

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

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**April 20, 2021**

**7:00 p.m.**

**Commission Chambers**

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

**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 – April 6, 2021

**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. 2021-72:** A RESOLUTION PURSUANT TO CHAPTER 14, ARTICLE VIII, SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY TONI MANSFIELD ET AL, LOCATED AT 732 ORCHARD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Chris Mason, Neighborhood Improvement Manager (386-676-3352)*

- B. **RESOLUTION NO. 2021-73:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATION ON PROPERTY LOCATED AT 197 S. ORCHARD STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE

**Staff Contact:** *Chris Mason, Neighborhood Improvement Manager (386-676-3352)*

- C. **RESOLUTION NO. 2021-74:** A RESOLUTION APPROVING THE APPLICATION OF CAVALIER AVIATION, INC 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:** *Brian Rademacher, Economic Development Director (386-676-3266)*

- D. **RESOLUTION NO. 2021-75:** A RESOLUTION AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT BETWEEN THE CITY

AND THE FEDERAL AVIATION ADMINISTRATION OFFERED UNDER THE AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS INCIDENTAL THERETO FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Brian Rademacher, Economic Development Director (386-676-3266)*

- E. **RESOLUTION NO. 2021-76:** A RESOLUTION ACCEPTING BIDS AND AUTHORIZING THE EXECUTION OF CONTRACTS WITH THREE FIRMS FOR THE PROVISION OF BRASS FITTINGS ON AN AS-NEEDED BASIS FOR UTILITY PROJECTS, UNDER ITB 2021-11; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **2021 Floodplain Management Plan Annual Progress Report**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 20, 2021.

## 7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-11:** AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD, ABUTTING 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2021-12:** AN ORDINANCE VACATING TWO (2) UN-NAMED ALLEYS LYING BETWEEN LOT(S) 1-30, BLOCK 59, NATIONAL GARDENS SUBDIVISION, WITHIN THE PROPERTY AT 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2021-16:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2021-17:** AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "ORMOND ACE HARDWARE" TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

## 8. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2021-13:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-17, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. (**SECOND READING**)

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

- B. **ORDINANCE NO. 2021-14:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-44, CONTRIBUTIONS; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-46, PRE-RETIREMENT DEATH; AMENDING SECTION 16-55, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. (**SECOND READING**)

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

- C. **ORDINANCE NO. 2021-15:** AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-86, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. (**SECOND READING**)

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

## 9. REPORTS, SUGGESTIONS, REQUESTS

## 10. ADJOURNMENT

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, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Audience Remarks

Ms. Linda Williams, 131 Bosarvey Drive, discussed her group, Civil Discourse, and their upcoming meeting. She noted the next meeting would be held on Monday, April 26, 2021, at 4:00 p.m. on the Zoom platform. She listed topics that would be discussed during the meeting and noted all were welcome to attend.

Ms. Julia Trulio, Ormond MainStreet, MainStreet Executive Director, stated she was speaking on behalf of MainStreet. She discussed the former church property located at 56 North Beach Street that the city had previously purchased. She requested the city temporarily halt any plans for demolishing the building for at least six months to allow MainStreet time to explore funding opportunities and options for the site. She noted MainStreet was also requesting the city spend a minimal amount on rendering the building water-tight and dehumidified.

Item #5– Approval of Minutes

Mayor Partington advised the minutes of the April 6, 2021, 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.

**Commissioner Selby moved, seconded by Commissioner Persis, for approval of the April 6, 2021, 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 Littleton, for approval of the consent agenda.**

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

Item #7 – Public Hearings

Mayor Partington opened the public hearings.

Item #7A – Right-of-way vacation – five (5) foot portion of Flagler Road (1480 N US HWY 1)

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-11  
AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD,  
ABUTTING 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL  
INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR

RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-11, on second reading, as read by title only.**

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

Item #7B – Right-of-way vacation - two (2) 15 foot alleys (1480 N US HWY 1)

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-12

AN ORDINANCE VACATING TWO (2) UN-NAMED ALLEYS LYING BETWEEN LOT(S) 1-30, BLOCK 59, NATIONAL GARDENS SUBDIVISION, WITHIN THE PROPERTY AT 1480 NORTH U.S. HIGHWAY 1; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-12, on second reading, as read by title only.**

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

Item #7C – 1480 North U.S. Highway 1, Ormond Ace Hardware, Amendment to the Official Zoning Map

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-16

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.70-ACRES LOCATED AT 1480 NORTH U.S. HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, presented a PowerPoint presentation that discussed Items 7C and 7D. He noted the subject property was located at 1480 North U.S. Highway One and displayed a map of the site and surrounding area. He stated Item 7C was a zoning map amendment to rezone the property from Highway Tourist Commercial (B7) to Planned Business Development (PBD), and discussed the purpose behind the zoning map amendment. He explained the second item, Item 7D, was for the issuance of a development order. He discussed details of the property site and provided a short summary of the project.

Mr. Spraker stated there were five items that staff was seeking Commission authorization and direction on:

- The allowance of outdoor activity.
- A side corner setback reduction to save a historic tree on the site.
- An intersection setback reduction to preserve stormwater retention on the property.

- Finishing on the rear façade of the building.
- Fencing around the Garden Center.

Mr. Spraker discussed the fourth item, regarding the rear façade of the building. He stated the original submittal for the building included a stucco finish, but explained the applicant was now requesting metal panels on the rear of the building. He noted the Planning Board recommended approval of the metal panels, and staff changed their recommendation of the stucco finish to pick up the Planning Board's recommendation.

Mr. Spraker proceeded to discuss fencing around the Garden Center. He noted the applicant was seeking to allow a ten-foot, black, chain-link fence with black mesh. He stated the Planning Board had a tie-vote on allowing the chain-link fencing and did not come up with a final recommendation. He noted the applicant had requested chain-link fencing for the rear of the property when the item was presented at the Planning Board Meeting. He explained the ordinance before the Commission was written to approve of the first three items, to allow metal panels on the rear façade, and to require decorative aluminum fencing.

Commissioner Selby questioned why staff's original recommendation was to finish the rear façade with stucco and not allow metal panels; whereby, Mr. Spraker stated the Land Development Code (LDC) had specific standards which required a finished façade, and noted there would be individuals who would see the back of the building while traveling on nearby roads.

Commissioner Selby requested additional clarification on the fencing request; whereby, Mr. Spraker discussed the applicant's request and reiterated the Planning Board had a split-vote on allowing the chain-link fencing.

Mr. Spraker noted Exhibit D to Ordinance No. 2021-17 included the requirement for decorative aluminum fencing, but could be amended if the Commission desired.

Commissioner Littleton and Mr. Spraker discussed fencing at other business properties within the city.

Mr. Tim Grigsby, 1206 Overbrook Drive, discussed his disapproval of the item and requested the Commission leave the site undeveloped until flooding issues in the area were resolved. He proceeded to discuss another topic; whereby, Mayor Partington stated that Mr. Grigsby's comments needed to relate to the current item being discussed.

Commissioner Selby questioned what the applicant's preference was for the fencing at the site; whereby, Mr. Jeff Gross, Applicant, stated he would prefer to have decorative aluminum fencing around the front of the building and a two-foot, knee-high wall around the side and partially in the back with six-foot, black, chain-link fencing with screen mesh.

Commissioner Selby inquired if the aluminum fencing in the front would have black mesh; whereby, Mr. Gross stated it would not.

Commissioner Persis questioned why Mr. Gross was not wanting to finish the stucco on the side and rear façade of the building and questioned if there would be a large cost-difference; whereby, Mr. Gross noted the back of the property would not be seen and confirmed there would be a large cost-difference.

Mayor Partington noted the current item was for the zoning of the property and the following item would be for the development order. He confirmed the fencing at the site and other items would be addressed during the next item; whereby, Mr. Randy Hayes, City Attorney, confirmed that was correct.

**Commissioner Selby moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-16, on first reading, as read by title only.**

Commissioner Kent stated he would prefer to see aluminum fencing on the entire property instead of chain-link, but noted he could approve of the metal panels on the back of the building.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Selby	Yes

	Commissioner Kent	Yes
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Item #7D – 1480 North U.S. Highway 1, Ormond Ace Hardware, Issuance of Development Order

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-17  
 AN ORDINANCE APPROVING A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “ORMOND ACE HARDWARE” TO BE LOCATED AT 1480 NORTH U.S. HIGHWAY 1; AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER THEREFORE; AUTHORIZING THE CONSTRUCTION OF A TWO-STORY RETAIL USE BUILDING AND GARDEN CENTER; AUTHORIZING OUTDOOR ACTIVITY USE, REDUCTION OF SETBACKS, AND ASSOCIATED SITE IMPROVEMENTS; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-17, on first reading, as read by title only. The motion and the second were amended to include the requirement for wrought-iron fencing in the front of the building and allow black chain-link fencing with black mesh, up to ten feet in height, on the side and rear of the building.**

Commissioner Kent questioned if many citizens would be seeing the façade of the building; whereby, Mr. Spraker noted there would be traffic flowing through the corridor that would see the back of the building.

Commissioner Kent stated he appreciated staff’s recommendation to finish the façade with stucco, but explained he agreed with the applicant that not many people would see the façade and noted he did not see an issue with allowing the metal paneling. He stated he preferred to see the entire Garden Center fencing be aluminum fencing.

Mr. Spraker clarified the ordinance was written to require the decorative aluminum fencing along all sides.

Commissioner Littleton questioned if the motion included staff’s recommendation of finishing the stucco; whereby, Mr. Spraker stated the ordinance was written to allow the metal panels on the façade of the building.

Mayor Partington confirmed the motion required decorative, aluminum fencing on the front, and chain-link fencing with black mesh along the side and back. He questioned if staff needed any further direction; whereby, Mr. Spraker stated the motion provided the requested information.

Mr. Spraker noted the applicant had a ten-foot height for fencing in their design drawings and staff recommended the Commission keep that height allowance.

Mr. Gross noted he was fine with eight-foot fencing or ten-foot fencing, but would prefer to do the eight-foot fencing.

Mr. Spraker clarified if the ordinance was written at an eight-foot fencing height allowance, the applicant would need to come back through a public hearing to increase the height if it became needed. He recommended keeping the height-limit at ten feet, and the applicant could still do eight feet if they preferred.

Mr. Hayes suggested the Commission could use the verbiage to allow the fencing “up-to ten feet in height”.

Commissioner Persis thanked the applicant and expressed her excitement for the new Ormond Ace Hardware.

Mayor Partington asked City Clerk Ms. Kate Settle to call the vote on the amendment to Item 7D.

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

Mayor Partington asked City Clerk Ms. Kate Settle to call the vote on the underlying motion.

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

Mayor Partington closed the public hearings.

Item #8 – Second Reading of Ordinances

Item #8A – General Employees Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-13  
 AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE I, GENERAL EMPLOYEES' PENSION PLAN, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-6, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-17, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

**Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-13, on second reading, as read by title only.**

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

Item #8B – Firefighters' Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-14  
 AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-44, CONTRIBUTIONS; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-46, PRE- RETIREMENT DEATH; AMENDING SECTION 16-55, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-14, on second reading, as read by title only.**

Call Vote:	Commissioner Persis	Yes
	Commissioner Littleton	Yes



	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #8C – Police Officers' Pension Ordinance

City Clerk Kate Settle read by title only:

ORDINANCE NO. 2021-15  
 AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA,  
 AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND,  
 OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF  
 ORDINANCES; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND  
 ELIGIBILITY; AMENDING SECTION 16-86, MINIMUM DISTRIBUTION OF  
 BENEFITS; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT;  
 PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL  
 ORDINANCES IN CONFLICT HERewith AND PROVIDING AN  
 EFFECTIVE DATE. **(SECOND READING)**

Mayor Partington noted no audience cards had been submitted on the item.

**Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-15, on second reading, as read by title only.**

Mayor Partington explained the last three items brought the city's pension ordinances up to compliance with the most recent federal guidelines. He noted the changes were administrative and were required by the Florida Division of Retirement.

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

Item #9 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, announced that staff was planning to schedule a Capital Improvements Plan and Draft Budget Workshop on July 6, 2021, at 5:30 p.m. She noted staff was planning to schedule individual meetings with the Commission in preparation for the workshop.

Ms. Shanahan noted the Parks and Recreation Master Plan Workshops would be held on August 17, 2021, at 5:30 p.m. and January 18, 2022, at 5:30 p.m.

Events

Ms. Shanahan noted the city was in the process of planning a Memorial Day Remembrance Ceremony, as well as a July 4<sup>th</sup> fireworks display.

Projects

Ms. Shanahan provided updates on the following projects: The MacDonald House improvements, North U.S. Highway One watermain and forcemain projects, and the Peninsula and Mainland watermain replacement projects.

Compliments and Thanks

Ms. Shanahan recognized Ormond Beach Police Chief Jesse Godfrey for participating in a Law Enforcement Appreciation Day event. She discussed the event and complimented Chief Godfrey on a speech he provided during the event focused on trust.

Commissioner Littleton complimented Assistant City Manager Ms. Claire Whitley for filling in for Ms. Shanahan at the prior City Commission meeting.

Commissioner Littleton noted the closing of Granada Boulevard the prior week went smoothly and thanked staff for providing notice to citizens.

Avalon Park

Commissioner Selby stated the Commission had previously discussed holding an Avalon Park Workshop and requested an update on when the workshop could be held.

Ms. Shanahan noted staff was waiting for HDR Engineering Inc. (HDR) to finish a video of the site. She noted after HDR was finished, the traffic impact analysis for the site would need to be completed as well. She stated Avalon had indicated they were planning to pursue the Minto project, which was approved by Daytona Beach in 2018, and discussed the project in detail. She stated the initial amendment to allow the larger Avalon Park project had expired and had not yet been reopened. She noted staff would suggest holding a workshop in June at the earliest.

Mayor Partington noted the topic was complicated. He discussed the project in further detail, noting the developer had not started on the actual Avalon Park development that the city was concerned about. He stated it would be important to hold the workshop at the right time and to have citizens of Ormond Beach engaged on the project. He stated he was comfortable delaying the Avalon Park Workshop. He noted HDR only had one opportunity to ensure the video was done correctly, and requested that the video be shared with the Commission separately when it became available to discuss an effective traffic plan.

Mr. Hayes provided a detailed description of the Avalon Park project and the process for the development. He stated what the developer was proposing to do was what they were entitled to do under the existing Comprehensive Plan of Daytona Beach. He noted the development's previous comprehensive amendment for the larger development had expired. He discussed the project that Avalon was currently proposing and provided a detailed history of the site and project.

Commissioner Selby discussed the current project Avalon was proposing and the potential options the developer had moving forward. He noted he believed the city needed to have a workshop or several workshops to discuss the project. He discussed the city's obligation to provide water and sewer to the property and requested more details.

Ms. Shanahan noted the city currently had two studies undergoing at Avalon and discussed the studies in detail. She requested to update the Commission individually and then host a workshop or series of workshops once the studies had been completed.

Mayor Partington noted the city had more time due to recent events. He thanked Commissioner Selby for staying on top of the issue.

#### 56 North Beach Street

Commissioner Selby stated he was the Commission representative on the MainStreet board. He discussed MainStreet's request to not pursue demolition of the former church building at 56 North Beach Street for at least six months, and to dehumidify the building and make it water-tight. He discussed the request from MainStreet in further detail and noted he had a tour of the building and the building was in better condition than he expected. He discussed the possibility for volunteers helping to clear out the building. He stated he supported the request.

Mayor Partington noted the Commission had previously provided direction to staff to demolish the building and transform the site into a community center.

Ms. Shanahan clarified the Commission had provided direction 3-2 to move ahead with finding estimates for demolition of the building, but noted the project had gone on hold due to the pandemic. She stated staff could bring the topic back to the Commission as a discussion item. She noted the building at the site had received water damage and had leaks. She discussed improvements that would need to be made at the site and noted the city was looking into pricing for placing a tarp on the roof.

Mayor Partington noted no official decisions would be made at the current meeting. He requested staff provide walkthroughs of the building to any members of the Commission before bringing the item back for discussion; whereby, Commissioner Persis agreed.

Mayor Partington and Commissioner Selby discussed the riverfront parcel in front of the former church property and the appraisal for the site.

Mayor Partington noted the lease for the Volusia County Ormond Beach Library would be expiring soon. He stated he was unsure if Volusia County would want to renew the lease and discussed potential options for the building if the lease was not renewed.

Commissioner Kent stated he would like to request a walk-through of the building. He noted he did not have enough information on the topic to discuss it at the current time, but noted he did not support spending any money on rendering the building water-tight or cleaning the building if the building was going to be demolished. He reiterated the Commission had previously provided direction 3-2 to demolish the building.

Commissioner Persis concurred with comments by Commissioner Kent. She noted she did not want to spend any funds on maintaining the building if it was planned to be demolished.

Ms. Shanahan clarified the Commission provided direction 3-2 on demolishing the building, but noted there was no formal vote.

Commissioner Selby discussed the property site and the potential uses for the property. He reiterated MainStreet was requesting a six-month pause to see if the building could be restored.

#### Events

Commissioner Selby discussed various upcoming MainStreet events: Taste of Ormond on May 23, 2021; Christmas in July on July 24, 2021; and the Celtic Festival on September 11 and 12, 2021.

Commissioner Selby noted Pastor Floyd Narcisse with Historic New Bethel AME Church helped to provide a COVID-19 vaccination event on April 21, 2021, at the Nova Recreational Center.

Commissioner Persis reminded those in attendance that April 22, 2021, was Earth Day.

Mayor Partington noted on Saturday, May 8, 2021, from 10:00 a.m. to 4:00 p.m. the Ormond Beach South Ormond Recreation Center would be hosting an event to celebrate the African-American Community and invited all to attend.

#### Ormond Beach Police Department

Commissioner Selby and Commissioner Persis discussed a swearing-in ceremony they attended for three new female police officers with the Ormond Beach Police Department. They complimented the officers and welcomed them to the city.

#### Condolences

Commissioner Kent and Mayor Partington expressed their condolences for the passing of Ormond Beach resident Ms. Sue Parkerson.

#### Parks and Recreation Master Plan Survey

Mayor Partington discussed results from the Parks and Recreation Master Plan survey that were published in the Ormond Observer. He noted 43 percent of voters felt community events were lacking within the city. He proceeded to discuss various events that took place in the city. He noted the poll also revealed that many residents felt there was a lack of rental opportunities in the city. He stated he felt those results highlighted the need for a community center.

#### Submerged Land

Mayor Partington discussed a parcel of submerged land and the potential for purchasing the property and various options for how the parcel could be utilized.

#### Item #10 – Adjournment

The meeting was adjourned at 8:20 p.m.

APPROVED: May 4, 2021

BY:

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Bill Partington, Mayor

ATTEST:

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Kate Settle, City Clerk