

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

September 8, 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 Acting City Clerk Wendy Hontz.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2021-2022 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
 - A. RESOLUTION NO. 2021-136:** A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2021-2022; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
 - B. ORDINANCE NO. 2021-31:** AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2021-2022 FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
- 5. PRESENTATIONS AND PROCLAMATIONS**
 - A. Florida Law Enforcement Officers
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – August 4, 2021
 - B. Minutes from City Commission meeting – August 17, 2021
- 8. COMMUNITY REDEVELOPMENT AGENCY**
 - A. RESOLUTION NO. 2021-137:** A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF AN ANNUAL SERVICE AGREEMENT FOR ORMOND BEACH MAIN STREET BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9A)**

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

9. 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. 2021-137:** A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF AN ANNUAL SERVICE AGREEMENT FOR ORMOND BEACH MAIN STREET BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2021-138:** A RESOLUTION REAPPOINTING ALLEN HARRELL AS A MEMBER TO SERVE AS A COMMISSIONER OF THE ORMOND BEACH HOUSING AUTHORITY; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Wendy Hontz, Acting City Clerk (386-676-3332)

- C. **RESOLUTION NO. 2021-139:** A RESOLUTION REAPPOINTING HILDEGARDE POSTELL AS A MEMBER TO SERVE AS A COMMISSIONER OF THE ORMOND BEACH HOUSING AUTHORITY; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Wendy Hontz, Acting City Clerk (386-676-3332)

- D. **RESOLUTION NO. 2021-140:** A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT AND AMENDMENT TO CONTINUING ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND REISS ENGINEERING, INC. FOR THE LIMITED PURPOSE OF ACKNOWLEDGING A CHANGE IN THE CORPORATE ENTITY PROVIDING MUNICIPAL UTILITY SERVICES FROM REISS ENGINEERING, INC. TO CHA CONSULTING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2021-141:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE MACDONALD HOUSE RESTORATION (NORTH ELEVATION) PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2021-142:** A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY AND MY DUMPSTER GUY, LLC REGARDING THE COLLECTION OF CONSTRUCTION AND DEMOLITION DEBRIS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2021-143:** A RESOLUTION ACCEPTING PROPOSALS AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH FOUR (4) FIRMS FOR EMERGENCY DEBRIS REMOVAL SERVICES, UNDER RFP 2021-17; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **Revised Road Closures for 2020-2021**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 8, 2021.

- I. **RFP No. 2021-23 for Concession Agreement at Ormond Beach Performing Arts Center**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 8, 2021.

- J. **City Manager Status Report, September 2021**

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated September 8, 2021.

10. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-32:** AN ORDINANCE AMENDING SECTION 2-50, ACCESSORY USES, OF ARTICLE III, GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE LAND DEVELOPMENT CODE OF THE CITY OF ORMOND BEACH BY AMENDING THE CONDITIONS FOR TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES BY NON-PROFIT ENTITIES; PROHIBITING TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES WITHIN THE NORTH U.S. HIGHWAY 1 MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PROHIBITING TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES THROUGHOUT THE CITY DURING RECOGNIZED SPECIAL EVENTS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2021-33:** AN ORDINANCE AMENDING SECTION 22-23, MINIMUM METER RATES GENERALLY; 22-24, MULTIPLE MINIMUM CHARGES; AND 22-71, SERVICE CHARGE ESTABLISHED; OF CHAPTER 22, WATER AND SEWERS, THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

11. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2021-34:** AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

12. DISCUSSION ITEMS

- A. **2022 City of Ormond Beach Legislative Action Agenda**

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

13. REPORTS, SUGGESTIONS, REQUESTS

14. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Mayor Partington explained that Commissioner Littleton would be attending the meeting virtually due to a health or medical issue. He explained the Florida Attorney General had issued several legal opinions that a member of a local board or commission may be allowed to participate in a public meeting through electronic means in extraordinary circumstances, when a quorum of the Commission is otherwise physically present at the meeting.

Item #2 – Invocation

Chaplain Sam Mercado, Advent Health, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Introductions

Mayor Partington introduced and welcomed Pathways Elementary School Principal, Mr. Joshua Jackson and Seabreeze High School Principal, Dr. Earl Johnson.

Commissioner Persis welcomed Principal Jackson and Principal Johnson. She discussed Principal Johnson's history with Volusia County and expressed her excitement for him to be principal at Seabreeze High School. She discussed Principal Jackson's history, noting her excitement for him to be principal of Pathways Elementary School.

Commissioner Kent welcomed and thanked Principal Jackson and Principal Johnson and discussed his history with both Seabreeze High School and Pathways Elementary, noting he looked forward to the future of the schools.

Principal Johnson discussed his history with Seabreeze High School and Volusia County. He stated the position was his dream job and expressed his excitement to work at Seabreeze High School. He thanked the Commission and City of Ormond Beach for the welcome.

Principal Jackson discussed his history in education and recent connection to Volusia County. He stated he lived in Lake Mary and drove 80 miles a day, noting the drive was worth working in Ormond Beach. He stated Pathways Elementary was a phenomenal school and expressed his excitement to work there. He thanked the Commission and City of Ormond Beach for the welcome.

Item #4 – Adoption of FY 2021-2022 Proposed Millage Rates and Tentative Budget

Item #4A – FY 2021-22 Proposed Millage Rate

Acting City Clerk Wendy Hontz read by title only:

RESOLUTION NO. 2021-136
A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES TO BE
LEVIED FOR FISCAL YEAR 2021-2022; DIRECTING CERTIFICATION;
EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN
EFFECTIVE DATE.

Mayor Partington stated that per *Florida Statutes* he was required to state that the proposed millage rate for the City of Ormond Beach necessary to fund the fiscal year (FY) 2021-2022 budget is 3.9128 mills. He noted the rate was 4.7% above the rolled back rate of 3.7370 mills. He explained that the tentative debt service millage rates were 0.0290 for the 2003 General Obligation Bond Sinking Fund and 0.0890 for the 2010 General Obligation Bond Sinking Fund.

Mr. Joe Hannoush, 87 Carriage Creek Way, stated he did not support the proposed millage rate. He believed the city could use the reserve funds, and utilize the rolled back millage rate. He noted support of Commissioner Selby's opinion, per a recent Ormond Beach Observer article.

Commissioner Persis moved, seconded by Commissioner Kent, for approval of Resolution No. 2021-136, as read by title only.

Mayor Partington stated the tentative operating millage of 3.9128 mills was 4.7% above the rolled back millage rate. The resolution also included adoption of the tentative debt service millage rates of 0.0290 for the 2003 General Obligation Bond Sinking Fund and 0.0890 for the 2010 General Obligation Bond Sinking Fund.

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

Mayor Partington stated the operating millage rate was set at 3.9128 mills, which was 4.7% above the rolled back millage rate of 3.7370 mills.

Item #4B – FY 2021-22 Proposed Budget

Acting City Clerk Wendy Hontz read by title only:

ORDINANCE NO. 2021-31
AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2021-
2022 FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING
SEPTEMBER 30, 2022; REPEALING ALL INCONSISTENT ORDINANCES
OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-31, on first reading, as read by title only.

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

Mayor Partington asked for any objection to closing the public hearing. He noted that hearing none, the public hearing was closed.

Item #5 – Presentations and Proclamations

Item #5A – Florida Law Enforcement Officers

Mayor Partington presented Police Chief Jesse Godfrey with a proclamation to honor the service and sacrifice of Florida law enforcement officers killed in the line of duty in 2021, including those who had succumbed to COVID-19 while protecting communities. He declared September 2021, as a time to honor Florida law enforcement officers in the City of Ormond Beach.

Item #6 – Audience Remarks

Ms. Connie Colby, 108 Roble Lane, discussed her concern with the lack of citizen input regarding the Hand Avenue extension and Avalon Park, while noting some members of the Commission already requested a workshop on these concerns. She stated her concern of the single entrance to Avalon Park being located on Granada Boulevard, and believed the city should work with the county to direct traffic to Daytona Beach. She discussed the need for a bridge over the intercoastal between Granada Boulevard and Seabreeze Boulevard. She asked the Commission about Woods of Ormond Beach and possible annexation.

Ms. Julia Truilo, 307 John Anderson Drive and Executive Director of Ormond Beach MainStreet, invited the Commission to the Celtic Festival the weekend of September 11, 2021 and September 12, 2021, noting there would be a September 11, memorial moment at the festival with a bagpipe band at 12:25 p.m.

Item #7 – Approval of Minutes

Mayor Partington advised the minutes of the August 4, 2021, and August 17, 2021, meetings 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. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Selby noted at the August 17, 2021, meeting he inaccurately stated he voted for the acquisition of 385 Old Kings Road and clarified he voted no on the purchase. He read from the April 2, 2019, City Commission meeting minutes:

“Commissioner Selby had concerns with the price, environmental cleaning of items on the property, title insurance and the time allotted to remove personal property. He supported the overall purchase, but could not support the current terms of the contract.”

Commissioner Selby stated the vote on that item was 4-1, with himself as the only dissenting vote.

Mayor Partington stated he went back to review minutes from the February 19, 2019, workshop; he discussed that Commissioner Selby was unable to attend and asked the City Attorney to read notes into the record which were generally supportive of the purchase price, but did have the concerns of the cleanup and believed the owners should have handled that aspect.

Commissioner Selby stated that was correct and noted that was how transactions were handled in commercial real estate; the property owner would clean up before closing. He discussed his concern on the current costs of the environmental cleanup.

Mayor Partington discussed possible grants for the cleanup and asked the City Attorney about the legality of the purchase and the public purpose of the purchase; whereby, Mr. Randy Hayes, City Attorney, discussed the background of the purchase. He stated there

were two appraisals completed as required, noting staff did not feel it should be required of the property owner to handle the environmental cleanup, as their belief was it was not in the property owner's ability to handle that aspect properly. Mr. Hayes noted the city was better equipped to handle the contamination. Mr. Hayes explained the litigation involving the property owner and the property owners' brother, which caused a delay on the closing. He stated the purchase with the forfeited escrow was \$220,000.00. He indicated the purchase was completed appropriately and within city codes, noting it was a lawful purchase and was a part of the city's Central Park system.

Mayor Partington stated he was excited to have the property added to the parks and for flood water control.

Commissioner Selby noted he did not question the legality of the purchase, rather the structure of the transaction. He stated he believed the private sector would be better equipped to handle the environmental clean up over a government agency.

Commissioner Kent stated the land was very important to the Central Park system, noting his support of the city cleaning it up and the costs associated with it.

Commissioner Persis discussed the floodplain, noting the area would be vital in the event of a catastrophic storm.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of the August 4, 2021, and August 17, 2021, City Commission meeting minutes.

The motion passed by voice vote.

Item #8 – Community Redevelopment Agency

Mayor Partington advised the following item was a Community Redevelopment item. He explained that the City Commission served as the Community Redevelopment Agency (CRA) of the city and must review the item and make a recommendation as the CRA.

Mayor Partington recessed the City Commission meeting, called the CRA meeting to order, and opened the public hearings, at 7:41 p.m.

Item #8A– 2021-22 Service Agreement for Ormond Beach MainStreet

Acting City Clerk Wendy Hontz read by title only:

RESOLUTION NO. 2021-137

A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF AN ANNUAL SERVICE AGREEMENT FOR ORMOND BEACH MAIN STREET BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE.
(SEE ITEM 9A)

Mayor Partington noted no audience cards had been submitted on the item.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Resolution No. 2021-137, as read by title only.

The motion passed by voice vote.

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:43 p.m.

Item #9 – 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 Selby requested to pull Item 9E and Item 9J.

Commissioner Kent moved, seconded by Commissioner Selby, for approval of the consent agenda, absent Items 9E and 9J.

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

Item #9E – MacDonald House Restoration-North Elevation

RESOLUTION NO. 2021-141
A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE MACDONALD HOUSE RESTORATION (NORTH ELEVATION) PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Kent, for approval of Item 9E.

Commissioner Selby thanked staff for saving money, noting the project was under budget. He stated the Historical Society contributed \$100,000.00 to the project and asked about the Echo grant funds; whereby, Mr. Shawn Finley, Public Works Director, stated the Echo grant was for up to \$400,000.00, noting it was a 1 for 1 match. Mr. Finley stated the city could get roughly \$260,000.00 based on lower costs associated to the project. Commissioner Selby clarified the city costs would be less than half of the \$419,000.00; whereby, Mr. Finley stated that was correct.

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

Item #9J – City Manager Status Report, September 2021

Commissioner Selby inquired about the proposed workshops; whereby Ms. Joyce Shanahan, City Manager, discussed a proposed workshop for West Ormond Transportation on October 19, 2021. She stated the first workshop on October 5, 2021, would include Florida Department of Transportation (FDOT) regarding A1A and Nova Road. She discussed the OB Life 2021 series and kick-off meeting proposed for October 26, 2021. She stated the meeting topics would include transportation, utilities and quality of life. She stated there was a proposed workshop on November 2, 2021, for Senate Bill 64. She noted there was a proposed workshop for Cassen Park with three site plan concepts. She also noted there was a proposed workshop for collective bargaining and one for the Parks and Recreation Master Plan.

Commissioner Selby asked if the OB Life series meetings were related to Avalon Park; whereby, Ms. Shanahan stated the meetings would focus on the issues surrounding Avalon Park, including traffic and utilities. Commissioner Selby asked about a consultant report for utilities from Avalon Park; whereby, Ms. Shanahan noted the consultant was unavailable at that time, but once the report was complete it would be brought to the Commission.

Commissioner Selby inquired if Senate Bill 64 was mandating that the city have a 10-year plan to be at zero gallons of discharge into the intercoastal waterway by the end of the year; whereby, Ms. Shanahan stated that was correct, noting it did not have to be a detailed plan, but required action steps outlined and would be discussed at the proposed workshop. Commissioner Selby stated the city pumped over 500,000,000 gallons of reclaimed water into the Halifax River in the last 12 months, noting the average was 1,470,000 gallons a day compared to Port Orange who had zero gallons of discharge.

Ms. Shanahan stated the city was permitted to pump 4,000,000 gallons a day to the Halifax River, noting Port Orange bought a significant amount of land to aid in their zero gallons of discharge. Ms. Shanahan stated she was hopeful that Florida State Representative Tom Leek would assist with funding.

Mayor Partington stated the reclaimed water was highly treated and clean water was being pumped into the river.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Item 9J.

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

Comments on the Consent Agenda

Commissioner Persis expressed her excitement on Item 9E, for the MacDonald House renovations, and noted she was happy with the progress.

Commissioner Kent commented on Item 9G, which authorized four contracts for debris removal. He discussed his support for the item and was pleased the city was preparing for future storms.

Mayor Partington discussed his support of Item 9G and thanked staff for their hard work. He discussed having the funds in reserves which may be needed if a disaster were to hit Ormond Beach.

Commissioner Persis stated she was happy the city had reserves in place in the event of a disaster.

Item #10 – Public Hearings

Mayor Partington opened the public hearings.

Item #10A – LDC Amendment – Car/Motorcycle Washes

Acting City Clerk Wendy Hontz read by title only:

ORDINANCE NO. 2021-32
AN ORDINANCE AMENDING SECTION 2-50, ACCESSORY USES, OF ARTICLE III, GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE LAND DEVELOPMENT CODE OF THE CITY OF ORMOND BEACH BY AMENDING THE CONDITIONS FOR TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES BY NON-PROFIT ENTITIES; PROHIBITING TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES WITHIN THE NORTH U.S. HIGHWAY 1 MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PROHIBITING TEMPORARY OR ITINERANT CAR WASHES AND MOTORCYCLE WASHES THROUGHOUT THE CITY DURING RECOGNIZED SPECIAL EVENTS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, reviewed a PowerPoint presentation that explained the Land Development Code (LDC) amendment was focused on Section 2-50, Accessory Uses, in regards to non-profit related car and motorcycle washes. He discussed the concerns surrounding the washes including duration, location, distracted motorists and traffic safety. He stated at the July 20, 2021, City Commission meeting four options had been presented and the Commission directed staff to move forward with prohibiting motorcycle and car washes during special events. He stated Ordinance No. 2021-32 would prohibit motorcycle and car washes during recognized special events, maintained prohibition of motorcycle and car washes in the North US-1 service area, and would allow for no more than 12 events in the calendar year that were outside of the recognized special events. He stated staff recommended approval.

Mr. Hannoush discussed his disapproval of the item, noting distracted drivers would be year-round not just at recognized special events.

Commissioner Selby moved, seconded by Commissioner Kent, for approval of Ordinance No. 2021-32, on first reading, as read by title only.

Commissioner Kent stated his approval of the item and disagreed with Mr. Hannoush.

Commissioner Littleton stated he was not in favor of the item and would be voting no.

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

Item #10B – Amendment to Water and Wastewater Rates

Acting City Clerk Wendy Hontz read by title only:

ORDINANCE NO. 2021-33
AN ORDINANCE AMENDING SECTION 22-23, MINIMUM METER RATES GENERALLY; 22-24, MULTIPLE MINIMUM CHARGES; AND 22-71, SERVICE CHARGE ESTABLISHED; OF CHAPTER 22, WATER AND SEWERS, THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Kelly McGuire, Finance Director, stated the water and sewer rates would be set at a 1.8 percent increase for the 2021-2022 fiscal year, with a rate increase to 3.5 percent by the 2022-2023 fiscal year. She noted the increase was in accordance to what had been discussed at the budget workshop.

Mr. Colin MacManus, 477 Hammock Lane, inquired about the notice given to citizens in regards to the rate increase

Commissioner Persis moved, seconded by Commissioner Kent, for approval of Ordinance No. 2021-33, on first reading, as read by title only.

Commissioner Selby stated he was not in favor of the item, and inquired if the American Rescue Plan Act (ARPA) funds would cover the needed repairs and maintenance for the city’s water and sewer systems or if the rate increase was covering it; whereby, Ms. McGuire stated the ARPA fund would cover a portion of the water and sewer repairs and maintenance, and the remainder of the funds would be coming from the rate increase. Commissioner Selby expressed his concern for using the ARPA funds on ordinary repairs and maintenance, and discussed his thoughts on the funds being used for generational projects, such as reuse water storage. He stated he thought the Commission should adopt a higher rate, at the 3.5 percent increase, to assist with the reuse water issues, noting the city would be required to have zero discharge into the Halifax River in the next 10 years, due to Senate Bill 64. He discussed a future project of an above ground storage tank that would hold roughly a million gallons, noting he did not believe that was sufficient enough for the amount of discharge the city had.

Commissioner Littleton stated he would not be supporting the item.

Commissioner Kent discussed past issues with the water and sewer systems and how the city had the second lowest rate in Volusia County. He discussed the storage tank project, noting his support.

Commissioner Persis discussed her support of the incremental rate increase versus a larger rate increase.

Commissioner Selby discussed the three different types of storage tanks noting the proposed storage tank would hold one day’s worth of reclaimed water and would not be sufficient, noting the potential workshop to further discuss the topic.

Commissioner Kent discussed the need for another tank, the dry seasons with no reuse going into the Halifax River and the rainy season when the storage tank would be full. He stated he thought the proposed tank was a step in the right direction and fully supported it.

Mayor Partington discussed the city’s low rate compared to neighboring cities. He thought staff’s recommendation was very smart for the city, noting it was fair for all Ormond Beach residents. He discussed Senate Bill 64 and his concerns with the current requirements.

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

Mayor Partington stated Mr. MacManus should reach out to Ms. McGuire or Mr. Chris Byle, Assistant Finance Director, to answer his questions.

Mayor Partington closed the public hearings.

Item #11 – First Reading of Ordinances

Item #11A – Amendment to Solid Waste Rates

Acting City Clerk Wendy Hontz read by title only:

ORDINANCE NO. 2021-34
AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Littleton moved, seconded by Commissioner Kent, for approval of Ordinance No. 2021-34, on first reading, as read by title only.

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

Item #12 – Discussion Items

Item #12A – 2022 City of Ormond Beach Legislative Action Agenda

Ms. Shanahan asked the Commission for direction on the item, noting once staff had direction, a report would be prepared to bring back to the Commission at the following meeting.

Mr. Brian Rademacher, Economic Development Director, discussed water quality and conservation proposed priorities. He stated there were four projects identified, which included UV-disinfection, reclaimed water projects, Hudson Wellfield expansion and septic tank conversion of Magnolia and Oak Drives and Bonita Avenue. He stated he was looking for Commission direction before moving forward.

Commissioner Persis complimented the list and stated she would be in favor of the proposed priorities.

Commissioner Selby inquired the costs on the projects; whereby, Ms. Shanahan provided the costs per project, and discussed that the funds had not been allocated at that time and would not be provided until end of the fiscal year in 2022.

Mayor Partington and Commissioner Kent noted the reserved funds would help fund some of the priorities until the funding came in.

Mayor Partington stated his support of the proposed priorities, clarifying the residents involved with the septic to sewer conversions would likely have a cost associated with the conversion. He asked staff be transparent with all residents involved.

Ms. Shanahan noted the location for the septic to sewer conversion was selected due to its proximity to a lift station, which would assist in lowering costs. She stated staff would not proceed until there was a community meeting and were able to determine interest in moving forward, noting the city would try for the maximum amount of grant funds to offset costs.

Commissioner Kent discussed the costs associated with a septic tank.

Mayor Partington thanked Commissioner Kent for his comment, noting that information should be included in the educational campaign to the residents.

Commissioner Littleton discussed his support of the project priorities.

Item #13 – Reports, Suggestions, Requests

Employee Recognition

Ms. Shanahan, Commissioner Persis, Commissioner Selby and Commissioner Kent congratulated Mr. Alex Schumann on his promotion to City Engineer.

Ms. Shanahan, Commissioner Persis, Commissioner Selby and Commissioner Kent welcomed Ms. Susan Dauderis, City Clerk.

Commissioner Persis thanked Ms. Shanahan for the City Manager Status Report provided, noting her appreciation for Ms. Shanahan's hard work.

Commissioner Littleton thanked the Commission for allowing him to attend the meeting via Zoom.

Commissioner Kent thanked the Commission for allowing him to attend the meeting via Zoom at the August 17, 2021, meeting. He thanked Ms. Shanahan, Mr. Hayes, Commissioner Persis, Mr. Travis Sargent and Mr. Ike Leary for checking in on him during that time. He noted Mr. Sargent's young son should get a special treat for sitting through the entire meeting.

City Projects

Commissioner Persis discussed her support of the speed calming tables installed on Hernandez Avenue and Fleming Avenue.

OB Life 2021

Commissioner Persis expressed her excitement for the proposed meetings.

Updates

Commissioner Persis discussed her excitement for the new Starbucks that would hold a grand opening on Friday, September 10, 2021.

Events and Announcements

Commissioner Persis thanked Fire Chief Richard Sievers for the fire truck ride along, noting her excitement for the push-in ceremony on Thursday, September 9, 2021.

Commissioner Selby discussed the upcoming Celtic Festival that would take place on Saturday, September 11, 2021, 10:00 a.m. until 7:00 p.m. and Sunday, September 12, 2021, 11:00 a.m. until 5:00 p.m., noting there would be a 9/11 remembrance ceremony during the festival at 12:25 p.m. on Saturday.

Budget

Mayor Partington discussed the tax increase compared to the current inflation rate, and the reserve funds. He discussed and emphasized not using one-time funds for recurring

expenses. He stated his support for the presented budget and noted the hard work from the Budget Advisory Board.

Item #14 – Adjournment

The meeting was adjourned at 8:53 p.m.

APPROVED: September 22, 2021

BY: _____
Bill Partington, Mayor

ATTEST:

Wendy Hontz,
Acting City Clerk