

**MINUTES
ORMOND BEACH CITY COMMISSION
HELD AT CITY HALL COMMISSION CHAMBERS**

May 4, 2021

7:00 p.m.

Commission Chambers

Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Susan Persis, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Manager Claire Whitley, City Attorney Randy Hayes, and Assistant City Clerk Wendy Hontz.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. MR. JAMES PURDY
 - B. NATIONAL POLICE WEEK
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**

- A. Minutes from City Commission meeting – April 20, 2021

7. 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. 2021-77:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2021 DODGE CHARGER PATROL VEHICLE UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-VEL28.0; DECLARING VEHICLE TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Deputy Public Works Director
(386-676-3577)

- B. **RESOLUTION NO. 2021-78:** A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2021-79:** A RESOLUTION ACCEPTING A BID FROM SGS CONTRACTING SERVICES, INC. FOR CONSTRUCTION SERVICES REGARDING THE WATER RECLAMATION FACILITY CHLORINE CONTACT CHAMBER MODIFICATION PROJECT, UNDER BID NO. 2021-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND

PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2021-80:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING THE NOVA COMMUNITY PARK TENNIS COURT LIGHTING IMPROVEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2021-81:** A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT #1-2021 TO THAT CONTRACT AWARDED TO AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE REGARDING GROUNDS MAINTENANCE SERVICES, BY INCREASING THE CONTRACT PRICE BY \$38,804.00; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

- F. **RESOLUTION NO. 2021-82:** A RESOLUTION APPOINTING A MEMBER TO SERVE ON THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kate Settle, City Clerk (386-676-3340)

- G. **Riverside Drive Road Closure for Fiber Optic Conduit Installation**

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

Disposition: Approve as recommended in the City Manager memorandum dated May 4, 2021.

8. PUBLIC HEARINGS

- A. **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. **(SECOND READING)**

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

- B. **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. **(SECOND READING)**

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

9. RESOLUTIONS

- A. **RESOLUTION NO. 2021-83:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE DEMOLITION OF A STRUCTURE AT 56 N. BEACH STREET; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Chaplain Sam Mercado, Advent Health, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Proclamations

Item #4A – Mr. James Purdy

Mayor Partington presented Mr. James Purdy with a proclamation in honor of his public service as Public Defender of the Seventh Judicial Circuit of Florida. He discussed Mr. Purdy's career and proclaimed May 4, 2021, as a day to recognize him for his achievements. He encouraged residents to join him in wishing Mr. Purdy the best in his well-deserved retirement and presented him with a key to the city.

Mr. Purdy discussed memories he had growing up in Ormond Beach and thanked the Commission for the proclamation.

Mayor Partington recognized the new Public Defender of the Seventh Judicial Circuit of Florida, Mr. Matt Metz, as well as family and friends of Mr. Purdy in attendance.

Item #4B – National Police Week

Mayor Partington presented Ormond Beach Police Department Chief Jesse Godfrey, Captain Chris Roos, and Sergeant Michelle Willis with a proclamation in honor of National Police Week. He proclaimed May 9-15, 2021, as National Police Week and encouraged residents to join him in honoring the thousands of men and women who made the supreme sacrifice with their lives to protect the freedom of others.

Item #5 – Audience Remarks

Mr. Joel Hernandez, 655 Pineland Trail, discussed the Aviation Advisory Board. He noted in the past the board had traditionally met quarterly and was now meeting as-needed. He discussed the purpose of the board and expressed his opinion that the board should continue meeting quarterly.

Mayor Partington noted Mr. Hernandez could contact City Manager Joyce Shanahan to discuss the Aviation Advisory Board meetings further.

Mr. Jim Schultz, 117 Harvard Drive, discussed concerns with fluoride.

Ms. Connie Colby, 108 Roble Lane, discussed the former Riverbend Golf Course in Ormond Beach. She noted Volusia County was disputing the tax-exemption for the site. She encouraged the Commission to save the golf course and listed reasons why she believed the course should be saved.

Item #6– Approval of Minutes

Mayor Partington advised the minutes of the April 20, 2021, meeting had been sent to the Commission for review and were posted on the city’s website for public viewing. He asked for any corrections, additions, or omissions.

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of the April 20, 2021, City Commission meeting minutes.

The motion passed by voice vote.

Item #7 – Consent Agenda

Mayor Partington advised the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of the consent agenda.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Comments on the Consent Agenda

Commissioner Selby commented on Item 7F, which approved Mr. Josh Pringle’s appointment to the Budget Advisory Board. He complimented Mr. Pringle and felt that Mr. Pringle would be a great addition to the board.

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

Assistant City Clerk Wendy Hontz read by title only:

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. **(SECOND READING)**

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-16, on second reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #8B – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of Development Order

Assistant City Clerk Wendy Hontz read by title only:

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. **(SECOND READING)**

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-17, on second reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings.

Item #9 – Resolutions

Item #9A – Demolition of Structure at 56 North Beach Street and Construction of Parking Lot

Assistant City Clerk Wendy Hontz read by title only:

RESOLUTION NO. 2021-83

A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE DEMOLITION OF A STRUCTURE AT 56 N. BEACH STREET; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Dr. Charles Stein, 29 Winding Creek Way, and on behalf of Congregation B’Nai Torah, stated he had a walk-through of the former church building at 56 North Beach Street. He discussed the facility and history of the site. He requested the Commission delay the demolition of the building to allow time for exploration of the feasibility of restoring the building.

Mr. Travis Sargent, 406 North Beach Street, discussed the former church at the property. He noted that the city should not construct anything on the property that would increase the traffic-volume for neighboring residents. He stated he felt the building should be demolished and discussed reasons why. He noted he would prefer to see the city move the MacDonald House to the site and preserve history within the area.

Ms. Julia Truilo, Ormond Beach MainStreet Director, discussed potential future options for the former church structure and property site. She requested the Commission allow interested parties time to look into options for the building and requested the Commission not rush to demolish the structure.

Mayor Partington noted that Ms. Nancy Cortez had signed up to speak during audience remarks, but was not present.

Mr. Bill Partington, 4 Pine Valley Circle, stated he had written a letter to the Commission in regards to the former church property. He noted he felt there were no significant structural or environmental problems that could not be remedied. He discussed the possibility of dividing the site into two parcels, and listed potential future options for the site. He stated he hoped the Commission would not vote to demolish the church, and would instead place the project on hold until further options could be considered.

Ms. Dorian Burt, 203 Pine Cone Trail, discussed Downtown Ormond Beach and the former church site. She noted the high amounts of funding that would be needed to restore the building at the site. She stated she supported Option A in the city's staff's report to construct a parking lot. She discussed the need for parking in the downtown area and encouraged the Commission to move forward with the demolition of the building and construction of a parking lot.

Mr. Jeremy Hopkins, 9 Huntsman Look, stated he was representing Salty Church in his comments. He noted Salty Church was requesting to be included in any potential discussions regarding saving the former church. He requested the Commission delay the demolition of the building to allow time to look into potential partnerships to restore the building.

Ms. Linda Williams, 131 Bosarvey Drive, discussed the positive impacts of synergy and the importance of coming together to make a decision regarding the property. She noted that Mr. Bill Denny and herself would be happy to assist the city in moderating discussion regarding future uses for the property site. She noted she believed interested parties could come together to make a decision that pleased all parties.

Mayor Partington noted staff had presented various options for the site that were detailed in the staff report. He requested a motion and a second be made for discussion.

Commissioner Persis moved, seconded by Commissioner Kent, for approval of Resolution No. 2021-83, amended to approve of Option A for the site, to demolish the existing structures and create a parking lot for 59 vehicles, as read by title only.

Commissioner Persis stated she was considering the future when making her decision regarding the property, noting she envisioned a dazzling structure on the site. She stated she had toured the former church and discussed the poor condition of the building. She noted she did not want the city to put any more funding towards the building and felt it should be demolished and turned into a parking lot until a final decision was made for the site.

Commissioner Kent thanked all audience members who spoke on the item. He discussed the desperate need for more parking in Downtown Ormond Beach. He stated though he would prefer to see a community center constructed at the site, he had not heard the desire from any residents within his zone. He discussed a tour of the former church building he had taken with staff and the poor condition it was in. He noted he had seen pictures within the building that he felt should be saved. He stated the discussion of a partnership was not favorable to him, as he felt the city would still have to invest a large amount of funds to restore the building. He stated he would be open to selling the property for a profit for the residents of Ormond Beach. He explained he was not in favor of dividing the lot and only selling part of the land, noting if the city were to sell the site he would prefer to sell the entire piece and offset tax burdens for residents. He noted he was in favor of Option A to create additional parking in the downtown.

Commissioner Littleton stated he strongly supported immediate demolition of the buildings on the western parcel of the site. He discussed Option A and the additional parking it would create for the downtown. He referenced the Downtown Master Plan, stating that parking was the most consistent topic of discussion in every meeting. He noted under top priorities, the number one item was public parking in the Downtown District. He quoted the Downtown Master Plan: "Although it has been enhanced,

Granada Boulevard is still considered to be a barrier for the community with harsh traffic behavior and limited safe crossings.” He noted he believed that was justification for construction of a northern parking lot in the downtown.

Commissioner Selby stated that while he respected his fellow Commissioner’s opinions, he was surprised by some of the comments made. He addressed remarks regarding the condition of the building, noting the issues could be fixed. He discussed the process for repairing the building. He stated he agreed that Downtown Ormond Beach needed more parking and was hopeful that the riverfront piece of the land could be a potential option for additional parking. He reviewed the dollar amounts the city paid for the property and the investment the city had in the building. He noted the building was well-built and discussed his disapproval of tearing down the structure. He stated Ormond MainStreet’s request for a six-month pause for demolition was reasonable. He discussed comments made by audience members. He noted if the Commission decided to submit an RFP for the project, they could require the tenant provide the funds to make improvements for the site. He stated he was not in favor of selling the building, and would only consider leasing the parcel. He explained he was not stating that he would never support demolition of the building in the future, but wanted to give the community six months to come back with a proposal for the site. He discussed stimulus funds the city may be receiving from the government and various options the funds could be used for, noting the building may be an option for investing the funds.

Mayor Partington noted he agreed with most comments made by Commissioner Selby, but respected the other Commissioner’s positions as well. He noted it was not an easy decision, but felt the decision should not be rushed. He felt out of respect for Ormond MainStreet, Salty Church, and B’Nai Torah, he was willing to not rush into demolition to allow organizations time to express their thoughts and ideas for the site.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	No
	Commissioner Kent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	No

Item #10 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, noted there would be a Capital Improvements Plan and Draft Budget Workshop on July 6, 2021, at 5:30 p.m. She stated there would also be an Operational Budget Workshop on July 20, 2021, at 5:30 p.m., followed by a regular Commission meeting at 7:00 p.m. She stated the Parks and Recreation Master Plan Workshops would be held on August 17, 2021, at 5:30 p.m. and January 18, 2022, at 5:30 p.m.

Ms. Shanahan discussed the Parks and Recreation Master Plan survey and responses the city had received.

Ms. Shanahan requested holding a workshop with the City Commission regarding projects taking place on Nova Road. She noted staff would come back to the Commission with potential dates to host a workshop.

Project Updates

Ms. Shanahan provided the Commission with various updates on the following projects: The MacDonald House Improvements, manhole repair and lining projects, Adaptive Signalization Project on Granada Boulevard, Florence Street On-Street Parking, and various projects on Nova Road.

Commissioner Selby stated he had met with the Historical Society and noted that they were wanting to install an elevator tower on the south side of the MacDonald House. He questioned if it would be more prudent to finish the north side of the building before moving forward with the south side; whereby, Mr. Shawn Finley, Public Works Director, noted the current portion of the project was intended to make the building water-tight and discussed the project in further detail.

Emergency Orders

Commissioner Selby discussed an announcement made by Florida Governor Ron DeSantis to lift COVID-19 emergency orders. He questioned what orders the city was implementing and if they would be lifted; whereby, Ms. Shanahan noted the city did not

have any orders related to COVID-19, but instead had a voluntary mask ordinance. She proceeded to provide updates on how operations were running in the city and how events were being planned.

Commissioner Selby questioned if city staff were required to wear masks; whereby, Ms. Shanahan stated they were not.

56 North Beach Street

Commissioner Selby stated he was disappointed in the decision to demolish the building located at 56 North Beach Street. He stated he respected the opinions of the other Commissioners, but reiterated his disappointment.

Ormond Beach

Commissioner Kent complimented beaches in Ormond Beach and discussed the beauty of Ormond beachside.

Events

Commissioner Persis noted it was Teacher Appreciation Week and thanked all teachers for their hard work and dedication.

Commissioner Persis stated she had looked forward to attending the Ormond Beach Police Department banquet on Thursday, May 6, 2021, but explained she had a prior engagement and would not be able to attend.

Emergency Orders

Commissioner Littleton noted the AMC Theater on Williamson Boulevard had closed down due to the COVID-19 pandemic. He requested staff and the Commission continue to look into the site, noting whatever came to the site next could potentially generate traffic issues.

Stimulus Funding

Mayor Partington discussed stimulus funding that the city would be receiving from the Federal Government. He noted there was minimal guidance currently as to how the funds could be used. He discussed the funds the city was expecting to receive and noted the Commission had to select priorities, which would determine how to spend those funds. He stated the Commission may need to host a workshop to discuss how to utilize the funds.

Volusia County Library

Mayor Partington noted he had made a comment at the prior Commission meeting regarding the possibility that Volusia County may not wish to renew their lease at the Ormond Beach Library. He clarified Ormond Beach did not have a say in the decision, and Volusia County would be making the final decision to renew.

Submerged Land

Mayor Partington discussed a submerged parcel of land near Cassen Park. He stated the Commission needed to consider what the options may be for the land and nearby site. He stated he was not advocating for any specific decision, but wanted to have a full discussion on the options for the submerged land. He noted the price would need to be right, and explained he wanted the public to be aware that the Commission considered ideas that were brought before them.

Item #11 – Adjournment

The meeting was adjourned at 8:20 p.m.

APPROVED: May 18, 2021

BY:

Bill Partington, Mayor

ATTEST:

Kate Settle,
City Clerk