

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

March 7, 2023	7:00 p.m.	Commission Chambers
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Present: Mayor Bill Partington, Commissioners Lori Tolland, Travis Sargent, Susan Persis and Harold Briley, City Manager Joyce Shanahan, City Attorney Randy Hayes, Assistant City Manager Claire Whitley and City Clerk Susan Carroll Dauderis.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - February 21, 2023
- 6. CONSENT AGENDA**

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

 - A. **RESOLUTION NO. 2023-56:** 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) 676-3325
 - B. **RESOLUTION NO. 2023-57:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2023 HARLEY DAVIDSON ELECTRA GLIDE MOTORCYCLE, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA22-VEL30.0; DECLARING VEHICLE #M95 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Kevin Gray, Deputy Public Works Director, (386) 676-3325
 - C. **RESOLUTION NO. 2023-58:** A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND ORMOND BEACH HISTORICAL SOCIETY, INC., REGARDING OPERATION OF A “WELCOME CENTER” AT THE MACDONALD HOUSE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Robert Carolin, Leisure Services Director, (386) 676-3279
 - D. **Intent to Bid - 2023 Annual Shell Parking Restoration Plan**
Staff Contact: Alex Schumann, City Engineer, (386) 676-3302
Disposition: Approve as recommended in the City Manager memorandum dated March 7, 2023.
 - E. **Intent to Bid - Nova Community Park - Outdoor Fitness Trail**
Staff Contact: Shawn Finley, Public Works Director, (386)

676-3292

Disposition: Approve as recommended in the City Manager memorandum dated March 7, 2023.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2023-15:** 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 ONE PARCEL OF REAL PROPERTY TOTALING 0.30± ACRES LOCATED AT 101 FIESTA DRIVE (VOLUSIA COUNTY PARCEL NUMBER 4220-01-00-0450) FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO B-1, PROFESSIONAL OFFICE/HOSPITAL; 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. 2023-16:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, SECTION 1-28, UTILITY INSTALLATION FEES, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY UPDATING THE FEE SCHEDULE FOR METER COSTS; 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

- C. **ORDINANCE NO. 2023-17:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTION (N), FENCES AND WALLS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, TO ALLOW A FENCE OR WALL SETBACK LESS THAN THREE FEET (3') TO A RIGHT-OF-WAY WITH REVIEW AND APPROVAL OF THE SITE PLAN REVIEW COMMITTEE; 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

- D. **ORDINANCE NO. 2023-18:** AN ORDINANCE AMENDING CHAPTER 4, PLAN REVIEW AND SUBDIVISION, ARTICLE I, SITE PLAN REVIEW PROCEDURES, SECTION 4-03, SITE PLAN REVIEW COMMITTEE (SPRC) ESTABLISHED, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE SPRC COORDINATING LIAISON AND UPDATING THE PROCESS FOR NEIGHBORHOOD MEETINGS; 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

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-14:** AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMPOSITION AND TERMS; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Susan Dauderis, City Clerk, (386) 676-3340

9. **REPORTS, SUGGESTIONS, REQUESTS**

10. **ADJOURNMENT**

MINUTES

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Father Roy Allison, St. James Episcopal Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Audience Remarks

Ms. Lauren D. Driscoll, 8 Wakefield Place, Palm Coast, 32164, explained she was a dog trainer from Pet Peeves in Bunnell. She stated she previously volunteered to train service dogs for first responders. She discussed her background in Emergency Medical Services (EMS) and reviewed the importance of therapy dogs. She noted she had a six-month program to help choose a dog and train the dog based on needs.

Mr. David Randall, 99 Chrysanthemum Drive, stated he was speaking as president of the Fire Department Union. He discussed the new leadership within the union and the loss of Ethan Wilson. He thanked the Commission, City Manager, Assistant City Manager, Police Chief and Fire Chief for their support.

Item #5 – Approval of Minutes

Mayor Partington advised the minutes of the February 21, 2023, 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 Briley moved, seconded by Commissioner Tolland, for approval of the February 21, 2023, City Commission meetings minutes.

The motion passed by voice vote.

Item #6 – 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 Tolland requested Item 6E be pulled from the Consent Agenda.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of the consent agenda, absent Item 6E.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes

Carried.

Mayor Partington

Yes

Item #6E – Disposition Item – Intent to Bid – Nova Community Park Outdoor Fitness Trail

Commissioner Tolland discussed her desire to include a mental wellness component to fitness trails. She mentioned QR codes and potential signage.

Mr. Shawn Finley, Public Works Director, stated it was a great idea and suggested staff bring back a separate project.

Mayor Partington suggesting adding the QR code to the directory signage planned; whereby Mr. Finley stated it would be easier to bring back as a separate project and explained staff would space out the signage in a logical manner.
Mayor Partington requested for Commissioner Tolland to collaborate with Mr. Finley and Ms. Joyce Shanahan, City Manager.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Disposition Item 6E.

Call Vote:

Commissioner Sargent

Yes

Commissioner Persis

Yes

Commissioner Briley

Yes

Commissioner Tolland

Yes

Carried.

Mayor Partington

Yes

Comments on the Consent Agenda

There were no comments on the Consent Agenda.

Item #7 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #7A –101 Fiesta Drive, Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-15
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 ONE PARCEL OF REAL PROPERTY TOTALING 0.30± ACRES LOCATED AT 101 FIESTA DRIVE (VOLUSIA COUNTY PARCEL NUMBER 4220-01-00-0450) FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO B-1, PROFESSIONAL OFFICE/HOSPITAL; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-15, on second reading, as read by title only.

Call Vote:

Commissioner Persis

Yes

Commissioner Briley

Yes

Commissioner Tolland

Yes

Commissioner Sargent

Yes

Carried.

Mayor Partington

Yes

Item #7B – LDC Amendment: Section 1-28, Utility Installation Fees (Meters)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-16

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, SECTION 1-28, UTILITY INSTALLATION FEES, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY UPDATING THE FEE SCHEDULE FOR METER COSTS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the item was for a Land Development Code (LDC) amendment, specifically to update the meter costs.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-16, on first reading, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #7C – LDC Amendment: Section 2-50(n) Fences and Walls

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-17
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTION (N), FENCES AND WALLS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, TO ALLOW A FENCE OR WALL SETBACK LESS THAN THREE FEET (3') TO A RIGHT-OF-WAY WITH REVIEW AND APPROVAL OF THE SITE PLAN REVIEW COMMITTEE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the item was an amendment to the LDC regarding fences and rights-of-way. He explained there was a three-foot setback and the amendment would allow the Site Plan Review Committee allow multiple departments to review.

Mayor Partington stated the change was a positive amendment to the LDC.

Commissioner Tolland and Commissioner Briley agreed with Mayor Partington.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-17, on first reading, as read by title only.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	Yes

Item #7D – Land Development Code Amendment: Section 4-03, Site Plan Review Committee (SPRC) Established

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-18
AN ORDINANCE AMENDING CHAPTER 4, PLAN REVIEW AND SUBDIVISION, ARTICLE I, SITE PLAN REVIEW PROCEDURES, SECTION 4-03, SITE PLAN REVIEW COMMITTEE (SPRC) ESTABLISHED, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE SPRC COORDINATING LIAISON AND UPDATING THE PROCESS FOR NEIGHBORHOOD MEETINGS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was an LDC amendment to update the process for neighborhood meetings to establish a meeting coordination process.

Commissioner Tolland expressed her support of the item.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-18, on first reading, as read by title only.

Call Vote:	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings.

Item #8 – First Reading of Ordinances

Item #8A – Amendment to the Composition of the Leisure Services Advisory Board

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-14
AN ORDINANCE AMENDING SECTION 2-221, LEISURE SERVICES ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMPOSITION AND TERMS; PROVIDING TERMS AND CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington stated the revised Ordinance includes what the Commission requested at a prior meeting including the flexibility with two alternates to assist with the Leisure Services Advisory Board (LSAB) getting a quorum at the meetings.

Commissioner Tolland stated Mr. Doug Wigley, LSAB member, was not in favor of the item. She requested clarification that the alternate members were selected by the different youth sports organizations and not the Commission; whereby, Mr. Randy Hayes, City Attorney, explained ultimately it was the Commission who appointed the members to serve but noted he did not expect the practice to change and the youth sports organizations would still present a nominee.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-14, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
Carried.	Mayor Partington	Yes

Item #9 – Reports, Suggestions, Requests

Events and Thanks

Ms. Shanahan reviewed all upcoming events including future workshops, Ormond Beach Police Department accreditation, Florida Department of Transportation (FDOT) Zoom meeting, Spring Bird Walks, St. Patrick’s Day crafts, Earth Day tree give-away, Celtic Festival, Art in the Park and Police Unity Tour. She commended the Leisure Services staff on the renaming of the South Ormond Neighborhood Center (SONC) to the Joe and Elwillie Daniels SONC.

Ms. Claire Whitley, Assistant City Manager, thanked Mr. Randall for his comments during Audience Remarks. She complimented the police department and discussed her ride-along.

Commissioner Briley discussed the events he attended including a Black History Month celebration at AME New Bethel, State of the County address, Taste of Ormond and the SONC renaming.

Commissioner Tolland reviewed the events she attended including the State of the County address and the SONC renaming.

The entire Commission thanked Mr. Daniels for all he and his late-wife contributed to the community.

Commissioner Persis discussed the events she attended including a Police Swearing-in Ceremony and Taste of Ormond.

Mayor Partington reviewed the events he attended including a Police Swearing-in Ceremony, FDOT LPGA informational open house, Black History Month celebration at AME New Bethel, State of the County address, Taste of Ormond, Volusia County Sheriff Mike Chitwood press conference and the Purim Celebration at Temple Beth-El.

Reuse Water

Ms. Shanahan stated during the dry season there was higher demand on the reuse water system and noted staff was putting out messages on who can water and when.

Andy Romano Beachfront Park

Ms. Shanahan provided an update on Andy Romano Beachfront Park and explained staff would be removing the construction screening to allow the park to be as open as possible.

Therapy Dogs

Ms. Shanahan stated staff was pursuing therapy dogs for the police and fire departments and noted the police department was actively pursuing a dog.

Commissioner Tolland and Commissioner Persis discussed their support of the therapy dogs and Ms. Driscoll's comments.

Requests

Commissioner Tolland inquired if the Commission would consider allowing Mr. Dwight Selby to be an ambassador or liaison to the beachside condominiums for potential septic-to-sewer conversions. She requested the Mayor bring an idea to promote Narcan being readily available in public spaces to the Opioid Abatement Funding Advisory Board.

Commissioner Tolland, Commissioner Sargent and Mayor Partington discussed their support of a new Police Athletic League (PAL) building and parking area.

Commissioner Sargent inquired about expediting the Cassen Park dock repairs; whereby, Ms. Shanahan stated staff was waiting on the contractor.

Commissioner Persis inquired about the security of Commission Chambers since they were planning on updating the audio/visual aspect of the Commission Chambers; whereby, Ms. Shanahan stated the facility was secure and safe and did look into automatic door locks. She requested the Commission consider moving the August 1, 2023 meeting to August 3, 2023; whereby, Mayor Partington stated the Commission's calendar would be brought back before them at the March 21, 2023 meeting and it could be discussed then.

Mayor Partington stated he would speak with Ms. Shanahan and Mr. Hayes regarding the septic-to-sewer ambassador request as he was concerned about Ormond Beach taxpayers subsidizing the costs. He explained he was debating the idea of suggesting an amendment to the by-laws of the Opioid Abatement Funding Advisory Board to allow for an alternate member so those who are passionate about the topic, like Commissioner Tolland, could fill in when he was unavailable. He stated he would speak with the board about the promotion of Narcan.

Mayor Partington stated he was pleased and excited to announce he would not seek reelection as Mayor in the 2024 election as he would run for the open Florida House of Representative, District 28. He discussed the honor of serving the community and explained he would remain engaged as mayor for the remainder of his term.

Item #10 – Adjournment

The meeting was adjourned at 7:58 p.m.

APPROVED: March 21, 2023

BY:

Bill Partington
Bill Partington, Mayor

ATTEST:

S. Dauderis
Susan Carroll Dauderis,
City Clerk

