

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

April 5, 2022	7:00 p.m.	Commission Chambers
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Present: 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 City Clerk Susan Carroll Dauderis.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Julia Truilo
 - B. Water Conservation Month
 - C. National Crime Victims' Rights Week
 - D. Child Abuse Prevention Month
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – March 22, 2022
- 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. 2022-48:** A RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND HALIFAX URBAN MINISTRIES, INC., REGARDING HOMELESSNESS PREVENTION SERVICES PROVIDED AT HOPE PLACE; AND SETTING FORTH AN EFFECTIVE DATE.

***Staff Contact:** Loretta Moisiso, Grants Coordinator (386-676-3315)*
 - B. RESOLUTION NO. 2022-49:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN EIGHTH AMENDMENT TO THE LABOR COUNSEL AGREEMENT BETWEEN THE CITY AND ALLEN, NORTON & BLUE, P.A., TO INCREASE FEES; AND SETTING FORTH AN EFFECTIVE DATE.

***Staff Contact:** Randal Hayes, City Attorney (386-676-3217)*
 - C. RESOLUTION NO. 2022-50:** A RESOLUTION AUTHORIZING AND APPROVING EXTERIOR SIGNAGE TO BE DISPLAYED ON THE ORMOND MEMORIAL ART MUSEUM BUILDING FOR THE PURPOSE OF RECOGNIZING CERTAIN DONORS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney
(386-676-3218)

- D. **RESOLUTION NO. 2022-51:** A RESOLUTION AUTHORIZING THE CONTINUATION OF AN AGREEMENT WITH CENTRAL SQUARE TECHNOLOGIES FOR ANNUAL MAINTENANCE SUPPORT OF THE CITY'S ENTERPRISE RESOURCE SYSTEM (NAVILINE); AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Aaron Irwin, Director, Information Technology
(386-615-7031)

- E. **RESOLUTION NO. 2022-52:** A RESOLUTION AUTHORIZING THE PURCHASE OF TIRES FOR CITY VEHICLES, UNDER THE STATE OF FLORIDA CONTRACT NO. 25172500-19-ACS, PREFERRED CONTRACT VENDOR FOR VEHICLE TIRES, TUBES AND SERVICES ON AN AS-NEEDED BASIS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2022-53:** A RESOLUTION AUTHORIZING THE APPROVAL OF THE PURCHASE OF GASOLINE AND DIESEL FUEL FOR CITY VEHICLES, UNDER COUNTY OF VOLUSIA, ITB NO. 19-B-70EM; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2022-54:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL ENGINEERING SCIENCES, INC. FOR THE PROVISION OF BUILDING INSPECTION SERVICES ON AN AS-NEEDED BASIS; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **Additional Riverside Drive Road Closure Request for 2021 - 2022**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2022.

- I. **Approval of Travel by the City Commission**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2022.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2022-06:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 0.35± ACRES LOCATED AT 722 SOUTH ATLANTIC AVENUE, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4223-10-02-0050, FROM "LOW DENSITY RESIDENTIAL" (LDR) TO "TOURIST

COMMERCIAL” (TC); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2022-07:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE I, 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 CERTAIN REAL PROPERTIES TOTALING 0.64+ ACRES LOCATED AT 215 BENJAMIN DRIVE, 225 BENJAMIN DRIVE, 229 BENJAMIN DRIVE, AND 233 BENJAMIN DRIVE FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO ORMOND BEACH R-3 (SINGLE-FAMILY MEDIUM DENSITY), AUTHORIZING REVISION OF 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)

- C. **ORDINANCE NO. 2022-08:** AN ORDINANCE AMENDING SECTION 4-3, CONSUMPTION IN PUBLIC PLACES; EXCEPTIONS, OF CHAPTER 4, ALCOHOLIC BEVERAGES; AND SECTION 15-92, DEFINITIONS, AND SECTION 15-99, DISPLAY, PROMOTION OR SALE OF ALCOHOLIC BEVERAGES, OF ARTICLE III, SPECIAL USES OF CITY PROPERTY, OF CHAPTER 15, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY PURSUANT TO A WRITTEN AGREEMENT APPROVED BY THE CITY COMMISSION BETWEEN THE CITY OF ORMOND BEACH AND A CIVIC NON-PROFIT ORGANIZATION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney (386-676-3218)

- D. **ORDINANCE NO. 2022-09:** AN ORDINANCE AMENDING SECTION 2-258, ADMINISTRATIVE FINES AND LIENS, OF DIVISION 2, ENFORCEMENT PROCESS, OF ARTICLE VII, CODE ENFORCEMENT, OF CHAPTER 2, ADMINISTRATION; SECTION 8-4, UNSAFE BUILDING ABATEMENT, OF ARTICLE I, IN GENERAL, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; AND SECTION 14-98, LIENS, OF ARTICLE VIII, SITE MAINTENANCE/NUISANCES, OF CHAPTER 14, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, TO AMEND THE AUTHORITY FOR THE RELEASE AND SATISFACTION OF LIENS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney (386-676-3218)

- E. **RESOLUTION NO. 2022-55:** A RESOLUTION PURSUANT TO SECTION 8-4(8), LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A

LIEN AGAINST THE REAL PROPERTY LOCATED AT 72 WARWICK AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4240-01-15-0390) FOR COSTS INCURRED BY THE CITY TO SECURE AND DEMOLISH AN UNSAFE STRUCTURE; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. DISCUSSION AND DIRECTION ITEM

A. South Ormond Neighborhood Center Outdoor Basketball Court

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Neal J. Ganzel, Jr., Coquina Presbyterian Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Mayor Partington discussed the events that happened in Ukraine and requested a moment of silence.

Item #4 – Presentations and Proclamations

Item #4A – Julia Truilo

Mayor Partington presented a proclamation to Ms. Julia Truilo, in honor of her service with Ormond Beach MainStreet. He discussed her history within the community and proclaimed April 5, 2022, as a day to recognize her for her achievements. He encouraged residents to join him in wishing Ms. Truilo the best in her well-deserved retirement and presented her with a key to the city.

Ms. Truilo thanked the city for their support over the years.

Item #4B – Water Conservation Month

Mayor Partington presented Public Works Director Shawn Finley with a proclamation recognizing April 2022, as Water Conservation Month in the City of Ormond Beach.

Item #4C – National Crime Victims' Rights Week

Mayor Partington proclaimed the week of April 24-30, 2022, as National Crime Victims' Rights Week in the City of Ormond Beach and presented Ormond Beach Police Department Victim Advocate Evelyn Rebstini with a proclamation.

Item #4D – Child Abuse Prevention Month

Mayor Partington presented Ms. Rebstini with a second proclamation to recognize April 2022, as Child Abuse Prevention Month in the City of Ormond Beach.

Item #5 – Audience Remarks

Mayor Partington noted no audience remarks cards had been submitted.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the March 22, 2022, 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. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of the March 22, 2022, 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 Kent moved, seconded by Commissioner Selby, 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

No one had additional comments on the consent agenda.

Item #8 – Public Hearings

Item #8A – 722 South Atlantic Avenue, Land Use Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-06
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 0.35± ACRES LOCATED AT 722 SOUTH ATLANTIC AVENUE, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBER 4223- 10-02-0050, FROM “LOW DENSITY RESIDENTIAL” (LDR) TO “TOURIST COMMERCIAL” (TC); PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2022-06, 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 – 215, 225, 229 and 233 Benjamin Drive Zoning Map Amendments

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-07
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE I, 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 CERTAIN REAL PROPERTIES TOTALING 0.64+ ACRES LOCATED AT 215 BENJAMIN DRIVE, 225 BENJAMIN DRIVE, 229 BENJAMIN DRIVE, AND 233 BENJAMIN DRIVE FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO ORMOND BEACH R-3 (SINGLE-FAMILY MEDIUM DENSITY), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Selby moved, seconded by Commissioner Kent, for approval of Ordinance No. 2022-07, 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

Item #8C – Code of Ordinances Amendment, Sections 4-3, 15-92, and 15-99

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-08
AN ORDINANCE AMENDING SECTION 4-3, CONSUMPTION IN PUBLIC PLACES; EXCEPTIONS, OF CHAPTER 4, ALCOHOLIC BEVERAGES; AND SECTION 15-92, DEFINITIONS, AND SECTION 15-99, DISPLAY, PROMOTION OR SALE OF ALCOHOLIC BEVERAGES, OF ARTICLE III, SPECIAL USES OF CITY PROPERTY, OF CHAPTER 15, PARKS AND RECREATION, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, TO ALLOW FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY PURSUANT TO A WRITTEN AGREEMENT APPROVED BY THE CITY COMMISSION BETWEEN THE CITY OF ORMOND BEACH AND A CIVIC NON-PROFIT ORGANIZATION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Ann-Margret Emery, Deputy City Attorney, explained the ordinance was to expand the types of alcohol non-profit organizations would be allowed to serve on city property. She stated the non-profit organizations would need a special exception permit which would go before the Commission for approval.

Commissioner Selby inquired if the approval would be event specific or if an organization could receive a blanket approval; whereby, Ms. Emery stated an organization could amend their service agreement if there would be multiple events.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2022-08, on first reading, as read by title only.

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

Item #8D – Code of Ordinances Amendment, Sections 2-258, 8-4, and 14-98

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-09
AN ORDINANCE AMENDING SECTION 2-258, ADMINISTRATIVE FINES AND LIENS, OF DIVISION 2, ENFORCEMENT PROCESS, OF ARTICLE VII, CODE ENFORCEMENT, OF CHAPTER 2, ADMINISTRATION; SECTION 8-4, UNSAFE BUILDING ABATEMENT, OF ARTICLE I, IN GENERAL, OF CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS; AND SECTION 14-98, LIENS, OF ARTICLE VIII, SITE

MAINTENANCE/NUISANCES, OF CHAPTER 14, OFFENSES, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, TO AMEND THE AUTHORITY FOR THE RELEASE AND SATISFACTION OF LIENS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Emery explained the ordinance was meant to simplify the lien release process by allowing staff to release a satisfaction of lien once paid in full. She stated if someone requests a reduction on the fine, the request would still be brought before the Commission for review.

Commissioner Selby moved, seconded by Commissioner Kent, for approval of Ordinance No. 2022-09, on first reading, as read by title only.

Mayor Partington thanked staff for streamlining the lien release process.

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

Item #8E – 72 Warwick Avenue, Lien for Unsafe Building Demolition

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2022-55
A RESOLUTION PURSUANT TO SECTION 8-4(8), LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY LOCATED AT 72 WARWICK AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4240-01-15-0390) FOR COSTS INCURRED BY THE CITY TO SECURE AND DEMOLISH AN UNSAFE STRUCTURE; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the property had an unsafe structure, noting when the structure was not brought to compliance which led to the demolition of the property. He stated staff was looking to place a lien on the property.

Commissioner Selby stated the process included the Chief Building Official, City Engineer and Fire Chief all agreeing the property should be demolished. He recommended staff look into an ordinance change to allow staff to place a lien. He inquired if staff had the authority to place a lien; whereby, Mr. Randy Hayes, City Attorney, requested time to allow staff to look into the legal requirements.

Mayor Partington agreed with Commissioner Selby and felt his suggestion could help streamline the process.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Resolution No. 2022-55, as read by title only.

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

Item #9 – Discussion and Direction Item

Item #9A – South Ormond Neighborhood Center Outdoor Basketball Court

Ms. Joyce Shanahan, City Manager, explained Mr. Paul Holub, Holub Development, requested to donate the design and installation of a new outdoor basketball court and update the lighting at the South Ormond Neighborhood Center.

Commissioner Kent stated his support of the donation and the updating of the lights to LED as it would be brighter and make the area safer.

Commissioner Persis stated her support of the item.

Mayor Partington discussed his support of the item and improvements at the South Ormond Neighborhood Center, noting the parks features.

Commissioner Kent moved, seconded by Commissioner Persis, for acceptance of the basketball court and lighting improvements.

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

Item #11 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Shanahan stated there was a shade meeting scheduled for April 19, 2022, regarding collective bargaining. She explained there was a workshop for impact fees and a reclaimed water workshop tentatively scheduled in May 2022.

365 Old Kings Road

Ms. Shanahan informed the Commission the debris removal at 365 Old Kings Road was almost complete.

Lien Process

Commissioner Littleton stated he supported Commissioner Selby’s recommendation for staff to be able to place liens without the Commissions approval.

Compliments

Commissioner Littleton thanked Neighborhood Improvement Manager Chris Mason, his staff and Executive Secretary Terri Hamsher for their work on an issue that occurred on Arroyo Parkway.

Commissioner Persis congratulated the proclamation recipients and thanked them for their hard work. She thanked Pastor Ganzel Jr. for his invocation regarding Ukraine. She complimented the fire department on response time and assistance provided to a friend when he had a life-threatening incident. She thanked the police and fire departments for the work they do every day.

Mayor Partington stated he watched an episode of Undercover Boss where a Mayor went around their city and visited the police, fire and leisure services departments. He explained while watching he thought of the impressive staff within the City of Ormond Beach.

Events

Commissioner Kent invited residents to attend Movies on the Halifax at The Casements on the first Friday night of the month.

Transportation Planning Organization

Mayor Partington explained he volunteered on the Transportation Planning Organization (TPO) Executive Director Search Committee and explained four of the five final candidates withdrew their consideration for the position. He stated the committee recommended to the TPO board to suspend the search and maintain the interim director for six months.

Item #12 – Adjournment

The meeting was adjourned at 7:47 p.m.

APPROVED: April 19, 2022

BY: _____
Bill Partington, Mayor

ATTEST:

Susan Carroll Dauderis,
City Clerk