

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

January 7, 2020

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 Colby Cilento.

A G E N D A

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATIONS AND PROCLAMATIONS**
 - A. Human Trafficking Awareness Month
5. **AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
6. **APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – December 3, 2019
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. 2020-01:** A RESOLUTION AUTHORIZING THE EXECUTION OF A COMMUNITY DEVELOPMENT SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND HALIFAX URBAN MINISTRIES, INC., REGARDING HOMELESSNESS PREVENTION SERVICES PROVIDED AT HOPE PLACE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2020-02:** A RESOLUTION APPROVING THE APPLICATION OF RYHH, LLC, TO PROVIDE SERVICES AS A CATEGORY 2 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)*

- C. **RESOLUTION NO. 2020-03:** A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF TWO 2020 FORD F-250 PICKUP TRUCKS; UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA19- VEL 27.0; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2020-04:** A RESOLUTION AUTHORIZING THE PURCHASE OF ONE 2019 CATERPILLAR WHEEL LOADER,

UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA 18-VEH 16.0; AUTHORIZING THE EXECUTION OF A LEASE-OPTION TO PURCHASE AGREEMENT AND ALL OTHER PAPERS NECESSARY AND INCIDENTAL THERETO; DECLARING VEHICLE #277 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2020-05:** A RESOLUTION ACCEPTING A BID FROM DSR CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES REGARDING THE CASEMENTS NORTH SIDE IMPROVEMENTS PROJECT, UNDER BID NO. 2020-01; 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)

- F. **FEC Blanket License Agreement Auto Renewal**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- G. **CDBG Riviera Park Parking Improvements**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- H. **Request for Proposal (RFP) 2020-12 for the City-Wide Copier Lease Agreement**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- I. **Contract Renewal for American Janitorial Inc.**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- J. **Auto Renew Contracts for "Miscellaneous Crafts & Trades Services - As Needed"**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- K. **Radio Control Club Auto Renewal**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

- L. **Auto Renewal - Sports Agreements**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

M. Runner's High Timing and Race Management Sponsorship

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

N. Approval of Travel - City Commission

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

Disposition: Approve as recommended in the City Manager memorandum dated January 7, 2020.

8. REPORTS, SUGGESTIONS, REQUESTS

9. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Kyle Kwitowski, Blueprint Community Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Human Trafficking Awareness Month

Mayor Partington presented Ormond Beach Police Captain Chris Roos and Victim Advocate Ms. Evelyn Rebstini with a proclamation declaring January 2020 as human trafficking awareness month in the City of Ormond Beach and urged all people to take efforts in ending human trafficking.

Mayor Partington discussed a luncheon regarding human trafficking he attended with Commissioner Persis.

Ms. Evelyn Rebstini, Victim Advocate, explained she was wearing black to signify the little black dress initiative, which brought awareness to victims of human trafficking. She stated there would be a walk held on Saturday, January 11, 2020, in multiple counties to bring awareness to human trafficking.

Item #5 – Audience Remarks

Ms. Linda Williams, 131 Bosarvey Drive, discussed the City Commission workshop that was held prior to the City Commission meeting regarding the former church property the city had purchased located at 56 North Beach Street. She stated she would be willing to dedicate the next two meetings of her group, Civil Discourse, to be used as a forum to hear comments from the public regarding the property. She stated the Civil Discourse meetings would be held on the fourth Monday of the next two months.

Ms. Marian Sewell, 38 Lincoln Avenue, discussed the church property located at 56 North Beach Street and stated she would support the Commission's decision when it came time for them to decide on a use for the property.

Mr. Jim Schultz, 117 Harvard Drive, discussed fluoridation and the Tuskegee Syphilis Experiment.

Mr. Jim Cameron, 126 East Orange Avenue, Senior Vice President of Government Relations, Daytona Regional Chamber of Commerce (“Chamber”), passed out flyers to the Commission and discussed the Chamber’s upcoming programs and meetings.

Mayor Partington thanked Mr. Cameron for providing opportunities for the Commission to meet with government officials and staff to better understand how the state legislature in Tallahassee operates.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the December 3, 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 – 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 7M.

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

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

Item #7M – Runner’s High Timing and Race Management Sponsorship

City Clerk Colby Cilento stated the item was a disposition item to approve a Runner’s High Timing and Race Management sponsorship.

Commissioner Kent explained the item was a request for the city to partner with Mr. Don Stoner and Runner’s High Timing and Race Management LLC (“Runner’s High LLC”) to allow participants of the Mayor’s Health and Fitness Challenge to participate in the Tomoka Marathon free of charge in exchange for the city reducing the rental fees for Mr. Stoner. He stated it was the city’s seventh year hosting the Tomoka Marathon at The Casements and Rockefeller Gardens. He explained when the item was first presented to the Commission seven years ago, the request included waiving the rental fees, which he voted against. He stated he voted in favor of the item the following years due to the verbiage being changed to state Mr. Stoner and Runner’s High LLC would pay all rental fees.

Commissioner Kent believed the proposed partnership benefited Mr. Stoner, but did not benefit the residents of Ormond Beach. He explained he believed the city had to sponsor the event so beer could be distributed at the end of the run. He noted he had asked staff who the city rented The Casements and Rockefeller Gardens to free of charge and was informed the answer was ‘no one’. He stated he approved of businesses making money, but believed the event interrupted business for local stores in the city. He discussed his disapproval of the item and believed Mr. Stoner should pay full price for the rental. He noted Mr. Stoner made \$14,000 through the Tomoka Marathon the prior year. He mentioned the idea of the city discontinuing the sponsorship of the Tomoka Marathon and instead holding their own 5K and marathons instead. He noted he would be voting against the item, unless the verbiage was changed to remove the reduced rental rates.

Commissioner Selby asked if there was a staff member present who could explain the request in further detail.

Ms. Joyce Shanahan, City Manager, stated the fee to run the marathon was \$35 per person and noted part of the Mayor's Health and Fitness Challenge initiative was to provide a 5K for participants.

Mr. Robert Carolin, Leisure Services Director, explained city staff conceived of the sponsorship between Runners' High LLC and the Mayor's Health and Fitness Challenge. He stated staff had reviewed the costs that would be necessary for the city to host a 5K and compared it to the cost of paying for the Mayor's Health and Fitness Challenge members to participate in the Tomoka Marathon. He explained staff came to the conclusion that it was more cost effective to request the partnership with Mr. Stoner. He noted Mr. Stoner did not approach city staff and apologized for not making that clear in the agenda packet memorandum. He stated Mr. Stoner was present if the Commission had any questions for him regarding the Tomoka Marathon. He noted he hoped the Tomoka Marathon would continue to be held, even if the proposed sponsorship did not pass.

Commissioner Selby questioned if there was a fee associated with the Mayor's Health and Fitness Challenge; whereby, Mr. Carolin stated there was a \$35 participation fee.

Mr. Carolin explained if the item were to pass, there would be no fee for members of the Mayor's Health and Fitness Challenge to participate in the Tomoka Marathon 5K.

Commissioner Selby inquired if the Mayor's Health and Fitness Challenge encouraged members to run a 5K and if the sponsorship was meant to provide an opportunity for members to run a 5K at no charge; whereby, Mr. Carolin stated that was correct.

Commissioner Selby noted he did not believe the request was unreasonable.

Commissioner Kent stated he was shocked that city staff had proposed this offer since they were aware of the history of the sponsorship requests. He stated he understood the reasoning behind the request, but did not agree with the reduced rate. He explained he was confident the City of Ormond Beach could host a run on their own. He thanked Mr. Carolin for his honesty, but stated he would still be voting "no".

Mayor Partington inquired how much it cost to rent The Casements for a day; whereby, Mr. Carolin noted he believed it would be more beneficial to provide the approximate income from the Tomoka Marathon, which he stated averaged around \$7,000.

Mayor Partington noted there were different levels of sponsorships for the Tomoka Marathon and questioned what level of sponsorship the city received if the sponsorship were approved; whereby, Mr. Carolin was unsure.

Mayor Partington noted there were 150 participants in the Mayor's Health and Fitness Challenge; whereby, Ms. Shanahan stated not all participants would participate in the 5K.

Mayor Partington, Ms. Shanahan, and Mr. Carolin discussed the Tomoka Marathon fees in detail.

Mayor Partington noted he was unaware of the Tomoka Marathon being a part of the Mayor's Health and Fitness Challenge. He questioned who paid for the Police Department, Public Works, and clean-up after the run; whereby, Mr. Carolin stated Mr. Stoner paid those fees.

Commissioner Kent questioned the amount Mr. Stoner paid for the Police Department, Public Works, and clean-up services; whereby, Mr. Carolin stated he was unsure.

Mayor Partington noted he would be amenable to not having a 5K as part of the Mayor's Health and Fitness Challenge in the current year. He stated he preferred the city host a fun 5K in upcoming years instead; one that did not have to be certified and could be held by city staff. He noted he still wanted to see the Tomoka Marathon take place, but wanted Mr. Stoner to pay the normal fees.

Mr. Carolin requested if staff could amend the item to be a partnership without the Mayor's Health and Fitness Challenge component as part of the item; whereby, Mr. Randy Hayes, City Attorney, stated the item was a low-level policy item intended for direction and the Commission could decide what to do with the item moving forward.

Mayor Partington stated without knowing the financial details and hearing concerns, he would rather see the item run through the normal payment process and have the event still take place; whereby, Commissioner Persis agreed.

The item died due to lack of a motion.

Item #8 – Reports, Suggestions, Requests

Flagler County Utilities

Ms. Shanahan stated she had met with Flagler County Manager Mr. Jerry Cameron to discuss the North US Highway 1 property that Flagler County had requested the City of Ormond Beach provide water and sewer services to. She discussed the property in detail and noted that Flagler County still requested that Ormond Beach provide utility services to the area even though there had been changes to the project on that property. She discussed the steps Flagler County needed to take moving forward with the request, and noted it would be brought back to the Commission for formal approval.

Volusia County Growth Management Commission

Ms. Shanahan stated the Volusia County Growth Management Commission would be holding a public hearing on February 26, 2020, at 7:00 p.m. at the Daytona Beach City Commission Chambers to discuss the Comprehensive Plan amendment for Daytona Beach's Avalon Park Daytona project. She noted the Comprehensive Plan was inconsistent with the City of Daytona Beach's request and hoped the inconsistencies would be worked out.

Adaptive Signal Control Project

Ms. Shanahan discussed a meeting she attended with City Engineer Mr. Shawn Finley and traffic consultant, Ms. Maryam Ghyabi, to discuss transportation issues. She noted the city was moving ahead with the North US Highway 1 and I-95 interchange. She stated they had also discussed an adaptive signal control project that was planned to be implemented on Granada Boulevard between A1A and Tymber Creek Boulevard. She noted the project would be funded through the Florida Department of Transportation (FDOT) for design and construction and would cost approximately 1.5 million dollars. She discussed the adaptive signalization project in detail and the positive effects it would have on traffic in Ormond Beach. She explained she wanted to manage the expectations of the project and noted the accurate reduction in time was estimated at two to three minutes.

Commissioner Selby questioned if the adaptive signal control project would help reduce time spent sitting at a red light when there was no oncoming traffic from other directions; whereby, Ms. Shanahan stated it would and explained the project would help limit the wait time at red lights due to sensors in the ground.

Commissioner Selby questioned if there was any progress with FDOT on right turn only lanes being installed on northbound and southbound lanes of Nova Road at Granada Boulevard; whereby, Mr. Shawn Finley, City Engineer, noted he would be meeting with FDOT the next day to discuss the Nova Road corridor.

Annual Audit

Ms. Shanahan explained the city's annual financial audit needed to be completed within six months of the close of the fiscal year and was scheduled to be presented to the Commission at the Tuesday, February 18, 2020, City Commission meeting.

Florida Civic Advanced Summit

Ms. Claire Whitley, Assistant City Manager, discussed the Florida Civic Advance Summit she had attended. She noted while at the Summit, the City of Ormond was presented with an award as a co-winner for the 2019 Civic Excellence Award for citizen engagement with local government. She stated the city received the award thanks to the OB Life initiative. She noted as a result of the OB Life series, the city's social media had increased in followers.

Mayor Partington thanked Ms. Whitley and all department leaders for their hard work following the Commission's direction in implementing the OB Life Series.

American City-County Exchange

Commissioner Littleton discussed the American City-County Exchange he attended. He noted stories he heard from other cities while at the event, and stated he believed the City of Ormond Beach was doing well.

Upcoming Events

Commissioner Littleton noted he would be attending Volusia Days in the upcoming week.

Mayor Partington stated the Women's South Atlantic Amateur Golf Championship (The Sally) was taking place at the Oceanside Country Club on Wednesday, January 8, 2020, through Saturday, January 11, 2020. He noted all were welcome to attend and the event was free of charge.

Mayor Partington noted on Wednesday, January 8, 2020, the Ormond Garage would hold their official Chamber of Commerce ribbon cutting and invited members of the public to attend.

February City Commission Meeting

Commissioner Selby stated he would be absent for the February 18, 2020, City Commission meeting.

First Step Shelter

Commissioner Selby stated as of January 3, 2020, the First Step Shelter had 11 women and nine men in the shelter. He noted Catholic Charities had allowed ten people into the shelter per week as a maximum and would continue doing so until they reached 40 members. He noted after the shelter reached 40 members they would gradually increase until the shelter reached its capacity. He explained the City of Daytona Beach built and owned the shelter and leased it for a dollar to the First Step Shelter Board. He noted the board hired Catholic Charities to physically operate the building. He stated the board was supposed to be involved in the design and building of the shelter, but was excluded from the process, and as a result from the board not being included, the building lacked a safe zone. He stated he was told Daytona Beach would be building a safe zone and noted the purpose of the zone was to make the facility Pottinger compliant and described the compliance in detail. He explained when it became apparent that the City of Daytona Beach may not build the safe zone, he called Ms. Shanahan to discuss withholding funds until a decision was made. He explained that thanks to the verbiage produced by Mr. Hayes, the \$82,000 the City of Ormond Beach agreed to commit to the shelter did not commence until the shelter was open and would then be paid quarterly. He stated until the safe zone was built or the City of Ormond Beach decided to continue support without requiring a safe zone, he would continue withholding funds. He noted other cities that had already contributed funds to the shelter. He stated the board was promised Pottinger compliance by the City of Daytona Beach and did not want to provide any funds until a decision was made.

Commissioner Kent stated he supported withholding funds until a decision was made regarding the construction of the safe zone. He complimented Mr. Hayes for protecting Ormond Beach in the wording on the city's contract with the First Step Shelter. He noted it was bothersome when the City of Daytona Beach did not listen to input, and thanked Commissioner Selby for his leadership on the First Step Shelter Board.

Mayor Partington noted he was confident Commissioner Selby and his co-committee members would solve the Pottinger compliance issue. He noted if that did not happen, it would be discussed at the Elected Round Table Meeting of the Mayors. He explained if there was still no solution, it could be brought back before the Commission to make a final decision at the next City Commission meeting.

Ms. Shanahan stated the city had not paid any funds to the First Step Shelter and was set up to pay on a quarterly basis. She stated staff would continue to withhold the funds until a further decision was made regarding the safe zone.

Avalon Park Daytona Workshop

Commissioner Selby discussed the Avalon Park Daytona property that was proposed to be constructed in the region of the City of Daytona Beach that borders Granada Boulevard. He recommended having a workshop to help inform the Commission of the project details. He noted based on an article he had read in the newspaper, it appeared the Avalon Park Daytona developer would be moving forward with the project quickly. He noted Ormond Beach residents would incur impacts from the project and he wanted to be informed of the project details before that happened.

Commissioner Kent stated he was not yet a part of the Commission when the discussed section of land became part of the City of Daytona Beach. He stated he agreed that

having a workshop to discuss the project would be beneficial and hoped Mr. Hayes would provide options to the Commission moving forward.

Commissioner Persis noted she was in favor of having a workshop on Avalon Park Daytona.

Mayor Partington suggested waiting to hold a workshop on Avalon Park Daytona since the project had not been confirmed and had not yet gone through its compliance period. He explained that he had concerns with a workshop highlighting any potential litigation strategy the city may have and would prefer to have a shade meeting in the future instead. He noted a workshop may eventually be appropriate, but asked for patience until all the details of the project were in place.

Mr. Hayes stated the issue was complicated and discussed the project in detail. He noted the City of Ormond Beach had no control over the development for that property, but was responsible for providing water services to that area at the City of Daytona Beach's expense. He discussed historical issues and current agreements the City of Ormond Beach had with the City of Daytona Beach. He stated staff would find the best format to present the complexities of the project to the Commission. He noted staff's goal was to present the Commission with the best information possible to help them make informed decisions.

Commissioner Kent and Commissioner Persis stated they agreed with waiting to hold the workshop after hearing Mayor Partington's comments.

Ms. Shanahan confirmed staff would hold off on conducting a workshop regarding Avalon Park Daytona at the present time, but would continue to discuss the item with the Commission.

Approval of the Agenda

Commissioner Selby stated the First Step Shelter Board had an item on their agendas called "approval of the agenda" which granted members of the board the authority to add certain items to the agenda if they wished to do so. He requested the Commission amend the City of Ormond Beach's City Commission Rules of Procedure to add "approval of the agenda" to their agenda procedure moving forward.

Commissioner Kent, Mayor Partington, and Commissioner Persis stated they were not in favor of making the amendment to the agenda procedure due to the Commission already having the opportunity to hold discussion items at the end of City Commission meetings if other Commissioners wished to discuss the item as well.

Ms. Shanahan confirmed "approval of the agenda" would not come back for discussion due to three Commission members not being in favor of the item.

City Marathon

Commissioner Kent noted he wished to see the city host a half marathon, marathon, and 5K for residents and requested to have it as a discussion item soon; whereby, Commissioner Persis and Mayor Partington agreed.

Mayor Partington noted that the city could donate funds from the event to help local school-related functions.

Ms. Shanahan stated staff would look into options for the city hosting a race.

Ormond Beach Holiday Events

Commissioner Persis complimented city staff on the city's decorations during the holidays.

Mayor Partington complimented the Ormond Beach Christmas Parade.

City Commission Meeting Schedule

Commissioner Persis stated she would be traveling in May and requested the Commission's approval to reschedule the Tuesday, May 19, 2020, City Commission meeting to Tuesday, May 26, 2020.

Commissioner Kent, Commissioner Selby, Commissioner Littleton, and Mayor Partington stated their approval of moving the City Commission meeting to Tuesday, May 26, 2020.

Item #9 – Adjournment

The meeting was adjourned at 8:14 p.m.

APPROVED: January 21, 2020

BY:

Bill Partington, Mayor

ATTEST:

Colby J. Cilento, City Clerk