



AGENDA
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
April 20, 2021
7:00 PM

Mayor Bill Partington

Zone 1 – Commissioner Dwight Selby

Zone 3 – Commissioner Susan Persis

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Rob Littleton

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

***Please see page 4 of this agenda for information on meeting procedures
and public commenting information.***

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – April 6, 2021

6. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. **RESOLUTION NO. 2021-72:** A RESOLUTION PURSUANT TO CHAPTER 14, ARTICLE VIII, SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY TONI MANSFIELD ET AL, LOCATED AT 732 ORCHARD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Chris Mason, Neighborhood Improvement Manager
(386-676-3352)

- B. **RESOLUTION NO. 2021-73:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATION ON PROPERTY LOCATED AT 197 S. ORCHARD STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Chris Mason, Neighborhood Improvement Manager
(386-676-3352)

- C. **RESOLUTION NO. 2021-74:** A RESOLUTION APPROVING THE APPLICATION OF CAVALIER AVIATION, INC TO PROVIDE SERVICES AS A CATEGORY FOUR FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Brian Rademacher, Economic Development Director
(386-676-3266)

- D. **RESOLUTION NO. 2021-75:** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION OFFERED UNDER THE AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Brian Rademacher, Economic Development Director
(386-676-3266)

- E. **RESOLUTION NO. 2021-76:** A RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH THREE FIRMS FOR THE PROVISION OF BRASS FITTINGS ON AN AS-NEEDED BASIS FOR UTILITY PROJECTS, UNDER ITB 2021-11; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-676-3292)

- F. **2021 Floodplain Management Plan Annual Progress Report**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

Disposition: Approve as recommended in the City Manager memorandum dated April 20, 2021.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-11:** AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD, ABUTTING 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- B. **ORDINANCE NO. 2021-12:** AN ORDINANCE VACATING TWO (2) UN-NAMED ALLEYS LYING BETWEEN LOT(S) 1-30, BLOCK 59, NATIONAL GARDENS SUBDIVISION, WITHIN THE PROPERTY AT 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- C. **ORDINANCE NO. 2021-16:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- D. **ORDINANCE NO. 2021-17:** AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "ORMOND ACE HARDWARE" TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

8. **SECOND READING OF ORDINANCES**

- A. **ORDINANCE NO. 2021-13:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-17, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

- B. **ORDINANCE NO. 2021-14:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-44, CONTRIBUTIONS; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-46, PRE-RETIREMENT DEATH; AMENDING SECTION 16-55, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

- C. **ORDINANCE NO. 2021-15:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-86, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

9. **REPORTS, SUGGESTIONS, REQUESTS**

10. **ADJOURNMENT**

*****MEETING PROCEDURES AND PUBLIC PARTICIPATION INFORMATION*****

In order to follow federal, state, and local guidelines regarding public gatherings, and to protect residents, staff, and elected officials due to the COVID-19 virus, physical access to this meeting will be restricted as outlined below. *Those interested in the meeting can also listen through electronic means and utilize the provided online or alternative commenting methods to participate.*

The following information is also available at www.ormondbeach.org/ccmtg.

How To Listen Live

The meeting audio will be streamed live online at www.ormondbeach.org/live. Any member of the public who wishes to listen to the meeting live can do so at that link. The recording of the meeting will be available the following day online at www.ormondbeach.org/ccrecordings.

Access Restrictions

Space will be limited due to social distancing and grouping guidelines. If you wish to listen to the meeting, or submit comments on agenda items, and are able to use the online options provided, you are encouraged to do so. This will help ensure that all those who wish to participate may be able to.

Members of the public wishing to attend the meeting in person are advised of the following guidelines:

- Those in attendance should practice social distancing when inside the building, entering the building, and exiting the building. The wearing of masks is encouraged.
- There will be limited designated socially distanced seating available in the Commission Chambers and in the atrium. *All those in attendance must sit only in the designated socially distanced seating.*
- If all available designated socially distanced seats are being utilized, overflow individuals will need to wait outside the building until space frees up.
- Those in attendance will be required to adhere to social distancing guidelines, including only sitting in designated socially distanced seating.

Public Comments

The City Commission welcomes public comment on agenda items. Those wishing to make comments on any item on the April 20, 2021 meeting agenda may do so via remote submission, as outlined below, *or* in person – following the guidelines stated herein.

Remote submissions of comments on an agenda item may be submitted the following ways:

- **Through an online form:** The form is available at www.ormondbeach.org/agendacomment. You will be asked to provide your name, address, and identify the agenda item you are commenting on.
- **By fax:** You may send your comment via fax to (386) 676-3330. Please provide your name, address, and identify the agenda item you are commenting on in your facsimile.
- **By written comment:** If you'd like to submit a written comment, rather than comment online, you may drop off a comment at the 2nd floor reception desk at City Hall during normal business hours. You may also send comment via U.S. mail to the City Clerk at 22 S. Beach Street, Ormond Beach, FL, 32174. Please make sure to clearly label your submission as an agenda item comment for the April 20 City Commission meeting agenda. Please provide your name, address, and identify the agenda item you are commenting on in your correspondence.

Agenda item comments submitted remotely through one of the above provided online or alternative means before **5:00 p.m. on Monday, April 19, 2021**, will be provided to the City Commission prior to the meeting and made part of the official meeting record. Comments on agenda items submitted after 5:00 p.m. on April 19, 2021, but before the conclusion of the Commission meeting, will be provided to the City Commission following the meeting.

Please note that the equivalent of three minutes of each submitted comment will be included in the record.

In-Person Commenting:

- Those wishing to make comments in-person will need to sign up with staff to do so **prior to the start of the meeting**. Requests to speak will not be accepted after the meeting begins.
- Individuals commenting in person must follow social distancing and other guidelines provided in the access restrictions portion of this page.
- Individuals commenting will be provided with three minutes to make their comments.

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.