

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

July 18, 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, City Clerk Susan Carroll Dauderis and Assistant City Clerk Taylor Lochert.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FISCAL YEAR 2023-2024 TENTATIVE MILLAGE RATE**
 - A. RESOLUTION NO. 2023-110:** A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2023-2024 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director, (386) 676-3226
- 5. PRESENTATIONS AND PROCLAMATIONS**
 - A. Judge Belle Schumann
 - B. Officer Gregory Stokes
 - C. Parks and Recreation Month
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - June 6, 2023
- 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. 2023-94:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RENEWAL OF LEASE AND USE AGREEMENT BETWEEN THE CITY AND COUNCIL ON AGING OF VOLUSIA COUNTY, INC. FOR THE MANAGEMENT AND OPERATION OF THE ORMOND BEACH SENIOR CENTER; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director, (386) 676-3279
 - B. RESOLUTION NO. 2023-111:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF AUDIT AGREEMENT BETWEEN THE CITY AND JAMES MOORE & CO., P.L.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director, (386) 676-3226
 - C. RESOLUTION NO. 2023-112:** A RESOLUTION AUTHORIZING

ADDITIONAL FUNDING FOR DIRECTIONAL DRILLING SERVICES FROM MID FLORIDA DIRECTIONAL DRILLING, LLC; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Preis, Utilities Manager, (386) 676-3305*

- D. **RESOLUTION NO. 2023-113:** A RESOLUTION ACCEPTING THE BID OF MASCI GENERAL CONTRACTOR, INC. REGARDING THE 2023 ROADWAY RESURFACING PROJECT, UNDER BID NO. 2023-27; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2023-114:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE SKEETER FORD F550 BRUSH TRUCK, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA23-VEF17.0; DECLARING VEHICLE #045 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Howard Bailey, Fire Chief, (386) 676-3333*

- F. **RESOLUTION NO. 2023-115:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF NINE FORD INTERCEPTORS FROM BOZARD FORD UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA 22-VEL30.0; DECLARING CERTAIN VEHICLES 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*

- G. **Fleet Operations Fuel Island Monitoring Wells**

Staff Contact: *Kevin Gray, Deputy Public Works Director, (386) 676-3325*

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

- H. **Auto Renew Contracts for Miscellaneous Crafts & Trades Services- As Needed**

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

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

- I. **Intent to Bid - Water Reclamation Facility (WRF) Upgrades**

Staff Contact: *Bob Preis, Utilities Manager, (386) 676-3305*

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

- J. **City Manager Status Report, July 2023**

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

Disposition: Approve as recommended in the City Manager memorandum dated July 18, 2023.

9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2023-33:** AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE

CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

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

- B. **ORDINANCE NO. 2023-35:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2023-36:** 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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2023-37:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE "ORMOND ENCLAVE"; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2023-38:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2023-39:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS "121 EAST"; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **ORDINANCE NO. 2023-40:** AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING 52± ACRES LOCATED AT 860 HULL ROAD AND 1399 HULL TRAIL FROM VOLUSIA COUNTY "INDUSTRIAL" TO ORMOND BEACH "HEAVY INDUSTRIAL"; INCLUDING A MAP ANNOTATION TO LIMIT THE FLOOR AREA RATIO TO 0.60; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **ORDINANCE NO. 2023-41:** AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF

ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; 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

- I. **ORDINANCE NO. 2023-42:** 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 PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **ORDINANCE NO. 2023-43:** 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 A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **RESOLUTION NO. 2023-116:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW THE ADDITION OF VACUUM STALLS WITHIN THE FRONT YARD UNDER CERTAIN CONDITIONS AT “MISTER CAR WASH” LOCATED AT 49 SOUTH YONGE STREET, WHICH IS IN THE B-5, SERVICE COMMERCIAL ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- L. **RESOLUTION NO. 2023-117:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 2”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- M. **RESOLUTION NO. 2023-118:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 3”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING

CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-34:** AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

11. RESOLUTIONS

- A. **RESOLUTION NO. 2023-119:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF SHARED PARKING LOT USAGE AGREEMENT BETWEEN THE CITY AND NNN REIT, LP; AND SETTING FORTH AN EFFECTIVE DATE.

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

12. STAFF ACTION ITEMS

- A. Florida League of Cities Voting Delegate

Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340

13. REPORTS, SUGGESTIONS, REQUESTS

14. 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 Ganzel, Coquina Presbyterian Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Adoption of Fiscal Year 2023-2024 Tentative Millage Rate

Item #4A – Fiscal Year 2023-2024 Tentative Millage Rate

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-110

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2023-2024 FISCAL YEAR; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST PUBLIC HEARING ON THE PROPOSED MILLAGE RATES AND THE TENTATIVE BUDGET; DIRECTING COMMUNICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington stated the tentative millage rate for the City of Ormond Beach necessary to fund the Fiscal Year 2023-2024 budget was 3.9260 mills. He noted the rate was 13.71% above the rolled back rate of 3.4525 mills. He stated the tentative debt service millage rate was 0.080 for the 2010 General Obligation Bond Sinking Fund. He noted it was a public hearing and asked if there were any members of the public who wished to speak or ask questions prior to adoption of the tentative millage rate. He stated there were no persons registered to speak on the item.

Commissioner Persis moved, seconded by Commissioner Sargent, to approve the tentative operating millage rate to 3.9260 mills within Resolution No. 2023-110.

Call Vote:	Commissioner Tolland	Yes
	Commissioner Sargent	Yes
	Commissioner Persis	Yes
	Commissioner Briley	Yes
Carried.	Mayor Partington	No

Mayor Partington stated the tentative operating millage rate was set at 3.9260 mills, which was 13.71% above the rolled back millage rate of 3.4525 mills.

Item #5 – Presentation and Proclamations

Item 5A – Judge Belle Schumann

Mayor Partington presented a Key to the City, pin, and proclamation to Judge Belle Schumann for her dedication to the community and congratulated her on her retirement.

Item 5B – Officer Gregory Stokes

Mayor Partington presented a Key to the City, pin, and proclamation to Officer Gregory Stokes for his time with the City and the police department. He congratulated Officer Stokes on his well-deserved retirement.

Officer Stokes thanked the Mayor, Commission, and Mr. Joe Daniels and his late wife Ms. Elwillie Daniels for their support.

Item 5C – Parks and Recreation Month

Mayor Partington proclaimed July 2023, as Parks and Recreation Month and presented Leisure Services Director Robert Carolin with a proclamation.

Item #6 – Audience Remarks

Ms. Suzanne Scheiber, 548 Sandy Oaks Boulevard, stated she was there on behalf of Dream Green Volusia and requested the Commission’s support in the form of a letter to the Volusia County Council regarding research and ground truthing efforts to support Volusia Forever and Florida Forever funding to expand the wildlife corridor.

Ms. Judy Dragon, 33 Wilmette Avenue, expressed concerns regarding 37 Wilmette Avenue. She explained there was a neighborhood meeting in February 2023. She discussed the grievances her and surrounding neighbors had and fear of her safety. She reviewed the history of the property and city involvement. She noted there was a survey completed regarding the property and requested the resulting information.

Ms. Elaine Davis, 76 Melrose Avenue, discussed her concerns regarding the Neighborhood Improvement Department and the enforcement of codes within her neighborhood. She requested city employees report violations during their day when they drive past a property.

Mr. Douglas Young, 34 Melrose Avenue, reviewed his concerns regarding traffic within his neighborhood. He requested some speed humps be added and the Commission to review three prior studies on the traffic in the area.

Ms. Cynthia Valdez, 34 Wilmette Avenue, echoed the concerns of Ms. Dragon and requested the Neighborhood Improvement Department or Police Department be given more power to help with code enforcement.

Ms. Missy Herrero, 111 North Saint Andrews Drive, discussed the wildlife corridor and Ormond Beach Scenic Loop. She requested the Commission send a letter of support to the Volusia County Council to prioritize research of available land adjacent to the wildlife corridor.

Item #7 – Approval of Minutes

Mayor Partington advised the minutes of the June 6, 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 hearing no corrections, the minutes would stand approved as presented.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of the June 6, 2023, City Commission meetings 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 Persis moved, seconded by Commissioner Briley, for approval of the consent agenda.

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 additional comments on the Consent Agenda.

Item #9 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #9A – Portion of Harmony Avenue, Annexation

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-33
AN ORDINANCE ANNEXING A PORTION OF HARMONY AVENUE RIGHT-OF-WAY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY LOCATED AT THE INTERSECTION OF HULL ROAD AND HARMONY AVENUE, BISECTING 1399 HULL TRAIL; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE RIGHT-OF-WAY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE RIGHT-OF-WAY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-33, 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 #9B – Ormond Enclave, Zoning Map Amendment to Planned Business Development (0.34 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-35
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.34 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, reviewed a PowerPoint explaining Items 9B, 9C and 9D were all for a project at 145 North Yonge Street known as Ormond Enclave. He stated Item 9B was for a Zoning Map amendment from B-4, Central Business, to Planned Business Development (PBD), Item 9C was a Zoning Map amendment from R-3, Single-Family Medium Density, to Planned Residential Development (PRD) and Item 9D was for the issuance of a Development Order for 64 Multi-Family Residential units. He reviewed the history of the property and Ormond Enclave project. He discussed the neighboring Dollar General, parking, buffers, and setbacks. He reviewed the Planning Board recommendations noting the applicant consented to all five requests which included the movement of dumpster, additional security around the stormwater pond, establishing a wall around the perimeter of the site, revised entry point, and provide downlighting. He explained after the Planning Board meeting there was an email from neighboring property owner requesting a bamboo hedge along the rear of the property and noted the applicant also agreed to that request. He requested the Commission

include the bamboo hedge in their motion of the item if approved. He discussed the concerns received by residents.

Mr. Joey Posey, Storch Law Firm, reviewed the in-fill project and that it encouraged growth. He reviewed the potential developments and what was proposed. He discussed the buffers, open space, green spaces, tree preservation, property access, elevations, dog park, parking, stormwater, and Planning Board recommendations.

Commissioner Briley stated he agreed with the Planning Board recommendations and expressed concerns regarding the traffic on the neighboring residential roads. He discussed changing Highland Avenue and Dix Avenue to one-way streets to ease traffic concerns.

Mr. Spraker stated at the Planning Board meeting it was suggested to hold a neighborhood meeting to gauge the interest, noting there was no residential input at the time regarding one-way streets.

Commissioner Sargent inquired if there was a deacceleration lane; whereby, Mr. Steve Buswell, Parker Mynchenberg & Associates, stated there was a dedicated lane and discussed the traffic concerns. Commissioner Sargent inquired if there would be a fence around the stormwater pond; whereby, Mr. Posey stated that was a discussion item with the Planning Board and noted he would prefer to keep it consistent with the Land Development Code (LDC) and discussed safety concerns with a potential fence.

Commissioner Persis explained her concerns regarding the entrance and exit points for the project and noted some people would turn into an access point even if the roadway did not allow for that. She inquired about the size of the buffers; whereby, Mr. Posey stated the buffers would be 25 feet except around the residential where it would be a minimum of 50 feet.

Commissioner Tolland stated clumping bamboo would be the best material for the bamboo buffer. She discussed the traffic concerns but thanked the applicant for their efforts to ease the traffic. She stated she would like a fence around the retention pond for safety.

Commissioner Briley stated the city typically did not utilize fencing around retention ponds as the fence could catch debris and some were unsightly and noted he was not in favor of a fence around the retention pond.

Mayor Partington thanked the applicant for their work on the project and discussed his support of the walkability.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-35, 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 #9C – Ormond Enclave, Zoning Map Amendment to Planned Residential Development (0.72 acres)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-36
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 A PORTION OF A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.72 ACRES LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), FROM R-3, SINGLE-FAMILY MEDIUM DENSITY, TO PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL

INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-36, 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 #9D – Ormond Enclave, 145 North Yonge St., Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-37
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT AND PLANNED RESIDENTIAL DEVELOPMENT TO BE LOCATED AT 145 NORTH YONGE STREET (VOLUSIA COUNTY PARCEL NUMBER: 4215-04-01-0270), TO BE KNOWN AS THE “ORMOND ENCLAVE”; AUTHORIZING THE DEVELOPMENT OF 64 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Tolland moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-37 with a bamboo buffer abutting the residential wall, 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

Item #9E – 121 East, 121 East Granada Boulevard, Zoning Map Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-38
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 0.76 ACRES LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), FROM B-4, CENTRAL BUSINESS, TO PLANNED BUSINESS DEVELOPMENT; AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated Item 9E was for a Zoning Map amendment from B-4, Central Business, to PBD and Item 9F was for a Development Order for 24 Multi-Family Residential units. He reviewed the property, the surrounding area, proposed building, amenities, setbacks, parking, elevations, and correspondences received noting one was in favor of the project and one was not supportive. He stated Ormond Beach MainStreet was supportive of the project and the Planning Board recommended approval.

Mr. Rob Merrell, Cobb Cole, highlighted the project, discussed the community support of the project and showed a video of a fly over drawing of the proposed project.

Commissioner Sargent disclosed he had a phone conversation with Mr. Merrell. He inquired about the construction impacting the Starbucks drive-thru; whereby, Mr. Merrell

stated there would be protective fencing to prevent any disturbance of surrounding businesses. Commissioner Sargent expressed he concerns regarding the proposed median by the Florida Department of Transportation; whereby, Mr. Bryan Collyer, Dime Rock Properties, LLC, stated they were working with FDOT for their entrance and exit.

Commissioner Briley disclosed he spoke with Mr. Collyer on the project and discussed his support of the project for the downtown area.

Commissioner Persis expressed support of the project.

Commissioner Tolland discussed her support of the item noting her only concern was the building height but compared it to the Ormond Heritage building.

Mayor Partington expressed support for the project and location.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-38, 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 #9F – 121 East, 121 East Granada Boulevard, Issuance of a Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-39
AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 121 EAST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4214-05-04-0051), TO BE KNOWN AS “121 EAST”; AUTHORIZING THE DEVELOPMENT OF 24 MULTI-FAMILY RESIDENTIAL UNITS AND ASSOCIATED SITE IMPROVEMENTS UNDER CERTAIN CONDITIONS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-39, 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 #9G – Halifax Paving, 860 Hull Road & 1399 Hull Trail, Comprehensive Plan Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-40
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO PARCELS OF REAL PROPERTY TOTALING 52± ACRES LOCATED AT 860 HULL ROAD AND 1399 HULL TRAIL FROM VOLUSIA COUNTY “INDUSTRIAL” TO ORMOND BEACH “HEAVY INDUSTRIAL”; INCLUDING A MAP ANNOTATION TO LIMIT THE FLOOR AREA RATIO TO 0.60; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was a large-scale Comprehensive Plan Amendment and reviewed the process for if approved as it was over 50 acres. He noted the request was

from Halifax Paving as they were building a new office and recently had the property annexed into the city for sewer and water connections. He clarified the item was only for the Halifax Paving parcel. He stated the Planning Board recommended approval.

Commissioner Sargent inquired if the property was where there would be fuel tanks; whereby, Mr. Spraker stated the property he was referring to was 874 Hull Road and not related to Halifax Paving. Mr. Spraker explained the property was owned by the FEC Railroad in unincorporated Volusia County.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-40, 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 #9H – LDC Amendment, Creation of the I-2, Heavy Industrial Zoning District

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-41
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07, ZONING DISTRICT DESIGNATIONS; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-33, I-2, RESERVED; CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY CREATING THE I-2, HEAVY INDUSTRIAL ZONING DISTRICT, PROVIDING USE DEFINITIONS, AND CREATING CONDITIONS FOR CONDITIONAL AND SPECIAL EXCEPTION USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was to establish the I-2 zoning district and was not to rezone any specific property, but to provide future zoning action by the Commission. He noted the Planning Board recommended approval.

Commissioner Tolland stated it was an appropriate zoning action and explained she received concerns regarding a fuel farm at 874 Hull Road and stated she was not in favor of that property’s future development.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-41, 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

Item #9I – 204 Magnolia Drive, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-42

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 PARCEL OF REAL PROPERTY TOTALING 0.24± ACRES LOCATED AT 204 MAGNOLIA DRIVE (VOLUSIA COUNTY PARCEL NUMBER: 4214-20-02-0011) FROM “PUBLIC/INSTITUTIONAL” TO “LOW DENSITY RESIDENTIAL”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the item was an administrative amendment to correct the land use of 204 Magnolia Drive to make it consistent with the surrounding properties.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Ordinance No. 2023-42, 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 #9J – 901 Airport Road, Comprehensive Plan Land Use Map Amendment (Small-Scale)

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-43
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 A PORTION OF ONE PARCEL OF REAL PROPERTY TOTALING 5.2± ACRES LOCATED AT 901 AIRPORT ROAD (VOLUSIA COUNTY PARCEL NUMBER: 4238-01-40-0010) FROM “LIGHT INDUSTRIAL/UTILITIES” TO “OPEN SPACE/CONSERVATION”; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-43, 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 #9K – Mister Car Wash, 49 South Yonge Street, Special Exception

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-116
A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW THE ADDITION OF VACUUM STALLS WITHIN THE FRONT YARD UNDER CERTAIN CONDITIONS AT “MISTER CAR WASH” LOCATED AT 49 SOUTH YONGE STREET, WHICH IS IN THE B-5, SERVICE COMMERCIAL ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was for a Special Exception at 49 South Yonge Street to add vacuum stalls to the front of the property and remove an access point. He stated there was a heavy landscape buffer and the use of a low vacuum proposed instead of a traditional vacuum. He noted the Planning Board recommended approval.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-116, as read by title only.

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

Item #9L – Archer's Mill, Phase 2, Preliminary Plat (Part of Phase 3, Plantation Oaks PRD)

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-117
 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 2”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated both Items 9L and 9M were for a preliminary plat within the Plantation Oaks residential development. He reviewed the location of Phase 2 and Phase 3 of the development. He noted the Planning Board recommended approval.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-117, as read by title only.

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

Item #9M – Archer's Mill, Phase 3, Preliminary Plat (Part of Phase 3, Plantation Oaks PRD)

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-118
 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ARCHER’S MILL PHASE 3”, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-118, as read by title only.

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

Mayor Partington closed the public hearings.

Item #10 – Second Reading of Ordinances

Item #10A – Amendment to Code of Ordinances, Chapter 5 Animals and Fowl

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-34
 AN ORDINANCE AMENDING SECTION 5-1, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-10, ANIMALS CONSTITUTING A NUISANCE PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL;

AMENDING SECTION 5-13, FEEDING OF FERAL OR STRAY ANIMALS PROHIBITED, OF ARTICLE I, IN GENERAL, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-23, RUNNING AT LARGE PROHIBITED OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-25, NOTICE OF IMPOUNDING, OF ARTICLE II, LIVESTOCK, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-62, LICENSES ANNUAL; FEE, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-67, DUPLICATE TAGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-69, RUNNING AT LARGE PROHIBITED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING 5-70, IMPOUNDING OF VIOLATORS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-72, RESPONSIBILITY FOR PAYMENT AND RECLAIMING AFTER IMPOUNDMENT, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-78, DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-79, EXCEPTIONS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-80, INVESTIGATION AND DETERMINATION OF DANGEROUS DOG, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-82, RESERVED, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL; AMENDING SECTION 5-83, OPTIONAL ACTION, OF ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF CHAPTER 5, ANIMALS AND FOWL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Mr. Randy Hayes, City Attorney, explained the item was consistent with the State of Florida law but added a second category for aggressive dogs. He noted it would allow the city’s Animal Control officers to be involved in the process earlier. He explained the item was intended to help ease the concerns of residents regarding aggressive dogs.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-34, on second reading, as read by title only.

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

Item #11 – Resolutions

Item #11A – 203 Tomoka Avenue, Amended and Restated Agreement for Shared Parking

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-119
A RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT AND RESTATEMENT OF SHARED PARKING LOT USAGE AGREEMENT BETWEEN THE CITY AND NNN REIT, LP; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was to amend a parking lot agreement regarding the vacuums previously placed by Sparkle-N-Shine. He noted the city did not own the property where the vacuums were and noted staff had no objections and recommended approval.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Resolution No. 2023-119, as read by title only.

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

Item #12 – Staff Action Items

Item #12A – Florida League of Cities Voting Delegate

Commissioner Persis moved for Mayor Partington to be designated as the Florida League of Cities Voting Delegate.

Mayor Partington stated he would be at the Florida League of Cities conference but was open to another Commissioner serving as the voting delegate as it was not required to be the Mayor.

Commissioner Persis moved, seconded by Commissioner Sargent, for Commissioner Persis to be designated as the Florida League of Cities Voting Delegate.

Motion passed by voice vote

Item #13 – Reports, Suggestions, Requests

Audience Remarks

Ms. Joyce Shanahan, City Manager, stated the city had plans to address the concerns of 37 Wilmette Avenue within 30 days and reviewed the code enforcement process and noted staff was actively working to correct the issues.

Commissioner Sargent thanked Ms. Shanahan for addressing the concerns discussed during Audience Remarks.

Commissioner Briley stated he would support a letter to the Volusia County Council from the Commission regarding the wildlife corridor research; whereby Commissioner Tolland expressed her support of the letter.

Mayor Partington inquired if staff could send the letter; whereby, Ms. Shanahan stated staff could draft and send the letter.

Events, Congratulations, Thanks and Sympathies

Ms. Shanahan stated the Police Department presented Sergeant Michael Garner the Police Officer of the Year award for 2022 and designated Community Service Officer Shannon Champion to receive the Civilian Employee of the Year award for 2022. She reviewed upcoming community events and expressed her deep appreciation for Officer Stokes for his years of services. She thanked the Commission for their work and input on the budget.

Ms. Claire Whitley, Assistant City Manager, expressed her support of Officer Stokes.

Commissioner Sargent congratulated Sergeant Garner and Ms. Champion. He thanked the Budget Advisory Board, Finance Director Kelly McGuire and Assistant Finance Director Chris Byle for their work on the budget. He thanked staff for their work on the homeless sites identified throughout the city.

Commissioner Persis recognized Officer Stokes and thanked him for his service. She thanked the Police Department for their professionalism with the Boehm Family during the heartbreaking loss of their daughter.

Commissioner Briley commended Officer Stokes and Judge Schumann and offered his condolences to the Boehm Family.

Commissioner Tolland discussed the events and meetings she attended over the past few weeks and requested a social media educational post regarding ReGrow the Loop online pledge. She reviewed updates from the ReGrow the Loop pilot program and their meetings. She congratulated Officer Garner, Ms. Champion, Officer Stokes, Judge

Schumann, Mr. Carolin and the Leisure Services Department. She thanked Ms. McGuire and the Budget Advisory Board for their work on the budget. She expressed her sympathies for the Boehm Family.

Commissioner Sargent, Commissioner Persis, Commissioner Briley and Commissioner Persis complemented and thanked the Leisure Services department for their work on the Independence Day Celebration.

Nova Road

Commissioner Briley expressed concerns regarding FDOT's plan to reduce Nova Road from six lanes to four; whereby, Commissioner Tolland stated the topic was worthy of a discussion.

Mayor Partington suggested a workshop with FDOT.

Item #14 – Adjournment

The meeting was adjourned at 9:13 p.m.

APPROVED: August 1, 2023

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk

