

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

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|-------------------------|------------------|----------------------------|
| <b>November 1, 2022</b> | <b>7:00 p.m.</b> | <b>Commission Chambers</b> |
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Present: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Susan Persis and Rob Littleton, City Manager Joyce Shanahan, 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. RECOGNITION OF OUTGOING COMMISSIONERS**
- 5. PRESENTATIONS AND PROCLAMATIONS**
  - A. Hurricane Ian Community Supporters
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – October 18, 2022
- 8. 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. 2022-144:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF OPTICOM TRAFFIC SIGNAL PREEMPTION EQUIPMENT AND SERVICES FROM TRANSPORTATION CONTROL SYSTEMS REGARDING PHASE III OF THE INTERSECTION UPGRADE PROJECT; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact: Howard Bailey, Fire Chief (386-676-3333)*
  - B. **RESOLUTION NO. 2022-145:** 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: Kelly McGuire, Finance Director (386-676-3226)*
  - C. **RESOLUTION NO. 2022-146:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND THOMPSON CONSULTING SERVICES, LLC, FOR DISASTER COST RECOVERY AND RELATED GRANT AND PROJECT MANAGEMENT SERVICES RESULTING FROM HURRICANE IAN, UNDER COUNTY OF VOLUSIA RSQ NUMBER 17-SQ-43BB; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2022-147:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF NEPTUNE WATER METERS FROM FERGUSON ENTERPRISES, LLC ON AN AS-NEEDED BASIS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Robert Preis, Utility Manager (386-676-3305)

- E. **RESOLUTION NO. 2022-148:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PUMPING AND CONTROLS EQUIPMENT AND REPAIR SERVICES FROM XYLEM WATER SOLUTIONS USA, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S WASTEWATER COLLECTION SYSTEM LIFT STATIONS; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Robert Preis, Utility Manager (386-676-3305)

- F. **RESOLUTION NO. 2022-149:** A RESOLUTION AUTHORIZING THE EXECUTION OF A STANDARD GRANT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FOR FUNDING ASSISTANCE REGARDING THE ULTRAVIOLET DISINFECTION CONVERSION PROJECT AT THE WATER RECLAMATION FACILITY; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2022-150:** A RESOLUTION APPROVING THE SETTLEMENT OF PERSONAL INJURY CLAIMS FILED BY CHERRIMARIE LEWIS AND JASON KAUFFOLD; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Randal Hayes, City Attorney (386-676-3217)

- H. **RESOLUTION NO. 2022-151:** A RESOLUTION ACCEPTING A PROPOSAL FROM BOMAR CONSTRUCTION, INC. TO PROVIDE PRECONSTRUCTION SERVICES REGARDING THE PERFORMING ARTS CENTER RENOVATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Alex Schumann, City Engineer (386-676-3302)

- I. **Intent to Bid - RFP 2022-27 Miscellaneous Crafts & Trades**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated November 1, 2022.

- J. **Auto Renewal Contract - Golden Eagle Associates**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated November 1, 2022.

- K. **Auto Renewal Contract - Radio Control Club**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated November 1, 2022.

## 9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2022-32:** 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 THREE PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 33.31 ACRES GENERALLY LOCATED AT OLD DIXIE HIGHWAY AND PLANTATION OAKS BOULEVARD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBERS: 3124-00-00-0022, 3239-03-17-0130, AND 3239-03-07-0100, FROM ORMOND BEACH PRD (PLANNED RESIDENTIAL DEVELOPMENT) AND VOLUSIA COUNTY R-3 (URBAN SINGLE-FAMILY) TO ORMOND BEACH SE (SPECIAL ENVIRONMENTAL); 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)

- B. **ORDINANCE NO. 2022-33:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT DEVELOPMENT ORDER FOR THE "TATTERSALL AT TYMBER CREEK" SUBDIVISION, AUTHORIZING A PHASED SUBDIVISION OF 129 LOTS ON 84.14+ ACRES TO BE LOCATED AT 304 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0240), 2099 AIRPORT ROAD (PARCEL ID NUMBER: 4123-00-00-0012), AND 370 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0250); ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2022-34:** 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 TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 5.73 ACRES LOCATED AT 520 AND 540 FLAGLER ROAD (VOLUSIA COUNTY PARCEL NUMBERS 3136-01-69-0020 AND 3136-01-68-0020) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PLANNED BUSINESS DEVELOPMENT (PBD); 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)

- D. **ORDINANCE NO. 2022-35:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 520 AND 540 FLAGLER ROAD, TO BE KNOWN AS THE “NORTH INTERCHANGE”; AUTHORIZING THE DEVELOPMENT OF THE PROPERTY FOR BUSINESS AND STORAGE WAREHOUSES, INDOOR MINI SELF-STORAGE, AND OUTDOOR RV AND BOAT STORAGE UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- E. **ORDINANCE NO. 2022-36:** 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 REAL PROPERTY AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE SECOND AMENDED INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; 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)

## 10. REPORTS, SUGGESTIONS, REQUESTS

## 11. ADJOURNMENT

### MINUTES

#### Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:02 p.m.

#### Item #2 – Invocation

Pastor Cord Bear, Tomoka Christian Church, provided the invocation.

#### Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

#### Item #5 – Presentations and Proclamations

#### Item #5A – Hurricane Ian Community Supporters

Mayor Partington presented proclamations to: Outback Steakhouse General Manager Forrest Read, Wal-Mart General Manager Mark Rogers, Publix Super Market at The Trails Shopping Center General Manager Brent Kilgard, Riverbend Church Pastor Rick Cobb, Mr. Gabriel Martinez and Heaster Family Properties Owner Lewis Heaster for their support to the city during Hurricane Ian. He discussed their contributions during non-emergency times and thanked them for their support.

#### Item #4 – Recognition of Outgoing Commissioners

Mayor Partington discussed the familial support behind all the Commissioners and the sacrifices they made. He thanked Commissioner Selby, Commissioner Kent and

Commissioner Littleton for their roles over the years and discussed some of their individual accomplishments and the accomplishments of the Commission as a whole. He read the Athenian Oath and thanked the outgoing Commissioners for their service.

Commissioner Persis, Mr. Randy Hayes, City Attorney, and Ms. Joyce Shanahan, City Manager, thanked the outgoing Commissioners for their work and discussed their dedication and passion for the city.

The outgoing Commissioner families were presented with flowers.

Commissioner Selby invited his wife to join him and discussed the support she provided during their 39-year marriage.

Commissioner Kent discussed his 19 years on the Commission and the projects implemented during that time. He discussed the citizen support and friendships made. He invited his family to join him and discussed the support they provided during his time as a Commissioner.

Commissioner Littleton reflected on his time as a Commissioner and discussed events that occurred during his time served including COVID-19, protests and the dedicated Public Safety funding.

Mayor Partington presented the outgoing Commissioners with engraved clocks.

Item #6 – Audience Remarks

Ms. Kelly Forrester and Mr. Tim Harper, 747 Hope Street, thanked the city and the Ormond Beach Chamber of Commerce for their assistance and support with their new small business.

Mr. Colby Allman, 953 Village Drive, discussed the Commission and highlighted how easy it was to contact them and to let the citizens voices be heard. He thanked the outgoing Commission for their dedication and work for the city.

Item #7 – Approval of Minutes

Mayor Partington advised the minutes of the October 18, 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 October 18, 2022, City Commission meeting minutes.**

**The motion passed by voice vote.**

Item #8 – 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 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

There were no comments on the Consent Agenda.

Item #9 – Public Hearings

Mayor Partington opened the public hearings.

Item #9A – Zoning Map Amendment, Volusia County Parcels – Plantation Oaks Blvd. & Old Dixie Highway

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-32

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 THREE PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 33.31 ACRES GENERALLY LOCATED AT OLD DIXIE HIGHWAY AND PLANTATION OAKS BOULEVARD, VOLUSIA COUNTY PROPERTY APPRAISER PARCEL NUMBERS: 3124-00-00-0022, 3239-03- 17-0130, AND 3239-03-07-0100, FROM ORMOND BEACH PRD (PLANNED RESIDENTIAL DEVELOPMENT) AND VOLUSIA COUNTY R-3 (URBAN SINGLE-FAMILY) TO ORMOND BEACH SE (SPECIAL ENVIRONMENTAL); AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. Evan Altes, 102 University Circle, discussed his support of the item and the Commissioners and thanked Commissioner Kent for his work as a Commissioner.

**Commissioner Selby moved, seconded by Commissioner Persis, for approval of Ordinance No. 2022-32, 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 #9B – Tattersall at Tymber Creek, Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-33

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A PLANNED RESIDENTIAL DEVELOPMENT DEVELOPMENT ORDER FOR THE “TATTERSALL AT TYMBER CREEK” SUBDIVISION, AUTHORIZING A PHASED SUBDIVISION OF 129 LOTS ON 84.14+ ACRES TO BE LOCATED AT 304 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0240), 2099 AIRPORT ROAD (PARCEL ID NUMBER: 4123-00-00-0012), AND 370 NORTH TYMBER CREEK ROAD (PARCEL ID NUMBER: 4124-00-00-0250); ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. David Juhl, 2040 Toni Street, Unincorporated Volusia County, expressed concerns regarding drainage, flooding and building on an aquafer.

Mr. Jim Mozo, 74 Caladium Drive, shared concerns regarding the flooding, Groover Branch creek and the multiple proposed properties in a flood zone on the property.

Ms. Kelly McBurney, 289 South Janice Lane, Unincorporated Volusia County, expressed concerns regarding the proposed swale. She explained the well that supplied her water was supplied by the water that would sit on the proposed Tattersall property after rainfalls. She stated there were protected species of flora and fauna and inquired if studies were completed.

Ms. Kathy Ulbricht, 1901 Harris Hoot Owl Hollow, Unincorporated Volusia County, discussed concerns of the flooding and traffic.

Mr. Mark Watts, Cobb Cole, stated the stormwater plans would be brought before the Commission in further detail during the next phase of the preliminary plat.

Commissioner Littleton inquired about how much of the property would be forestry/trees; whereby, Mr. Watts stated between 38 and 40 percent not including the stormwater ponds. Commissioner Littleton inquired what regulations would need to be met by St. John’s River Water Management District; whereby, Mr. Watts stated Groover Branch fed into the Tomoka River which had restrictions on the amount and speed of the water would go into Groover Branch and noted there were protections on the water quality of what led into Groover Branch.

**Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2022-33, on second reading, as read by title only.**

Commissioner Persis disclosed that she met with Mr. Jim Paytas, applicant, and Mr. Dwight DuRant, Zev Cohen, and three residents. She stated her preference would be for nothing to be built on the property but noted the property owner had the right to develop the property. She stated she believed Mr. Paytas would develop the property the right way.

Commissioner Littleton inquired if the 38 percent of undisturbed land was more than average for a development; whereby, Mr. Steven Spraker, Planning Director, indicated it was above the 20 percent requirement by the Land Development Code (LDC). Commissioner Littleton indicated the developer went above and beyond what was expected at the zoning phase of the development and would support the item.

Commissioner Kent explained with the school traffic in the mornings and afternoons, the roadways in the area were unable to handle any new traffic. He stated Volusia County would need to put the infrastructure into place before he would approve the development.

Mayor Partington agreed with Commissioner Kent on the lack of infrastructure and stated he would not support the item.

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

Item #9C – 520 & 540 Flagler Road, North Interchange, Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-34  
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 TWO PARCELS OF REAL PROPERTY TOTALING APPROXIMATELY 5.73 ACRES LOCATED AT 520 AND 540 FLAGLER ROAD (VOLUSIA COUNTY PARCEL NUMBERS 3136-01-69-0020 AND 3136-01-68-0020) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PLANNED BUSINESS DEVELOPMENT (PBD); AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. Spraker explained the applicant was requesting for three wall signs at 150 square feet and noted the LDC allowed for one sign at 92.5 square feet and staff recommended two wall signs at 200 square feet. He stated the second item was for a 10-foot allowance as the property abuts the Interstate 95 (I-95) greenbelt buffer. He reviewed the public benefits of the project.

Commissioner Selby asked for clarification of staff’s recommendations; whereby, Mr. Spraker, stated it was two signs with a maximum of 200 square feet. Commissioner Selby indicated he would be supportive of the signs for visibility from I-95 as the site was

on an incline and angle. He shared he discussed the project with Mr. Harry Newkirk, Newkirk Engineering, noting Mr. Newkirk stated the vegetation required in the 60-foot buffer site would be put elsewhere on the property.

Commissioner Kent discussed the signage and stated he would be supportive of the two applicant requests.

Commissioner Littleton inquired the purpose of the 60-foot buffer; whereby, Mr. Spraker stated it was to provide a substantial landscape buffer to the interstate. Commissioner Littleton indicated he would be supportive the two applicant requests.

Mr. Brad Bauknecht, Newkirk Engineering, thanked the Commission for their work and stated he was available for any questions.

**Commissioner Selby moved, seconded by Commissioner Kent, for approval of Ordinance No. 2022-34, on second 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 #9D – 520 & 540 Flagler Road, North Interchange, Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-35  
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 520 AND 540 FLAGLER ROAD, TO BE KNOWN AS THE “NORTH INTERCHANGE”; AUTHORIZING THE DEVELOPMENT OF THE PROPERTY FOR BUSINESS AND STORAGE WAREHOUSES, INDOOR MINI SELF-STORAGE, AND OUTDOOR RV AND BOAT STORAGE UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Commissioner Kent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2022-35, on second reading, as amended to allow three 150 square foot signs and the I-95 buffer waiver.**

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

Item #9E – Second Amended ISBA Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2022-36  
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 REAL PROPERTY AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE SECOND AMENDED INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2022-36, 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 |

Mayor Partington closed the public hearings.

Item #11 – Reports, Suggestions, Requests

Hurricane Ian

Ms. Shanahan explained the Finance Department was tracking the expenses from Hurricane Ian and staff planned to meet with the Federal Emergency Management Agency (FEMA) representatives. She stated staff submitted the required forms to allow for the debris removal within gated communities and noted staff was still waiting to hear back from FEMA. She explained without FEMA’s approval, the funds would not be reimbursed.

Mr. Shawn Finley, Public Works Director, reviewed debris pick up statistics from Hurricane Ian noting 85,000 cubic yards of debris was picked up and there would be 19 debris pick up trucks on the road on November 3, 2022.

Commissioner Kent inquired about different ways to pick up the gated communities’ debris; whereby, Mr. Finley stated many of the gated community’s entry and exit points were on non-city streets and the city would not be able to control when the debris would be picked up.

Mr. Hayes stated there were concerns regarding public resources for private interest which was not permitted. He reviewed the policy on how it was handled in the past.

Commissioner Selby inquired how to explain the issue to residents; whereby, Mr. Hayes explained it would be best to state it was a private gated community so they were responsible internally for their own affairs including roads, sidewalks and debris removal. Commissioner Selby inquired if there was separate agreement to pick up the trash; whereby Mr. Hayes stated local government can provide a service to a private community as long as the private community pays for the service.

Mayor Partington stated the citizens within the gated communities pay the stormwater fees and solid waste fee for the services provided but inquired if hurricane debris pick up was not a normal assessment; whereby, Mr. Hayes stated that was correct.

Ms. Shanahan stated the gated communities were very understanding and explained she was meeting with surrounding city officials and would discuss how each city was handling the matter.

Commissioner Littleton inquired if Sunday was added to the schedule for debris pick up; whereby, Mr. Finley stated Saturday was added for regular trash pickup and the debris pick up was scheduled seven days a week.

Events and Announcements

Ms. Shanahan stated there was a Drug Abuse Resistance Education (D.A.R.E.) graduation on November 3, 2022, Movies on the Halifax showing The Goonies on November 4, 2022, Hometown Heroes Drive-Thru Luncheon on November 5, 2022, Veterans Day Celebration on November 10, 2022 and the HOme for the HOLIDays parade would be on December 10, 2022. She noted she was appointed to the International City Managers Association Credentialing Advisory Board.

Commissioner Littleton inquired if Ms. Shanahan would be changing the credentialing for military applicants; whereby, she stated military service closely follows local government service and noted there were several members on the board who would support that idea.

Commissioner Persis congratulated Ms. Shanahan on her appointment to the International City Managers Association Credentialing Advisory Board. She

complimented the Employee Appreciation Day, Council on Aging and the Senior Games Kick-Off events.

Mayor Partington read a letter from the Garden Club of the Halifax Country thanking the Mayor for the Award for Civic Engagement for their work with Vadner Park.

Outgoing Commissioners

Mr. Hayes wished the best for the outgoing Commissioners.

Commissioner Littleton thanked Mr. Hayes and Ms. Shanahan for their work and support. He reviewed his history with the other Commissioners and Mayor and thanked them for their kindness and support.

Commissioner Selby reflected on his time as a Commissioner and listed some of the projects and events the Commission had a hand in. He suggested the new Commission consider rotating the Deputy Mayor role and amend the meeting procedures to allow any Commission member to add an item for discussion purposes. He requested the new Commission consider allowing him to continue to serve as the representative to the First Step Shelter Board through the end of February 2023. He volunteered to serve as a connection between the beachside condominiums to the City for the septic to sewer conversions. He requested to provide a presentation on behalf of the Ormond Beach Police Foundation to the City Commission. He discussed the other Commissioners and Mayors qualities and future.

Mayor Partington recessed the meeting at 9:00 p.m.

Mayor Partington called the meeting back to order at 9:06 p.m.

Commissioner Kent thanked his wife for her support over the years. He discussed the qualities and abilities of the City Manager, City Attorney, Commissioners and Mayor. He thanked the residents for their support over the years.

Commissioner Persis thanked the outgoing Commissioners for their work and dedication and wished them the best.

Mayor Partington thanked the outgoing Commission for their work and stated he looked forward to seeing their work in the future.

Item #12 – Adjournment

The meeting was adjourned at 9:19 p.m.

APPROVED: December 6, 2022

BY:

\_\_\_\_\_  
Bill Partington, Mayor

ATTEST:

\_\_\_\_\_  
Susan Carroll Dauderis,  
City Clerk