

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

May 21, 2019

7:00 p.m.

Commission Chambers

Present were: Mayor Bill Partington, Commissioners Dwight Selby, Susan Persis, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Manager Claire Whitley, City Attorney Randy Hayes, and City Clerk Colby Cilento.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Pop Warner Academic All-Americans
 - B. Better Hearing Month
 - C. Mayor's Health and Fitness Challenge 1st Place Award Winners
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – May 7, 2019
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2019-97:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE FIRST AMENDMENT TO THE CITY OF ORMOND BEACH BUILDING IMPROVEMENT GRANT PROGRAM GRANT AGREEMENT BETWEEN THE CITY/AGENCY AND THE HIGHLANDER CORPORATION FOR THE FIRST THREE HUNDRED AND THIRTY SEVEN DAYS EXTENSION TO AUGUST 1, 2020 TO THE AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Steven Spraker, Planning Director (386-676-3341)
- 8. 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. 2019-97:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE FIRST AMENDMENT TO THE CITY OF ORMOND BEACH BUILDING IMPROVEMENT GRANT PROGRAM GRANT AGREEMENT BETWEEN THE CITY/AGENCY AND THE HIGHLANDER CORPORATION FOR THE FIRST THREE HUNDRED AND THIRTY SEVEN DAYS EXTENSION TO AUGUST 1, 2020 TO THE AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Steven Spraker, Planning Director (386-676-3341)

- B. **RESOLUTION NO. 2019-98:** A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF KATHY M. GRAY, TRUSTEE OF THE KATHY M. GRAY, TRUSTEE OF THE KATHY M. GRAY REVOCABLE TRUST DATED SEPTEMBER 26, 1989, AS AMENDED RELEASING THE SOUTHERLY FIVE-FEET OF THE REAR TEN-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED ALONG THE NORTHERN REAR PROPERTY LINE OF LOT 27, TUSCANY (69 APIAN WAY); PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Steven Spraker, Planning Director (386-676-3341)
- C. **RESOLUTION NO. 2019-99:** A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN FOR THE 2019-2020 FISCAL YEAR; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Loretta Moio, Grants Coordinator/PIO (386-676-3315)
- D. **RESOLUTION NO. 2019-100:** A RESOLUTION ACCEPTING THE PROPOSAL OF GHYABI CONSULTING & MANAGEMENT, LLC REGARDING TRANSPORTATION CONSULTING SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: John Noble, City Engineer (386-676-3269)
- E. **RESOLUTION NO. 2019-101:** A RESOLUTION ACCEPTING A BID FROM AIR MECHANICAL & SERVICE CORP. FOR CONSTRUCTION SERVICES REGARDING THE HVAC REPLACEMENTS PROJECT, UNDER BID NO. 2019-17; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: John Noble, City Engineer (386-676-3269)
- F. **RESOLUTION NO. 2019-103:** A RESOLUTION OF THE CITY COMMISSION APPROVING AND ADOPTING THE CITY'S 2019 STRATEGIC PLANNING REPORT; AND PROVIDING AN EFFECTIVE DATE.
Staff Contact: Joyce Shanahan, City Manager (386-676-3200)
- G. **WTP Lime Sludge Dewatering Improvements**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.
- H. **Limited Phase II Environmental Assessment – 385 South Old Kings Road**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.
- I. **Universal Engineering Work Authorization**
Staff Contact: Steven Spraker, Planning Director (386-676-3341)
Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.
- J. **Request for Proposals (RFP) 2019-32 for Utility Billing Services**
Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.

K. Stanley Steamer Display

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

Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.

L. Approval of Travel

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

Disposition: Approve as recommended in the City Manager memorandum dated May 21, 2019.

9. PUBLIC HEARINGS

- A. ORDINANCE NO. 2019-16:** AN ORDINANCE APPROVING THE FINAL PLAT FOR THE "SECURITY FIRST AT ORMOND CROSSINGS" SUBDIVISION, A PLANNED MIXED USE DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. ORDINANCE NO. 2019-17:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FOURTH AMENDMENT TO THE AMENDED FINAL ORDER FOR THE "HUNTER'S RIDGE" DEVELOPMENT OF REGIONAL IMPACT MASTER DEVELOPMENT PLAN DEVELOPMENT ORDER TO CHANGE THE EXISTING LAND USE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 2575 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4128-00-00-0025) FROM "PUBLIC/INSTITUTIONAL" TO "SINGLE-FAMILY RESIDENTIAL"; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. RESOLUTION NO. 2019-102:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR STORAGE IN EXCESS OF 49% OF THE TOTAL BUILDING AREA PROPOSED AT "TOTAL COMFORT" LOCATED AT 1345 NORTH US HIGHWAY 1, WITHIN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:01 p.m.

Item #2 – Invocation

Chaplain Sam Mercado, AdventHealth, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4A – Pop Warner Academic All-Americans

Mayor Partington presented Ms. Carla Burgoyne, Scholastics Coordinator, and the Academic All-American students with a proclamation to recognize their accomplishments in the Pop Warner program. He provided Ms. Burgoyne with certificates for distribution among the students, and read the names to acknowledge each individual's success.

Item #4B – Better Hearing Month

Mayor Partington presented Dr. Stacy O'Brien and the Atlantic Hearing, Balance and Tinnitus Center staff with a proclamation recognizing May 2019, as Better Hearing Month in the City of Ormond Beach.

Item #4C – Mayor's Health and Fitness Challenge 1st Place Award Winners

Mayor Partington invited Mr. Rafael Ramirez forward to assist with the awards.

Mr. Rafael Ramirez, representative of Halifax Health, presented Ms. Terry Hester with an award for reducing her weight by 16 percent, and winning first place in the women's category; whereby, Mayor Partington noted Ms. Hester was a second time winner in the Mayor's Health and Fitness Challenge.

Mayor Partington presented Mr. Jeff Massey with an award for reducing his weight by 14 percent, and winning first place in the men's category.

Mayor Partington presented Ms. Christina Maguire, organizer of the Mayor's Health and Fitness Challenge, with flowers and thanked her for the hard work.

Item #5 – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, discussed abortion, healthy babies, and Vitamin D.

Ms. Linda Williams, 131 Bosarvey Drive, discussed sustainable growth.

Ms. Elizabeth Kemf, 866 Lindenwood Circle West, discussed wetlands conservation.

Mr. Ike Leary, 23 Marjorie Trail, invited all attendees to his 20th anniversary Memorial Day event on Monday, May 27, 2019, from 11:00 a.m. to 2:00 p.m. He noted there would be a raffle, live entertainment, and free food.

Mr. Don Cunningham, 19 North Yonge Street, discussed grading work and pollution.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the May 7, 2019, regular 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 that hearing no corrections, the minutes would stand approved as presented.

Item #7 – Community Redevelopment Agency

Mayor Partington advised the following items were Community Redevelopment items. He explained that the City Commission served as the Community Redevelopment Agency (CRA) of the city and must review the items and make a recommendation as the CRA.

Mayor Partington recessed the City Commission meeting, called the CRA meeting to order, and opened the public hearings, at 7:33 p.m.

Item #7A – Buschman Building, 15-23 West Granada Boulevard, Building Improvement Grant extension

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-97

AN RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE FIRST AMENDMENT TO THE CITY OF ORMOND BEACH BUILDING IMPROVEMENT GRANT PROGRAM GRANT AGREEMENT BETWEEN THE CITY/AGENCY AND THE HIGHLANDER CORPORATION FOR THE FIRST THREE HUNDRED AND THIRTY SEVEN DAYS EXTENSION TO AUGUST 1, 2020 TO THE AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Mayor Partington noted that no cards had been submitted on this item.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Resolution No. 2019-97, as read by title only.

The motion passed by voice vote.

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:34 p.m.

Item #8 – 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 Selby, for approval of the Consent Agenda.

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Comments on Consent Agenda Items

Commissioner Littleton commented on Item #8C, regarding the Community Development Block Grant.

Commissioner Selby commented on Item #8E, involving the heating, ventilation, and air conditioning (HVAC) replacements project.

Commissioner Persis commented on Item #8K, the Stanley Steamer Display.

Item #9 – Public Hearings

Mayor Partington opened the public hearings.

Item #9A – Security First, Tract 18, Final Plat

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2019-16
 AN ORDINANCE APPROVING THE FINAL PLAT FOR THE “SECURITY FIRST AT ORMOND CROSSINGS ” SUBDIVISION, A PLANNED MIXED USE DEVELOPMENT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, stated the item was in regards to a plat on the Security First property, separating the Security First development of 48 acres from the rest of the property. He noted that staff recommended approval of the item.

Mayor Partington noted that no cards had been submitted on this item.

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2019-16, on first reading, as read by title only.

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #9B – 2575 W. Granada Blvd DRI Amendment

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2019-17

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FOURTH AMENDMENT TO THE AMENDED FINAL ORDER FOR THE "HUNTER'S RIDGE" DEVELOPMENT OF REGIONAL IMPACT MASTER DEVELOPMENT PLAN DEVELOPMENT ORDER TO CHANGE THE EXISTING LAND USE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 2575 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4128-00-00-0025) FROM "PUBLIC/INSTITUTIONAL" TO "SINGLE-FAMILY RESIDENTIAL"; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated the item was an application to amend the development of regional impact (DRI) in regards to zoning. He noted the land use change would only allow construction of one single-family residence. He stated the Planning Board and staff recommended approval.

Mayor Partington noted that no cards had been submitted on this item.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2019-17, on first reading, as read by title only.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #9C – 1345 N US HWY 1, Total Comfort, Special Exception

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-102

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR STORAGE IN EXCESS OF 49% OF THE TOTAL BUILDING AREA PROPOSED AT "TOTAL COMFORT" LOCATED AT 1345 NORTH US HIGHWAY 1, WITHIN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker stated this was a special exception request for outdoor storage. He showed a diagram which indicated the location behind a proposed building. He noted the Planning Board and staff recommended approval.

Commissioner Selby asked about an island located at the top left portion of the diagram; whereby, Mr. Spraker confirmed it would be a liquefied petroleum gas (LP gas) island for customers.

Commissioner Littleton asked if the proposed storage area would be blocked from view of North Highway US 1 by the proposed building; whereby, Mr. Spraker stated the storage area would be blocked by the building, landscaping around the property, and fencing.

Mayor Partington noted that he had a card from Mr. Steve Buswell, representing the applicant, if anyone had questions for him.

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Resolution No. 2019-102, as read by title only.

Call Vote:	Commissioner Selby	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Mayor Partington closed the public hearings without objection.

Item #10 – Reports, Suggestions, Requests

Collective Bargaining

Ms. Joyce Shanahan, City Manager, stated a Shade meeting had been set for Monday, May 27, 2019, at 10:30 a.m. She noted the meeting would be held in private, since it pertained to collective bargaining negotiations which was exempt from Florida Sunshine Law.

Memorial Day Events

Ms. Shanahan noted a Memorial Day remembrance event would be held at 9:00 a.m. at Rockefeller Gardens, with the Granada Pier grand opening at 12:00 p.m. in Cassen Park.

Upcoming Meetings

Ms. Shanahan stated the Capital Improvement Program Workshop would be on Tuesday, June 4, 2019, at 5:30 p.m. She noted there would be no other regular Commission meetings in June to give staff time to work on the Operating Budget. She stated the Operating Budget Workshop would be on Tuesday, July 30, 2019, at 5:30 p.m., with the next regular Commission meeting at 7:00 p.m. the same day.

Hurricane Matthew and Irma Update

Ms. Shanahan gave updates on funding requests from Hurricane Matthew and Hurricane Irma. She noted the city anticipated receiving additional reimbursement from both, since some requests were still pending obligation and approval.

Ormond Beach Police Department and Fire Department

Ms. Shanahan noted she was a participant in ride alongs with both the police and fire departments in recent weeks. She praised both groups for their work across the city. She discussed an incident involving K9 Kane during the police ride along.

Commissioner Persis discussed recent awards at the police department, and meeting K9 Kane.

Antares Update

Mr. Randy Hayes, City Attorney, gave an update on the Antares assisted living facility project. He noted the Volusia County Council granted host jurisdiction approval that morning, which would allow the applicant to participate in tax exempt financing, but that said approval was subject to the Payment-in-Lieu-of-Taxes (PILOT) agreement. He stated the executed agreement had no end date, and protected the revenue stream and taxing authorities involved. He explained that details of the agreement would be brought back to the Commission in a future meeting; whereby, Mayor Partington thanked Mr. Hayes and staff for their hard work on that issue.

Staff Assistance

Commissioner Littleton complimented Ms. Shanahan and city staff for assistance on all questions and issues he presented to them.

Election Update

Commissioner Selby stated the sales tax initiative on the recent ballot for Volusia County had failed. He noted that two questions failed and two questions passed for Ormond Beach; however, one of the questions that passed, related to term limits, was tied to the questions that failed, which meant that question also failed.

Commissioner Selby stated the passage of the third referendum question meant the city would start holding primary elections in circumstances where more than three candidates qualified to run.

First Step Shelter Board

Commissioner Selby discussed recent First Step Shelter Board meetings and developments with the homeless shelter in Daytona Beach.

Plastic Straws

Commissioner Persis discussed the harmful effects of plastic straws on the environment, alternate types of straws, and a veto by Governor Ron DeSantis on a bill that would have prevented cities from banning plastic straws. She requested the Commission's approval to have Mr. Hayes create an ordinance that would ban plastic straw use in Ormond Beach.

Commissioner Kent

Mayor Partington read a note from Commissioner Kent detailing his absence that evening, which explained that Commissioner Kent was at his son's championship little league game.

Volusia County Schools

Mayor Partington discussed teachers and winners of the Teacher of the Quarter award for Volusia County. He recognized Volusia County School Board Chairman Carl Persis in the audience.

Mayor Partington attended the grand opening of the Forest Hills connector trail, which connected multiple neighborhoods to Tomoka Elementary School. He appreciated the new trail, as it would keep children off busy roads.

Item #11 – Adjournment

The meeting was adjourned at 8:09 p.m.

APPROVED: June 4, 2019

BY:

Bill Partington, Mayor

ATTEST:

Colby J. Cilento, City Clerk