

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

February 20, 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, 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. Annual Comprehensive Financial Report Presentation Fiscal Year 2022-2023

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

- A. Minutes from City Commission meeting - February 6, 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. 2024-19:** A RESOLUTION AMENDING THE CITY COMMISSION MEETING SCHEDULE FOR THE MONTH OF MARCH, 2024; PROVIDING FOR AN EXCEPTION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2024-20:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2024 FORD TRANSIT CARGO VAN, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA23-VEL31.0; DECLARING VEHICLE #403 TO BE SURPLUS PROPERTY AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2024-21:** A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE CASEMENTS GUILD FOR THE CITY OF ORMOND BEACH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2024-22:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ACCESS, MAINTENANCE AND UTILITY EASEMENT FROM ADJ IRIS, LLC, LOCATED IN THE "IRIS, PHASE 1" (A/K/A AS GARDENSIDE) SUBDIVISION, A PORTION OF THE HUNTER'S RIDGE DEVELOPMENT OF REGIONAL IMPACT LOCATED IN FLAGLER COUNTY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2024-23:** A RESOLUTION APPROVING THE SETTLEMENT OF PERSONAL INJURY CLAIMS FILED BY THERESA LUCAS; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2024-24:** A RESOLUTION APPROVING THE APPLICATION OF SONGBIRD AVIATION, LLC TO PROVIDE SERVICES AS A CATEGORY FOUR FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager, (386) 615-7019

- G. **RESOLUTION NO. 2024-25:** A RESOLUTION APPROVING THE RENEWAL OF AN AGREEMENT WITH CENTRAL SQUARE TECHNOLOGIES FOR MAINTENANCE SUPPORT OF THE CITY'S ENTERPRISE RESOURCE SYSTEM (NAVILINE); AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2024-26:** A RESOLUTION ACCEPTING THE PROPOSAL OF IM SOLUTIONS, INC. REGARDING THE CITY COMMISSION CHAMBERS AUDIO AND VIDEO EQUIPMENT REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **Auto Renew - Contract for American Janitorial, Inc.**

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

Disposition: Approve as recommended in the City Manager staff report dated February 20, 2024.

- J. **S.R. 40 Bicycle/Pedestrian Safety Upgrades Feasibility Study**

Staff Contact: Shawn Finley, Public Works Director, (386) 676-3292

Disposition: Approve as recommended in the City Manager staff report dated February 20, 2024.

- K. **2024 Travel Approval for City Commission, City Manager & City Attorney**

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

Disposition: Approve as recommended in the City Manager staff report dated February 20, 2024.

- L. **City Manager's Monthly Report, February 2024**

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

Disposition: Accept as information as recommended in

the City Manager staff report dated February 20, 2024.

8. PUBLIC HEARINGS

- A. **RESOLUTION NO. 2024-28:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE "BRADFORD PARK" TOWNHOUSE SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2024-29:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR " FOUNTAIN VIEW, PHASE 1B", SHOWN WITHIN PHASE 1 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

9. REPORTS, SUGGESTIONS, REQUESTS

10. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Cord Bear, Tomoka Christian Church, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Annual Comprehensive Financial Report Presentation Fiscal Year 2022-2023

Mr. Zach Chalifour, JamesMoore & Co., presented a PowerPoint detailing the city's annual audit reports for the fiscal year ending on September 30, 2023 and highlighted details of the General Fund, Pension Funds, and Community Redevelopment Agency funds noting the city continued to remain in a strong financial position.

The entire Commission thanked Mr. Chalifour for meeting with the City Commission individually to review the audit and staff for their hard work on the audit and throughout the year.

Commissioner Sargent stated the airport was operating in a deficit and requested the city's Aviation Advisory Board meet to discuss how to reduce the deficit, noting the Commission could hold a workshop to start brainstorming ideas.

Item #5 – Audience Remarks

Ms. Elaine Davis, 76 Melrose Avenue, stated she formed a neighborhood group with the goal of cleaning up their neighborhood and eliminating the neighbor to neighbor conflict. She expressed code enforcement concerns within the neighborhood and provided a packet to the Commission. She thanked Public Works Director Shawn Finley for his work

on the flashing speed limit sign on Melrose Avenue, noting there were still speeding issues and requested staff look into speed bumps for the street.

Mr. Mark Simmons, 1 Pineland Lane, stated he was speaking on behalf of Simmons Aviation Services and requested the city consider allowing banner towing operations at the Ormond Beach Municipal Airport.

Mr. Ethan Simmons, 1 Pineland Lane, requested to yield his time to Mr. Mark Simmons; whereby, the entire Commission agreed.

Mr. Mark Simmons invited the Commission to view how the operations would work, discussed the city's history with banner towing, and economic impact of the operations.

Commissioner Briley inquired why the banner towing operations stopped; whereby, Mr. Simmons stated there was an incident decades ago and noted there were new safety regulations in place to prevent such incidents.

Commissioner Tolland inquired if staff could bring back information regarding the banner towing operations; whereby, Ms. Joyce Shanahan, City Manager, stated staff would provide a brief report.

Mr. Doyle Lewis, no listed address, expressed concerns regarding the charcoal only grills in the public parks, and related enforcement.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes from the February 6, 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 Persis moved, seconded by Commissioner Sargent, for approval of the February 6, 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 Item 7F be pulled from the Consent Agenda.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of the consent agenda, absent Item 7F.

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

Item #7F – FBO Category 4 Certification - Songbird Aviation, LLC

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-24
A RESOLUTION APPROVING THE APPLICATION OF SONGBIRD AVIATION, LLC TO PROVIDE SERVICES AS A CATEGORY FOUR FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Briley moved, seconded by Commissioner Sargent, for approval of Resolution No. 2024-24, as read by title only.

Commissioner Sargent expressed concerns regarding the Certificate of Insurance; whereby, Ms. Shanahan suggested a conditional approval until the insurance was in compliance with the City's code.

Commissioner Briley moved, seconded by Commissioner Sargent, for conditional approval of Resolution No. 2024-24, pending verification of satisfactory insurance in compliance with the City's code.

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

Mayor Partington asked the Clerk to call the vote on the underlying motion.

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

Comments on the Consent Agenda

Commissioner Tolland expressed support of Item 7J regarding the State Road 40 Bicycle/Pedestrian Safety Upgrades Feasibility Study and requested staff consider coordinating with the Florida Department of Transportation when they complete their State Road 40 upgrades.

Commissioner Sargent stated his satisfaction of Item 7H regarding the Request for Proposal Award to Upgrade City Commission Chambers Technology.

Item #8 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #8A – Bradford Park, Preliminary Plat

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-28
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR THE “BRADFORD PARK” TOWNHOUSE SUBDIVISION; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Sarah Cushing, Senior Planner, reviewed features of the Bradford Park subdivision. She explained the next steps in the process for the preliminary plat and final plat. She stated the Planning Board recommended approval.

Commissioner Briley moved, seconded by Commissioner Tolland, for approval of Resolution No. 2024-28 as read by title only.

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

Item #8B – Fountain View, Phase 1B Preliminary Plat

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-29
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA APPROVING THE PRELIMINARY PLAT FOR “ FOUNTAIN VIEW, PHASE 1B”, SHOWN WITHIN PHASE 1 OF THE

PLANTATION OAKS PLANNED RESIDENTIAL DEVELOPMENT;
ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL;
AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Cushing highlighted some features of the Fountain View, Phase 1B preliminary plat reviewing the next steps in the process.

Commissioner Sargent inquired if the subdivision was the first with a pickleball court; whereby, Mr. Parker Mynchenberg, applicant, stated there were earlier phases with pickleball courts.

Commissioner Persis and Commissioner Tolland expressed their support of Item 8A and 8B.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Resolution No. 2024-29 as read by title only.

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

Mayor Partington closed the Public Hearings.

Item #9 – Reports, Suggestions, Requests

Appreciation, Events and Announcements

Ms. Shanahan reviewed upcoming City Commission meetings and workshops, First Step Shelter statistics, city project updates, and Leisure Services events. She discussed the grants that would be brought before the Volusia County Council from the Volusia County ECHO Commission on behalf of the city.

Ms. Claire Whitley, Assistant City Manager, provided an update on the stairs at Andy Romano Beachfront Park.

Commissioner Sargent read an email he received commending the Ormond Beach Police department, Police Chief Jesse Godfrey, and Mayor Partington. He thanked the Police Department on their response to an accidental incident at Temple Beth-El. He expressed his gratitude to Mr. Ike Leary, operator of the Cassen Park Bait Shop, and thanked staff for the upcoming workshop on Cassen Park, work on the Riverbend Golf Course parking lot, and to the Finance Department for their work. He inquired about an update on the Bailey Riverbridge roof; whereby, Mayor Partington stated work began on February 19, 2024. He requested staff's assistance for an issue on behalf of a resident who lived next to Beachside Elementary School, noting he reached out to Volusia County Schools with no resolution to her issue.

Commissioner Persis discussed events she attended. She thanked Ms. Lucy Jackman and Mr. Paul Holub for their work and contributions to the newly renovated Performing Arts Center. She congratulated Mayor Partington on his two awards from the Ormond Beach Historical Society, and read what was said about him at the annual meeting.

Commissioner Tolland reviewed the events she attended.

Commissioner Briley discussed events he attended and thanked Mr. Holub and Ms. Jackman.

Mayor Partington thanked Commissioner Persis and discussed the awards received. He discussed the events he attended and provided updates from them. He thanked the Leisure Services staff and Ms. Ruth Horan for their work with the Performing Arts Center over the years. He discussed upcoming city events.

Requests

Commissioner Tolland expressed concerns regarding the city's advisory board's meetings and requested information from their meetings be sent to the Commission; whereby, Ms. Shanahan stated staff would send the minutes from the meetings. She requested staff look into how to help the Neighborhood Improvement Division with code enforcement within the city, specifically with the Ormond Terrace Neighborhood.

Commissioner Briley discussed the homeless population issues; whereby, Ms. Shanahan provided an update regarding a specific subdivision. He noted the City of DeLand passed a few ordinances recently regarding the homeless population; whereby, Ms. Shanahan stated the City Attorney's Office was looking into the other Florida cities ordinances on the issue. He inquired if a workshop could be held to discuss adding playground equipment to the city parks for children with physical limitations; whereby, Ms. Shanahan stated staff could look into incorporating more accessible equipment.

Mayor Partington stated Commissioner Sargent requested a workshop related to the airport and inquired if it would be primarily related to the budget deficit; whereby, Commissioner Sargent stated that was accurate. Mayor Partington inquired if that was information staff could provide to the Commission; whereby, Ms. Shanahan stated the airports budget mostly came from grants and could provide a report to the Commission.

Commissioner Sargent indicated the Commission could brainstorm funding options other than grants and noted staff bringing back a report was a good starting point.

Commissioner Tolland agreed noting the airport was a vital part of the city's economic development and was supportive of looking into ways to monetize it.

Mayor Partington discussed the City of DeLand's homeless ordinances, First Step Homeless Shelter, and enforcement of ordinances.

Commissioner Tolland stated Fighting Against Injustice Towards Harmony (F.A.I.T.H.) could be incorporated into future ordinances as a resource for the homeless with First Step Homeless Shelter. She suggested a workshop to discuss ideas regarding the homeless population; whereby, Mayor Partington agreed a workshop would be a good starting point.

Mayor Partington requested staff look into the public beach access at Seminole Avenue near a hotel development project. He believed Cobb Cole, on behalf of the developer, would take the project back through the review process to remove the public access component with Volusia County approval noting the county would not maintain the access. He expressed concerns regarding the city losing the public beach access and noted he thought a Commissioner specifically inquired if the access would be public noting he remembered the developer agreeing. He indicated he received a letter from WastePro stating there was a pay dispute with the city. He asked staff to look into it and report back to the Commission with how that happened, as he believed the Commission approved the additional pay. He also requested more information regarding the utility fee component as it was an additional tax.

Ms. Shanahan stated staff was working with the City Attorney's Office and requested additional time for staff to resolve the dispute before bringing to the Commission.

Item #10 – Adjournment

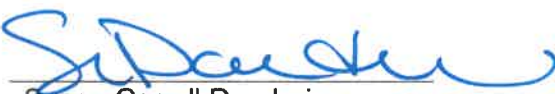
The meeting was adjourned at 8:18 p.m.

APPROVED: March 5, 2024

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk