street crossing. That could disrupt the flow of neighborhood traffic. Also, it would eliminate being able to access the school from Charles Street from U.S. 1. this would mean another new traffic signal at Madeline Avenue and McDonald would be needed. Mayor Green suggested a parallel access road on the west side of the tracks. Mr. Parker said they talked to FEC about that and they said no. The three options are an overhead crossing at Madeline Avenue, an at-grade crossing at Madeline Avenue and elimination of the crossing at Charles Street, or asking Volusia County to cancel the project. Discussion followed among Council Members and staff regarding their concerns of a stalled train blocking all City crossings in case of an emergency as well as the City having the ability to detour traffic. The County has offered to do an aerial crossing at Airport Road in Ormond Beach. It relates to how do you gain access. It appears that was an agreement that the FEC said that was okay that they would take that one and one in Port Orange. Normally they trade two for one. Ormond would be one and Charles would be two. Consensus of the City Council was to endorse an overhead crossing of FEC railroad tracks for an eastward extension of Madeline Avenue.

Mr. Parker opened discussion regarding the Madeline Avenue Extension. He said from where Madeline intersects and proceeding at an angle southeast, cross I-95, and line up with what is now Shuntz Road extension, it would then turn to the west along the 200 feet that was an easement for our utilities and proceed to Tomoka Farms Road. There is an FDOT alignment study being conducted connecting LPGA from where it now terminates at 92 and coming through a portion of the County's landfill and essentially at Shuntz it would create a looping system that would be Madeline to Tomoka Farms Road and then swing up and become a part of the LPGA loop that would connect up across the interstate once again at the LPGA and continue east to U.S. 1 again in Holly Hill. You have the potential of creating that as a looping system that would move traffic east to west and at Tomoka Farms Road it would swing up. There are several other variations of what they are wanting to do with Tomoka Farms Road. The MPO is looking at this item. The Coraci family has indicated to the County that they will provide the right-of-way on the southern loop, the southern portion. The City of Daytona Beach wants it to go farther north and then divide the Coraci and Curtain property. Ultimately the decision that has to be made is who will give the right-of-way. Coraci said if you go to the northern one they will not give the right-of-way. If the southern right-of-way is taken they will help accomplish this. It now appears the southern route is the preference now because of the donation of the right-of-way. Donna Steinebach, Director of Community Development, said late today a copy of the letter the Planning Director of Daytona Beach sent to Robert Riggio, Attorney for the Coraci family, requesting they have conversation with them regarding some land use planning that Port Orange and they have been working on jointly for property north of the extension of Madeline. All of that is predicated on Daytona Beach supporting the southern alignment of the Madeline Extension. Their primary interest is securing from Coraci the necessary right-of-way for the roadway that would go north/south off of Madeline providing access to the Coraci and Curtain property for future development. It appears that Daytona Beach may be in a position to come out in support of the southern alignment.

Mr. Martin gave a recap of what was found when they got into the detailed engineering on the Madeline Avenue project. Mr. Martins said there will be some utility improvements associated with this too. It has been found that the property purchased for use as a pond they found it may be better used for compensating storage. Running adjacent to the Thompson property is a deep ditch and it is impossible for the Madeline Avenue project to have the stormwater management area/park serve that project. They are now proposing a small park feature. The site plan will be tweaked once the final tree survey is received. The park will be a stormwater management area and accommodate a walkway, more of a passive

park. There will be some parking spaces provided. The resident's concerns are that they do not want a FDOT type pond. There are some untreated mobile home parks that currently discharge into a ditch that flows along the west property line flowing east. In the future, if the City desires, the pond could be used for other projects to treat this untreated area and to mitigate for other development in the City. Mr. Parker suggested now in the planning stages to treat the untreated water from the two mobile home parks in the area and use this as an offset to our stormwater. Consensus of Council was to proceed as presented and to present this discussed at the District II meeting.

ADJOURNMENT: 6:50 P.M.



Mayor Allen Green

Attest:



Kenneth W. Parker, City Manager

has the analysis that the agencies are looking for. They have been contacted to advise them of what the City would be sending them. This also went through the Volusia Growth Management Commission process. There was one objection from Volusia County. They had some concerns regarding traffic. That additional analysis has been forwarded to that individual department and they are fine with it now. The letter for consistency should be forthcoming soon. Staff believes that the issues have been addressed. If Council chooses to adopt this it will go back to the State for final review and they will issue a Notice of Intent to find it in compliance and it will become effective three weeks following that is their normal process. Councilman Kennedy asked if in the ORC Report there was a major traffic concern. Mr. Disher said they were looking for more of an in-depth analysis of the impact to certain roads and that had not been included earlier. This information was made available.

Motion made by Vice Mayor Martin, seconded by Councilman Pohlmann, to approve Ordinance No. 2004-39 on first reading. Motion carried 4 – 0 upon roll call vote, with Mayor Green abstaining.

ADMINISTRATION

17. Madeline Avenue Extension – Discussion

Mr. Parker, City Manager, led a discussion regarding the Madeline Avenue extension. Council considered this several months ago and agreed they favored an elevated crossing of Madeline Avenue as opposed to an at-grade crossing and closing of Charles Street. Staff carried that forward attempting to negotiate it. The County has indicated that they do not have the funds to construct an overpass of the FEC Railroad at that location. Staff has been unable to get FEC to grant a permit that would allow an at-grade crossing at Madeline without closing of two other crossings. One of the crossings would be Charles Street. County Staff did a traffic analysis of what types of traffic volumes are on Charles Street and it does not indicate a heavy traffic volume. They believe with the traffic signal going in at Ridgewood and Madeline that the traffic would move to that location rather than continuing to use Charles Street. Based on dollars not being available from the County to construct the elevated crossing, staff is asking Council for their concurrence to work with the City of South Daytona and Volusia County to put an at-grade crossing at Madeline and proceed to do the final work to close Charles Street at the appropriate time. Mayor Green has difficulty in the number of crossings and equation arrived at by the County. Mr. Parker said it is not the County staff, that it is FEC. Councilman Steindorfer said something

needs to be done and we should move forward. Vice Mayor Martin favors Option 4 as outlined in Mr. Parker's written four options. This is that the City could agree to an at-grade crossing on Madeline and the closing of Charles Street at the railroad. Councilman Pohlmann agrees. Councilman Kennedy is not happy. He has concerns that eventually something will happen with the train and all areas of the City could be blocked. It appears to him this is not being taken as seriously as it should be. You need to consider access for emergency vehicles. Mayor Green commented if you had one overpass at least you could get emergency vehicles over the railroad. Council Members all voiced their concern that during an emergency every crossing in the City could be blocked. Mr. Parker said as the County begins to buy property for retention areas, etc., we also have an opportunity to incorporate things such as Sugar Forest and some of the areas of 3rd, 4th, and 5th Streets into this whole project and include them into the overall drainage system. They are talking about buying the McDonald properties on 6th Street. Mr. Parker would like for the City to look at potential swap outs. The City could look at acquiring property from the McDonald family and the County could then take those dollars and use them on the overpass. Council agreed to this. Mayor Green asked that staff get a contact person and telephone number so that he can follow up on costs of an overpass. Consensus of Council was for staff to work with the County to incorporate some of our stormwater enhancements for that northeast segment of the City into their retention ponds.

COUNCIL COMMENTS

18. Comments/Concerns from Council Members

Tim Carnago, 882 Sugar House Drive, spoke regarding a water situation that he feels can be corrected. He acknowledged that Mr. Parker and Vice Mayor Martin have come to his neighborhood as well as Chris Murphy, Community Development Engineer, and Warren Pike, Public Works Director, and he appreciates that. His house flooded during Tropical Storm Gordon and again recently. Since South Daytona put in their lock system on Reed Canal there has been a change in the water flow. With the widening of Madeline Avenue he feels it is a good opportunity to fix several issues. One is to accommodate the drainage in his neighborhood. Mayor Green pointed out this neighborhood is one that predates any retention codes. He said this will be addressed. The water does not drain in this area. Mr. Parker said there are three phases of this particular project. In Phases 1 and 2 there is good drainage under normal conditions in that area but there is still a problem in this sector. Mayor Green acknowledged that County Councilman Jack Hayman is present and he has been extremely good to this community and worked with them on such issues. Mr. Carnago said that Bell South has put poles on the south side. In the past

Upon review of the City's proposed amendments, DCA had several objections, which are expressed in the attached Objections, Recommendations, and Comments (ORC) Report. Based upon these comments, staff prepared further analysis to demonstrate that concurrency would be maintained. This supplemental information was presented to the Planning Commission at the August 26, 2004 meeting. At this meeting, the Planning Commission recommended approval, 5-0 (Commissioners Lasky and McMasters excused) of the amendments. Please see the attached staff update memo for a complete discussion of comments and concerns raised by DCA, along with staff's response.

Staff Recommendation: Staff recommends that Council adopt the attached ordinance amending the City's Comprehensive Plan-Update '98 for Case Nos. 03-20000003 and 03-20000004.

Second Reading: December 14, 2004

H. ADMINISTRATION

Item 17 - Madeline Avenue Extension Discussion

Some months ago, the City Council discussed the Madeline Avenue extension. At that time, the City Council favored an elevated crossing of Madeline Avenue rather than an at-grade crossing and closing of Charles Street. We have had discussions with the County concerning this situation. The County has indicated that they do not have the funds to construct the at-grade crossing. They have performed traffic analysis and study of volume of traffic using Charles Street. Charles Street has a very low volume of traffic. Also, they have told the Cities of Port Orange and South Daytona that the cost of an elevated crossing is outside their budget for the Madeline extension.

There appears to be four options:

1. Do nothing and Madeline is not built. This option is not in the best interest of the Cities of Port Orange and South Daytona.
2. Request the County Council allocate additional funds for the elevated crossing of the FEC railroad. If approved by the County Council, I would imagine the County staff would have to recommend a delay in other criteria road projects that are on the County's five-year plan. Delaying other projects currently approved in the County's road plan could have an impact on roads such as South Williamson Boulevard.
3. The City of Port Orange could pay the difference between an at-grade crossing and an elevated crossing. Although we do not know exactly what the differential is, the City would have to find a funding source for the crossing since we do not have the funds budgeted or in our five year capital improvements plan. Already, the City is revising its capital program to address the issues associated with the hurricanes. I will attempt to obtain information on the cost differential between the elevated and the at-grade crossing prior to Wednesday's meeting.
4. The City could agree to an at-grade crossing on Madeline and the closing of Charles Street at the railroad.

If the City of Port Orange wants Madeline Avenue to be constructed totally with County funds, it appears that Option 4 is the best available option.

I. COUNCIL COMMENTS

Item 18 - Comments/Concerns from Council Members

At this time, Council Members may discuss various matters of concern.

Kwp/rlg

Commission. She grew up in the City and wants to become more involved in. She is in business locally with her family. Mayor Green gave an overview of the Planning Commission's responsibilities. Councilman Steindorfer said there are presently no business persons on the Commission. Councilman Kennedy has met Ms. Booth and knows she wants to become involved. Mayor Green asked that those not appointed do not take it personally and to stay interested. Councilman Pohlmann has known Ms. Booth a long time and knows she is very committed. He believes she would be a good choice and she does have business experience. Vice Mayor Martin suggested the Council hold off on a third appointment and to get in touch with Gill Geddy of the Chamber of Commerce and ask her to solicit additional volunteer applicants of business persons.

Motion made by Councilman Steindorfer, seconded by Vice Mayor Martin, to reappoint Robin Lasky and Richard Barker to the Planning Commission, with terms to expire on September 1, 2007. Motion carried unanimously by voice vote.

CITIZEN PARTICIPATION (Non-Agenda – 15 Minutes)

Janice Nixon, Charles Street, spoke regarding the closing of Charles Street. She was present at both meetings when this issue was discussed. Residents of the area are very concerned. She handed out a typewritten statement regarding what she considered would be detrimental to Portona residents. Concerns include response time for emergency vehicles, access to U.S. 1 and Dunlawton Avenue, increase in traffic for residents on 5th and 6th Streets, traffic from 1st-4th Streets dealing with morning school traffic, commercial traffic from the industrial park at Railroad Avenue having to access Charles Street from 5th or 6th Streets, creating a dead-end cul-de-sac that will enhance "drag strip" type activities, and Herbert Street becoming more difficult to access. Ms. Nixon realizes the expense involved but asked that Council reconsider.

Joyce Oxley gave a monthly report on cleanup of Dunlawton Avenue and bridge. Reportedly Tif-Gen has been seen blowing grass into the road.

Scott Gutauckis thanked the City Council for having allowing him to serve on the Planning Commission. Mayor Green thanked him for the time he has put in.