

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

August 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 Shawn Finley, 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. Judy Rice
 - B. Ormond Beach MainStreet
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting - August 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. 2024-122:** A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND THE ORMOND BEACH CHAMBER OF COMMERCE; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Brian Rademacher, Economic Development Director, (386) 676-3266
 - B. RESOLUTION NO. 2024-123:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2024 IN A PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,500,000 IN ORDER TO FINANCE CERTAIN CAPITAL IMPROVEMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE AND SALE OF THE SERIES 2024 BOND; AUTHORIZING A NEGOTIATED SALE OF SAID SERIES 2024 BOND TO WEBSTER BANK, NATIONAL ASSOCIATION; DELEGATING CERTAIN AUTHORITY TO THE MAYOR; PROVIDING FOR CERTAIN TERMS OF THE SERIES 2024 BOND; AUTHORIZING THE EXECUTION AND DELIVERY OF THE SERIES 2024 BOND, SUCH SERIES 2024 BOND TO BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM A COVENANT TO BUDGET AND APPROPRIATE FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES AS PLEDGED HEREIN; PROVIDING FOR THE RIGHTS AND SECURITIES OF THE OWNER OF THE SERIES 2024 BOND; AUTHORIZING THE MAYOR TO TAKE CERTAIN ACTIONS AND TO EXECUTE AND DELIVER CERTAIN DOCUMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE

PURCHASER OF THE SERIES 2024 BOND; APPOINTING THE CITY AS PAYING AGENT AND BOND REGISTRAR FOR SAID SERIES 2024 BOND; AND PROVIDING AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2024-124:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,000,000 IN PRINCIPAL AMOUNT OF ITS WATER AND SEWER REVENUE BOND, SERIES 2024, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND ACQUISITION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY; DETERMINING CERTAIN DETAILS OF SAID BOND; PROVIDING FOR THE SECURITY OF SAID BOND; AWARDED THE SALE OF SAID BOND TO THE SUCCESSFUL PROPOSER FOR SAID BOND; APPOINTING A PAYING AGENT AND REGISTRAR FOR SAID BOND; AUTHORIZING THE PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID BOND; AND PROVIDING AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2024-125:** A RESOLUTION ACCEPTING THE PROPOSAL OF LANIER PLANS, INC. D/B/A KORKAT REGARDING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT AT CENTRAL PARK 1; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2024-126:** A RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING FUNDING FOR THE DESIGN PHASE OF THE AIRFIELD MARKING AND PAVEMENT REJUVENATION PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2024-127:** A RESOLUTION ACCEPTING A PROPOSAL FROM HOYLE TANNER & ASSOCIATES, INC., TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE AIRFIELD MARKING AND PAVEMENT REJUVENATION PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2024-128:** A RESOLUTION ACCEPTING A PROPOSAL FROM BURGESS & NIPLE, INC. TO PERFORM A SAFETY STUDY ALONG THE NORTH HALIFAX DRIVE CORRIDOR; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN

EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2024-129:** A RESOLUTION ACCEPTING A PROPOSAL FROM UPHAM, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE ORMOND BEACH SPORTS COMPLEX ACCESS AND DRAINAGE PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2024-131:** A RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE COUNTY OF VOLUSIA AND THE CITY OF ORMOND BEACH REGARDING TRANSPORTATION IMPACT COORDINATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **RESOLUTION NO. 2024-132:** A RESOLUTION ACCEPTING THE PROPOSAL OF EMPIRE COMPUTING AND CONSULTING, INC. REGARDING THE TELECOMMUNICATION SYSTEM UPGRADES & IMPROVEMENTS 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

- K. **Comprehensive Plan 2045 Update (aka Evaluation & Appraisal Report)**

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

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

- L. **Auto Renewal - Stanley Steamer**

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

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

- M. **Intent to Bid - Hudson Wellfield Expansion**

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

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

- N. **Intent to Bid - Cassen Park Redesign**

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

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

- O. **Travel Approval for City Commission**

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

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

- P. **City Manager's Monthly Report, August 2024**

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

Disposition: Accept as information as recommended in the City Manager staff report dated August 20, 2024.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2024-22:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY ADDING THE PROPERTY AT 78 EAST GRANADA BOULEVARD, THE GARDENS AT THE ORMOND MEMORIAL ART MUSEUM, TO THE HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2024-23:** AN ORDINANCE GRANTING THE PETITION OF ORMOND CROSSING WEST, LLC, FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; CREATING AND ESTABLISHING THE ORMOND CROSSINGS WEST COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS, AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2024-24:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF THE SECOND AMENDED DEVELOPMENT ORDER FOR A PLANNED RESIDENTIAL DEVELOPMENT KNOWN AS "PLANTATION OAKS"; AUTHORIZING AN AMENDMENT TO THE NEIGHBORHOOD COMMERCIAL LIST OF USES TO ALLOW WAREHOUSE, INDOOR MINI-RENTAL AS A PERMITTED USE UNDER CERTAIN CONDITIONS; AUTHORIZING A SITE DEVELOPMENT PLAN FOR THE NEIGHBORHOOD COMMERCIAL PARCEL LOCATED AT 1730 PLANTATION OAKS BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2024-133:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR STORAGE, DISPLAY, AND SALES OF MERCHANDISE AT THE LOWES HOME IMPROVEMENT STORE LOCATED AT 1340 WEST GRANADA BOULEVARD; 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. 2024-134:** A RESOLUTION RESCINDING RESOLUTION 2023-193 THAT FOUND U.S. CAPITAL ALLIANCE, LLC, TO BE IN NONCOMPLIANCE WITH THE AMENDED FINAL

ORDER FOR THE ORMOND BEACH HUNTER'S RIDGE DEVELOPMENT OF REGIONAL IMPACT; FINDING U.S. CAPITAL ALLIANCE, LLC, TO BE IN COMPLIANCE WITH THE AMENDED FINAL ORDER; PROVIDING FOR THE CONTINUATION OF SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

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

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 Jamie Hartsgrove, Calvary Christian Center, provided the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Judy Rice

Mayor Partington proclaimed August 20, 2024, as a day to recognize and celebrate Captain Judy Rice for her profound legacy in the aviation and education fields. He presented a proclamation to Mr. Fred Heyne on her behalf.

Mr. Heyne thanked the Mayor, Commissioners, and city staff for their support and for honoring his late wife.

Item #4B – Ormond Beach MainStreet

Mayor Partington presented a proclamation to Ms. Becky Parker and Ms. Nancy Cortez of Ormond Beach MainStreet for their state recognitions and contributions to the community.

Ms. Parker thanked the Commission and recognized city staff and Ormond Beach MainStreet volunteers.

Item #5 – Audience Remarks

Ms. Debbie Kruck-Forrester, 15 Brookwood Drive, invited the Commission and residents to the September 11 remembrance ceremony and walk.

Corporal Rhett Summerlot, 170 West Granada Boulevard, thanked the Commission and city staff for their support in the pension plan amendments and the police department.

Ms. Eva Connors McMullin, 459 John Anderson Drive, thanked the Commission for their support during Ormond Beach Chamber of Commerce events and programs. She discussed highlights of the Chamber and expressed support of Item 7A regarding the Chambers service contract.

Ms. Connie Colby, 108 Roble Lane, wished the city luck with their Public Engagement meeting for the Comprehensive Plan review and discussed many prominent features within the community.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes from the August 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 Sargent moved, seconded by Commissioner Briley, for approval of the August 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 Items 7B, 7C, and 7G be pulled from the Consent Agenda.

Commissioner Tolland requested Item 7N be pulled from the Consent Agenda.

Commissioner Persis moved, seconded by Commissioner Briley, for approval of the Consent Agenda, absent Items 7B, 7C, 7G, and 7N.

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

Item #7B - RFP Award - Intent to Award RFP 2024-35 Capital Improvement Revenue Bond, Series 2024

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-123

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA AUTHORIZING THE ISSUANCE AND SALE OF THE CITY'S CAPITAL IMPROVEMENT REVENUE BOND, SERIES 2024 IN A PRINCIPAL AMOUNT OF NOT EXCEEDING \$2,500,000 IN ORDER TO FINANCE CERTAIN CAPITAL IMPROVEMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE AND SALE OF THE SERIES 2024 BOND; AUTHORIZING A NEGOTIATED SALE OF SAID SERIES 2024 BOND TO WEBSTER BANK, NATIONAL ASSOCIATION; DELEGATING CERTAIN AUTHORITY TO THE MAYOR; PROVIDING FOR CERTAIN TERMS OF THE SERIES 2024 BOND; AUTHORIZING THE EXECUTION AND DELIVERY OF THE SERIES 2024 BOND, SUCH SERIES 2024 BOND TO BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM A COVENANT TO BUDGET AND APPROPRIATE FROM LEGALLY AVAILABLE NON-AD VALOREM REVENUES AS PLEDGED HEREIN; PROVIDING FOR THE RIGHTS AND SECURITIES OF THE OWNER OF THE SERIES 2024 BOND; AUTHORIZING THE MAYOR TO TAKE CERTAIN ACTIONS AND TO EXECUTE AND DELIVER CERTAIN DOCUMENTS; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE BENEFIT OF THE PURCHASER OF THE SERIES 2024 BOND; APPOINTING THE CITY AS PAYING AGENT AND BOND REGISTRAR FOR SAID SERIES 2024 BOND; AND PROVIDING AN EFFECTIVE DATE.

Ms. Jennifer Bright, 221 Arlington Way, expressed concerns regarding the bond, including interest rates, prepayment penalties, and what it was for. She questioned why there was a do-not-exceed amount of \$200,000 higher than the required amount.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2024-123, as read by title only.

Commissioner Sargent stated he spoke with Finance Director, Kelly McGuire, on Ms. Bright's concerns and noted Ms. McGuire stated various financing options

were discussed before issuing the Request for Proposal for the bond. He inquired about combining the two bonds from this item and Item 7C, noting Ms. McGuire stated that was not an option due to banks who responded.

Ms. Joyce Shanahan, City Manager, discussed the need for the new telephones and Voice Over IP (VOIP) system.

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

Item #7C - RFP Award - 2024-34, Water & Sewer Bonds 2024

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-124

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$13,000,000 IN PRINCIPAL AMOUNT OF ITS WATER AND SEWER REVENUE BOND, SERIES 2024, FOR THE PURPOSE OF FINANCING THE CONSTRUCTION AND ACQUISITION OF CERTAIN ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATER AND SEWER SYSTEM OF THE CITY; DETERMINING CERTAIN DETAILS OF SAID BOND; PROVIDING FOR THE SECURITY OF SAID BOND; AWARDED THE SALE OF SAID BOND TO THE SUCCESSFUL PROPOSER FOR SAID BOND; APPOINTING A PAYING AGENT AND REGISTRAR FOR SAID BOND; AUTHORIZING THE PROPER OFFICIALS TO DO ALL THINGS DEEMED NECESSARY IN CONNECTION WITH THE ISSUANCE, SALE AND DELIVERY OF SAID BOND; AND PROVIDING AN EFFECTIVE DATE.

Ms. Bright expressed concerns regarding the bond, prior bonds, and outstanding bonds.

Commissioner Persis moved, seconded by Commissioner Sargent, for approval of Resolution No. 2024-124, as read by title only.

Commissioner Sargent inquired if the funds for the State Road 40 watermain and forcemain were related to the future Avalon Park development; whereby, Mr. Shawn Finley, Assistant City Manager, explained it was for Ormond Beach and Daytona Beach development projects on the west side of the city. Commissioner Sargent inquired if funds could be recovered from Daytona Beach or developers; whereby, Mr. Finley stated some calculations had been done and noted there would be an opportunity.

Mayor Partington expressed support of the city's financial state and inquired if staff could speak as to why bonds were the preferred financial choice for the projects; whereby, Ms. Kelly McGuire, Finance Director, explained utilizing bonds was very standard as it spread the costs to residents who would benefit from the project now and years in the future.

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

Item #7G - Work Authorization - North Halifax Drive Safety Study

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-128

A RESOLUTION ACCEPTING A PROPOSAL FROM BURGESS & NIPLE, INC. TO PERFORM A SAFETY STUDY ALONG THE NORTH HALIFAX DRIVE CORRIDOR; AUTHORIZING THE EXECUTION OF A WORK

AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Shawn Finley, Assistant City Manager, explained North Halifax Drive was one of the most frequently requested corridors within the city to be looked at due to safety concerns.

Commissioner Sargent inquired if it was a Volusia County road; whereby, Mr. Finley explained it was a city road. Commissioner Sargent expressed concerns regarding the study funds; whereby, Mr. Finley reviewed what the study did and how it would be beneficial to the city to use an expert instead of city staff.

Commissioner Tolland stated she received many traffic calming requests for North Halifax Drive and expressed support of the study. She inquired if it would include a sidewalk study; whereby, Mr. Finley stated they were limited as to where they could do sidewalks in the area but noted there would be pedestrian safety recommendations included in the study.

Commissioner Sargent indicated he would not support the item, noting increased police presence would be more effective.

Commissioner Persis stated there was a similar safety concern along South St. Andrews Drive and expressed concerns regarding fairness as to which streets were getting the studies done; whereby, Mr. Finley stated he hoped the study would help to set a precedent due to the number of challenges and obstacles presented on the North Halifax Drive corridor.

Commissioner Briley expressed support of the study, noting staff did not have the man power or expertise to complete a full study. He noted it was a major collector road within the city and the need exceeded that of other local streets.

Commissioner Sargent agreed with his fellow Commissioners but expressed concerns regarding funds for the study and noted he would support enhanced police presence.

Mayor Partington expressed support of the study due to prior accidents.

Commissioner Tolland inquired if there was a list of how many citations were written on the road recently; whereby, Mr. Finley stated that would be included in the study.

Commissioner Tolland moved, seconded by Commissioner Briley, for approval of Resolution No. 2024-128, as read by title only.

Call Vote:	Commissioner Briley	Yes
	Commissioner Tolland	Yes
	Commissioner Sargent	No
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #7N – Intent to Bid - Cassen Park Redesign

Commissioner Tolland expressed support of the design, reviewed landscaping requests previously provided by the Commission, and inquired if it would be possible to switch some of the landscaping plants without delaying the project; whereby, Mr. Dwight DuRant, Zev Cohen & Associates, indicated it would be possible to change. She indicated she would like to see a pollinator planting area.

Mr. DuRant indicated Marquis Latimer & Halback was the landscape architect on the design. He noted the item was to send the project out to bid and explained the process.

Commissioner Tolland stated her support of the native plants in the space.

Commissioner Tolland thanked Zev Cohen & Associates for their work on the project and requested the project be completed before the July 4, 2025, celebration.

Commissioner Briley moved, seconded by Commissioner Sargent, to approve Item 7N.

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

Comments on the Consent Agenda

Commissioner Sargent expressed support of Item 7E and 7F regarding the FDOT grant and work authorization for the Airfield Marking and Pavement Rejuvenation Project.

Item #8 – Public Hearings

Mayor Partington opened the Public Hearings.

Item #8A – Land Development Code Amendment, Local Landmark List, 78 East Granada Boulevard

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2024-22
 AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY ADDING THE PROPERTY AT 78 EAST GRANADA BOULEVARD, THE GARDENS AT THE ORMOND MEMORIAL ART MUSEUM, TO THE HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Briley moved, seconded by Commissioner Sargent, to approve Ordinance No. 2024-22, 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 #8B – Ormond Crossings West, Establishment of a CDD

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2024-23
 AN ORDINANCE GRANTING THE PETITION OF ORMOND CROSSING WEST, LLC, FOR ESTABLISHMENT OF A COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; CREATING AND ESTABLISHING THE ORMOND CROSSINGS WEST COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR NAME, POWERS, AND DUTIES; PROVIDING DESCRIPTION AND BOUNDARIES; PROVIDING INITIAL MEMBERS OF BOARD OF SUPERVISORS; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Sargent moved, seconded by Commissioner Persis, to approve Ordinance No. 2024-23, on second reading, as read by title only.

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

Item #8C – Plantation Oaks, Neighborhood Commercial, PRD Amendment

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2024-24

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF THE SECOND AMENDED DEVELOPMENT ORDER FOR A PLANNED RESIDENTIAL DEVELOPMENT KNOWN AS "PLANTATION OAKS"; AUTHORIZING AN AMENDMENT TO THE NEIGHBORHOOD COMMERCIAL LIST OF USES TO ALLOW WAREHOUSE, INDOOR MINI-RENTAL AS A PERMITTED USE UNDER CERTAIN CONDITIONS; AUTHORIZING A SITE DEVELOPMENT PLAN FOR THE NEIGHBORHOOD COMMERCIAL PARCEL LOCATED AT 1730 PLANTATION OAKS BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the request was for a Planned Residential Development (PRD) amendment and reviewed the history of the property. He noted there was an issue with the parking on the commercial section of the property and noted the amendment would correct the parking issue.

Commissioner Sargent moved, seconded by Commissioner Persis, to approve Ordinance No. 2024-24, on first reading, as read by title only.

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

Item #8D – 1340 West Granada Blvd, Lowe's Special Exception for Outdoor Activity

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-133

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR STORAGE, DISPLAY, AND SALES OF MERCHANDISE AT THE LOWES HOME IMPROVEMENT STORE LOCATED AT 1340 WEST GRANADA BOULEVARD; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the request was for a Special Exception and reviewed the history of the property. He discussed what the applicant was looking to complete, including fencing and screening, and noted the excess parking. He stated the Planning Board recommended approval with a five to one vote with the inclusion of the conditions that were in the staff report.

Commissioner Briley expressed concerns regarding the lack of adherence to the 2012 outdoor storage Special Exception. He discussed the change of management, outdoor sheds, amount of parking, and potential expansion of the building to prevent the outdoor activity. He stated Lowe's should have outdoor storage and noted no products should be seen from the street.

Commissioner Sargent inquired about the areas surrounding the property; whereby, Mr. Spraker indicated the areas were environmental preservation and stormwater. He explained he received several resident complaints over the years regarding the outdoor activity, lack of median care, and littered areas in the parking lot. He inquired what the process was for violations, noting the applicant chose to go before the Special Magistrate instead of fixing the violations; whereby, Mr. Spraker indicated if there were two Notices of Violation, then the applicant would lose their Special Exception. Mr. Spraker noted after the applicant received the first violation, they requested extended time to complete this application. Commissioner Sargent explained if approved, he would like to see everything behind a fence, and no items in the front.

Commissioner Persis and Commissioner Tolland expressed concerns with the items in the front of the property.

Mayor Partington inquired if one of the conditions set by the Planning Board included product not being visible from the roadway; whereby, Mr. Spraker indicated that was correct.

Mr. Joey Posey, 420 South Nova Road, attorney for the applicant, explained the applicant wanted to work with the city and the community. He reviewed the conditions the applicant was willing to work with.

Commissioner Briley explained the benefits to expanding the store and noted his preference would be no products in front of the store.

Commissioner Persis inquired how long it would take to get all products inside with no sheds or outdoor storage; whereby, Mr. Posey indicated he would not know the answer to that and would need to consult with the applicant.

Commissioner Tolland expressed concerns with the parking lot Christmas Tree sales; whereby, Commissioner Briley stated he believed the applicant could apply for a special seasonal permit. She stated she would prefer for the applicant to come back at a later time with an updated plan.

Commissioner Persis moved, seconded by Commissioner Briley, to Continue Resolution No. 2024-133, as read by title only.

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

Item #8E – Rescission of Resolution 2023-193 (non-compliance determination for Hunter’s Ridge Development of Regional Impact)

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2024-134

A RESOLUTION RESCINDING RESOLUTION 2023-193 THAT FOUND U.S. CAPITAL ALLIANCE, LLC, TO BE IN NONCOMPLIANCE WITH THE AMENDED FINAL ORDER FOR THE ORMOND BEACH HUNTER’S RIDGE DEVELOPMENT OF REGIONAL IMPACT; FINDING U.S. CAPITAL ALLIANCE, LLC, TO BE IN COMPLIANCE WITH THE AMENDED FINAL ORDER; PROVIDING FOR THE CONTINUATION OF SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Randy Hayes, City Attorney, explained the item was one of the final steps in the resolution with the Hunter’s Ridge Development of Regional Impact (DRI) dispute. He reviewed what the city, Flagler County, and developer completed since the last meeting, noting the recording of certain documents. He explained the item would rescind Resolution 2023-193 that found the developer in non-compliance with the DRI development order. He recommended approval of the item.

Commissioner Sargent moved, seconded by Commissioner Persis, to approve Resolution No. 2024-134, as read by title only.

Commissioner Tolland thanked staff for their work on the resolution to the dispute.

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

Mayor Partington closed the Public Hearings.

Item #9 – Reports, Suggestions, Requests

Events, Updates, and Requests

Ms. Joyce Shanahan, City Manager, reviewed upcoming meetings, provided updates on city projects, and discussed upcoming events.

Commissioner Briley reviewed events he attended and discussed the housing market in Florida.

Commissioner Tolland discussed the events she attended and provided updates from them. She requested staff look into live streaming the meetings to YouTube and a mental health awareness texting line.

Commissioner Sargent thanked law enforcement for their presence at the local schools, and requested police presence at Temple Beth-El to assist with their drop-off and pick-up; whereby, Ms. Shanahan stated there were officers there to assist. He thanked staff for their assistance on multiple topics. He requested for staff to look into how to assist with the homeless issues at Cassen Park to prevent any future issues; whereby, Ms. Shanahan explained Cassen Park was open until mid-night and noted staff was looking into ways to make it safer. He congratulated Ms. Kristin Deaton on her unofficial win for Zone 3 City Commissioner.

Commissioner Persis thanked Police Chief Jesse Godfrey for coordinating a funeral procession, congratulated Ormond Beach MainStreet on their awards and Ms. Deaton for her election, and discussed events she attended.

Mayor Partington requested staff look into the Live 911 program and bring information back to the Commission.

Item #11 – Adjournment

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

APPROVED: September 4, 2024

BY:


Bill Partington, Mayor

ATTEST:



Susan Carroll Dauderis,
City Clerk

