

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

March 5, 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. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - February 20, 2024
- 6. 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. 2024-27:** A RESOLUTION ACCEPTING THE PROPOSAL OF GRANICUS LLC REGARDING WEBSITE REDESIGN SERVICES AND STREAMING AND RECORDING SYSTEM UPGRADES; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: *Chuck Osteen, Information Technology Manager, (386) 615-7031*
 - B. **RESOLUTION NO. 2024-30:** A RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND HALIFAX URBAN MINISTRIES, INC., REGARDING HOMELESSNESS PREVENTION SERVICES PROVIDED AT HOPE PLACE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: *Loretta Moisio, Grants Coordinator, (386) 676-3315*
 - C. **RESOLUTION NO. 2024-31:** A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN ONLINE GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, UNDER THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, FOR FUNDING ASSISTANCE TO PURCHASE GEAR WASHERS AND GEAR DRYERS; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: *Loretta Moisio, Grants Coordinator, (386) 676-3315*
 - D. **RESOLUTION NO. 2024-32:** A RESOLUTION ACCEPTING A WARRANTY DEED FROM US CAPITAL ALLIANCE, LLC, FOR PROPERTY ABUTTING THE "IRIS, PHASE 1" (A/K/A GARDENSIDE) SUBDIVISION, A PORTION OF THE HUNTER'S RIDGE DEVELOPMENT OF REGIONAL IMPACT LOCATED IN

FLAGLER COUNTY, FOR LIFT STATION PURPOSES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2024-33:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN ACCESS, MAINTENANCE AND UTILITY EASEMENT FROM US CAPITAL ALLIANCE, LLC, LOCATED ON PROPERTY ABUTTING THE "IRIS, PHASE 1" (A/K/A 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) 676-3341

- F. **RESOLUTION NO. 2024-34:** A RESOLUTION ACCEPTING A PROPOSAL FROM BOMAR CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING HAMMOCK LANE NORTH OVERLOOK OBSERVATION DECK REPLACEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2024-35:** A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY AND EXTREME CONCRETE SERVICES, INC. REGARDING THE COLLECTION OF CONSTRUCTION AND DEMOLITION DEBRIS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **CDBG - South Ridgewood Avenue East Side Sidewalk Improvements**

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

Disposition: Approve as recommended in the City Manager staff report dated March 5, 2024.

- I. **Intent to Bid - Stormwater Inline Check Valves**

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

Disposition: Approve as recommended in the City Manager staff report dated March 5, 2024.

- J. **Continuing Contracts for Professional, Architectural, and Engineering Services**

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

Disposition: Approve as recommended in the City Manager staff report dated March 5, 2024.

7. RESOLUTIONS

- A. **RESOLUTION NO. 2024-36:** A RESOLUTION PURSUANT TO SECTION 8-4(8), LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY LOCATED AT 29 ROCKEFELLER DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4223-02-02-0140) UPON COSTS

INCURRED BY THE CITY TO DEMOLISH AN UNSAFE
STRUCTURE; AND SETTING FORTH AN EFFECTIVE DATE.

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

8. DISCUSSION AND DIRECTION ITEMS

A. Renaming of the MacDonald House to the Stout-MacDonald House

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 7:01 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 – Audience Remarks

Volusia County Council Member Troy Kent, 130 Magnolia Drive, announced the Volusia County Council directed Volusia County staff to bring back a resolution regarding off-beach and on beach parking fees for non-Volusia County residents and to impose no fees to Volusia County residents. He discussed the proposed fees and the county's excitement. He requested the City Commission look into parking fees at the Andy Romano Beachfront Park.

Ms. Patty Corr, Chief Operating Officer with the Volusia County School District, explained the former Osceola Elementary School (Osceola) campus was utilized as Tomoka Elementary School (Tomoka) while the Tomoka school was being rebuilt. She reported Tomoka was on schedule to reopen during the summer of 2024. She stated the Volusia County School Board approved the transfer of the Riverview Learning Center (Riverview) from 2 campuses in Daytona Beach to the Osceola campus.

Ms. Lois Spiess, 209 Osceola Avenue, expressed concerns regarding the relocation of Riverview and requested the City Commission encourage a community meeting.

Ms. Lindsey Wolf, 156 Luck Drive, voiced concerns regarding the relocation of Riverview related to crimes, lack of community meeting, property values, and taxes.

Ms. Kimberly Campbell, 251 South Halifax Drive, stated the surrounding residents would benefit from a community meeting regarding the school transfer to help with the residents better understanding.

Ms. Linda Gardner, 135 Seton Trail, expressed concerns regarding traffic and neighborhood safety related to the school transfer.

Ms. Josephine Levenstein, 185 Oleeta Street, voiced concerns regarding the Osceola building, community safety, and lack of community input.

Commissioner Sargent paraphrased an email he received from Ms. Denise Demico, Seton Trail, expressing concerns regarding the school board's decision, neighborhood safety, and property values.

Mayor Partington thanked the residents for voicing their concerns and encouraged them to reach out to Volusia County School Board and provided background on the Osceola campus. He explained the concerns would be relayed to the Volusia County School

Board (School Board), noting Volusia County School Board Member Carl Persis was in attendance of the meeting.

Commissioner Briley requested the City Commission encourage the School Board to host a community meeting.

Commissioner Tolland inquired if the Commission could send a letter on the Commissions concerns regarding the school transfer.

Commissioner Sargent discussed the history with the Osceola campus and expressed concerns regarding taxes, School Resource Officer (SRO) funding, lack of community meetings, and general neighborhood safety concerns. He agreed with Commissioner Tolland noting a letter should be sent to the School Board.

Commissioner Sargent moved, seconded by Commissioner Tolland, to direct staff to write a letter on behalf of Mayor Partington encouraging the Volusia County School Board to reconsider their decision on the Osceola school property and to host a community meeting on the topic.

The motion passed by voice vote.

Ms. Caroline Meyers, Executive Director of the Ormond Beach Housing Authority (OBHA), requested assistance for 5 Ramsey Terrace and the stormwater drainage issues around the property. She provided photographs to the Commission.

Ms. Joyce Shanahan, City Manager, stated staff would reach out to Ms. Meyers to further discuss the stormwater drainage issues.

Reverend Willie Branch, 100 New Britain Avenue, stated he was there on behalf of the OBHA and provided an update on the board and upcoming projects.

Mr. Stan Driscoll, 10 Sandalwood Lane, expressed concerns regarding the Ormond Beach code enforcement reactive approach and requested a policy change to make the code enforcement division proactive.

Item #5 – Approval of Minutes

Mayor Partington advised the minutes from the February 20, 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 Sargent moved, seconded by Commissioner Persis, for approval of the February 20, 2024, City Commission meeting minutes.

The motion passed by voice vote.

Item #6 – 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 Sargent, 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

Commissioner Sargent expressed his support of Item 6A regarding the Request for Proposal (RFP) Award for the Website and Streaming and Recording System, noting it was a campaign promise of his to help promote transparency.

Commissioner Persis thanked Commissioner Sargent for his work input and campaign promises for Item 6A and voiced her support for Item 6C regarding the Assistance to Firefighters Grant Application.

Item #7 – Resolutions

Item #7A – Lien Approval for Demolition, 29 Rockefeller Drive

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-36
A RESOLUTION A RESOLUTION PURSUANT TO SECTION 8-4(8), LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY LOCATED AT 29 ROCKEFELLER DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4223-02-02-0140) UPON COSTS INCURRED BY THE CITY TO DEMOLISH AN UNSAFE STRUCTURE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Tolland, for approval of Resolution No. 2024-36 as read by title only.

Commissioner Sargent inquired if the homeowner had insurance on the property that would cover the costs; whereby, Mr. Steven Spraker, Planning Director, explained he was unaware if the homeowner had insurance or if the demolition was covered. He asked if the lien would accrue any interest; whereby, Mr. Randy Hayes, City Attorney, indicated it would.

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

Item #8 – Discussion and Direction Items

Item #8A – Renaming of the MacDonald House to the Stout-MacDonald House

Mr. Spraker reviewed the timeline of the request to rename the MacDonald House to the Stout-MacDonald House; noting the reports and boards involved in the request. He discussed the process if approved.

Dr. Philip Shapiro, 140 Old Mill Run, stated he was the chairman of the Historic Landmark Preservation Board (HLPB) and reviewed history of the property and the board’s recommendation on the item.

Ms. Suzanne Heddy, 300 South Orchard Street, complimented staff on their comprehensive background on the item. She stated the request from the HLPB was to revise the name on the Historic Landmarks list and signage would not need to be changed. She discussed the historic importance of the name change.

Commissioner Persis supported the name change.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of renaming the MacDonald House to the Stout-MacDonald House.

Commissioner Briley thanked Dr. Shapiro and Ms. Heddy for their assistance with the item and disclosed he spoke with Mr. Thomas MacDonald who supported the name change.

Commissioner Tolland expressed her support of the item.

Commissioner Briley clarified the signage would not need to change but the name would be updated on the Historic Landmark list; whereby, Ms. Heddy agreed.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	Yes

Carried.

Commissioner Persis
Mayor Partington

Yes
Yes

Item #9 – Reports, Suggestions, Requests

Appreciation, Events and Announcements

Ms. Shanahan reviewed upcoming City Commission meetings and workshops. She discussed updates within the city including grant partnerships, utility bills QR codes for code enforcement, the city's new Citizen's Academy, and the new Mayor's wall within the City Commission Chambers. She reviewed upcoming Leisure Services events.

Commissioner Sargent inquired if the Citizens Academy sessions would be recorded; whereby, Ms. Shanahan stated the program would be a rotating event to allow more residents to join in the future, noting it would not be recorded.

Commissioner Persis, Commissioner Briley, Commissioner Tolland, and Mayor Partington reviewed events they attended.

Commissioner Briley thanked staff for their work on the Mayor's wall and Citizen's Academy. He thanked Leisure Services Director Robert Carolin and Assistant Leisure Services Director Stefan Sibley for their tour of the Ormond Beach parks and requested social media posts for public education on what the parks offer, highlighting equipment for children with limitations.

Commissioner Tolland expressed support of the on and off-beach parking fees for non-Volusia County residents and encouraged staff to look into.

Commissioner Sargent thanked staff for their work cleaning up the homeless camps and discussed the process encouraging residents to report any camps they see.

Mayor Partington discussed the Homeless Compassionate Anti-Camping ordinance workshop, Florida Legislature and resident impact.

Volusia County School Board

Commissioner Persis and Commissioner Sargent thanked the residents for voicing their concerns regarding the School Board's decision.

Commissioner Sargent requested when the renewal of the SRO at Ormond Beach Middle School came back before the Commission, the Commission consider not renewing.

Mayor Partington expressed support of School Board Member Persis and thanked him for listening to the citizens concerns.

Code Enforcement

Commissioner Persis expressed concerns regarding the reactive code enforcement policy and inquired if there could be a workshop to further discuss; whereby, Commissioner Tolland supported a workshop or discussion.

Commissioner Sargent noted there was a lot that would need to be considered before changing the policy including staffing, budget, and ordinance changes. He supported a workshop; whereby, Mayor Partington was supportive of a workshop and asked when one could happen.

Ms. Shanahan stated staff could include it in the June 4, 2024, budget workshop.

Commissioner Sargent discussed the reporting of code enforcement complaints.

Insurance RFP

Mayor Partington expressed concerns regarding the issuance of the insurance RFP without the vendors meeting with staff prior to the issuance.

Ms. Shanahan noted in the past the RFP went to the Commission before issuance and once issued there would be a public meeting for vendors to meet with staff to ask questions.

Commissioner Tolland noted a meeting before the issuance would be a good practice for all future RFP's.

Ms. Shanahan noted staff would arrange a public pre-issuance meeting for the RFP.

Commissioner Sargent noted he works in insurance and requested Mr. Hayes inform him if he needs to recuse himself at any point during the insurance RFP process.

Updates

Mayor Partington requested an update on the Waste Pro dispute and the public beach access at Seminole Avenue expressing concerns on both; whereby, Ms. Shanahan stated staff was working with the City Attorney's office on the Waste Pro dispute and would provide a report to the Commission once available.

Commissioner Briley inquired what recourse the city had on the public beach access as it was a condition of the Development Order approved by the City Commission; whereby, Mr. Hayes noted it was a Volusia County issue.

Mayor Partington stated he did not believe it was a Volusia County issue as it was within the city and affected the residents. He announced the ruling from the Administrative Law Judge for the Florida Department of Environmental Protection; noting his disappointment of the recommendation to dismiss the case regarding the air permit brought to them by S. R. Perrott. He explained the city would continue to work to protect the city, residents, and environmental health against the Belvedere Fuel Farm.

Item #10 – Adjournment

The meeting was adjourned at 8:28 p.m.

APPROVED: March 19, 2024

BY:


Bill Partington, Mayor

ATTEST:


Susan Carroll Dauderis,
City Clerk

