

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

October 17, 2023	7:00 p.m.	Commission Chambers
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Present: Mayor Bill Partington, Commissioners Lori Tolland, Travis Sargent 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. PRESENTATIONS AND PROCLAMATIONS**
 - A. Janet Frank
 - B. Celebrate Babies Week
 - C. National Family Literacy Day
 - D. Mobility Week
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - October 4, 2023
- 7. CONSENT AGENDA**

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

 - A. **RESOLUTION NO. 2023-167:** A RESOLUTION APPOINTING A MEMBER TO THE QUALITY OF LIFE ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340
 - B. **RESOLUTION NO. 2023-168:** A RESOLUTION AMENDING THE CITY COMMISSION MEETING SCHEDULE FOR THE MONTHS OF OCTOBER, NOVEMBER AND DECEMBER 2023; PROVIDING FOR EXCEPTIONS THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Susan Dauderis, City Clerk, (386) 676-3340
 - C. **RESOLUTION NO. 2023-169:** A RESOLUTION ACCEPTING A PROPOSAL FROM MEAD & HUNT, INC. TO PROVIDE CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE WATER RECLAMATION FACILITY UPGRADES PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
 - D. **RESOLUTION NO. 2023-170:** A RESOLUTION ACCEPTING A BID FROM SGS CONTRACTING SERVICES, INC. FOR CONSTRUCTION SERVICES REGARDING THE WATER RECLAMATION FACILITY UPGRADES PROJECT, UNDER BID NO. 2023-28; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305

- E. **RESOLUTION NO. 2023-171:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF VARIOUS REPLACEMENT AND REPAIR PARTS FROM ALPHA GENERAL SERVICES, LLC ON AN AS-NEEDED BASIS FOR THE CITY'S PRETREATMENT EFFLUENT PUMPING TANKS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- F. **RESOLUTION NO. 2023-172:** 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: Bob Preis, Utilities Manager, (386) 676-3305
- G. **RESOLUTION NO. 2023-173:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PEERLESS PUMP PRODUCTS AND REPAIR SERVICES FROM TOM EVANS ENVIRONMENTAL ON AN AS-NEEDED BASIS FOR PUMPING STATIONS THROUGHOUT THE CITY; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- H. **RESOLUTION NO. 2023-174:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF NEPTUNE WATER METERS AND PARTS FROM FERGUSON ENTERPRISES, LLC ON AN ASNEEDED BASIS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- I. **RESOLUTION NO. 2023-175:** A RESOLUTION ACCEPTING A PROPOSAL FROM DANUS UTILITIES, INC. TO PROVIDE CONSTRUCTION SERVICES REGARDING THE BREAKAWAY TRAILS LIFT STATION REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- J. **RESOLUTION NO. 2023-176:** A RESOLUTION ACCEPTING A PROPOSAL FROM DANUS UTILITIES, INC. TO PROVIDE CONSTRUCTION SERVICES REGARDING THE WATER TREATMENT PLANT HATCH REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- K. **RESOLUTION NO. 2023-177:** A RESOLUTION ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES REGARDING DESIGN OF THE AIRPORT ROAD/SR40 FORCE MAIN PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Bob Preis, Utilities Manager, (386) 676-3305
- L. **RESOLUTION NO. 2023-178:** A RESOLUTION AUTHORIZING THE EXECUTION OF A CHANGE ORDER TO THE EXISTING AGREEMENT WITH TYLER TECHNOLOGIES INC, REGARDING AN ENTERPRISE RESOURCE SYSTEM DOCUMENT MANAGEMENT PROGRAM, INCLUDING IMPLEMENTATION, HOSTING AND MAINTENANCE SERVICES; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- M. **RESOLUTION NO. 2023-179:** A RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR INFORMATION TECHNOLOGY SERVICES ON AN AS-NEEDED BASIS FROM ADVANCED SYSTEMS SOLUTIONS, INC., EMPIRE COMPUTING & CONSULTING, INC. AND JAMES MOORE & CO., P.L.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Chuck Osteen, Information Technology Manager, (386) 615-7031

- N. **RESOLUTION NO. 2023-180:** A RESOLUTION RATIFYING, AFFIRMING AND AUTHORIZING EXPENDITURES FOR ARBORIST SERVICES FROM ARBOR PERMITS, LLC; AND SETTING FORTH AN EFFECTIVE DATE.

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

- O. **RESOLUTION NO. 2023-182:** A RESOLUTION ACCEPTING A PROPOSAL FROM FLORIDA HEALTH CARE PLANS, INC. FOR THE PROVISION OF EMPLOYEE HEALTH/MEDICAL BENEFIT SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

- P. **RESOLUTION NO. 2023-183:** A RESOLUTION AUTHORIZING FUNDING OF EMPLOYEE HEALTH SAVINGS ACCOUNTS FOR THE 2024 PLAN YEAR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

- Q. **RESOLUTION NO. 2023-184:** A RESOLUTION ACCEPTING A PROPOSAL FROM THE STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE DENTAL INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

- R. **RESOLUTION NO. 2023-185:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE VISION INSURANCE BENEFITS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

- S. **RESOLUTION NO. 2023-186:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE LONG TERM DISABILITY INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

- T. **RESOLUTION NO. 2023-187:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE LIFE INSURANCE BENEFITS

Staff Contact: Claire Whitley, Assistant City Manager, (386) 676-3202

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- Staff Contact:** Claire Whitley, Assistant City Manager, (386) 676-3202

- Staff Contact:** Claire Whitley, Assistant City Manager, (386) 676-3202

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

- Disposition:** Approve as recommended in the City Manager staff report dated October 17, 2023.

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

- Disposition:** Approve as recommended in the City Manager staff report dated October 17, 2023.

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

- Disposition:** Approve as recommended in the City Manager staff report dated October 17, 2023.

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

- Disposition:** Accept as information as recommended in the City Manager staff report dated October 17, 2023.

A. **ORDINANCE NO. 2023-51:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2023-52:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2023-53:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2023-191:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE "ENCLAVE SUBDIVISION"; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2023-192:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE ITINERANT VENDING DURING SPECIAL EVENTS AT "CM CUSTOM POOL DESIGNS" AND "MOORE OUTDOOR LIVING" LOCATED AT 1133 AND 1141 NORTH U.S. HIGHWAY 1 AND BEING SITUATED WITHIN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2023-54:** AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2022-2023 BY AMENDING THE GENERAL FUND (001); DOWNTOWN REDEVELOPMENT TRUST FUND (104); STORMWATER UTILITY FUND (107);

AIRPORT FUND (108); LOCAL LAW ENFORCEMENT TRUST FUND (109); PENSION CONTRIBUTION PASS THROUGH FUND (113); RECREATION FACILITY FEE FUND (115); GRANTS FUND (116); 2010 BEACHFRONT PARK BOND FUND (220); CAPITAL IMPROVEMENTS FUND (301); EQUIPMENT RENEWAL & REPLACEMENT FUND (302); PUBLIC SAFETY VEHICLE & EQUIPMENT FUND (305); TRANSPORTATION IMPROVEMENTS FUND (308); FACILITIES RENEWAL & REPLACEMENT FUND (317); WATER AND WASTEWATER FUND (401); RENEWAL & REPLACEMENT FUND (409); SOLID WASTE FUND (460); AND THE GENERAL LIABILITY FUND (504); AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

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

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Janet Frank

Mayor Partington presented a proclamation to Ms. Janet Frank for her visits to all of the Florida State Parks.

Ms. Frank thanked the Commission for their support and proudly showed them her book with all the stamps collected at the parks.

Mayor Partington noted the Florida Governor announced The Great Outdoors initiative and mentioned some discounts available to residents.

Item #4B – Celebrate Babies Week

Mayor Partington proclaimed October 15 through October 21, 2023 as Celebrate Babies Week and presented a proclamation to Ms. Lisa Beitez from the Northeast Central Florida Infant Mental Health Chapter.

Ms. Beitez thanked the Commission for their support and discussed the importance of infant mental health.

Item #4C – National Family Literacy Day

Mayor Partington presented a proclamation to Ms. Stacey Simmons from the Daughters of the American Revolution for National Family Literacy Day.

Ms. Simmons presented a certificate award to the Mayor and Commission for their support.

Item #4D – Mobility Week

Mayor Partington proclaimed October 27 through November 4, 2023 as Mobility Week and presented a proclamation to Ms. Loreen Bobo from District 5 of the Florida Department of Transportation.

Ms. Bobo discussed the Target Zero initiative and thanked the Commission for their support.

Mayor Partington expressed his support of the Target Zero initiative.

Item #5 – Audience Remarks

Ms. Fran Cranfield, 136 Bear Creek Path, discussed the traffic issues on Hull Road and expressed concerns regarding the airport, Tomoka Oaks, and the Belvedere Fuel Farm.

Ms. Celeste Mastrobuono, 23 Malayan Sun Bear Path, expressed opposition to the Belvedere Fuel Farm.

Ms. Judy Robin, 81 Grizzly Bear Path, requested the Commission invite the Belvedere Fuel Farm owners to the site during special events, such as Biketoberfest, to view the traffic concerns.

Ms. Nancy Bates, 1 Indian Bear Path, expressed her opposition to the fuel farm and thanked the Commission for their opposition. She inquired if there was pushback from the letters previously sent. She noted she felt communication between the city and county and other entities involved should remain open.

Ms. Lindsey Pate, 40 Wild Cat Lane, thanked staff and the Commission for the work on National Night Out. She reviewed the Volusia County Council’s approved motions regarding the fuel farm and expressed her concerns.

Ms. Catherine Pante, Daytona Beach, shared concerns regarding the Volusia County Council’s motions. She requested the Ormond Beach Fire Department and Police Department send a letter of opposition regarding the fuel farm.

Ms. Mary Allen, 198 Bear Foot Trail, voiced concerns regarding the potential increase in traffic.

Ms. Michelle Zirkelbach, 328 River Buff Drive, discussed her experience with fuel farms and expressed concerns regarding the fuel farm and Tomoka Oaks.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the October 4, 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 October 4, 2023, City Commission meetings minutes.

The motion passed by voice vote.

Item #7 – Consent Agenda

Mayor Partington advised the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of the consent agenda.

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

Comments on the Consent Agenda

Commissioner Sargent, Commissioner Tolland, and Commissioner Briley expressed support of Item 7W regarding the collective bargaining agreement with the Ormond Beach International Union of Police Associations.

Item #8 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #8A – Partial Right-of-Way Vacation, Benton Street

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-51
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker explained Item 8A, 8B, and 8C were for a partial right-of-way vacation, reviewed the location, and explained the next steps in the process if approved.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-51, on first reading, as read by title only.

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

Item #8B – Partial Right-of-Way Vacation, Hammond Street

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-52
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Sargent moved, seconded by Commissioner Briley, for approval of Ordinance No. 2023-52, on first reading, as read by title only.

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

Item #8C – Partial Right-of-Way Vacation, Rosemary Street

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-53
AN OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, 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; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Ordinance No. 2023-53, on first reading, as read by title only.

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

Item #8D – Enclave Subdivision, Preliminary Plat

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-191
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE “ENCLAVE SUBDIVISION”; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the request was for a preliminary plat on 26 acres with 12 individual lots. He reviewed the location, zoning, site plan features, and the next steps for the item if approved.

Commissioner Tolland inquired about the wetlands; whereby, Mr. Spraker stated the wetlands were isolated based on the environmental assessment. She asked about the right-of-way, five-foot sidewalk and if with future developments could there be a requirement for wider sidewalks to allow for multi-modal use; whereby, Mr. Spraker stated the Commission could make it a policy direction, possibly part of a master sidewalk plan.

Commissioner Briley expressed his support of larger sidewalks.

Mr. Spraker stated staff could look into a sidewalk masterplan to bring back to the Commission in the future.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Resolution No. 2023-191, as read by title only.

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

Item #8E – 1133 and 1141 N. US Highway 1 Special Exception for Outdoor Activity

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2023-192
A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE ITINERANT VENDING DURING SPECIAL EVENTS AT “CM CUSTOM POOL DESIGNS” AND “MOORE OUTDOOR LIVING” LOCATED AT 1133 AND 1141 NORTH U.S. HIGHWAY 1 AND BEING SITUATED WITHIN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the item was for a property within the Interlocal Service Boundary Agreement and explained the location and Land Development Code regulations related to the property. He noted one of the permitted special exception uses included outdoor activity. He stated the application was to include up to ten itinerant vendors and two food

trucks on the property, noting there were no plans for outdoor music. He explained at the Planning Board meeting there was discussion regarding the fence at the rear of the property, explaining there was a recommendation to install a fence and the applicant was willing to comply with the recommendation. He clarified the special exception permit was for 3 years.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-192, as read by title only.

Ms. Christine Wagstaff, 1138 ½ Roberts Street, expressed concerns regarding the fence near her property and requested the Commission consider asking the applicant to include a fence on the area abutting her property. She also voiced concern regarding the noise from motorcycles, noting discussions she had with the applicant.

Ms. Robin Kann, 1138 Roberts Street, stated support of Ms. Wagstaff and voiced concerns regarding the noise.

Mayor Partington inquired if staff was involved with the neighbor's discussions with the applicant; whereby, Mr. Spraker noted staff was not involved. He explained the Planning Board recommended the fence along the 1133 Roberts Street property, noting there was an existing fence along the property of 1138 Roberts Street.

Commissioner Tolland stated it looked like there was a fence around the rear of the property except for the area abutting 1133 Roberts Street; whereby, Mr. Spraker stated that was correct. He explained there was a chain link fence on the applicant side of the property and at seven to eight-foot fence wooden fence on the neighboring side of the property.

Commissioner Briley inquired if the wooden fence was the applicant's or the neighbor's; whereby, Mr. Spraker stated the chain link fence was the applicant's, noting the applicant Mr. Coby Moore was available to confirm.

Mr. Coby Moore, applicant, stated the fences were in place when he bought the property in 2022.

Commissioner Briley inquired if the applicant would be amenable to take down the chain link fence and replace with another wooden privacy fence; whereby, Mr. Moore stated the Iron Horse Saloon was right next door and would cause more noise than the parking and planned vendors on his property, noting the motorcycle parking and vendors would be in the front of the property, not at the rear.

Commissioner Sargent inquired why a second privacy fence would be added to the 1138 Roberts Street portion of the property; whereby, Commissioner Briley stated he was asking to help buffer the noise for the surrounding neighbors.

Commissioner Sargent and Commissioner Tolland expressed concerns regarding a second privacy fence.

Mayor Partington inquired how the noise level from surrounding sites could be contained; whereby, Mr. Spraker stated there were other vendors who were permitted for live music and noted the applicants request was for ten vendor spaces, two food trucks, and parking. Mayor Partington inquired if the applicant was subject to the noise ordinances; whereby, Mr. Spraker stated that was correct and clarified the site would not produce music.

Commissioner Briley and Commissioner Tolland expressed support of the Planning Board recommendation. Commissioner Tolland requested the fence be of similar style and height to the surrounding fence; whereby, Mr. Spraker noted the Development Order could be amended to include a fence of similar height.

Ms. Wagstaff stated the higher fence would help buffer the sound, noting the fence should include her property.

Mayor Partington clarified there was already a wooden fence on Ms. Wagstaff's property; whereby, Mr. Spraker stated it appeared that way but would not be able to confirm the fence was on her property without a survey.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2023-192, with the addition of the fence to be installed of similar height, as read by title only.

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

Item #9A – FY 2022-23 Budget Amendments

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2023-54
AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2022-2023 BY AMENDING THE GENERAL FUND (001); DOWNTOWN REDEVELOPMENT TRUST FUND (104); STORMWATER UTILITY FUND (107); AIRPORT FUND (108); LOCAL LAW ENFORCEMENT TRUST FUND (109); PENSION CONTRIBUTION PASS THROUGH FUND (113); RECREATION FACILITY FEE FUND (115); GRANTS FUND (116); 2010 BEACHFRONT PARK BOND FUND (220); CAPITAL IMPROVEMENTS FUND (301); EQUIPMENT RENEWAL & REPLACEMENT FUND (302); PUBLIC SAFETY VEHICLE & EQUIPMENT FUND (305); TRANSPORTATION IMPROVEMENTS FUND (308); FACILITIES RENEWAL & REPLACEMENT FUND (317); WATER AND WASTEWATER FUND (401); RENEWAL & REPLACEMENT FUND (409); SOLID WASTE FUND (460); AND THE GENERAL LIABILITY FUND (504); AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Kelly McGuire, Finance Director, explained the item was an annual item for the Commission to approve the amendments to the budget, noting most amendments were from Capital Improvement Projects previously approved by the Commission.

Commissioner Sargent moved, seconded by Commissioner Tolland, for approval of Ordinance No. 2023-54, on first reading, as read by title only.

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

Item #10 – Reports, Suggestions, Requests

Events, Compliments, and Announcements

Ms. Joyce Shanahan, City Manager, stated there was a Special City Commission meeting scheduled on October 25, 2023, Regular City Commission meeting on November, 7, 2023 at Calvary Christian Center, and discussed the remaining City Commission meetings for 2023. She reviewed upcoming events including the 150-Mile Super Scenic Highway Yard Sale, Community Helper Day, Fall Bird Walk, Hometown Heroes, and Veteran’s Day Luncheon.

Commissioner Briley reviewed the events he attended including the State of the City and the Ormond Beach MainStreet Installation.

Commissioner Tolland discussed the events she attended including the Quality of Life Advisory Board meeting, Townhall meeting, State of the City, and ReGrow the Loop events. She thanked the Crotty family for their work in the community and challenged the residents to enjoy the City landmarks and enjoy the beauty of Ormond Beach.

Commissioner Sargent thanked staff and the Police Union for their work during the collective bargaining. He reviewed events he attended including State of the City and requested staff look into a State of the City for the residents and allow the Commissioners to recognize a citizen from their zone. Commissioner Sargent announced he would be seeking re-election for Zone 2 City Commissioner.

Mayor Partington shared a note he received from Mr. John Tyler with the Florida Department of Transportation. He congratulated Ormond Beach MainStreet and discussed the organization and discussed the State of the City event.

Belvedere Fuel Farm

Commissioner Sargent discussed the Volusia County motions made and noted actions taken by the City.

Audience Remarks

Mayor Partington stated there were no plans for a runway extension and wanted to stop the rumor before it spread, noting the cutting of trees was required by the Federal Aviation Administration due to the potential obstruction. He stated a post card was sent around Bear Creek regarding increased planes at the airport and noted there were no items before staff regarding increased planes by Embry-Riddle at the Ormond Beach Municipal Airport.

Item #11 – Adjournment

The meeting was adjourned at 8:42 p.m.

APPROVED: November 7, 2023

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk

