

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

October 19, 2021

7:00 p.m.

Commission Chambers

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 Susan C. 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 - October 5, 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. 2021-162:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATION ON PROPERTY LOCATED AT 912 WOODMERE CIRCLE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 3242-08-00-0370); AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2021-163:** A RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE VOLUSIA COUNTY SHERIFF'S OFFICE REGARDING A MULTI-AGENCY STREET LEVEL DRUG TASK FORCE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Jesse Godfrey, Police Chief (386-676-3525)

- C. **RESOLUTION NO. 2021-164:** A RESOLUTION AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE VOLUSIA COUNTY SHERIFF'S OFFICE REGARDING A MULTI-AGENCY DRUG TRAFFICKING TASK FORCE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Jesse Godfrey, Police Chief (386-676-3525)

- D. **RESOLUTION NO. 2021-165:** A RESOLUTION AUTHORIZING AN AMENDMENT TO THE EXISTING AGREEMENT WITH TYLER TECHNOLOGIES INC., REGARDING AN ENTERPRISE RESOURCE SYSTEM DOCUMENT MANAGEMENT PROGRAM, INCLUDING IMPLEMENTATION, HOSTING AND MAINTENANCE SERVICES; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2021-166:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF CONTROL WAVE CENTRAL PROCESSING UNITS AND CONTROL WAVE MICRO REMOTE TELEMTRY UNITS AND REPAIR SERVICES FROM EMERSON PROCESS MANAGEMENT POWER & WATER SOLUTIONS, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S WASTEWATER TREATMENT PLANTS AND REMOTE PUMPING STATIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- F. **RESOLUTION NO. 2021-167:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PUMPING AND CONTROLS EQUIPMENT AND REPAIR SERVICES FROM XYLEM WATER SOLUTIONS USA, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S WASTEWATER COLLECTION SYSTEM LIFT STATIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- G. **RESOLUTION NO. 2021-168:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF VARIOUS REPLACEMENT AND REPAIR PARTS FROM ALPHA GENERAL SERVICES, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S PRETREATMENT EFFLUENT PUMPING TANKS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- H. **RESOLUTION NO. 2021-169:** A RESOLUTION ACCEPTING A BID FROM FLORIDA CHEMICAL SUPPLY, INC. FOR THE PROVISION OF CALCIUM HYPOCHLORITE TO BE USED AT THE WATER RECLAMATION FACILITY, UNDER BID NO. 2021-27; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- I. **RESOLUTION NO. 2021-170:** A RESOLUTION ACCEPTING A BID FROM ODYSSEY MANUFACTURING COMPANY FOR THE PROVISION OF SODIUM BISULFITE TO BE USED AT THE WATER RECLAMATION FACILITY, UNDER BID NO. 2021-24; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- J. **RESOLUTION NO. 2021-171:** A RESOLUTION ACCEPTING A BID FROM UNIVAR SOLUTIONS USA, INC. FOR THE PROVISION OF HYDROFLUOSILICIC ACID TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2021-25; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Tim Heyrend, Utilities Manager (386-676-3305)

- K. **RESOLUTION NO. 2021-172:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE CASE IH FARMALL 90C TRACTOR UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-EQU18.0; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Deputy Public Works Director
(386-676-3577)

- L. **Request to Bid Stormwater Flap Gates Project, Bid Number 2022-02**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 19, 2021.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-36:** AN ORDINANCE AMENDING SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF ARTICLE III, DEFINITIONS AND ACRONYMS, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 2-29, B-8, COMMERCIAL ZONING DISTRICT, OF ARTICLE II, DISTRICT AND GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, AMENDING DEFINITIONS AND PROVIDING CRITERIA TO ALLOW VIRTUAL GOLF CENTERS; 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. 2021-37:** AN ORDINANCE AMENDING SECTION 22-136, MINIMUM WATER RATES; AND 22-137, MINIMUM WASTEWATER RATES; OF CHAPTER 22, WATER AND SEWERS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES FOR THE HUNTER'S RIDGE-FLAGLER COUNTY DRI SERVICE AREA; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

8. DISCUSSION & DIRECTION ITEMS

- A. **Letter of Support for Holly Hill Pictona Project**

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

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 Neal Ganzel Jr., Coquina Presbyterian Church in America, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Audience Remarks

Mr. Rob Pearson, 170 West Granada Boulevard, thanked the Commission for the continued support of local law enforcement officers. He explained he was a current Ormond Beach Police Officer, was there to discuss his concerns with the number of open positions and staffing challenges, and further discussed competing agencies. He expressed concerns with the pension, comparing the city's with what other agencies offered. He asked that the Commission keep his comments in mind during the next collective bargaining discussions.

Ms. Debbie Kruck-Forrester, 15 Brookwood Drive, stated she supported the Commission and Mr. Pearson. She informed the Commission she was with Ormond Strong, who walked the bridge every morning to support military veterans, first responders, and those who were deployed. She explained Ormond Strong was there to raise awareness and support for those who serve the community.

Ms. Janet Ivanhoe, 281 Ocean Shore Boulevard, explained she owned the Rockin' Ranch Nightclub and stated she was in full support of the Ormond Beach Police Department. She stated she had problems with drug dealers near her property and was concerned for her safety and retaliation. She requested police presence in the community.

Mr. Dom Miller, 55 North Old Kings Road, discussed his previous communications with the Commission in regards to the former Riverbend Golf Course. He explained he was happy to hear some of the Commission wanted to retain a portion of the golf course. He discussed the Parks & Recreation Master Plan and the possible options with the land.

Mr. Bill Denny, 1027 North Halifax Drive, stated he attended the West Ormond Transportation workshop and was pleased to hear the Commission was as concerned as some of the citizens, sharing some of the concerns. He stated he was excited for the OB Life meetings for the citizen input.

Mr. Norman Lane, 1314 Northside Drive, discussed his concerns with the airport runway extension. He stated that his main concern with the extension was the potential for larger aircraft. He discussed the Flagler County airport and their runway. He asked the Commission not to approve the extension.

Ms. Nancy Lohman, 1210 John Anderson Drive, explained she was the president of the Dr. Mary McLeod Bethune Statuary Fund. She gave background on the board and the statue. She invited the Commission to view the statue at the News-Journal Center before it proceeds to Washington D.C. in December. She thanked Commissioner Selby, Commissioner Persis and Mayor Partington for their personal financial support. She invited the Commission and City of Ormond Beach to financially support the bronze statue that would be placed in Daytona Beach. She explained \$52,000 was needed for the base of the bronze statue.

Commissioner Persis stated she was proud of Ms. Lohman and discussed some background on Dr. Mary McLeod Bethune and the statue. She asked the Commission to donate \$20,000 to \$23,000 to the statuary fund.

Commissioner Selby discussed the unveiling of the statue and the background of Dr. Mary McLeod Bethune. He stated he was supportive of donating and pledged to make a personal contribution.

Mayor Partington reviewed Dr. Mary McLeod Bethune's history with education and read an excerpt from her last will and testament. He stated he was supportive of a donation and would like to help the sister city of Daytona Beach. He inquired about excess funds contributed; whereby, Ms. Joyce Shanahan, City Manager, noted the remaining funds would go towards a documentary video for children K-12, as well as scholarships at Bethune-Cookman University (BCU).

Commissioner Persis stated Ms. Lohman and Mr. Lowell Lohman funded field trips for all eighth-grade students in the county to visit the statue over the next couple of months, noting Volusia County School Board Member Carl Persis helped organize the field trips.

Mayor Partington stated his support of the K-12 video.

Commissioner Littleton stated he was supportive of a donation.

Commissioner Kent stated he was supportive of Dr. Mary McLeod Bethune and would send a personal check donation the next day. He noted his concern was using tax payer money for the donation and restated his support of the statue.

Mayor Partington discussed the history of the city supporting Dr. Mary McLeod Bethune. He explained the city manager was requesting direction on this as she had authority for spending under \$25,000. He requested that whomever made the motion include a dollar amount.

Commissioner Persis moved, seconded by Commissioner Selby, to donate \$20,000 to the Dr. Mary McLeod Bethune Statuary Fund, Inc.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	No
	Commissioner Persis	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item #5– Approval of Minutes

Mayor Partington advised the minutes of the October 5, 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. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of the October 5, 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 Kent requested to pull Item J.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of the consent agenda, absent Item J.

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

Item #6J – Award of Bid No. 2021-25 Hydrofluosilicic Acid at the Water Plant

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-171

A RESOLUTION ACCEPTING A BID FROM UNIVAR SOLUTIONS USA, INC. FOR THE PROVISION OF HYDROFLUOSILICIC ACID TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2021-25; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent discussed his concerns with hydrofluosilicic acid (fluoride) and stated he would not be in favor of the item. He thanked Ms. Shanahan for including the item as part of the agenda for discussion.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Resolution No. 2021-171, as read by title only.

Call Vote:	Commissioner Littleton	No
	Commissioner Selby	Yes
	Commissioner Kent	No
	Commissioner Persis	Yes
Carried.	Mayor Partington	Yes

Comments on the Consent Agenda

No one had additional comments on the consent agenda.

Item #7 – Public Hearings

Mayor Partington opened the public hearings.

Item #7A – LDC Amendment – Virtual Golf Center

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-36

AN ORDINANCE AMENDING SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF ARTICLE III, DEFINITIONS AND ACRONYMS, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 2-29, B-8, COMMERCIAL ZONING DISTRICT, OF ARTICLE II, DISTRICT AND GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, AMENDING DEFINITIONS AND PROVIDING CRITERIA TO ALLOW VIRTUAL GOLF CENTERS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-36, on second reading, as read by title only.

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

Item #7B – Hunter’s Ridge-Flagler County DRI Municipal Service Area Utility Rates

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-37

AN ORDINANCE AMENDING SECTION 22-136, MINIMUM WATER RATES; AND 22-137, MINIMUM WASTEWATER RATES; OF CHAPTER 22, WATER AND SEWERS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES FOR THE HUNTER’S RIDGE-FLAGLER COUNTY DRI SERVICE AREA; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Ms. Kelly McGuire, Finance Director, explained the ordinance was for Hunter’s Ridge residents, that were located in Flagler County, to be consistent with the city wastewater rate increase that was approved in September.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-37, on first reading, as read by title only.

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

Mayor Partington closed the public hearings.

Item #8 – Discussion and Direction Items

Item #8A – Letter of Support for the Holly Hill Pictona Project

Ms. Shanahan stated the City of Holly Hill was soliciting a letter of support from the city for the expansion of Holly Hill Pictona, by means of an ECHO grant. She explained the City of Ormond Beach did not have a grant in the current cycle and did not have a competing Pictona facility.

The Commission did not have any objections to the letter of support.

Item #9 – Reports, Suggestions, Requests

Upcoming Events

Ms. Shanahan stated the Halloween Highway Trunk or Treat would be held on October 23, 2021, at the Ormond Beach Sports Complex. She mentioned that on November 4, 2021, the Ormond Beach Historical Society would open the Union Church time capsule. She stated the Hometown Heroes ceremony would be held on November 6, 2021, with a presentation for the honored veterans on November 4, 2021. She explained there would be a drive-thru luncheon for Veterans Day on November 9, 2021. She mentioned the HOme for the HOlidays parade would return for 2021 on December 11, 2021. She stated on Saturday, October 30, 2021, the ribbon cutting for the Rick Boehm Girls’ Softball Field would be held.

Ms. Claire Whitley, Assistant City Manager, discussed the Halloween Highway and complimented the Leisure Services department on their work with all the events.

Commission Persis and Mayor Partington stated they looked forward to the Halloween Highway event.

Commissioner Selby stated he was looking forward to the OB Life events in November and December.

Mayor Partington requested the OB Life series flyers be added in the water bills.

Biketoberfest

Ms. Whitley thanked the Police and Fire Departments for their hard work during Biketoberfest.

Commission

Commissioner Kent expressed his opinion in regards to a vote earlier in the meeting.

State of the City

Commissioner Persis and Mayor Partington complimented and thanked staff for the hard work on the State of the City event.

Commissioner Littleton and Commissioner Selby complimented the State of the City event.

Ormond Beach MainStreet

Commissioner Persis discussed a previous Ormond Beach MainStreet event.

Mayor Partington discussed Ormond Beach MainStreet and the different events and actions taken to improve the downtown area.

Staff

Commissioner Littleton thanked Mr. Pearson for his audience remarks and information, noting he was happy to hear from staff.

Mayor Partington complimented the Police Department and Police Chief Jesse Godfrey. He agreed with Commissioner Littleton and stated he too was happy to hear from staff.

Dr. Mary McLeod Bethune

Mayor Partington discussed the Dr. Mary McLeod Bethune statue unveiling and her background.

Item #10 – Adjournment

The meeting was adjourned at 7:57 p.m.

APPROVED: November 2, 2021

BY:

Bill Partington, Mayor

ATTEST:

Susan Carroll Dauderis,
City Clerk