

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

February 6, 2024

7:00 p.m.

Commission Chambers

Present: Mayor Bill Partington, Commissioners Lori Tolland, Travis Sargent, Susan Persis and Harold Briley, City Manager Joyce Shanahan, Deputy City Attorney Ann-Margret Emery, 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. Susan C. Dauderis - Certified Municipal Clerk Designation

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting - January 23, 2024

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. 2024-11:** A RESOLUTION ACCEPTING A BID FROM CLEARWATER SOLUTIONS, LLC FOR CONSTRUCTION SERVICES REGARDING THE WATER MAIN REPLACEMENT, NORTH PENINSULA-PHASE 4 PROJECT, UNDER BID NO. 2024-12; 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

- B. **RESOLUTION NO. 2024-12:** A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING PHASE 4 OF THE NORTH PENINSULA WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2024-13:** A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. FOR ENGINEERING DESIGN SERVICES REGARDING THE WATER TREATMENT PLANT AERATOR REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2024-14:** A RESOLUTION ACCEPTING A PROPOSAL FROM HAZEN CONSTRUCTION, LLC FOR CONSTRUCTION SERVICES REGARDING THE INSTALLATION OF THREE POTABLE WATER TRANSMISSION MAIN VALVES; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN

EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2024-15:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE FORD EXPLORER, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA23-VEL31.0; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2024-16:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF TWO FORD F150 PICK-UP TRUCKS, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA23-VEL31.0; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2024-17:** A RESOLUTION ACCEPTING A PROPOSAL FROM BARNES, FERLAND, AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES REGARDING ADDITIONAL WORK ASSOCIATED WITH THE PREPARATION OF A CONSUMPTIVE USE PERMIT MODIFICATION AND RENEWAL; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2024-18:** A RESOLUTION ACCEPTING THE PROPOSAL OF BORED ROOM, LLC D/B/A GRIND GASTROPUB & KONA TIKI BAR FOR THE PROVISION OF CONCESSIONAIRE SERVICES AT THE PERFORMING ARTS CENTER; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **Summary of Administrative Variances Granted**

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

Disposition: Approve as recommended in the City Manager staff report dated February 6, 2024.

- J. **RFP - Downtown Public Art Plan**

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

Disposition: Approve as recommended in the City Manager staff report dated February 6, 2023.

- K. **Construction & Demolition Franchise Renewal for Creech Enterprises Inc.**

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

Disposition: Approve as recommended in the City Manager staff report dated February 6, 2024.

- L. **Auto Renew - Radio Control Club**

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

Disposition: Approve as recommended in the City

Manager staff report dated February 6, 2024.

M. 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 staff report dated February 6, 2024.

N. Auto Renew - Ormond Beach Historical Society, Inc.

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

Disposition: Approve as recommended in the City
Manager staff report dated February 6, 2024.

8. REPORTS, SUGGESTIONS, REQUESTS

9. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Mike Petrick, Harbor Baptist Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Susan C. Dauderis – Certified Municipal Clerk Designation

Ms. Gwen Pierce, Central East Director of the Florida Association of City Clerks, presented City Clerk Susan Dauderis with a certificate and pin for her Certified Municipal Clerk (CMC) designation. She reviewed the education and strict guidelines needed to receive the CMC designation and congratulated her on the accomplishment.

Mayor Partington thanked Ms. Pierce for attending the meeting and congratulated Ms. Dauderis.

Mayor Partington reaffirmed the city's dedication to the safety and wellbeing of the citizens and stood against the Belvedere Fuel Farm. He discussed Volusia County's decision to deny a heavy industrial development moratorium.

Item #5 – Audience Remarks

Volusia County Council Member Troy Kent expressed his support of the city and urged the city to keep fighting against the Belvedere Fuel Farms.

Ms. Debbie Kruck-Forrester, 15 Brookwood Drive, stated she was speaking on behalf of Volusia County Stands with Israel and invited the City Commission to a ceremony and remembrance walk.

Mr. Jerry Sheppard, 84 Hidden Cove, Flagler Beach, 32136, requested the City Commission place an item on a future agenda regarding aerial banner tow operations from the Ormond Beach Municipal Airport. He provided background on Simmons Aviation and why they were requesting the banner operations.

Mr. Jerry Janaro, 105 North St. Andrews Drive, stated he was speaking on behalf of the Ormond Beach MainStreet Cassen Park City Docks Committee. He requested the City Commission consider a six-month suspension of the city's Ordinance restricting

overnight docking at Cassen Park. He provided background on the request, discussed security, and economic impact.

Mr. Ike Leary, Cassen Park Bait Shop, discussed his history with the city and requested an update on the Cassen Park redesign. He expressed concerns regarding the timeline.

Mr. Sean Andersen, 1267 Scottsdale Drive, complimented Ormond Beach Police Captain Chris Roos, Lieutenant Tom Larsen, Sergeant Michael Garner and Assistant City Clerk Taylor Lochert. He discussed issues within his neighborhood, delay in a records request submitted to the Police Department, and with an Ormond Beach Police Department employee.

Ms. Lindsey Pate, 40 Wild Cat Lane, thanked the City Commission for their support in the fight against the Belvedere Fuel Farm.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes from the January 23, 2024, meeting had been sent to the Commission for review and 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 Persis, for approval of the January 23, 2024, City Commission meeting 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 requested Items 7G and 7M be pulled from the Consent Agenda.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of the consent agenda absent Items 7G and 7M.

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

Item #7G – Additional Work - CUP Modification Assistance

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-17
A RESOLUTION ACCEPTING A PROPOSAL FROM BARNES, FERLAND, AND ASSOCIATES, INC. FOR PROFESSIONAL SERVICES REGARDING ADDITIONAL WORK ASSOCIATED WITH THE PREPARATION OF A CONSUMPTIVE USE PERMIT MODIFICATION AND RENEWAL; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Persis, for approval of Resolution No. 2024-17, as read by title only.

Commissioner Sargent inquired if the item included the future development of Ormond Crossing, Hunter’s Ridge, and Avalon Park; whereby, Mr. Shawn Finley, Public Works Director stated staff worked on the item for a long time to make sure future developments were represented and should not need to be modified for the next 20 years.

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

Carried.	Commissioner Tolland	Yes
	Mayor Partington	Yes

Item #7M – Auto Renew - Contracts for Miscellaneous Crafts & Trades Services (As Needed)

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Disposition Item titled Auto Renew - Contracts for Miscellaneous Crafts & Trades Services (As Needed).

Commissioner Sargent expressed concerns regarding A.A.T. Roofing and inquired why they did not bid on the Bailey Riverbridge Roof project they provided an estimate on; whereby, Mr. Robert Carolin, Leisure Services Director, stated he was unsure as to why they did not bid, but explained they were responsive when it came to the smaller projects within the Leisure Services department. He requested any Certificates of Insurances included in the agenda packets be the most up to date certificates.

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

Comments on the Consent Agenda

Commissioner Persis expressed support of Item 7E regarding the purchase of a Ford Explorer for the Fire Department.

Mayor Partington discussed Item 7K regarding the Construction and Demolition Franchise Renewal for Creech Enterprises, Inc. and stated there was a company doing related business within the city without the Construction and Demolition Franchise agreement.

Commissioner Tolland expressed support of Item 7H regarding the Request for Proposal Award of the Performing Arts Center (PAC) concessionaire agreement.

Item #8 – Reports, Suggestions, Requests

Appreciation, Events and Announcements

Ms. Joyce Shanahan, City Manager, discussed upcoming City Commission meetings including potential workshops and noted the March 5, 2024 City Commission meeting would be held at Calvary Christian Center. She provided updates on the U.S. Highway One and Interstate 95 interchange project, State Road A1A project, and the Andy Romano Beachfront Park Seawall project. She announced upcoming events and congratulated Ms. Dauderis on her designation.

Commissioner Tolland, Commissioner Persis and Commissioner Briley congratulated Ms. Dauderis on her accomplishment.

Commissioner Tolland, Commissioner Sargent, Commissioner Persis and Mayor Partington discussed events they attended and provided updates. Mayor Partington invited the City Commission to upcoming events

Commissioner Sargent and Commissioner Briley thanked Mr. Paul Holub on the donation of the seats to the PAC.

Commissioner Sargent inquired if the fence at the Riverbend Golf Course could be moved; whereby, Ms. Shanahan stated it could.

Mayor Partington asked if there was a completion date set for the State Road A1A project; whereby, Mr. Finley provided an update on the project and explained it should be completed in March or April of 2024, noting Florida Department of Transportation (FDOT) would invite the City Commission to a completion event once a firm date was set. Mayor Partington inquired if the speed limit would return to 35 miles per hour; whereby, Mr. Finley stated due to the narrowing of the roadways the speed limit would remain at 30 miles per hour.

Commissioner Briley questioned if FDOT would continue the State Road A1A improvements south; whereby, Mr. Finley indicated that was correct.

Construction and Demolition Franchises

Ms. Claire Whitley, Assistant City Manager, explained the building department would be adding to their site checklist to verify the dumpster provider was on the list of registered companies. She noted staff reached out to an unregistered company and provided them with the information to become compliant.

Requests

Commissioner Tolland stated she spoke with Mr. Mark Simmons of Simmons Aviation Services and noted she referred him to staff to discuss the banner tow operations. She expressed support of the overnight docking and requested staff look into and bring back information. She inquired where the delay was with the Cassen Park redesign; whereby, Mr. Finley stated staff had a meeting with Zev Cohen and Associates scheduled for Thursday, February 8, 2024 to review the 60 percent completed engineering plans. He reviewed the process that would happen after that review, noting when the plans would be brought back before the City Commission for their approval before construction began.

Mayor Partington, Commissioner Persis, and Commissioner Sargent agreed with Commissioner Tolland and requested staff bring back information regarding overnight docking.

Ms. Shanahan stated she could bring information back to the City Commission by the March 19, 2024 meeting.

Commissioner Sargent requested staff look into updating the Ormond Beach Airport look as it had a lot of work that needed to get done including signage; whereby, Mayor Partington agreed, noting there was some new signage but could use more.

Commissioner Briley inquired if the City Commission was interested in the city being a room sponsor for the Barracks of Hope for Homeless Veterans; whereby, Mayor Partington stated there were federal dollars available for homeless veterans and was not sure spending tax payer dollars was fair to the city residents.

Commissioner Tolland inquired if staff could acquire information for the City Commission to consider; whereby, Ms. Shanahan stated staff would bring back further information.

Belvedere Fuel Farm

Commissioner Tolland expressed support of Councilman Kent and local residents in their advocacy of the city and Volusia County. She noted her dissatisfaction of those Volusia County Council members who denied the heavy industrial moratorium.

Commissioner Briley expressed his support of Councilman Kent and his disappointment in the outcome of the moratorium.

Item #9 – Adjournment

The meeting was adjourned at 8:16 p.m.

APPROVED: February 20, 2024

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk