

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

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**October 15, 2019**

**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 Colby Cilento.

**A G E N D A**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
  - A. New Firefighter Introductions
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – October 1, 2019
- 7. COMMUNITY REDEVELOPMENT AGENCY**
  - A. **RESOLUTION NO. 2019-185:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A BID FROM R. J. LANDSCAPE CONTRACTORS, INC. FOR LANDSCAPE SERVICES REGARDING THE LANDSCAPE RENOVATIONS PROJECT, UNDER BID NO. 2019-15; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

*Staff Contact: Shawn Finley, City Engineer (386-615-7049)*
- 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. 2019-185:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A BID FROM R. J. LANDSCAPE CONTRACTORS, INC. FOR LANDSCAPE SERVICES REGARDING THE LANDSCAPE RENOVATIONS PROJECT, UNDER BID NO. 2019-15; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

*Staff Contact: Shawn Finley, City Engineer (386-615-7049)*
  - B. **RESOLUTION NO. 2019-186:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RESTATED AND AMENDED TRAFFIC CONTROL AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND REFLECTIONS VILLAGE HOMEOWNERS' ASSOCIATION, INC., REGARDING "REFLECTIONS VILLAGE"

PATIO HOME RESIDENTIAL SUBDIVISION; PROVIDING FOR RECORDATION AND TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2019-187:** A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2019-2020 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Loretta Moisiso, Grants Coordinator (386-676-3315)

- D. **RESOLUTION NO. 2019-188:** A RESOLUTION APPOINTING AN ALTERNATE MEMBER TO THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Colby Cilento, City Clerk (386-676-3340)

- E. **RESOLUTION NO. 2019-189:** A RESOLUTION ACCEPTING THE PROPOSAL OF CHUCK ROBINSON CONCRETE AND BOB CAT SERVICE, INC., REGARDING AQUATIC WEED CONTROL MAINTENANCE AND DITCH CLEANING SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Kevin Gray, Public Works Operations Manager (386-676-3522)

- F. **RESOLUTION NO. 2019-190:** A RESOLUTION ACCEPTING A BID FROM MCMAHAN CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES REGARDING THE WATER TREATMENT PLANT CHEMICAL FEED SYSTEM UPGRADES PROJECT, UNDER BID NO. 2019-36; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Gabe Menendez, Public Works Director (386-676-3292)

- G. **RESOLUTION NO. 2019-191:** A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING CONSTRUCTION OF THE GIRLS' SOFTBALL FIELD 7 AT THE ORMOND BEACH SPORTS COMPLEX; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shawn Finley, City Engineer (386-615-7049)

- H. **RESOLUTION NO. 2019-195:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL BOUNDARY SERVICE AGREEMENT BETWEEN FLAGLER COUNTY AND THE CITY OF ORMOND BEACH FOR PROVISION OF UTILITY SERVICES IN THE NORTH U.S. HIGHWAY 1 (FLAGLER COUNTY) UTILITY SERVICE AREA; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Gabe Menendez, Public Works Director (386-676-3292)

- I. **Casements North Side Improvements**

**Staff Contact:** Shawn Finley, City Engineer (386-615-7049)

**Disposition:** Approve as recommended in the City Manager memorandum dated October 15, 2019.

**9. PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2019-31:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, 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 3.72- ACRES LOCATED AT 99 PORTLAND STREET, SOUTH OF BROADWAY AVENUE, NORTH OF THE EXISTING STOR-IT FACILITY, WEST OF THE UNOPENED FLAGLER ROAD RIGHT-OF-WAY AND EAST OF THE F.E.C RAILROAD TRACKS (VOLUSIA COUNTY PARCEL NUMBER: 3136-01- 70-0010) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2019-32:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "STOR-IT BOAT AND RV CENTER, PHASE II", AUTHORIZING THE CONSTRUCTION OF A 106± BOAT AND RECREATIONAL VEHICLE STORAGE FACILITY WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 99 PORTLAND STREET, SOUTH OF BROADWAY AVENUE, NORTH OF THE EXISTING STOR-IT FACILITY, WEST OF THE UNOPENED FLAGLER ROAD RIGHT-OF-WAY AND EAST OF THE F.E.C RAILROAD TRACKS (VOLUSIA COUNTY PARCEL NUMBER: 3136-01-70-0010); ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **RESOLUTION NO. 2019-192:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF THE FIRST AMENDED DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REMOVING THE CONDITION THAT SECURITY GATES REMAIN OPEN BETWEEN THE HOURS OF 6:00 A.M. AND 7:00 P.M. FOR "REFLECTIONS VILLAGE" PATIO HOME SUBDIVISION LOCATED SOUTH OF WEST GRANADA BOULEVARD AND WEST OF OLD KINGS ROAD, AND BEING WITHIN THE R-4 (SINGLE-FAMILY CLUSTER AND TOWNHOUSE) ZONING DISTRICT; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2019-193:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING THE "OCEAN CLUB

SPORTSWEAR” LOCATED AT 712 SOUTH ATLANTIC AVENUE, WITHIN THE B-7 (HIGHWAY TOURIST COMMERCIAL) ZONING DISTRICT; TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE OUTDOOR DISPLAY OF MERCHANDISE; 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. READING OF ORDINANCES

- 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. **(THIRD READING)**

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

## 11. RESOLUTIONS

- A. **RESOLUTION NO. 2019-194:** A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE ORMOND BEACH HISTORICAL SOCIETY FOR A VOLUSIA COUNTY ECHO GRANT FOR THE MACDONALD HOUSE AT 38 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

## 12. REPORTS, SUGGESTIONS, REQUESTS

## 13. ADJOURNMENT

### Item #1 – Meeting Call to Order

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

### Item #2 – Invocation

Reverend John Jayaseelan, Bethel Ministries, gave the invocation.

### Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

### Item #4 – Presentations and Proclamations

#### Item #4A – New Firefighter Introductions

Fire Chief Richard Sievers introduced two new firefighters to the Commission and gave brief biographies on each: Logan Selman and Nick Nates.

### Item #5 – Audience Remarks

Mr. Joe Hannoush, 87 Carriage Creek Way, discussed implementing Commissioner term limits in Ormond Beach and installing medical marijuana dispensaries.

Mr. Roger Nutt, 2587 John Anderson Drive, distributed a petition against the septic to sewer project in Ormond-by-the-Sea to members of the Commission and stated his concerns for the project.

Ms. Rashida Hakeem, 36 Palm Drive, thanked Commissioner Selby and City Manager Ms. Joyce Shanahan for attending the septic to sewer meeting the prior weekend. She addressed her concerns for potential environmental impacts and cost increases from the septic to sewer project.

Ms. Janet Nutt, 2587 John Anderson Drive, discussed a report from the Volusia County Council Meeting regarding septic to sewer that was published in the Ormond Observer. She requested the Commission provide Ormond-by-the-Sea residents with a scientific report on the septic to sewer project before moving forward.

Ms. Linda Williams, 131 Bosarvey Drive, thanked the Commission on behalf of Civil Discourse for the Civic Engagement Award that was presented to their group by the City of Ormond Beach. She recognized members who helped start the group and discussed their upcoming meeting dates.

Mr. Jim Schultz, 117 Harvard Drive, expressed his concerns for fluoride in the water.

#### Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the October 1, 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 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 7:23 p.m.

#### Item #7A – Landscape Renovations, 2019-185

City Clerk Colby Cilento read by title only:

##### RESOLUTION NO. 2019-185

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A BID FROM R. J. LANDSCAPE CONTRACTORS, INC. FOR LANDSCAPE SERVICES REGARDING THE LANDSCAPE RENOVATIONS PROJECT, UNDER BID NO. 2019-15; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

Commissioner Littleton questioned if the trees planned to be removed through the landscaping renovations were being disposed of due to disease; whereby, Mr. Shawn Finley, City Engineer, confirmed the trees were diseased and had been affected by Hurricane Matthew and Hurricane Irma.

**Commissioner Kent moved, seconded by Commissioner Persis, for approval of Resolution No. 2019-185, 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 7:24 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 Selby requested to pull Item 8H.

**Commissioner Kent moved, second by Commissioner Littleton for approval of the consent agenda absent Item 8H.**

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

Item #8H – Interlocal Agreement - Extension of North US 1 Utility Service Area to Flagler County

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-195

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL BOUNDARY SERVICE AGREEMENT BETWEEN FLAGLER COUNTY AND THE CITY OF ORMOND BEACH FOR PROVISION OF UTILITY SERVICES IN THE NORTH U.S. HIGHWAY 1 (FLAGLER COUNTY) UTILITY SERVICE AREA; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Jeff Sweet, applicant attorney, introduced the property owners to the Commission and discussed the land included in the project in detail. He explained the City of Ormond Beach was the only present entity that could provide utility service to the proposed area. He noted the planned development was a 2,050 acre warehouse for Discovery World Furniture. He discussed the benefits Ormond Beach would receive if the project were approved. He stated he had contacted Ormond Crossings after hearing concerns from Commissioner Selby during the last meeting and noted after performing research there were no other locations in Ormond Beach that would suit their development needs.

Mr. Bruce Page, property owner, thanked the Commission for serving the City of Ormond Beach and for their consideration of the utility service project. He stated he would never support a project that would be detrimental to Ormond Beach. He discussed the economic benefit he believed the city would receive if the item were approved.

Mr. Jim Weite, property owner, thanked the Commission for their support and agreed with Mr. Sweet's and Mr. Page's comments that the project would be beneficial for Ormond Beach.

**Commissioner Persis moved, second by Commissioner Littleton for approval of Resolution No. 2019-195, as read by title only.**

Commissioner Selby noted he had met with the property owners and the applicants' attorney. He stated he had also received an email from Flagler County Economic Development Director, Helga Van Eckert, regarding the project. He noted Ms. Van Eckert stated her vision for the proposed section of U.S. 1 was to see the entire area developed out. He noted his concerns for development in that area of Flagler County due to the land being mostly undevelopable since it did not have water or sewer. He explained the write up on the item stated Flagler County *could not* provide utilities and he preferred it to state that they *would not* provide utilities instead. He expressed concerns for other projects outside of city limits coming forward to request Ormond Beach utility services, and feared it would have a negative impact on development in Ormond Beach and Ormond Crossings. He noted he wanted to help the project succeed, but reiterated his concerns. He stated when he addressed Ms. Van Eckert to see if the project had looked at Ormond Beach as a location instead, she replied that the project did not look into Ormond Beach due to the owner of Discovery World Furniture living in Flagler County. He noted he would be voting against the item.

Mr. Randy Hayes, City Attorney, clarified the service area in the resolution only included the single furniture warehouse. He noted three parcels on the site plan that were not denoted with any specific use. He suggested the Commission strengthen the wording in the restriction provision to clarify the only service connection the city would provide was for the warehouse. He proposed changing the verbiage on page three of the Interlocal Service Boundary Agreement (ISBA) in paragraph 6.2 to clarify the connection was for the one facility only and the Commission reserved the absolute discretion to approve or not approve additional connections in the future. He discussed the process the

Commission would need to go through if they wished to approve of additional connections beyond the boundary agreement in the future.

Commissioner Littleton questioned if the City of Ormond Beach Commission was the only authority who could give permission for the city lines to be extended; whereby, Mr. Hayes confirmed that was correct.

Commissioner Littleton and Mr. Hayes discussed the proposed amendments to the ordinance and the additional parcels of land located on the site map.

Mr. Hayes stated he proposed to add to the ISBA on page three section 6.2 in the first sentence after "to Project Site Owner, only": "but to and solely for use by and for Discovery World Furniture facility." He then stated the language he proposed to add to the second sentence after the word "consent": "and the sole and absolute discretion of the Ormond Beach City Commission"

**Commissioner Kent moved, second by Commissioner Selby to amend Resolution No. 2019-195, to include the exact verbiage as stated by the City Attorney, as read by title only.**

Call Vote:	Commissioner Littleton	No
	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Persis	No
Motion to amend carried.	Mayor Partington	Yes

Mayor Partington asked City Clerk Colby Cilento to call the vote on Item 8H.

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

Item #9 – Public Hearings

Mayor Partington opened the public hearings.

Item #9A – 99 Portland Street, Stor-It Boat & RV, Phase 2 – Rezoning

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2019-31  
AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, 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 3.72-ACRES LOCATED AT 99 PORTLAND STREET, SOUTH OF BROADWAY AVENUE, NORTH OF THE EXISTING STOR-IT FACILITY, WEST OF THE UNOPENED FLAGLER ROAD RIGHT-OF-WAY AND EAST OF THE F.E.C RAILROAD TRACKS (VOLUSIA COUNTY PARCEL NUMBER: 3136-01-70-0010) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH 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 the Ordinance No. 2019-31, on second reading, as read by title only.**

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

Item #9B – 99 Portland Street, Stor-It Boat & RV, Phase 2 - Development Order

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2019-32

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "STOR-IT BOAT AND RV CENTER, PHASE II", AUTHORIZING THE CONSTRUCTION OF A 106± BOAT AND RECREATIONAL VEHICLE STORAGE FACILITY WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 99 PORTLAND STREET, SOUTH OF BROADWAY AVENUE, NORTH OF THE EXISTING STOR-IT FACILITY, WEST OF THE UNOPENED FLAGLER ROAD RIGHT-OF-WAY AND EAST OF THE F.E.C RAILROAD TRACKS (VOLUSIA COUNTY PARCEL NUMBER: 3136-01-70-0010); ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

**Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2019-32, 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 #9C – Reflections Village Security Gates Special Exception

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-192

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF THE FIRST AMENDED DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REMOVING THE CONDITION THAT SECURITY GATES REMAIN OPEN BETWEEN THE HOURS OF 6:00 A.M. AND 7:00 P.M. FOR "REFLECTIONS VILLAGE" PATIO HOME SUBDIVISION LOCATED SOUTH OF WEST GRANADA BOULEVARD AND WEST OF OLD KINGS ROAD, AND BEING WITHIN THE R-4 (SINGLE-FAMILY CLUSTER AND TOWNHOUSE) ZONING DISTRICT; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the item was a request to amend a 1995 conditional use permit, presently referred to as a special exception. He explained the development order contained conditions that restricted the operating hours of the security gates at Reflections Village and noted the amendment was seeking to give permission to change those hours back to the home owners association (HOA) of Reflections Village. He noted the Planning Board and staff recommended approval.

Mr. Joe Jaynes, applicant, believed the amendment's intentions were made clear and discussed a survey from residents in Reflections Village that received a majority approval for the proposed amendment. He explained the catalyst for the project was the Ormond Central development, which would be located directly across from Reflections Village. He noted the Ormond Central developer, Paul Holub, had agreed to pay the fee for the special exception.

Ms. Susan Barfield, 29 Old Macon Drive, stated she was in favor of the item and discussed solutions to concerns from neighboring residents regarding traffic.



Mr. Tom Barfield, 29 Old Macon Drive, discussed his support for the item and noted due to the uncertainty of the development of Ormond Central, it would be beneficial for the HOA of Reflections Village to have control of the gates.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Resolution No. 2019-192, as read by title only.**

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

Item #9D – 712 South Atlantic Avenue, Special Exception for Outdoor Activity

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-193  
AN RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING THE "OCEAN CLUB SPORTSWEAR" LOCATED AT 712 SOUTH ATLANTIC AVENUE, WITHIN THE B-7 (HIGHWAY TOURIST COMMERCIAL) ZONING DISTRICT; TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE OUTDOOR DISPLAY OF MERCHANDISE; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker displayed a PowerPoint presentation that showed the location and site of Ocean Club Sportswear. He stated the business was seeking approval of outdoor storage under certain conditions and was requesting two 32-square foot areas located in front of the building. He noted the business had come through the process of code enforcement. He stated the Planning Board and staff recommended approval.

Commissioner Selby asked if the ground would be painted to mark where the storage areas would be located; whereby, Mr. Spraker confirmed that it would be painted yellow.

Commissioner Persis questioned what items the business hoped to display; whereby, Mr. Spraker stated at the Planning Board meeting the applicant mentioned displaying mannequins and beach-themed items.

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

**Commissioner Selby moved for approval of Resolution No. 2019-193, as read by title only.**

Mayor Partington passed the gavel to Deputy Mayor Troy Kent, designating him the presiding officer for the meeting.

**Mayor Partington seconded the motion for approval of Resolution No. 2019-193, as read by title only.**

Commissioner Selby stated he did not see an issue with the request and supported it.

Commissioner Persis expressed her concern for the display of mannequins. She stated she was hesitant to approve of the item and requested more information regarding the display.

Commissioner Littleton mentioned a list of businesses the Commission had approved of for outdoor storage in prior meetings. He stated he did not see a positive outcome from the current outdoor display request and therefore did not want to approve of the item.

Mayor Partington asked the applicant to speak regarding the display of the outdoor storage; whereby, Mr. Spraker stated the property owner did not appear to be present and had health issues which may have kept him from attending.

Commissioner Persis noted she was not in favor of the outdoor display being viewed from A1A.

Deputy Mayor Kent stated he did not approve of mannequins being displayed for outdoor storage. He discussed other businesses the Commission had approved outdoor storage for in the past and the reasoning behind the approvals. He stated he was concerned Ormond Beach would begin to have the appearance of sister cities, and agreed with Commissioner Persis that the outdoor display was not appropriate for A1A and would take away from the beauty of the area. He stated he would be voting against the item.

Commissioner Persis mentioned during the OB Life series one of the goals was to keep Ormond Beach charming and she did not believe approval of this outdoor display would be achieving that goal. She believed the residents of Ormond Beach would not support the request.

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

Deputy Mayor Kent passed the gavel to Mayor Partington, reinstating him as the presiding officer for the meeting.

Item #10 – Reading of Ordinances

Item #10A – Security First, Tract 18 - Final Plat (Revision)

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.  
**(THIRD READING)**

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

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

Commissioner Selby requested clarification on the revisions to the plat; whereby, Mr. Spraker explained Security First had discussed the land area with St. John’s River Water Management District and it was decided that an area on the plat that was originally included in a conservation easement, no longer needed to be included in that easement. He stated Security First wished to revise the plat to reflect that change due to the potential impact of future development.

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

Item #11 – Resolutions

Item #11A – 38 East Granada Boulevard, MacDonald House -ECHO & OB Historical Society MOU

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2019-194  
A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM  
OF UNDERSTANDING BETWEEN THE CITY AND THE ORMOND  
BEACH HISTORICAL SOCIETY FOR A VOLUSIA COUNTY ECHO  
GRANT FOR THE MACDONALD HOUSE AT 38 EAST GRANADA  
BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker explained staff was seeking direction from the Commission on two items. He stated the first item was for authorization from the Commission to allow the City of Ormond Beach to be the applicant in the Volusia County ECHO Grant for the MacDonald House. He noted since the MacDonald House did not have a long term lease in place with the city, so the only mechanism that could be used to apply for the grant was that the city be listed as the applicant. He noted the second item staff was seeking approval of was a memorandum of understanding for the \$100,000 donation from the Ormond Beach Historical Society towards the ECHO Grant. He noted the city would match the \$100,000 with \$50,000 in land value, \$44,726.71 in previously spent improvements, and \$5,273.29 in cash. He stated \$400,000 was budgeted in the Community Redevelopment Agency (CRA) funds. He noted the total exterior funds through the ECHO Grant and CRA was \$705,273.29.

**Commissioner Kent moved, seconded by Commissioner Persis, for approval of Resolution No. 2019-194, as read by title only.**

Commissioner Selby expressed concerns for obligating the Commission to budget the \$400,000 in the CRA budget next fiscal year for the project.

Ms. Shanahan clarified the Commission could not obligate a future Commission to use funds for the project and the item would need to be reapproved.

Commissioner Selby asked if the project renovations could start promptly after the funds were received; whereby, Ms. Shanahan stated she believed the funds would not be provided immediately.

Mr. Spraker stated the goal was to start the bidding process and start renovations in October of 2021.

Commissioner Selby questioned if the total amount of \$705,273.29 did not come together, if it would be made clear in the ECHO Grant application; whereby, Ms. Shanahan confirmed that it would and noted the ECHO Grant would come back before the Commission for approval as well.

Commissioner Selby stated his approval of the project and stated his appreciation for the Ormond Beach Historical Society providing funds towards the grant. He questioned how the land value was only set at \$50,000; whereby, Mr. Spraker stated that was the maximum land value amount that could be used towards the grant.

Commissioner Kent noted he had met with the current president and incoming president of the Ormond Beach Historical Society and thanked them for their time.

Commissioner Persis thanked Ms. Bonda Garrison, Ormond Beach Historical Society President, for her hard work in helping the MacDonald House.

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

Item #12 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Shanahan stated the next Commission meeting was scheduled for November 5, 2019 at 7:00p.m. and a Healthcare Workshop was scheduled to take place the same evening at 5:30 p.m. before the Commission meeting.

Events

Ms. Shanahan noted staff would be placing banners for the Hometown Heroes on November 1, 2019. She explained the banners were part of a partnership with Halifax Health to honor veterans and would remain on display for the month of November. She stated there would be a ribbon cutting ceremony to celebrate on Friday, November 1, 2019 at 7:30 p.m.

Ms. Shanahan mentioned the next Movies on the Halifax would take place on Friday, November 1, 2019, at The Casements. She stated the featured movie would be “Star

*Wars: The Last Jedi*'. She noted Assistant Leisure Services Director, Mr. Stefan Sibley, would be attending with his troop dressed as Star Wars characters for the event.

Commissioner Littleton complimented the Oktoberfest held by Prince of Peace Church.

Mayor Partington complimented the State of the City luncheon that took place the prior week and thanked staff for their role in planning.

#### Round Table Meeting

Commissioner Littleton thanked Mayor Partington for his comments at the Volusia County Elected Officials Round Table regarding sales tax and stated he agreed with his comments.

#### Applicants

Commissioner Littleton explained that during Item 9D on the agenda he was hoping to hear from the applicant to convince him to allow the outdoor storage and was disappointed no one was present to represent the item. He requested in the future that staff confirm an applicant will be available when their item is brought before the Commission.

#### Septic to sewer

Commissioner Selby discussed the Ormond-by-the-Sea public gathering he attended with Ms. Shanahan and Public Works Director Mr. Gabe Menendez. He addressed comments made regarding the septic to sewer project during audience remarks and stated city staff intended to do public information sessions which would start before the end of the year.

#### Waste Water Treatment Plant Tour

Commissioner Selby discussed a tour he and his son attended of Ormond Beach's Waste Water Treatment Plant with staff members Mr. Menendez and Chief Treatment Plant Operator Al Waitt. He complimented the facility and the staff who ran it.

#### Beach Street Church Property

Commissioner Kent requested that a discussion item or workshop take place so the Commission could come to a decision on the use of the church property the city purchased on North Beach Street.

#### Commissioner Term Limits

Commissioner Kent addressed audience remarks speaker, Mr. Hannoush, who made remarks on term limits. He stated he had heard from many residents that the term limits were imposed every two years on Election Day and agreed with that statement.

#### School Programs

Commissioner Kent discussed the D.A.R.E program held by the City of Ormond Beach Police Department that encouraged elementary students to make wise decisions and stay away from drugs. He complimented Police Chief Jesse Godfrey for implementing a new program for middle school aged students called the Five-0 club. He complimented the partnership between the City of Ormond Beach and Volusia County Schools and thanked Chief Godfrey for starting the program.

Commissioner Persis stated Osceola Elementary School was starting a biodegradable initiative launching October 21, 2019, and would be switching to biodegradable trays and removing Styrofoam trays and plastic straws. She noted the benefits of the program and thanked Mr. Carl Persis, Chairman of the Volusia County School Board, for his role in implementing the initiative.

Commissioner Persis complimented A+ Tutoring founder, Ms. Muffi Chanfrau, for celebrating the 25<sup>th</sup> anniversary of her tutoring center in Ormond Beach.

#### Quality Cities Magazine

Commissioner Persis complimented Mayor Partington on his feature in Quality Cities Magazine.

#### Item #13 – Adjournment

The meeting was adjourned at 8:22 p.m.

APPROVED: November 5, 2019

BY:

\_\_\_\_\_  
Bill Partington, Mayor

ATTEST:

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Colby J. Cilento, City Clerk