

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

November 16, 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 – November 2, 2021

6. COMMUNITY REDEVELOPMENT AGENCY

- A. RESOLUTION NO. 2021-176:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE GRANADA BOULEVARD STREETScape SIDEWALK BANDING REPAIR PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

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

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. 2021-176:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE GRANADA BOULEVARD STREETScape SIDEWALK BANDING REPAIR PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. RESOLUTION NO. 2021-177:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE REPLACEMENT OF THE ADA BEACH RAMP

AT ANDY ROMANO BEACHFRONT PARK; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2021-178:** A RESOLUTION RATIFYING AND AFFIRMING AN EMERGENCY PROCUREMENT FROM GENERAL MECHANICAL CORPORATION FOR THE PURCHASE AND INSTALLATION OF AN HVAC CHILLER AT THE POLICE DEPARTMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2021-179:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE (1) 2022 FORD POLICE RESPONDER F-150 CREW CAB, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA20-VEL28.0; DECLARING VEHICLE #85 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2021-180:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF OPTICOM TRAFFIC SIGNAL PREEMPTION EQUIPMENT AND SERVICES FROM TRANSPORTATION CONTROL SYSTEMS REGARDING PHASE II OF THE INTERSECTION UPGRADE PROJECT; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Richard Sievers, Fire Chief (386-676-3333)*

- F. **RESOLUTION NO. 2021-181:** A RESOLUTION AUTHORIZING A WAIVER OF RESIDENTIAL GARAGE SALE PERMITS AND FEES AS PART OF THE 13TH ANNUAL SUPER SCENIC 150-MILE GARAGE SALE ON THE BEACHSIDE FROM THE NORTH CITY LIMITS TO THE SOUTH CITY LIMITS, FROM THE HALIFAX RIVER TO THE ATLANTIC OCEAN, ON SATURDAY, NOVEMBER 20, 2021, FROM 8:00 A.M. TO 2:00 P.M.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2021-182:** A RESOLUTION APPROVING A SETTLEMENT OF A PERSONAL INJURY CLAIM FILED BY ZACHARIAH DAVIS; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2021-183:** A RESOLUTION ACCEPTING THE PROPOSAL OF METZ, HUSBAND & DAUGHTON, P.A., REGARDING LEGISLATIVE LOBBYING SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2021-184:** A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE TAXIWAY BRAVO AND TAXIWAY DELTA REHABILITATION PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2021-18; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Brian Rademacher, Economic Development Director (386-676-3266)*
- J. **RESOLUTION NO. 2021-185:** A RESOLUTION ACCEPTING A PROPOSAL FROM HOYLE TANNER & ASSOCIATES, INC. FOR CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE TAXIWAY BRAVO & DELTA REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Brian Rademacher, Economic Development Director (386-676-3266)*
- K. **RESOLUTION NO. 2021-186:** A RESOLUTION ACCEPTING A PROPOSAL FROM FLORIDA HEALTH CARE PLANS, INC. FOR THE PROVISION OF EMPLOYEE HEALTH/MEDICAL BENEFIT SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Claire Whitley, Assistant City Manager (386-676-3202)*
- L. **RESOLUTION NO. 2021-187:** A RESOLUTION ACCEPTING A PROPOSAL FROM THE STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE DENTAL INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Claire Whitley, Assistant City Manager (386-676-3202)*
- M. **RESOLUTION NO. 2021-188:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE VISION INSURANCE BENEFITS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Claire Whitley, Assistant City Manager (386-676-3202)*
- N. **RESOLUTION NO. 2021-189:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE LIFE INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Claire Whitley, Assistant City Manager (386-676-3202)*
- O. **RESOLUTION NO. 2021-190:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE VOLUNTARY LIFE INSURANCE

BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager (386-676-3202)

- P. **RESOLUTION NO. 2021-191:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE VOLUNTARY SHORT-TERM DISABILITY INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager (386-676-3202)

- Q. **RESOLUTION NO. 2021-192:** A RESOLUTION ACCEPTING A PROPOSAL FROM STANDARD INSURANCE COMPANY FOR THE PROVISION OF EMPLOYEE LONG TERM DISABILITY INSURANCE BENEFITS SERVICES; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager (386-676-3202)

- R. **RESOLUTION NO. 2021-193:** A RESOLUTION AUTHORIZING FUNDING OF EMPLOYEE HEALTH SAVINGS ACCOUNTS FOR THE 2022 PLAN YEAR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Assistant City Manager (386-676-3202)

- S. **Shell Parking Restoration**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 16, 2021.

- T. **Auto Renewal Contract - Golden Eagle Associates**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 16, 2021.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2021-39:** 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 2.94-ACRES LOCATED AT 295 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-09-00-0070) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) WITH A PLANNED BUSINESS DEVELOPMENT (PBD) OVERLAY TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF 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)

- B. **ORDINANCE NO. 2021-40:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 295 INTERCHANGE BOULEVARD, TO BE KNOWN AS "ALL ABOARD STORAGE – INTERCHANGE DEPOT"; AUTHORIZING THE CONSTRUCTION OF A THREE (3) STORY CLIMATE CONTROLLED STORAGE FACILITY CONSISTING OF APPROXIMATELY 111,825 SQUARE FEET WITH APPROXIMATELY 600 STORAGE UNITS; AUTHORIZING THE USE OF THE INSTITUTE OF TRAFFIC ENGINEERS (ITE) PARKING GENERATION REQUIREMENTS, TWO (2) SIGNS TOTALING 200 SQUARE FEET, AND THE RELOCATION OF LANDSCAPING ABUTTING THE BUILDING TO THE SITE; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2021-41:** AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA BY ADDING CHAPTER 18, PUBLIC ARTS PROGRAM IN THE DOWNTOWN OVERLAY DISTRICT; SECTION 18-1, LEGISLATIVE FINDINGS, PURPOSE, LOCATION, GENERAL REQUIREMENTS; SECTION 18-2, DEFINITIONS; SECTION 18-3, APPROVAL PROCESS; SECTION 18-4, REVIEW AND APPROVAL CRITERIA; AND SECTION 18-5, OWNERSHIP OF PUBLIC ART; ESTABLISHING A PUBLIC ART PROGRAM IN THE DOWNTOWN DOWNTOWN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2021-42:** AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, DIVISION 2, ENUMERATED, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA, BY ADDING A NEW SECTION TO BE NUMBERED AND TITLED SECTION 2-230, ORMOND BEACH ARTS DISTRICT BOARD; ESTABLISHING POWERS AND DUTIES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2021-43:** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A SECOND AMENDED INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND COUNTY OF VOLUSIA, FLORIDA, REGARDING THE NORTH U.S. 1 JOINT PLANNING AND MUNICIPAL SERVICE AREA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2021-44:** AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN BY

CREATING A NEW PROPERTY RIGHTS ELEMENT, INCLUDING GOALS, OBJECTIVES, AND POLICIES, PROVIDING THAT PRIVATE PROPERTY RIGHTS ARE CONSIDERED IN LOCAL DECISION-MAKING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3177(6)(I); PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2021-38:** AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2020-2021 BY AMENDING THE GENERAL FUND (001); DOWNTOWN REDEVELOPMENT TRUST FUND (104); STORMWATER UTILITY FUND (107); AIRPORT FUND (108); ECONOMIC DEVELOPMENT FUND (110); GRANTS FUND (116); FINANCING DEBT SERVICE FUND (205); 2004 REVENUE BOND FUND (211); 2010 BEACHFRONT PARK BOND FUND (220); CAPITAL IMPROVEMENTS FUND (301); EQUIPMENT RENEWAL & REPLACEMENT FUND (302); TRANSPORTATION IMPROVEMENTS FUND (308); FACILITIES RENEWAL & REPLACEMENT FUND (317); WATER AND WASTEWATER FUND (401); VEHICLE REPLACEMENT FUND (408); RENEWAL & REPLACEMENT FUND (409); WATER/WASTEWATER CONSOLIDATED DEBT SERVICE FUND (414); WATER SYSTEM IMPACT FEE FUND (434); WASTEWATER SYSTEM IMPACT FEE FUND (435); 2008/2010 WATER & SEWER BOND FUND (442); 2013 WATER & SEWER BOND FUND (443); 2015 WATER & SEWER BOND FUND (444); 2017 WATER & SEWER BOND FUND (445); SOLID WASTE FUND (460); GENERAL LIABILITY FUND (504); AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

MINUTES

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Pastor Jason Holt, Tomoka Christian Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Surprise Proclamation

Siobhan Daly

Mayor Partington presented a surprise proclamation to Cultural Center Coordinator Ms. Siobhan Daly. He discussed Ms. Daly's career at the City of Ormond Beach and thanked her for contributions and hard work with all the events and programs. He congratulated her on the awards with the Florida Festivals and Events Association over past few years, and declared November 16, 2021, as a day to recognize Ms. Daly for her achievements.

Ms. Siobhan Daly, Cultural Center Coordinator, thanked The Casements Guild, friends, and family for their support over the years and expressed her appreciation towards the Mayor and Commissioners.

Item #4 – Audience Remarks

Mr. Travis Sargent, 406 North Beach Street, thanked Leisure Services for the Veterans' Day Drive-thru Luncheon he also thanked Commissioner Selby and Commissioner Persis for being there to hand out the lunches. He expressed his gratitude for the new speed signs along North Beach Street. He discussed the vacancies within the Ormond Beach Police Department and asked the Commission to assist with recruitment.

Ms. Julia Truilo, 307 John Anderson, stated she was there on behalf of Ormond Beach MainStreet and invited the Commission and citizens to RiverFest on November 20, 2021, and November 21, 2021, at Rockefeller Gardens.

Mr. Ed Wilson, 609 North Ridgewood Avenue, explained he was there as the Union President for the National Association of General Employees (NAGE) and thanked staff and the Commission for the hard work on the new Healthcare contracts and expressed his concerns for the dependent and family coverage. He also discussed his concern of vacant positions and the minimum pay for employees when compared to surrounding agencies.

Mr. Jim Schultz, 117 Harvard, discussed freedom of speech and Ivermectin. He proceeded to discuss COVID-19, the Center for Disease Control and Prevention (CDC) and their connection with Ivermectin.

Item #5– Approval of Minutes

Mayor Partington advised the minutes of the November 2, 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 Selby moved, seconded by Commissioner Persis, for approval of the November 2, 2021, City Commission meeting minutes.

The motion passed by voice vote.

Item #6 – Community Redevelopment Agency

Mayor Partington advised the following item was a Community Redevelopment item. He explained that the City Commission served as the Community Redevelopment Agency (CRA) of the city and must review the item 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 7:15 p.m.

Item #6A– Granada Boulevard Streetscape Sidewalk Banding Repair Project

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-176

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE GRANADA BOULEVARD STREETScape SIDEWALK BANDING REPAIR PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

Mr. Steven Spraker, Planning Director, reviewed a PowerPoint presentation, he discussed the funds associated with the project and the areas where the project would take place. He explained samples were provided on North New Britain Avenue and that Ormond Beach MainStreet preferred Etruscan Tile, noting the Commission chose Mesa Beige at the October 5, 2021, City Commission meeting.

Commissioner Littleton inquired how the clay pavers, if chosen, would affect the price; whereby, Mr. Spraker stated the clay pavers were more expensive but would not lose color.

Mayor Partington inquired how the construction management would work legally; whereby, Mr. Spraker informed him the state statutes allow the city to have continuing contracts and stated A.M. Weigel Construction, Inc. (A.M. Weigel) was one of the contractors the City of Ormond Beach has a continuing contract with. Mr. Spraker discussed A.M. Weigel's background with the project. Mayor Partington inquired if there was a limit on the amount of profit a contractor can have; whereby, Mr. Spraker stated that was correct and a not to exceed limit would need to be provided based on the statute (287) which has a limit of \$4,000,000.

Ms. Dorian Burt, 203 Pine Cone Trail, expressed her concerns with the Commission's selected color of Mesa Beige and asked the Commission to pick Etruscan Tile.

Mr. Robert Coleman, 332 Oak Drive, explained he was the chairman of the design committee for Ormond Beach MainStreet and discussed his background with the project. He agreed with Ms. Burt and asked the Commission to pick Etruscan Tile.

Commissioner Selby requested to have the vote split into three votes; to include side streets, color, and to send out to bid; whereby, Mr. Randy Hayes, City Attorney, stated that would be acceptable.

Commissioner Kent stated he was one who voted for Mesa Beige but would change his vote to the Etruscan Tile.

Commissioner Persis agreed with Commissioner Kent and would switch her vote on the color.

Mayor Partington discussed his concern on the fading and stated he would prefer the Autumn Beveled Clay Paver for its durability. He stated he felt the side streets should continue to be included. He noted several members of the business community discussed their concerns with not sending the project out to bid.

Commissioner Kent inquired about the fading of the Etruscan Tile; whereby, Mr. Spraker stated there will be a two percent fade over the lifetime. Commissioner Kent explained he would change his vote to send the project out to bid as he had concerns based on dollar amount.

Commissioner Selby agreed he would like to send the item out to bid and will support including side streets and the Etruscan Tile color.

Commissioner Littleton stated he would support including the side streets and the Etruscan Tile color but would like to have A.M. Weigel complete the work as they could get started quickly.

Commissioner Kent moved, seconded by Commissioner Littleton, to include the side streets in the project.

The motion passed by voice vote.

Commissioner Kent moved, seconded by Commissioner Littleton, to change the color to Etruscan Tile.

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

Commissioner Kent moved, seconded by Commissioner Selby, to send the project out to bid.

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

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:35 p.m.

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 Selby requested to pull Item 7A

Commissioner Kent moved, seconded by Commissioner Selby, for approval of the consent agenda, absent Item 7A.

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

Item #7A – Granada Boulevard Streetscape Sidewalk Banding Repair Project

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-176

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES REGARDING THE GRANADA BOULEVARD STREETSCAPE SIDEWALK BANDING REPAIR PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

Commissioner Selby moved, seconded by Commissioner Kent, for approval of sending the Item out to bid, including side streets in the project, and for the color selection of Etruscan Tile.

Commissioner Persis requested the votes be completed separately, as she was in favor of some items but not others.

Commissioner Selby and Commissioner Kent withdrew their motion and second, so the votes could be called separately.

Commissioner Selby moved, seconded by Commissioner Kent, to send the project out to bid.

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

Commissioner Selby moved, seconded by Commissioner Kent, for the project to include side streets.

Call Vote:	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	Yes

Carried.	Commissioner Selby	Yes
	Mayor Partington	Yes

Commissioner Selby moved, seconded by Commissioner Kent, for the color to be Etruscan Tile.

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

Comments on the Consent Agenda

No one had additional comments on the consent agenda.

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – 295 Interchange Boulevard, Interchange Depot, Amendment to the Official Zoning Map

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-39
 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 2.94-ACRES LOCATED AT 295 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-09-00-0070) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) WITH A PLANNED BUSINESS DEVELOPMENT (PBD) OVERLAY TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker presented a PowerPoint to review Item 8A and 8B. He explained the zoning amendment was to change the property to an Ormond Beach zoning classification. He explained the property use was for indoor storage and was requesting additional wall signage and to shift the landscape. He stated the Planning Board and staff recommended approval.

Commissioner Littleton inquired if Mr. Spraker's conditions regarding the exterior of the structure were met; whereby, Mr. Spraker stated the conditions were met and exceeded and stated he felt it was a great use for the area.

Commissioner Selby inquired about the signage request; whereby, Mr. Spraker stated the signs would be on the side facing Interstate 95 (I-95) and that the extra signage was appropriate based on size of facility. Commissioner Selby agreed with Mr. Spraker in that it was a good use for the area as it was a heavy traffic area.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-39, on first reading, as read by title only.

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

Item #8B – 295 Interchange Boulevard, Interchange Depot, Issuance of Development Order

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-40

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE LOCATED AT 295 INTERCHANGE BOULEVARD, TO BE KNOWN AS "ALL ABOARD STORAGE – INTERCHANGE DEPOT"; AUTHORIZING THE CONSTRUCTION OF A THREE (3) STORY CLIMATE CONTROLLED STORAGE FACILITY CONSISTING OF APPROXIMATELY 111,825 SQUARE FEET WITH APPROXIMATELY 600 STORAGE UNITS; AUTHORIZING THE USE OF THE INSTITUTE OF TRAFFIC ENGINEERS (ITE) PARKING GENERATION REQUIREMENTS, TWO (2) SIGNS TOTALING 200 SQUARE FEET, AND THE RELOCATION OF LANDSCAPING ABUTTING THE BUILDING TO THE SITE; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-40, on first 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 #8C – Public Arts Program in the Downtown Overlay District

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-41

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA BY ADDING CHAPTER 18, PUBLIC ARTS PROGRAM IN THE DOWNTOWN OVERLAY DISTRICT; SECTION 18-1, LEGISLATIVE FINDINGS, PURPOSE, LOCATION, GENERAL REQUIREMENTS; SECTION 18-2, DEFINITIONS; SECTION 18-3, APPROVAL PROCESS; SECTION 18-4, REVIEW AND APPROVAL CRITERIA; AND SECTION 18-5, OWNERSHIP OF PUBLIC ART; ESTABLISHING A PUBLIC ART PROGRAM IN THE DOWNTOWN DOWNTOWN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained the Item would establish the framework to allow public art and will determine the criteria for review and process. He explained the Item and 8D would establish an advisory board to provide the Commission with a recommendation.

Ms. Becky Parker, 11 Coolidge Avenue, explained she was the new president of the Ormond Beach Arts District, and expressed her excitement for the Item. She invited Mr. Hayes to a meeting with the Ormond Beach Arts District to review the ordinance with them.

Mayor Partington thanked the Ormond Beach Arts District for what they do for the city.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-41, on first reading, as read by title only.

Commissioner Selby expressed his appreciation for the Item and the hard work from staff on it.

Commissioner Littleton discussed his concerns with the Item based on recent public art protests, noting he would not support the Item.

Call Vote:	Commissioner Kent	Yes
	Commissioner Persis	Yes
	Commissioner Littleton	No

Carried.	Commissioner Selby	Yes
	Mayor Partington	Yes

Item #8D – Ormond Arts District Board

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-42
 AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, DIVISION 2, ENUMERATED, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA, BY ADDING A NEW SECTION TO BE NUMBERED AND TITLED SECTION 2-230, ORMOND BEACH ARTS DISTRICT BOARD; ESTABLISHING POWERS AND DUTIES; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-42, on first reading, as read by title only.

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

Item #8E – Second Amended ISBA Agreement

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-43
 AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A SECOND AMENDED INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND COUNTY OF VOLUSIA, FLORIDA, REGARDING THE NORTH U.S. 1 JOINT PLANNING AND MUNICIPAL SERVICE AREA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker reviewed a PowerPoint and explained the Item was for an Interlocal Service Boundary Agreement (ISBA) between the city and Volusia County. He stated there were enclaves in the area that were not allowed to be straight annexed into the city. He discussed the surrounding area and how Volusia County could rezone and gain jurisdiction over the area which may be the home to a future subdivision. He stated the ISBA does not require the enclaves to annex into the city and can stay in unincorporated Volusia County until they connect to utilities. He stated the Planning Board and Site Plan Review Committee recommended approval.

Commissioner Selby inquired if the applicant was the property owner; whereby, Mr. Spraker informed him the applicant was the City of Ormond Beach. Commissioner Selby discussed the provided map and what each colored area was.

Commissioner Persis inquired if the owners in the enclaves would have to apply; whereby, Mr. Spraker stated they would stay unincorporated Volusia County until they desire to connect to utilities.

Mr. Luis Rodriguez, 1155 Plantation Oaks Boulevard, unincorporated Volusia County, stated he lived on the enclave property labeled Mr. Weeks since 2014. He discussed his property and the surrounding properties. He stated he preferred to stay with the county and inquired if there was a way to connect to city water and stay a part of unincorporated Volusia County and asked if that could be considered.

Mr. Glenn Storch, 420 South Nova Road, he stated it would be nice to work with a single entity and explained he worked with staff and was working with some of the enclave property owners.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-43, on first reading, as read by title only.

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

Item #8F – Comprehensive Plan Amendment, Property Rights Element

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-44

AN ORDINANCE AMENDING THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN BY CREATING A NEW PROPERTY RIGHTS ELEMENT, INCLUDING GOALS, OBJECTIVES, AND POLICIES, PROVIDING THAT PRIVATE PROPERTY RIGHTS ARE CONSIDERED IN LOCAL DECISION-MAKING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3177(6)(I); PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained what the state was requiring the city to do in order to complete future land use applications. He stated the Planning Board recommended approval.

Commissioner Selby inquired why the state was requiring the Item; whereby, Mr. Spraker stated all cities in Florida were required to adopt the element. Commissioner Selby asked for Mr. Hayes' opinion on the Item; whereby, Mr. Hayes informed him he did not have any insight on the legislation and stated it was something that was needed to comply with new state laws.

Commissioner Littleton inquired if the Item would affect Mr. Spraker's current job; whereby, Mr. Spraker stated it would be something added in to comprehensive plans moving forward for the Commission to review and would be a part of their decision-making process.

Commissioner Selby inquired if the Item affects the property owner or neighboring property owners; whereby, Mr. Spraker informed him it would be the property owners rights that would need to be considered and could be weighed as heavily or as lightly as the Commission desired.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-44, on first reading, as read by title only.

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 #9 – Second Reading of Ordinances

Item #9A – Fiscal Year 2020-2021 Budget Amendments

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-38

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2020-2021 BY AMENDING THE GENERAL FUND (001); DOWNTOWN REDEVELOPMENT TRUST FUND (104); STORMWATER UTILITY FUND (107); AIRPORT FUND (108); ECONOMIC DEVELOPMENT FUND (110); GRANTS FUND (116); FINANCING DEBT SERVICE FUND (205); 2004 REVENUE BOND FUND (211); 2010 BEACHFRONT PARK BOND FUND (220); CAPITAL IMPROVEMENTS FUND (301); EQUIPMENT RENEWAL & REPLACEMENT FUND (302);

TRANSPORTATION IMPROVEMENTS FUND (308); FACILITIES RENEWAL & REPLACEMENT FUND (317); WATER AND WASTEWATER FUND (401); VEHICLE REPLACEMENT FUND (408); RENEWAL & REPLACEMENT FUND (409); WATER/WASTEWATER CONSOLIDATED DEBT SERVICE FUND (414); WATER SYSTEM IMPACT FEE FUND (434); WASTEWATER SYSTEM IMPACT FEE FUND (435); 2008/2010 WATER & SEWER BOND FUND (442); 2013 WATER & SEWER BOND FUND (443); 2015 WATER & SEWER BOND FUND (444); 2017 WATER & SEWER BOND FUND (445); SOLID WASTE FUND (460); GENERAL LIABILITY FUND (504); AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2021-38, 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 #10 – Reports, Suggestions, Requests

Events

Ms. Shanahan informed the Commission she provided a list of holiday events and an updated list of future Commission workshops. She discussed the first OB Life meeting and the upcoming meeting on December 2, 2021.

Commissioner Littleton complimented and thanked staff for the work on the OB Life meeting that took place on November 9, 2021. He informed the Commission he would be attending the Low Impact Development Conference on November 19, 2021.

Commissioner Selby and Mayor Partington complimented staff on their work for OB Life.

Commissioner Kent stated he attended the November 11, 2021, Veterans Day ceremony that took place at the Memorial Gardens. He discussed the event and the speakers who attended.

Commissioner Persis stated she attended the November 9, 2021, Veterans Day Drive-thru Luncheon and discussed the event and thanked staff. She stated the week of November 8, 2021 she attended the Florida League of Cities Conference and discussed the sessions she attended, including the Race to Zero campaign. She explained the campaign was to help and encourage cities to become carbon neutral.

Mayor Partington asked that staff look into the Race to Zero and bring the Commission more information.

Mayor Partington discussed the citizen response to the November 9, 2021 Veterans Day Drive-thru Luncheon and thanked staff and Commission. He expressed his appreciation and thanked the Veterans for their service.

Robert “Bob” Grim

Ms. Shanahan discussed the remembrance service for Officer Robert “Bob” Grim who passed away while on duty in 2004.

Commissioner Selby and Mayor Partington discussed the remembrance service, Officer Grim and complimented the Police Department and Police Chief Jesse Godfrey.

Weather Incident

Commissioner Littleton complimented the city staff on the little complaints received in regards to water drainage in Ormond Beach. He stated he heard complaints on surrounding cities that had major flooding, but heard citizen compliments for Ormond Beach streets.

Mayor Partington discussed the flooding in the neighboring cities and thanked city staff for their work in Central Park and throughout the city.

Indigenous Plants

Commissioner Kent discussed converting the medians to indigenous plants to help conserve water.

Mayor Partington requested staff add in an incentive for citizens to utilize Florida native plants and to possibly phase in a median change to the native plants.

First Responder Vehicles

Commissioner Persis discussed her recent trip to New York and compared the fire trucks and police cars to Ormond Beach, noting how great the city's vehicles were.

Public Works

Mayor Partington discussed the comments from Mr. Wilson.

Item #11 – Adjournment

The meeting was adjourned at 8:32 p.m.

APPROVED: December 7, 2021

BY:

Bill Partington, Mayor

ATTEST:

Susan Carroll Dauderis,
City Clerk