

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

October 6, 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. OBPD Officer Jessica Fowler, OBPD Officer Adam Griswold, and VCSO Deputy Christy Bourke-Sturup
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – September 23, 2020
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2020-139:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM HALL & OGLE ARCHITECTS, INC. TO PROVIDE DESIGN SERVICES FOR THE CASSEN PARK IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Staff Contact: Shawn Finley, Public Works Director (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. 2020-139:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM HALL & OGLE ARCHITECTS, INC. TO PROVIDE DESIGN SERVICES FOR THE CASSEN PARK IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)
 - B. **RESOLUTION NO. 2020-140:** A RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO 2016 AMENDMENT AND RESTATEMENT OF THE GROUND LEASE AGREEMENT

BETWEEN THE CITY AND M.A.C. CHARTER, INC. AND SUNRISE AVIATION, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2020-141:** A RESOLUTION ACCEPTING A PROPOSAL FROM PRECISION CONTRACTING SERVICES, INC. TO PROVIDE FIBER OPTIC SERVICES REGARDING THE JOHN ANDERSON DRIVE FIBER OPTIC IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-615-7049)*

- D. **RESOLUTION NO. 2020-142:** A RESOLUTION ACCEPTING PROPOSALS AND AUTHORIZING THE EXECUTION OF CONTINUING CONTRACTS WITH FOUR (4) PROFESSIONAL SERVICES FIRMS REGARDING CONSTRUCTION MANAGEMENT AT RISK FOR UNDERGROUND UTILITY SERVICES, UNDER RFQ 2020-25; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-615-7049)*

- E. **RESOLUTION NO. 2020-143:** A RESOLUTION ACCEPTING A BID FROM PROFESSIONAL PIPING SERVICES, INC. FOR PRESSURE MAIN CLEANING SERVICES, UNDER BID NO. 2020-26; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-615-7049)*

- F. **RESOLUTION NO. 2020-144:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF VARIOUS REPLACEMENT AND REPAIR PARTS FROM ALPHA GENERAL SERVICES, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S PRETREATMENT EFFLUENT PUMPING TANKS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-615-7049)*

- G. **RESOLUTION NO. 2020-145:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PUMPING AND CONTROLS EQUIPMENT AND REPAIR SERVICES FROM XYLEM WATER SOLUTIONS USA, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S WASTEWATER COLLECTION SYSTEM LIFT STATIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Shawn Finley, Public Works Director (386-615-7049)*

- H. **RESOLUTION NO. 2020-146:** A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF CONTROL WAVE CENTRAL PROCESSING UNITS AND CONTROL WAVE MICRO REMOTE TELEMETRY UNITS AND REPAIR SERVICES FROM EMERSON PROCESS MANAGEMENT POWER & WATER SOLUTIONS, INC. ON AN AS-NEEDED BASIS FOR THE CITY'S WASTEWATER TREATMENT PLANTS AND REMOTE PUMPING STATIONS; RATIFYING AND AFFIRMING TWO PURCHASE ORDERS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

I. **Auto Renew Contract - Neptune Meters (Sunstate Meter & Supply) Sole Source Procurement**

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

Disposition: Approve as recommended in the City Manager memorandum dated October 6, 2020.

J. **Request for Qualifications - Transportation Planning and Engineering Continuing Contract Consultants**

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

Disposition: Approve as recommended in the City Manager memorandum dated October 6, 2020.

K. **Invitation to Bid - Wilmette Avenue Stormwater Pump Station**

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

Disposition: Approve as recommended in the City Manager memorandum dated October 6, 2020.

L. **Invitation to Bid - 2021 Storm Lining**

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

Disposition: Approve as recommended in the City Manager memorandum dated October 6, 2020.

M. **Invitation to Bid - 2021 Sewer Lining and Manhole Repair**

Staff Contact: Shawn Finley, Public Works Director (386-615-7049)

Disposition: Approve as recommended in the City Manager memorandum dated October 6, 2020.

9. **PUBLIC HEARINGS**

A. **ORDINANCE NO. 2020-47:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE I, 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 CERTAIN REAL PROPERTY TOTALING 3.42+ ACRES LOCATED AT 40 TYMBER CREEK ROAD FROM VOLUSIA COUNTY RC (RESOURCE CORRIDOR) AND A-2 (AGRICULTURE) TO ORMOND BEACH SE (SPECIAL ENVIRONMENTAL), 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. 2020-48:** AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1644 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND

BEING NORTHWEST OF THE INTERSTATE-95/NORTH U.S. HIGHWAY 1 INTERCHANGE, AND BEING COMMONLY KNOWN AS THE "AA ACCURATE TRUCK & TIRE REPAIR" PROPERTY (PARCEL ID NO.: 3136-01-64-0010; INCLUDING THAT PORTION OF OAK STREET RIGHT-OF-WAY ABUTTING THE PROPERTY TO THE SOUTH; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTIES; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTIES; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTIES; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:02 p.m.

Item #2 – Invocation

Pastor Mike Petrick, Harbor Baptist Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – OBPD Officer Jessica Fowler, OBPD Officer Adam Griswold, and VCISO Deputy Christy Bourke-Sturup

Mayor Partington presented Ormond Beach Police Department Officer Jessica Fowler and Officer Adam Griswold, and Volusia County Sherriff's Office Deputy Christy Bourke-Sturup with proclamations honoring them for saving the life of a citizen in crisis and for their dedication to protecting and serving their community.

Mayor Partington recognized Police Chief Jesse Godfrey and Volusia County Sherriff Mike Chitwood and thanked them for attending.

Item #5 – Audience Remarks

Ms. Julia Truilo, Ormond Beach MainStreet (MainStreet) Executive Director, presented the Commission with a Secretary of State's Award the city had won at the Florida Main Street Annual Conference in honor of the floating dock at Cassen Park.

Mr. Jim Schultz, 117 Harvard Drive, discussed the COVID-19 pandemic and the importance of Vitamin D.

Mayor Partington also discussed the positive impacts of Vitamin D and thanked Mr. Schultz for his comments.

Item #6 – Approval of Minutes

Mayor Partington advised the minutes of the September 23, 2020, 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 7:16 p.m.

Item #7A – Cassen Park Architectural Plan Revisions

City Clerk Colby Cilento read by title only:

RESOLUTION NO. 2020-139
A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA ACCEPTING A PROPOSAL FROM HALL & OGLE ARCHITECTS, INC. TO PROVIDE DESIGN SERVICES FOR THE CASSEN PARK IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

Commissioner Selby inquired if the contract included a start date for the project; whereby, Mr. Shawn Finley, Public Works Director, confirmed it did and noted that all contracts included a time limit to ensure the projects were completed in a timely manner.

Mayor Partington stated his appreciation that staff would be receiving input on the project from Granada Pier Bait and Tackle owner Mr. Ike Leary. He requested staff also receive input from MainStreet’s Design Committee and the general public. He noted opportunities for this sort of project did not happen often and wanted to ensure it would be done correctly. He noted that a proposed drawing was included in the packet, which had not been approved, and reiterated the importance of receiving additional input. He requested staff also consider comments provided by the Downtown Steering Committee in their meetings regarding the four corners of the Granada Bridge when composing a plan for the project.

Commissioner Kent noted he believed the Commission only had one opportunity to ensure the project was done correctly and agreed that it was important to receive ideas and input from various stakeholders. He discussed the proposed project and stated he was confident that City Manager Ms. Joyce Shanahan would ensure the project received a wide range of input and would result in the best plan possible. He discussed the importance of not rushing through projects and ensuring they are executed correctly.

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

Commissioner Kent moved, seconded by Commissioner Selby, for approval of Resolution No. 2020-139, 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 7:22 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 Kent moved, seconded by Commissioner Selby, for approval of the consent agenda.

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

Comments on Consent Agenda Items

Commissioner Selby noted the Commission had approved over \$960,000 of capital investment projects on the Consent Agenda and discussed his support for the various projects in detail.

Item #9 – Public Hearings

Mayor Partington opened the public hearings.

Item #9A – 40 Tymber Creek Road, zoning map amendment

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2020-47

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHED, OF ARTICLE I, 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 CERTAIN REAL PROPERTY TOTALING 3.42+ ACRES LOCATED AT 40 TYMBER CREEK ROAD FROM VOLUSIA COUNTY RC (RESOURCE CORRIDOR) AND A-2 (AGRICULTURE) TO ORMOND BEACH SE (SPECIAL ENVIRONMENTAL), 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 Littleton, for approval of Ordinance No. 2020-47, on second reading, as read by title only.

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

Item #9B – 1644 N US HWY 1 (AA Truck & Tire Repair) and Oak St ROW Annexation

City Clerk Colby Cilento read by title only:

ORDINANCE NO. 2020-48

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1644 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF THE INTERSTATE-95/NORTH U.S. HIGHWAY 1 INTERCHANGE, AND BEING COMMONLY KNOWN AS THE “AA ACCURATE TRUCK & TIRE REPAIR” PROPERTY (PARCEL ID NO.: 3136-01-64-0010; INCLUDING THAT PORTION OF OAK STREET RIGHT-OF-WAY ABUTTING THE PROPERTY TO THE SOUTH; SETTING FORTH ZONING PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTIES; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTIES; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTIES; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, explained the item was a request for annexation at 1644 North U.S. Highway One. He noted the property owner was seeking to add a future addition to the site which required a connection to city utilities; thus, resulting in the request for annexation. He displayed an image of the site and noted the total acreage of the property was 4.75 acres. He explained the item also included a request to annex a portion of Oak Street right-of-way. He noted staff recommended approval of the item.

Commissioner Selby questioned if the annexation would result in an enclave; whereby, Mr. Spraker stated it would not.

Mr. Spraker explained the Interlocal Service Boundary Agreement (ISBA) authorized the city to annex properties whether they resulted in enclaves or not. He noted the agreement with Volusia County allowed the city to annex properties in the district if they connected to city utilities.

Commissioner Selby and Mr. Spraker discussed enclaves and the ISBA in further detail.

Commissioner Selby and Mr. Spraker distinguished which parcels of land on the displayed map were owned by Volusia County and which were owned by the city.

Mr. Spraker explained many of the parcels had not yet connected to utilities, but were still bound by the ISBA and had city land use and zoning.

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

Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2020-48, 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

Mayor Partington closed the public hearings without objection.

Item #10 – Reports, Suggestions, Requests

Cassen Park Project

Ms. Joyce Shanahan, City Manager, ensured the Commission that staff would include input from various stakeholders and the community when planning the Cassen Park project.

Hurricane Reimbursements

Ms. Shanahan discussed hurricane reimbursements the city had received from the Federal Emergency Management Agency (FEMA) in response to Hurricane Matthew and Hurricane Irma.

Mayor Partington complimented the Finance Department on ensuring the city received hurricane reimbursement funds through FEMA.

Events

Ms. Shanahan noted Leisure Services would be hosting a drive-thru Trunk or Treat event at the Ormond Beach Sports Complex on Saturday, October 24, 2020, from 5:30 p.m. to 8:30 p.m. and welcomed all to attend the free event.

Ms. Shanahan discussed the number of registered participants in various sports programs run by the City of Ormond Beach.

Projects

Ms. Shanahan noted the Water Treatment Sludge Residual Facilities Improvement Project was underway. She noted the city was constantly making improvements to their water and wastewater facilities and provided examples.

Ms. Shanahan provided updates on the progress of various capital improvement projects taking place within the city.

Compliments

Commissioner Persis thanked Mr. Spraker for attending a homeowners' association meeting with her at Moss Point.

Mayor Partington recognized Fire Chief Rusty Sievers and Police Chief Jesse Godfrey. He complimented both the Ormond Beach Fire Department and Ormond Beach Police Department for their outstanding achievements and hard work.

Mayor Partington complimented the proclamation presented at the beginning of the meeting and other recent proclamations he had presented to members in the community. He thanked city staff for composing the proclamations.

Mayor Partington commended Public Works staff for their strong work ethic and dedication to the city.

Mayor Partington congratulated Commissioner Persis and her husband Mr. Carl Persis for being honored for their local efforts in education at the Art House Foundation's 22nd Annual Fun and Funky Virtual Event.

Regal Theaters

Commissioner Littleton noted Regal Cinemas was planning to close all of their United Kingdom and United States movie theaters. He discussed the Regal Ormond Beach Cinema and the negative impacts of theaters closing down. He encouraged the Commission to have a potential plan in place for the property of the Ormond Beach theater.

Condolences

Commissioner Selby discussed the many life accomplishments of Mr. Ty Wilson, a longtime Ormond Beach developer who had passed away after a battle with multiple sclerosis. He expressed condolences to Mr. Wilson's family.

Clarification

Commissioner Selby addressed comments made against him by a Volusia County Council elected official claiming he was a liar. He noted the claims were false and thanked members of the community for their support.

Commissioner Kent complimented Commissioner Selby on his integrity and discussed election season.

Volusia County Schools

Mayor Partington complimented the Volusia County School system for allowing students to return safely back to school with new health guidelines.

Item #11 – Adjournment

The meeting was adjourned at 7:47 p.m.

APPROVED: October 20, 2020

BY:

Bill Partington, Mayor

ATTEST:

Colby J. Cilento, City Clerk