

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

October 4, 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, and City Clerk Susan Carroll Dauderis.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Manufacturing Month
 - B. Fire Prevention Week
 - C. National Domestic Violence Month
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - September 20, 2023
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2023-159:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM JOHN SEARCY & ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Staff Contact: *Alex Schumann, City Engineer, (386) 676-3302*
- 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. 2023-159:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM JOHN SEARCY & ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Alex Schumann, City Engineer, (386) 676-3302*
 - B. **RESOLUTION NO. 2023-160:** A RESOLUTION APPROVING BEACH HOUSE GRAPHICS, LLC AS A QUALIFIED TARGET INDUSTRY BUSINESS; PROVIDING FOR LOCAL FINANCIAL

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

- Staff Contact:** *Jesse Godfrey, Police Chief, (386) 676-3500*

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

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

Disposition: Approve as recommended in the City Manager staff report dated October 4, 2023.

- A. **ORDINANCE NO. 2023-49:** AN ORDINANCE AMENDING SECTION 1-14, DEVELOPMENT ORDERS AND BUILDING PERMITS, OF ARTICLE II, ADMINISTRATION AND ENFORCEMENT, OF CHAPTER 1, GENERAL ADMINISTRATION, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY ADDING REQUIREMENTS FOR CERTIFICATE OF USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS

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

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

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

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Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Manufacturing Month

Mayor Partington presented a proclamation to Ms. Jayne Fifer, Ms. Jessica Lovatt and Mr. Cory Mills with the Volusia Manufacturers Association along with Mr. Norman Lane from Rotomation and proclaimed October 2023 as Manufacturing Month.

Mayor Partington and Ms. Fifer discussed the importance of the manufacturing companies in the community.

Item #4B – Fire Prevention Week

Mayor Partington proclaimed October 8 through October 14, 2023 as Fire Prevention Week and presented a proclamation to the Ormond Beach Fire Department.

Item #4C – National Domestic Violence Month

Mayor Partington presented a proclamation to Ormond Beach Police Department Victim Advocate Evelyn Rebostini and Ms. Emma Sanders from The Beacon Center. He proclaimed October 2023 as Domestic Violence Awareness Month and urged all people to take supportive efforts that would prevent and end domestic violence.

Ms. Evelyn Rebostini, Victims' Advocate, and Ms. Sanders, The Beacon Center thanked the Commission for their continued support and provided details on the support offered by the City and The Beacon Center.

Item #5 – Audience Remarks

Mr. Ed Bobinski, 30 Melrose Avenue, expressed concerns regarding the citizens knowledge of local ordinances and encouraged the Commission to educate the public to help the prevention of rule-breaking in the community.

Mr. Donal Neal Cunningham, 19 North Yonge Street, shared information regarding a DVD at the Ormond Beach Regional Library.

Ms. Michelle Zirkelbach, 328 River Bluff Drive, discussed her support of Manufacturing Month. She thanked the Police Department for their work on an incident that occurred and Planning Board members for their work on the Tomoka Oaks development. She expressed concerns regarding the development.

Ms. Robin Magleora, 88 Greenwood Avenue, thanked staff and the Commission for the social media notices and communications. She inquired if Belvedere Terminals had any communications with the City of Ormond Beach.

Ms. Rebecca Mangalli, 164 Hope Street, expressed her appreciation to the Commission for their fight against Belvedere Terminals and discussed the concerns she still had.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the September 20, 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 Sargent moved, seconded by Commissioner Briley, for approval of the September 20, 2023, City Commission meetings minutes.

The motion passed by voice vote.

Item #7 – Community Redevelopment Agency

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

Mayor Partington recessed the City Commission meeting, called the CRA meeting to order, and opened the public hearings at 7:36 p.m.

Item #7A – Work Authorization - John Searcy & Associates, Inc. for Construction Administration Services, Downtown East Granada Utility Undergrounding Project

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-159
A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM JOHN SEARCY & ASSOCIATES, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES FOR THE DOWNTOWN EAST GRANADA UTILITY UNDERGROUNDING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-159, as read by title only.

Commissioner Sargent explained why the item was required.

The motion passed by voice vote.

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:38 p.m.

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 Sargent requested Item 8E be pulled from the Consent Agenda.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of the consent agenda, absent Item 8E.

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

Item #8E – Bid Rejection - Bailey Riverbridge Roof Replacement

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-163
A RESOLUTION REJECTING ALL BIDS FOR THE BAILEY RIVERBRIDGE ROOF REPLACEMENT PROJECT (BID NO. 2023-04); AUTHORIZING THE SOLICITATION OF PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-163, as read by title only.

Commissioner Sargent expressed concerns regarding the bidding process. He stated there may be other steps staff could take to help get the word out to contractors to help get more bids on items.

Mayor Partington stated the roof replacement for Bailey Riverbridge had an older style of roof and was not common and requested staff look into other roofing options.

Commissioner Tolland inquired if the bid process could be explained; whereby, Mr. Shawn Finley, Public Works Director, explained once the Commission approved the Intent to Bid, staff posted the bid to DemandStar, noting the software was used across Volusia County. He stated the bid would also be advertised in the Daytona Beach News Journal and explained the bid was open for 30 days. He reviewed how DemandStar worked from the contractors end.

Commissioner Sargent reviewed some DemandStar features and requested staff look into the features.

Commissioner Briley inquired about the original material used on the roof and discussed the historical value; whereby, Mr. Finley stated staff would research if there were any acceptable substitutions for the material.

Commissioner Tolland inquired if staff should look into how to increase bid results from local vendors; whereby, Ms. Joyce Shanahan, City Manager, stated staff would look into it and bring something back after the new year.

Commissioner Sargent moved, seconded by Commissioner Persis, for approval of Resolution No. 2023-163, as read by title only.

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

Comments on the Consent Agenda

Commissioner Tolland expressed her support of Item 8B regarding the Beach House Graphics Growth Assistance Program Funding.

Commissioner Sargent discussed his support of Item 8C regarding the Memorandum of Understanding to join the Southeast Volusia Regional Special Weapons and Tactics team.

Item #9 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #9A – Land Development Code Amendments, Certificate of Use

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-49
AN ORDINANCE AMENDING SECTION 1-14, DEVELOPMENT ORDERS AND BUILDING PERMITS, OF ARTICLE II, ADMINISTRATION AND ENFORCEMENT, OF CHAPTER 1, GENERAL ADMINISTRATION, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY ADDING REQUIREMENTS FOR CERTIFICATE OF USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-49, on second 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 #9B – Archer's Mill Phase 1, Final Plat

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-50
AN ORDINANCE APPROVING THE FINAL PLAT FOR THE “ARCHER'S MILL PHASE 1” SUBDIVISION, SHOWN WITHIN PHASE 3 OF THE PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-50, on second 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 #9C – Notice of Intent - Partial Right-of-Way Vacation, Benton Street

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-164
A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF BENTON STREET, A PLATTED PUBLIC RIGHT-OF-WAY SOUTH OF PENNSYLVANIA AVENUE, LOCATED BETWEEN VOLUSIA COUNTY PARCEL IDENTIFICATION NUMBERS: 3136-01-08-0010, 3136-01-07-0010 AND 3136-01-01-0021, AND ALONG VOLUSIA COUNTY PARCEL IDENTIFICATION NUMBERS: 3136-01-01-0021 AND 3136-01-21-0050; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-164, as read by title only.

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

Item #9D – Notice of Intent - Partial Right-of-Way Vacation, Hammond Street

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-165
A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF HAMMOND STREET, A PLATTED PUBLIC RIGHT-OF-WAY SOUTH OF PENNSYLVANIA AVENUE AND NORTH OF PLANTATION OAKS BOULEVARD, LOCATED BETWEEN VOLUSIA COUNTY PARCEL IDENTIFICATION NUMBERS: 3125-08-00-0014, 3136-01-07-0010, AND 3136-01-01-0021; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-165, as read by title only.

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

Item #9E – Notice of Intent - Partial Right-of-Way Vacation, Rosemary Street

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-166
A RESOLUTION DECLARING THE INTENTION OF THE CITY COMMISSION TO CONSIDER VACATING A PORTION OF ROSEMARY STREET, A PLATTED PUBLIC RIGHT-OF-WAY SOUTH OF PENNSYLVANIA AVENUE, LOCATED BETWEEN VOLUSIA COUNTY PARCEL IDENTIFICATION NUMBERS: 3136-01-09-0001 AND 3136-01-08-0010; ESTABLISHING A TIME CERTAIN FOR A PUBLIC HEARING; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-166, as read by title only.

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

Item #10 – Reports, Suggestions, Requests

Belvedere Fuel Farm

Ms. Shanahan stated it was previously requested for staff to bring options regarding the I-2 zoning designation and noted one option was to strike through the designation; whereby, Commissioner Persis and Commissioner Briley expressed support for the deletion of the I-2.

Commissioner Sargent stated the owner of Halifax Paving, Inc. called and expressed concerns regarding the change and what it meant for Halifax Paving, Inc. and requested staff reach out to the owner to fully explain how the change would impact them.

Ms. Shanahan stated staff would look into a new Interlocal Service Boundary Agreement (ISBA) with Volusia County. She indicated staff would like to add a meeting on December 19, 2024; whereby, the entire Commission agreed.

Mr. Randy Hayes, City Attorney, reviewed options regarding the potential ISBA with Volusia County, and discussed the steps that would be taken.

Commissioner Tolland inquired which area the new ISBA would focus on; whereby, Mr. Hayes stated it could be as broad as the Commission desired and noted the Commission would be able to provide input during the process.

Commissioner Persis inquired about the timeline; whereby, Mr. Hayes stated last time was around a four-year process and would not be able to give any specifics.

Mayor Partington thanked the Volusia League of Cities for their stance against the fuel farm and encouraging resolutions of support towards the city from other Volusia County cities.

Events, Compliments, and Announcements

Commissioner Persis reviewed the events she attended including National Night Out (NNO), Florida Department of Transportation (FDOT) press conference, League of Cities dinner, and the Volusia County Association for Responsible Development breakfast.

Commissioner Briley discussed the events he attended including the FDOT press conference and NNO. He announced he would run for re-election in 2024.

Commissioner Tolland complimented the Ormond Beach Fire Department for their involvement in a recent incident. She thanked Public Information Officer Jenn Elston for her work with social media. She discussed meetings and events she attended including ReGrow the Loop, Cassen Park Workshop and NNO.

Commissioner Sargent thanked Public Works staff for their work during the heavy rains and Ms. Elston for her work with social media. He reviewed the events he attended including NNO and the FDOT press conference.

