

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

October 5, 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. PRESENTATIONS AND PROCLAMATIONS**
 - A. Domestic Violence Awareness Month
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – September 22, 2021

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. 2021-158:** A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2021-2022 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2021-159:** A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2021-160:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION WITH GAI CONSULTANTS, INC. TO CONDUCT AND PROVIDE TO THE CITY A CONCEPTUAL PLANNING AND LAND USE STUDY OF THE AIRPORT PROPERTY FORMERLY LEASED FOR NONAERONAUTICAL PURPOSES AS A GOLF COURSE; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

D. Intent to Bid - Gazebo Replacement Central Park II

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

Disposition: Approve as recommended in the City Manager memorandum dated October 5, 2021.

E. City Manager Status Report, October 2021

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

Disposition: Approve as recommended in the City Manager memorandum dated October 5, 2021.

F. Granada Boulevard Streetscape Sidewalk Banding Repair

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

Disposition: Approve as recommended in the City Manager memorandum dated October 5, 2021.

8. PUBLIC HEARINGS

- A. ORDINANCE NO. 2021-35:** AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE LAND DEVELOPMENT CODE TO ALLOW MOBILE FOOD DISPENSING VEHICLES (FOOD TRUCKS) AT SINGLE-FAMILY AND MULTI-FAMILY DEVELOPMENTS WITH A RESIDENTIAL CLUBHOUSE OR COMMUNITY CENTER; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. ORDINANCE NO. 2021-36:** AN ORDINANCE AMENDING SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF ARTICLE III, DEFINITIONS AND ACRONYMS, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 2-29, B-8, COMMERCIAL ZONING DISTRICT, OF ARTICLE II, DISTRICT AND GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, AMENDING DEFINITIONS AND PROVIDING CRITERIA TO ALLOW VIRTUAL GOLF CENTERS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. RESOLUTION NO. 2021-161:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING "SOUTHERN MOWER SALES INC." LOCATED AT 148 NORTH YONGE STREET, WITHIN THE B-5 (SERVICE COMMERCIAL) ZONING DISTRICT; TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR DISPLAY AND SALES OF MERCHANDISE; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. DISCUSSION AND DIRECTION ITEMS

A. City Attorney Evaluation

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

B. City Manager Evaluation

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

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

Evangelist John Jeyaseelan, Bethel Ministries, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4 – Presentations and Proclamations

Item #4A – Domestic Violence Awareness Month

Mayor Partington presented Ormond Beach Police Department Victim Advocate Evelyn Rebstini, Flagler Beach Police Department Victim Advocate Michele Ficocello, and Ms. Angie Pye, as well as Ms. Donna Elsner, from the Beacon Center with a proclamation declaring October 2021 as Domestic Violence Awareness Month in the City of Ormond Beach, and urged all people to take supportive efforts that would prevent and end domestic violence.

Ms. Evelyn Rebstini, Victim Advocate, thanked the Commission for their support.

Mayor Partington expressed his and the Commission's gratitude for everyone who accepted the proclamation.

Item #5 – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, discussed censorship and videos from a local doctor that were removed from YouTube regarding natural health. He proceeded to discuss fluoridation in Europe and the United States.

Mr. Dom Miller, 55 North Old Kings Road, discussed the Riverbend Golf Course history and Federal Aviation Administration (FAA) guidelines for the area. He wanted a Commissioner to assist with reopening the Riverbend Golf Course, as many citizens were in favor of it. He requested no further Airport studies be performed, as there had already been many utilized.

Mr. Travis Sargent, 406 North Beach Street, expressed his support of the Leisure Services department and their work at the Doug Wigley T-ball Fields, with Movies on the Halifax, and the Reel in the Fun Kids' Fishing Tournament. He discussed the effluent water issue and suggested that the water be sent to the west side of Ormond Beach or to the former Riverbend Golf Course, in order to assist in reducing the amount of effluent water going into the Halifax River.

Item #6– Approval of Minutes

Mayor Partington advised the minutes of the September 22, 2021, meeting had been sent to the Commission for review and were posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Persis moved, seconded by Commissioner Selby, for approval of the September 22, 2021, City Commission meeting minutes.

The motion passed by voice vote.

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 stated he would like to pull Item C and Item F.

Commissioner Kent requested to pull Item B, Item D, and Item F.

Mayor Partington stated he would like to pull Item A.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of the consent agenda, absent Item A, Item B, Item C, Item D and Item F.

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

Item #7A – Community Development Block Grant (CDBG) FY 21-22 Subrecipient Agreement Approval

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-158
A RESOLUTION AUTHORIZING EXECUTION OF A COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2021-2022 BETWEEN THE CITY AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Resolution No. 2021-158, as read by title only.

Mayor Partington stated he was not in favor of Item 7A. He discussed the Americans with Disabilities Act (ADA) compliant door for the Housing Authority and cost associated with it, noting the amount of \$16,000 was extremely high.

Commissioner Littleton inquired if the item could be approved absent that expenditure.

Ms. Loretta Moisiso, Grants Coordinator, stated the item was part of the annual plan that had been approved in July 2021. She clarified it would be an automatic door with a mail slot, noting the Housing Authority did get the preliminary quote from a contractor in Orlando, and they could attempt to acquire a lower quote.

Mayor Partington further discussed the costs, noting he was still uncomfortable with \$16,000 for an ADA accessible door.

Ms. Joyce Shanahan, City Manager, stated the Commission could pull the Housing Authority door portion and approve the remainder of the item.

Commissioner Kent stated he would not be in favor of the item if the door was not pulled from the item. He asked Ms. Shanahan for clarification that the door could be pulled from the item; whereby, Ms. Shanahan stated that was correct.

Commissioner Kent moved, seconded by Commissioner Selby, to amend Item 7A to exclude the \$16,000.00 Housing Authority ADA compliant door.

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

Mayor Partington asked City Clerk Susan Dauderis to call the vote on the underlying motion for Resolution No. 2021-158.

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

Item #7B – Ormond Beach Memorial Art Museum Service Agreement

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-159

A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Resolution No. 2021-159, as read by title only.

Commissioner Kent wondered how long it had been since the Ormond Memorial Art Museum had been granted a cost increase; whereby, Ms. Shanahan stated it had been five years. Commissioner Kent discussed his history with the gardens, and stated how much he appreciated the work that went into the area. He explained that his concern was with the increase at 50 percent, noting he would not be in favor of the item as presented.

Mayor Partington agreed with Commissioner Kent, stating there was not much detail on the reason for the increase.

Commissioner Persis discussed the future plans of the area, agreeing that it was a lot of money, but she believed the cost to be worth it. She stated it would be a one-time expense and would be in favor of the item.

Commissioner Littleton stated he believed the cost was justified and would be in favor of the item.

Commissioner Selby noted his support of the cost increase.

Commissioner Kent clarified the expense would be a recurring annual expense and would not be a one-time fee.

Mayor Partington stated if it was a one-time fee he would approve; however, since it would be annually he could not support the item. He explained his concern involved whether or not the 50 percent increase was fair to other Ormond Beach organizations.

Commissioner Kent explained the city had a great relationship with the Ormond Memorial Art Museum and strongly believed that would continue, noting the Commission approved to change the lease from an annual lease to a 50-year lease.

Mayor Partington inquired if the cost could go back down the next year; whereby, Ms. Shanahan stated it was unlikely, as prior cost increases had not done that. Ms. Shanahan stated the building would not be operational for the next four to six months,

noting the Commission could table the item which would allow staff time to have further discussions with the Ormond Memorial Art Museum.

Commissioner Kent stated he would be in favor of tabling the item.

Commissioner Selby felt the Commission already had three votes in favor of the item as it was presented and was comfortable starting the vote.

Commissioner Kent moved, seconded by Mayor Partington, to table Resolution No. 2021-159, for a period of six months for staff to get further information on the price increase.

Commissioner Persis apologized for her previous statement of the cost being a one-time fee.

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

Mayor Partington asked City Clerk Susan Dauderis to call the vote on the original motion for Resolution No. 2021-159.

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

Item #7C – Airport Planning & Land Use Work Authorization – GAI Consultants, Inc.

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-160

A RESOLUTION AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION WITH GAI CONSULTANTS, INC. TO CONDUCT AND PROVIDE TO THE CITY A CONCEPTUAL PLANNING AND LAND USE STUDY OF THE AIRPORT PROPERTY FORMERLY LEASED FOR NONAERONAUTICAL PURPOSES AS A GOLF COURSE; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Resolution No. 2021-160, as read by title only.

Commissioner Selby stated he spoke with Airport Manager Steven Lichliter in regards to the GAI Consultants, Inc. proposal. He stated he would re-ask some of the questions as he believed citizens may have the same inquiries. He asked about purchasing airport property the city already owned; whereby, Mr. Brian Rademacher, Economic Development Director, stated the property formerly used as Riverbend Golf Course was on airport property and the airport was to maintain all property for aeronautical purposes. Mr. Rademacher stated when a portion of the property was being utilized for nonaeronautical use, the users would need to lease the land or the airport sponsor would need to compensate the airport for releasing the property liens.

Ms. Shanahan stated it was similar to the arrangement for the Ormond Beach Sports Complex (“Sports Complex”).

Commissioner Selby inquired if the city was expected to pay rent to the airport fund for the closed golf course; whereby, Mr. Rademacher stated if the city were to utilize the property for nonaeronautical use, such as recreational uses, the city would be required to compensate through a lease. Commissioner Selby asked if the city was currently in that situation; whereby, Mr. Rademacher confirmed that the city was not currently in that situation.

Commissioner Selby asked if the property was purchased with a deed restriction for aeronautical use only; whereby, Mr. Rademacher stated that was correct. Commissioner Selby inquired if, in the case of the Airport Business Park, the city had purchased the removal of the deed restriction; whereby, Mr. Rademacher stated that was correct and that the airport sponsor would need to be fairly compensated for the release of that land.

Commissioner Selby clarified there was no intent to develop the Area One land, as displayed in the agenda packet, into residential or commercial purposes; whereby, Mr. Rademacher stated that was correct. Commissioner Selby noted the wording in the GAI Consultants, Inc. proposal was a little misleading. Commissioner Selby asked if the land was preserved and left fallow, would the city be required to pay rent to the airport; whereby, Mr. Rademacher confirmed that his understanding was the city would pay rent. Commissioner Selby inquired if the city was paying rent on vacant land around the airport before the golf course was built; whereby, Mr. Rademacher stated it was not. Ms. Shanahan noted the difference was intentionally leaving the property vacant versus general vacant land that would eventually be developed.

Commissioner Selby inquired if the city was paying \$60,000 a year to the airport for the Sports Complex lease; whereby, Mr. Rademacher confirmed that was accurate. Commissioner Selby asked if that had been the situation for the last 30 years, and clarified it had not always been \$60,000 and was adjusted over the years. He suggested the Commission look into buying the deed restriction and owning the property so the city would not have to pay rent.

Commissioner Selby stated he did support the item, but wanted clarification.

Mayor Partington agreed with Commissioner Selby and requested that staff look into purchasing the Sports Complex area; he noted that Area One would be a park and that it was not the intent of the Commission to develop the area as commercial or residential. He was interested in the possibility of a nine-hole golf course in Area Two, as displayed in the agenda packet, noting he would like to have a public golf course in Ormond Beach. He was concerned with the proposal not including many options and would prefer to be provided with more possibilities in future reports.

Commissioner Kent stated he was supportive of the item, agreeing with Commissioner Selby and Mayor Partington that it was a good idea to pay off the Sports Complex as \$60,000.00 was a lot of money.

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

Item #7D – Intent to Bid – Gazebo Replacement Central Park II

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of the Intent to Bid – Gazebo Replacement Central Park II.

Commissioner Kent discussed his concerns with the costs of the gazebo.

Mr. Shawn Finley, Public Works Director, stated the gazebo was the second one to be repaired and over 30 years old. He discussed the quality and weather factors that went into the pricing.

Commissioner Kent thanked Mr. Finley for the information, noting that \$60,000 was still too expensive.

Mayor Partington noted he too felt that costs were very high.

Mr. Finley stated the cost was not final and would be brought back after being sent out to bid.

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

Item #7F – Granada Boulevard Streetscape Sidewalk Banding Repair

Commissioner Kent moved, seconded by Commissioner Persis, for approval of the Granada Boulevard Streetscape Sidewalk Banding Repair.

Commissioner Selby reviewed the items staff was looking for direction on. He explained a citizen reached out to the Commission via email asking if business owners would have to replace the current pavers if the Commission chose a different style of banding. He recommended the Commission exempt those who had an active building permit on an existing project. He also discussed the Florida Department of Transportation (FDOT) design on Granada Boulevard and verified that staff would work with FDOT.

Ms. Shanahan explained FDOT would not be widening the sidewalk, but would focus on the curb, as the sidewalks were maintained by the city.

Mr. Steven Spraker, Planning Director, agreed with Ms. Shanahan that FDOT would not be working with the sidewalks.

Commissioner Selby agreed with staff's choice of color, Etruscan Tile, and that the project should be sent out to bid due to the expected costs, noting that even a five percent savings would be large.

Mayor Partington discussed the project and the samples staff provided. He preferred the Mesa Beige color instead of the rust colors and clay pavers. He believed Mesa Beige would give the community a cohesive look. He stated he was comfortable with A.M. Weigel Construction, Inc. ("A.M. Weigel") completing the work, as he was concerned about the time frame involved in the bid process. He discussed the alternate options provided by A.M. Weigel in the agenda packet, and stated he was in favor of Alternate Options One and Two. He stated he would not be in favor of Alternate Option Three.

Commissioner Kent thanked staff for the provided physical samples. He discussed his views on the samples, and stated his favorite was the Mesa Beige followed by the Autumn Beveled Paver. He explained he was comfortable with the alternate options, but would like to send the project out to bid due to the cost.

Commissioner Persis agreed with Mayor Partington, including allowing A.M. Weigel to complete the work. She believed citizens were anxious to get the project moving and preferred to start quickly. She stated she was comfortable with the Etruscan Tile or Mesa Beige.

Commissioner Littleton stated his preference would be the Etruscan Tile, as it was his personal favorite, and was the Ormond Beach MainStreet color choice. He agreed with Mayor Partington on the alternate options and wanted to see the work done quickly, but was torn between utilizing the bid process or A.M. Weigel for the work. He explained if the project was sent to A.M. Weigel for immediate work, then he was comfortable with allowing the active building permit holders to delay replacing the pavers. Commissioner Littleton noted if the project was sent out to bid he would not be in favor of waiving the replacement of the pavers, due to the amount of time it might take to get the project started.

Mr. Spraker stated the nine miles of banding repair was a unique project and there were a limited number of contractors who could complete the work. He explained that A.M. Weigel requested bids for the project, which staff could request to present to the Commission. Mr. Spraker noted the contractors A.M. Weigel selected were skilled and had completed that type of work previously. He explained the process of sending the project out to bid and the delays that could accompany it.

Commissioner Littleton stated he would be in favor of using A.M. Weigel.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Mesa Beige, using A.M. Weigel, and Alternate Options One and Two.

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

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

Commissioner Kent moved, seconded by Commissioner Persis, for approval of the color Mesa Beige.

Commissioner Selby noted he would prefer a darker color to provide contrast.

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

Commissioner Kent moved, seconded by Commissioner Littleton, for approval of using A.M. Weigel Construction, Inc. as the contractor.

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

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Alternate Options One and Two.

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

Commissioner Selby inquired if the Commission could allow an exception for active building permit holders; whereby, Mr. Randy Hayes, City Attorney, stated it would depend on if the rule was in the Code of Ordinances. Mr. Hayes was unsure at the time if it was in the Code of Ordinances, but noted the Commission could allow a waiver of the requirement.

Commissioner Kent agreed with Commissioner Selby, and thought allowing the waiver was a good option.

Commissioner Littleton stated he would be in favor of allowing the waiver.

Commissioner Selby explained he was proposing a waiver of the requirement to restore the sidewalk in front of the permit holder's property to its original state, if the permit holder had an active permit. He noted the waiver would exist until work had been completed.

Commissioner Persis stated she would be in favor of that.

Commissioner Selby moved, seconded by Commissioner Kent, for approval of a waiver of requirement to restore the sidewalk for active permit holders.

Mr. Spraker wondered if staff could require permit holders to install the Mesa Beige themselves, noting the time frame for the project. He indicated that staff would find a way to work with the permit holders on the project.

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

Comments on the Consent Agenda

Mayor Partington complimented City Manager Joyce Shanahan on Item 7E, the monthly status report.

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – LDC Amendment – Mobile Food Dispensing Vehicles in Residential Communities

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-35
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE LAND DEVELOPMENT CODE TO ALLOW MOBILE FOOD DISPENSING VEHICLES (FOOD TRUCKS) AT SINGLE-FAMILY AND MULTI-FAMILY DEVELOPMENTS WITH A RESIDENTIAL CLUBHOUSE OR COMMUNITY CENTER; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
(SECOND READING)

Commissioner Selby moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2021-35, on second 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 – LDC Amendment – Virtual Golf Center

City Clerk Susan C. Dauderis read by title only:

ORDINANCE NO. 2021-36
AN ORDINANCE AMENDING SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF ARTICLE III, DEFINITIONS AND ACRONYMS, OF CHAPTER 1, GENERAL ADMINISTRATION; AMENDING SECTION 2-29, B-8, COMMERCIAL ZONING DISTRICT, OF ARTICLE II, DISTRICT AND GENERAL REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; AND AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, AMENDING DEFINITIONS AND PROVIDING CRITERIA TO ALLOW VIRTUAL GOLF CENTERS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker reviewed a PowerPoint presentation. He stated the goal of the ordinance was to allow an indoor virtual golf center that could also provide beer and wine to their users, noting it was a unique use that was not allowed under current codes. He stated the Planning Board and staff recommended approval.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Ordinance No. 2021-36, 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 –148 North Yonge Street (Southern Mower Sales Inc.) Special Exception – Outdoor Activity

City Clerk Susan C. Dauderis read by title only:

RESOLUTION NO. 2021-161
A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING

“SOUTHERN MOWER SALES INC.” LOCATED AT 148 NORTH YONGE STREET, WITHIN THE B-5 (SERVICE COMMERCIAL) ZONING DISTRICT; TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR DISPLAY AND SALES OF MERCHANDISE; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker displayed a PowerPoint presentation that explained the request for a special exception for outdoor activities. He stated the Planning Board recommended approval.

Commissioner Selby moved, seconded by Commissioner Persis, for approval of Resolution No. 2021-161, as read by title only.

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

Mayor Partington closed the public hearings.

Item #9 – Discussion and Direction Items

Item #9A – City Attorney Evaluation

Commissioner Persis moved, seconded by Commissioner Kent, to accept the City Attorney evaluation as presented.

Commissioner Persis read her evaluation comments and complimented Mr. Hayes on his dedication to the job and his working relationship with the City Manager.

Commissioner Kent read his evaluation comments, stated Mr. Hayes was a wonderful asset to the city, and thanked him for his hard work and professionalism. He noted the high marks received from the entire Commission.

Commissioner Littleton thanked Mr. Hayes for all his work, stating Mr. Hayes was the best of the best.

Commissioner Selby complimented Mr. Hayes’ knowledge of the job and city. He provided examples of Mr. Hayes’ exceptional work protecting and continuously looking out for the city.

Mayor Partington read his evaluation comments and stated Mr. Hayes had done great work during the pandemic and throughout the year. He stated the city was lucky to have him and his team. He complimented and provided examples of Mr. Hayes’ leadership.

Mr. Hayes thanked the Commission for his positive evaluation. He complimented the Commission, City Manager and staff. He thanked the Commission for their cohesive direction and hard work.

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

Item #9B – City Manager Evaluation

Commissioner Persis moved, seconded by Commissioner Kent, to accept the City Manager evaluation as presented.

Commissioner Kent read his evaluation comments and complimented Ms. Shanahan on her professionalism, decision making, and ethics. He noted the high marks received from the whole Commission. He stated his appreciation of her high expectations of her staff. He explained how happy he was with her as the City Manager, noting it was one of the best decisions he had made as a Commissioner. He informed the citizens as to why the Commission was not discussing salaries.

Commissioner Persis read her evaluation comments and stated she respected Ms. Shanahan, as she was a wonderful example of a strong, working woman. She thanked Ms. Shanahan for her hard work and for being a positive role model for the city. She stated her admiration for Ms. Shanahan, noting the high marks on the evaluation from all Commissioners.

Commissioner Littleton stated the city was lucky to have Ms. Shanahan. He thanked her for all her hard work, noting her work made his job easier.

Commissioner Selby read his evaluation comments and stated the city was fortunate to have her as the City Manager, as she demonstrated honesty and integrity at the highest level. He thanked Ms. Shanahan for her service to the community.

Mayor Partington read his evaluation comments and echoed each of the Commissioners comments, thanking Ms. Shanahan and her staff for their hard work and dedication.

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

Item #10 – Reports, Suggestions, Requests

Evaluations

Ms. Shanahan thanked all members of the Commission for the generous evaluation, and for their leadership and guidance. She stated she was honored to serve as the City Manager, noting the Commission reviewed the details of every item and asked the tough questions to make the community great. She complimented Mr. Hayes on his strong work ethic and noted she enjoyed working alongside him and his staff. She complimented staff and their hard work throughout the year and during the pandemic.

Ms. Claire Whitley, Assistant City Manager, complimented both Mr. Hayes and Ms. Shanahan on their outstanding work performance and their dedication to the city.

Workshops

Ms. Shanahan explained there were a few updates to the workshop schedule, noting the November 2, 2021, workshop would not take a full hour and asked if the Commission had a preferred start time; whereby, the Commission agreed to a start time of 6:00 p.m. for the meeting. She stated the “Utilities and Senate Bill 64” workshop had to be moved to November 16, 2021, and OB Life from October and November to November and December.

Mayor Partington discussed the FDOT workshop from earlier in the evening, and thanked the Commission for providing great input.

K-9 Kane

Ms. Whitley discussed the retirement of Ormond Beach Police Department K-9 Kane, noting it was a sad but wonderful event. She discussed the Police Department staff and the respect they had for each other.

Commissioner Persis stated that Kane was an amazing dog and his handler was an amazing person. She stated how wonderful it was to see the police officers come together to support Kane and his handler. She thanked staff for holding the event. She explained how she and Commissioner Littleton presented Kane with a massive bone.

Mayor Partington thanked Commissioner Persis and Commissioner Littleton for attending the event. He discussed a Daytona Beach News-Journal article regarding the creation of a non-profit entity for service animals and ensuring the medical care was covered after retirement. He stated he spoke with Ormond Beach Police Chief Jesse Godfrey and Ms. Shanahan, noting that Ormond Beach would ensure K-9 Kane had the care he needed for as long as he needed it.

Commission

Commissioner Selby complimented the Commission, stating he appreciated the way the Commission asked staff the hard questions. He explained although the Commission may

not agree with each other, that everyone was very civilized and respectful of the others' opinions.

Mayor Partington agreed with Commissioner Selby, noting the importance of a voiced opinion.

Compliments

Commissioner Kent thanked Mr. Ed Wilson and Mr. Randy Crabtree for attending the meeting. He agreed with Mr. Sargent regarding the Leisure Services events and thanked Leisure Services Director Robert Carolin.

Landscaping

Commissioner Kent stated he was unhappy with Yellowstone Landscaping. He explained the medians on Granada Boulevard were not visibly appealing and did not meet his expectations, noting the mulch and trash. He asked that Ms. Shanahan make a phone call in order to have the situation corrected.

Echo Grant

Commissioner Persis asked Ms. Shanahan to reach out to Ms. Lucy Jackman and work with her to assist in acquiring a grant for the Ormond Beach Performing Arts Center, and possible budget re-evaluation, if needed. Ms. Shanahan inquired if the Commission would support it; whereby, the Commission agreed they would. Commissioner Persis thanked the Commission and staff.

Mayor Partington noted he met with Ms. Jackman and that the grant may require a budget amendment. He discussed Ms. Jackman's love for the Performing Arts Center.

Workshops

Mayor Partington stated he was working with Mr. Ike Leary on starting a fishing club at Seabreeze High School.

Mary McLeod Bethune

Mayor Partington discussed the Mary McLeod Bethune statue going to the capital, explaining the statuary fund and sponsorship levels. He suggested the Commission make a financial contribution on behalf of the city.

Commissioner Kent asked for background on the organization the funds would be going to.

Item #11 – Adjournment

The meeting was adjourned at 9:05 p.m.

APPROVED: October 19, 2021

BY:

Bill Partington, Mayor

ATTEST:

Susan Carroll Dauderis,
City Clerk