

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

March 18, 2014

7:00 PM

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners James Stowers, Troy Kent, Rick Boehm, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager and Public Works Director Theodore MacLeod, City Attorney Randy Hayes, and City Clerk Scott McKee.

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

5. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – March 4, 2014

6. COMMUNITY REDEVELOPMENT AGENCY

A. **RESOLUTION NO. 2014-48** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE HEASTER FAMILY LIMITED PARTNERSHIP; FOR THE PROPERTY AT 42 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

B. **RESOLUTION NO. 2014-49** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND HIGHLANDER CORP.; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7B)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

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. 2014-48** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE HEASTER FAMILY LIMITED PARTNERSHIP; FOR THE PROPERTY AT 42 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- B. **RESOLUTION NO. 2014-49** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND HIGHLANDER CORP.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- C. **RESOLUTION NO. 2014-35** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT UNDER THE COOPERATIVE FUNDING INITIATIVE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO A WATER QUALITY IMPROVEMENT PROJECT WITHIN LAKE 5 OF THE CENTRAL PARK LAKE SYSTEM; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

- D. **RESOLUTION NO. 2014-36** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSERVATION EASEMENT IN FAVOR OF ST. JOHNS RIVER WATER MANAGEMENT DISTRICT OVER APPROXIMATELY 9.60 ACRES AT THE ORMOND BEACH SPORTS COMPLEX PERIMETER ROAD IMPROVEMENTS; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

- E. **RESOLUTION NO. 2014-37** : A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE ORMOND BEACH SPORTS COMPLEX ROADWAY IMPROVEMENTS PROJECT, UNDER BID NO. 2013-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

- F. **RESOLUTION NO. 2014-38** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT UNDER THE COOPERATIVE FUNDING INITIATIVE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO THE EXTENSION OF THE RECLAIMED WATER SYSTEM ON THE SOUTH PENINSULA; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

- G. **RESOLUTION NO. 2014-39** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF GREGORY E. WIERSIG AND KAREN L. WIERSIG, RELEASING A PORTION OF A CERTAIN DRAINAGE EASEMENT AT 562 WOODGROVE STREET; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Ric Goss, Planning Director (386-676-3238)*

- H. **RESOLUTION NO. 2014-40** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF NORBERT J. ZARB AND JOSETTE M. ZARB, RELEASING A PORTION OF A PUBLIC UTILITY EASEMENT AT 1549 POPLAR DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Ric Goss, Planning Director (386-676-3238)*

- I. **RESOLUTION NO. 2014-41** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY WILLIAM VOGENITZ AND JUDY VOGENITZ LOCATED AT 30 CARRIAGE CREEK WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4126-03- 00-0640) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- J. **RESOLUTION NO. 2014-42** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MASTER ADMINISTRATIVE FINE/LIENS FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 712 SOUTH ATLANTIC AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*
- K. **RESOLUTION NO. 2014-43** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT TO THE LABOR COUNSEL AGREEMENT BETWEEN THE CITY AND ALLEN, NORTON & BLUE, P.A., TO INCREASE FEES; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Randal Hayes, City Attorney (386-676-3217)*
- L. **RESOLUTION NO. 2014-44** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO HANGAR LEASE AGREEMENT BETWEEN THE CITY AND BLUE SKY RENTAL, INC.; SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)*
- M. **RESOLUTION NO. 2014-46** : A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE ADDITIONAL DESIGN AND CONSTRUCTION SERVICES REGARDING THE CONSTRUCTION OF A MULTI-USE BUILDING AT THE ORMOND BEACH SPORTS COMPLEX; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)*
- N. **RESOLUTION NO. 2014-50** : A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE AIR TRAFFIC CONTROL TOWER SYSTEMS UPGRADE PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)*
- O. **RESOLUTION NO. 2014-51** : A RESOLUTION ACCEPTING A PROPOSAL FROM AVCON, INC. TO PROVIDE DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE AIR TRAFFIC CONTROL TOWER SYSTEMS UPGRADE PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)*

- P. **Stump Cutter Intent to Bid**
Staff Contact: Facundo Tassara, Fleet Operations Manager (386-676-3506)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- Q. **Austin Outdoor Contract Update**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- R. **Auto Renewal Contracts**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- S. **Fireworks by Santore, Inc. Contract Auto-Renew**
Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- T. **Engineering Division Capital Improvement Program Summary**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- U. **Street Tree Planting**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- V. **Police Department Fencing**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- W. **FDOT Maintenance Agreement**
Staff Contact: Ric Goss, Planning Director (386-676-3238)
Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.
- X. **Strategic Action Plan for Volusia Safe Harbor Program**
Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.

Y. Financial Status Report for October -December 2013 1st Quarter FY 2014

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

Disposition: Approve as recommended in the City Manager memorandum dated March 18, 2014.

8. PUBLIC HEARINGS

A. **ORDINANCE NO. 2014-2** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +18.68 ACRES LOCATED AT 1500 SAN MARCO DRIVE FROM VOLUSIA COUNTY "URBAN HIGH INTENSITY (UHI)" TO CITY OF ORMOND BEACH "OFFICE/PROFESSIONAL (O/P)"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

B. **ORDINANCE NO. 2014-13** : AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4-3, SALE, CONSUMPTION, POSSESSION, ETC., PROHIBITED EXCEPT ON LICENSED PREMISES; EXCEPTIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

C. **ORDINANCE NO. 2014-14** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTS OF APPROXIMATELY 1.4±-ACRES AND BEING GENERALLY LOCATED ALONG THE EAST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 2,800 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 395 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; RE-DESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- D. **ORDINANCE NO. 2014-15** : 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 CERTAIN REAL PROPERTY TOTALING 8.3±-ACRES LOCATED AT 1451, 1453, 1455, 1457, AND 1459 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-8 (COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- E. **ORDINANCE NO. 2014-16** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 875 STERTHAUS DRIVE TOTALING 13.73±-ACRES FROM “PUBLIC INSTITUTIONAL” TO “OFFICE PROFESSIONAL”; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

9. STAFF ACTION ITEMS

- A. **Solid Waste Collection and Disposal Contract Renewal**

Staff Contact: Theodore MacLeod, Assistant City Manager (386-676-3200)

10. DISCUSSION ITEMS

- A. **Ocean Shore Boulevard Land Use Plan and Zoning Amendment**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

11. REPORTS, SUGGESTIONS, REQUESTS

12. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Rabbi Bruce Tucker, Beth Judah Messianic Congregation, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4 – Audience Remarks

Mayor Kelley explained that the Commission had adopted a time limit for the Audience Remarks section of the agenda, noting that Audience Remarks were for items that were *not* on the printed agenda. He stated that there was a full crowd of individuals at the meeting wishing to speak to items not on the agenda. He confirmed with City Attorney Randy Hayes that the Audience Remarks portion of the meeting would end at 7:30 p.m. and that any speakers who had not been able to speak by that time could wait until the completion of the rest of the items on the agenda to speak, before closing comments.

Ms. Kelli Marks, 101 Laurie Drive, asked the members of the Moose Lodge (the “Moose”) present to stand to show their presence. She stated that it had come to her attention that the B-9 zoning of the Moose Lodge did not allow for them to have a farmer’s market. She stated that in order to amend the zoning, they were told that it would cost \$3,100 and that was a large sum of money for them. She noted that one of the concerns raised had been that if the city granted an exception for the Moose, then they would have to grant similar ones to other businesses in that corridor. She stated that she had organized the market, which was not easy, and that it was a lot of work to get the vendors to participate. She explained that visibility was very important to the market’s success and that it had to be advertised to attract customers. She noted that parking was also an issue. She stated that she hoped to partner with the city to reach a resolution.

Mr. Jim Felty, Governor of the Moose Lodge, 10 Highwood Ridge Trail, stated that the Moose were governed by the rules of Moose International Incorporated. He stated that company was located in Mooseheart, Illinois. He noted that he had their book with him, and he read from it as follows: *“Moose International is a charitable, non-discriminatory, non-profit corporation funded primarily by members of the Moose.”* He stated that he also had the notice of violation from the city with him. He stated that Rule 10 on the notice read as follows:

“Carwashes, bake sales, cookie sales, charitable solicitation, outdoor church events, and other such sales and fundraising events conducted by a non-profit organization... shall be exempt from the requirements of this section, provided that the proposed events do not impede pedestrian or vehicular travel. The following information is required for outside events: day of event, hours of operation, expected number of participants, types of temporary structures, number of portable toilets provided, security plan, pedestrian and vehicle movement plan, a scale sketch detailing the location of the special event area and parking areas and location of any planned activity.”

Mr. Felty stated that to him the rule seemed to be saying that the Moose were exempt. He stated that if they were exempt, then they did not need to be getting a violation notice from the city. He explained that the Moose had financial problems and it was not easy to work through them in Ormond Beach. He stated that he would appreciate any help the city could offer.

Ms. Martha Blumenauer, Officer of the Women of the Moose, 601 Orchard Avenue, stated that she had spoken with the Planning Department and Neighborhood Improvement Division (Code Enforcement). She stated that part of the confusion was that they had been told by one

department that they might be able to get a special exception or find a way to be able to continue the market and by another that they were totally out of the allowed area and needed to be rezoned. She stated that they did not know which way they needed to proceed in order to be able to continue the market responsibly and work with the city. She explained that they were also told that some of the other buildings just east of Orchard Street, which was where the zoning ended, were exempt because they were grandfathered in. She noted that some of those buildings were only five years old and explained that their building had been in the city since the 1980s and owned by the Moose since the 1990s. She reiterated that they were confused about which department they should listen to and how they should proceed. She asked for guidance.

Mayor Kelley stated that he believed that City Manager Joyce Shanahan and City Attorney Randy Hayes could answer Ms. Blumenauer's questions. He stated that they could set up a meeting with the Moose organization and provide the correct information to them. He noted that he had spoken with Ms. Blumenauer himself and believed he provided the correct information.

Ms. Joyce Shanahan, City Manager, clarified that there was no fee from the city for the special exception process. She stated that the \$3,100 in costs was for required public advertising and that was the estimate provided by the Daytona Beach News-Journal for the cost of the legal advertising.

Mayor Kelley encouraged the Moose members to meet with the City Manager and let her try to work something out within the zoning laws.

Mr. David Blumenauer, Administrator of the Moose Lodge, 749 Orchard Avenue, stated that he understood that fraternal organizations were governed differently than everyone else in the B-9 zone. He noted that they were the only fraternal organization on State Road 40.

Mayor Kelley stated that Mr. Blumenauer may understand some things to be correct that were not actually accurate. He stated that the meeting with Ms. Shanahan and Mr. Hayes would once and for all lay out the options that the Moose Lodge had for continuing the market.

Mr. Blumenauer stated that the Moose had done the following for the City of Ormond Beach in the last year: spearheaded and rebuilt the Magic Forest Playground, a Fingerprint America program for the schools, a safe surfing for the internet program, the Tommy Moose program for the Fire and Police Departments, and held numerous blood drives. He stated that most of these programs were run by Moose International and local Moose lodges had to purchase the materials from them. He stated that one of the fundraising ideas to offset those costs was the Moose Market. He stated that if there were errors in signage, he took full responsibility as he approved it.

Mayor Kelley again encouraged the Moose to meet with Ms. Shanahan and Mr. Hayes so that they could provide them with the most accurate information and eliminate any misunderstandings or speculation. He stated that the Commission recognized the importance of the work that the Moose did. He noted, however, that was not the issue at hand, and that the issue was operating within the confines of the law as established by the ordinances and zoning of the City of Ormond Beach. He stated that the Commission had taken an oath to uphold the City's ordinances and could not deviate from them. He hoped the Moose understood that it was nothing personal.

Ms. Carol Sloat, 1308 Peachtree Road, stated that most people did not know about the Moose organization. She stated that they carried checks down to the domestic violence shelter,

participated in the Child Alliance, the Food Bank, and Meals on Wheels. She stated that she was in the commercial real estate division in Volusia County. She stated that she understood the city's rules and regulations, but she thought it was time for them to move into the future and look at different ways of doing things. She stated that there were gas stations popping up on every corner in Ormond Beach and someone would have to come to the city and purchase that gas. She stated that the Moose brought people into the city that would never come to Ormond Beach. She explained that she tried to sell commercial real estate in Ormond Beach and had been told by prospective buyers that the city had too many rules, and they would rather go to Daytona Beach or Palm Coast.

Ms. Sloat stated that she was trying to bring the city back to prosperity and that she felt that it needed to show a friendlier atmosphere to the people trying to do something in it besides run gas stations. She opined that the city needed other things that would be "down home" giving a personal heartfelt feeling and showing that Ormond Beach was a caring community. She stated that she felt it was time the city looked at variances, exceptions, or permits to allow things like the Moose Market to go on. She noted that the Moose had already lost their ability to do computer gaming and taking the Moose Market away as well would be putting them in a hardship. She noted that the Moose organization helped so many other people. She stated that she felt it was unfair that the city was telling them that for \$3,100 they could fight them and probably lose. She noted that the citizens voted for the Commission.

Mayor Kelley stated that the work that the Moose did was important, but it was not the issue at hand, noting the issue was with the Moose operating a business in an unauthorized area.

Mr. Greg Vernam, 153 Indian River Drive, Edgewater, Florida, stated that he was a vendor at the Moose Market. He stated that Ms. Sloat outlined the benefit of the Moose to the community, but he wanted to speak about the benefit of the market itself to the community. He stated that he had customers come up from neighboring cities and counties, who were regular customers of his, which he did not know if they would come to Ormond Beach if not for the market. He stated that he thought the market provided an excellent benefit to the residents and tourists of the city. He noted that he respected the city's rules and regulations as well but thought that sometimes there was a need to think outside the box. He stated that he thought it had been demonstrated that the Moose Market needed city assistance to move around the rules and regulations. He noted that there was no question that the zoning was the issue, but they needed help. He explained that while the \$3,100 was advertising costs and not city fees, it was still money out of their pocket going towards an unknown result. He asked for the city's help and stated that unless there was some alternate agenda in play, he could not see why the city would not help them.

Mayor Kelley stated that the city could not bend the rules and had to enforce them. He stated that until the zoning was changed or a special exception was given, they could not move forward.

Mr. Ronald Velez, 640 N. Nova Road #1517, noted that the meeting participants seemed to be beset with zoning issues. He stated that he was a resident of Tomoka Oaks North Condominium. He stated that he was concerned by several recent events that had affected the value of his unit. He explained that Fannie Mae guidelines had been amended so that a mortgage could not be accepted for a condominium project that presented a legal but non-conforming use of the land if zoning regulations prohibited rebuilding to the current density in the event of their partial or full destruction. He stated that the city sent him a letter dated June 21, 2013, that said that "...structure destroyed beyond 50% cannot be rebuilt to five stories..."

noting that Tomoka Oaks North was five stories. He stated that the maximum height allowed was apparently 30 feet and the unit was about 56 feet.

Mr. Velez explained that banks such as Suntrust would not give a mortgage unless it could be sold to Fannie Mae or another agency. He stated that already several deals for unit sales had fallen through because of that situation. He noted that it was more difficult to sell the units now and as a consequence, they had lost additional value. He stated that the buyer pool was now greatly restricted as a typical buyer for those units would be using an FHA, VA, or other agency for financing opportunities. He explained that the association was seeking a variance that would remove the two conditions and allow rebuilding to the original configuration, since the building was built in 1974 before those regulations were in place. He stated that they were looking forward to some resolution and prepared to see the issue to a successful conclusion.

Mayor Kelley asked Mr. Velez if he had met with Ms. Shanahan.

Mr. Velez stated that he had met with attorneys and city staff and nothing seemed to be progressing.

Ms. Shanahan stated that staff would be happy to meet again with Mr. Velez. She explained that Fannie Mae made federal changes and many of the condominiums throughout Florida were no longer able to get mortgages because of them. She noted that it was not anything that the city did to cause that change. She stated that Mr. Hayes and Planning Director Ric Goss had been working to try and find a solution, which she thought they were close to doing. She stated that she would be happy to meet with Mr. Velez again and see how they could resolve the issue but was not sure if it could be resolved to his satisfaction.

Mayor Kelley stated that he had heard that a bill was in Congress to eliminate Fannie Mae and Freddie Mac, which might be the answer.

Mayor Kelley concluded the audience remarks at 7:30 p.m., noting that any of those still wishing to speak on items not on the printed agenda could do so after the completion of the remainder of the agenda and prior to closing remarks.

Item #5A – Approval of Minutes

Mayor Kelley advised that the minutes of the March 4, 2014, regular meeting had been sent to the Commission for review, and were 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 6 – Community Redevelopment Agency

Mayor Kelley explained that the City Commission served as the Community Redevelopment Agency (CRA) for the Downtown Redevelopment Area, and as such, must review related items and make a recommendation as the CRA prior to the City Commission public hearing; therefore, the City Commission meeting would be recessed, and a meeting of the Community Redevelopment Agency convened. He explained that once the recommendation was made, the CRA meeting would be adjourned and the City Commission meeting reconvened.

Mayor Kelley stated that the City Commission meeting was recessed, and he called the meeting of the Community Redevelopment Agency to order at 7:30 p.m. for discussion of Resolution Nos. 2014-48 and 2014-49. He opened the items for a public hearing.

Item 6A – 42 West Granada Boulevard, Downtown Grant (BIGP)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2014-48

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE HEASTER FAMILY LIMITED PARTNERSHIP; FOR THE PROPERTY AT 42 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2014-48, as read by title only.

The motion passed by voice vote.

Item 6B – 48 West Granada Boulevard, Downtown Grant (BIGP)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2014-49

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND HIGHLANDER CORP.; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Resolution No. 2014-49, as read by title only.

The motion passed by voice vote.

Mayor Kelley closed the public hearing, adjourned the CRA Meeting, and reconvened the City Commission Meeting at 7:32 p.m.

Item #7– Consent Agenda

Mayor Kelley advised that 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 Partington, for approval of the Consent Agenda.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Item #7E – OBSC Roadway Improvements Bid Award

Commissioner Boehm stated that the project was budgeted for \$610,000 and Halifax Paving bid \$383,000, saving the city \$227,000 under the budget. He stated that he thought that Halifax Paving, which was located in Ormond Beach near the Sports Complex, did that as much as a community partner as for business sense, noting that their bid was well under the others submitted.

Item #7M – Ormond Beach Sports Complex Multipurpose Building

Commissioner Boehm stated that some time ago the Commission approved the building of a multipurpose building at the Sports Complex. He explained that the Leisure Services Advisory Board decided that they wanted more restrooms, and it would cost an additional \$20,000. He stated that Mr. Greg Smith, who had previously donated \$100,000, gave the city another \$20,000 towards that building for the restrooms. He noted that was an amazing gesture by a private citizen towards a building that would be greatly used by the city's youth.

Item #7L – Second Amendment to Lease – Blue Sky Rental, Inc.

Mayor Kelley stated that as an example of the adjustments the city had to go through because of re-surveying, the city had to reduce a tenant's rent by \$0.47 a month. He stated that he found that interesting, and noted that was an example of following the rules and regulations set forth.

Item #8 – Public Hearings

Mayor Kelley opened the public hearings.

Item #8A – 1500 San Marco Drive (aka 390 Williamson Blvd.) Large Scale Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-02

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +18.68 ACRES LOCATED AT 1500 SAN MARCO DRIVE FROM VOLUSIA COUNTY "URBAN HIGH INTENSITY (UHI)" TO CITY OF ORMOND BEACH "OFFICE/PROFESSIONAL (O/P)"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-02, on second reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
Carried.	Mayor Kelley	Yes

Item #8B – Alcoholic Beverages Ordinance Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-13
AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4-3, SALE, CONSUMPTION, POSSESSION, ETC., PROHIBITED EXCEPT ON LICENSED PREMISES; EXCEPTIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-13, on second reading, as read by title only.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes
Carried.	Mayor Kelley	Yes

Item #8C – 395 Williamson Boulevard Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-14
AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTS OF APPROXIMATELY 1.4± ACRES AND BEING GENERALLY LOCATED ALONG THE EAST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 2,800 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 395 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; RE-DESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, clarified that when this ordinance went to the Commission for first reading the zone was incorrectly identified as Zone 3. He stated that item was amended to reflect the correct zoning of Zone 4.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-14, on second reading, as read by title only.

Call Vote:	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Kelley	Yes

Item #8D – 1451–1459 N. US Highway 1 Zoning Map Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-15

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 CERTAIN REAL PROPERTY TOTALING 8.3±-ACRES LOCATED AT 1451, 1453, 1455, 1457, AND 1459 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-8 (COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this item was the last step as part of the annexation of the Gardens Business Center. He stated that staff recommended approval.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2014-15, on first reading, as read by title only.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Item #8E – 875 Sterthaus Drive Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-16

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE (1) PARCEL OF REAL

PROPERTY LOCATED AT 875 STERTHAUS DRIVE TOTALING 13.73±-ACRES FROM "PUBLIC INSTITUTIONAL" TO "OFFICE PROFESSIONAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this land use plan amendment was in preparation for redevelopment of the vacant hospital site to a condominium development with 280 units plus a church. He explained that in order to allow that, the property owner needed to change at least half of the site from public institutional, which did not allow residential. He stated that they were changing it to office professional so that a Planned Business Development (PBD) could be done. He noted that the Planning Board reviewed the item at a public hearing and heard no objections. He stated that staff and the Planning Board both recommended approval.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-16, on first reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
Carried.	Mayor Kelley	Yes

Mayor Kelley closed the public hearing without objection.

Item #9A – Solid Waste Collection and Disposal Contract Renewal

Ms. Shanahan stated that the city had an existing continuing service contract with Waste Management. She explained that Waste Management was the current provider of the city's solid waste, recycling, and yard waste collection services. She stated that they had been the city's provider since about 1997. She stated that the current contract expired September 30, 2014, and in preparation for that, the city had to let Waste Management know whether they were willing to renew that contract or if they intended to go out to bid for those services within 180 days of that contract conclusion. She stated that staff met with Waste Management to try and negotiate a continuance of the existing agreement.

Ms. Shanahan explained that the conditions that Waste Management would require in order to continue the agreement would be to make retroactive a cost of living CPI (Consumer Price Index) adjustment of 1.67% retroactive to October 1, 2013. She noted that the Commission considered that adjustment request in May 2013 and it was not accepted. She explained that the current language in the contract provided that in year three, four, and five of the contract the Commission *may* consider a CPI adjustment. She stated that in each of those years previously Waste Management had come to the Commission with the request and the Commission had decided to either approve or not approve the adjustment. She noted that Waste Management was requesting that the language in the future contract be changed from "*may*" to "*shall*", which would mean that the city *shall* provide the adjustment, not to exceed 3% or the CPI, whichever was less. She stated that she could not recommend those conditions, so she brought to the Commission Waste Management's request for renewal, as well as some discussion for them as to whether they would like to renew the contract under those conditions or preferred the city to go out to bid and prepare a Request for Proposal (RFP) for the services.

Ms. Janie Coleman, Waste Management, stated that she could not tell the Commission the number of times she had stood at a podium and said to elected officials that their business was a real simple business, explaining that trash was placed at the curb and Waste Management picked it up. She noted that their business had changed a little bit and became more computerized. She explained that all of their vehicles had onboard computing which afforded them the opportunity to react quicker to resident requests. She stated that the trucks were also equipped with drive cam to videotape that showed what the drivers were doing on their routes. She stated that there had been no Waste Management vehicle accidents in Ormond Beach since July 2012, which was an example of the consistency of service offered. She stated that Waste Management had an excellent customer service department, especially Ms. Libby McGrath, who had been involved in providing service to Ormond Beach for many years. She stated that their complaint record was also excellent and basically non-existent. She explained that 25 employees provided service to Ormond Beach on a daily basis and 14 vehicles operated in the city. She explained that it was a large investment in the city to provide service.

Ms. Coleman noted that Waste Management was the largest residential garbage collector in North America and that there was value associated with that. She stated that Ormond Beach currently paid Waste Management \$16.27 per home for their services. She explained that weekly service consisted of four collections: twice per week garbage, once a week recycling, and once a week yard trash collection. She noted that accounted to less than a dollar per week for that service. She stated that Waste Management was paid \$5 million on an annual basis to pick up commercial and residential trash and recycling, as well as industrial garbage. She also noted that Waste Management paid \$1 million for the privilege of working in the city and noted that helped fund the city's budget. She stated that staff provided a rate analysis in the agenda packet and it appeared that Waste Management's rates were in line.

Ms. Coleman explained that if the agreement was extended, then the city would remain consistent and not have to go through an RFP process. She stated that an RFP process would take up staff time. She stated that other issues were a challenge for the city, such as unfunded mandates and liabilities, and it appeared to her that the service Waste Management provided was not a challenge. She asked the Commission to extend the agreement, because they did not see a compelling reason to go to the market. She noted that Waste Management felt they provided an excellent service, valued the city as a customer, and looked forward to the future working with them.

Mr. Ted Oglesby, Waste Pro, agreed that Waste Management was a fine company but urged the Commission to put the contract out for RFP. He stated that one compelling reason would be the commercial rate. He stated that the rate Ormond Beach paid was twice that of any other city in Volusia County. He explained that Waste Pro had two facilities, one in Daytona Beach and one in Bunnell. He noted that the commercial rate being lower would help small businesses. He stated that Waste Pro was a local company. He explained that the city had nothing to lose by putting the contract out for RFP. He stated that they could still keep Waste Management with an RFP.

Commissioner Boehm asked if there had been an RFP process completed for the contract since 1997.

Ms. Shanahan stated that the last one occurred in 2004, noting that Waste Management had taken over an existing contract from someone else.

Commissioner Kent stated that he understood where Mr. Oglesby came from. He stated that the Commission knew that when the city had a service that he did not believe was treating the taxpayers fairly, he had no problem standing up and addressing the problem. He noted that Ms. Coleman had mentioned Ms. Libby McGrath in her comments, and stated that he also thought she was fantastic at her job. He explained that he was more inclined to proceed with the notice of intent to renew with Waste Management, partly because in the 11 years he had served on the Commission he had not received one negative phone call or comment about Waste Management's service.

Commissioner Partington stated that there was no question that Waste Management had done a good job, but he was leaning towards doing an RFP; because he believed in competition and in the American values of businesses bidding against each other to provide the best quality at the best price. He explained that he felt it was important for that process to occur occasionally, noting that it had been ten years since it had last happened with this contract. He noted that renewing with Waste Management included retroactively approving the increase that the Commission had denied in 2013, which bothered him. He explained that at the time when that was denied he had asked for an explanation of why there needed to be a rate increase when Waste Management was making so much money.

Commissioner Partington stated that in 2013 Waste Management grew their net cash provided by operating activities nearly 7% to \$2.46 billion and free cash flow by 60%, generating \$1.32 billion. He noted that free cash flow was a measure of how much cash a business generated after accounting for capital expenditures such as buildings or equipment. He explained that when he had asked why Waste Management needed to charge Ormond Beach residents an increase when their company was taking in \$1.2 billion of free cash after paying for buildings and garbage trucks, he had not gotten a response and noted that he still had not received an explanation. He stated based on that and it had been awhile since the last RFP, he leaned towards going through the RFP process.

Commissioner Stowers stated that he agreed with Commissioner Kent and Commissioner Partington. He stated that he had heard nothing but positive things about Waste Management and noted his experiences had always been positive, as well. He stated that he was also dismayed by the mandate that in order to renew the contract the city needed to provide the retroactive increase that was denied the previous year. He explained that he was uncomfortable with going back to that discussion and tying it into this process. He noted that he was also uncomfortable with guaranteeing a CPI increase, which was the other provision that Waste Management requested be added. He stated that he did not know whether or not he would be serving on the Commission in 2016, 2017, and 2018 when those increases would come around, but he knew that in his service as Commissioner he had lamented some of the previous elected official's decisions that bound him, and he was not comfortable doing that same thing to a future Commission. He explained that he would lean towards renewing the contract without the inclusion of those two requests, but noted that he did not know if that would even be a possibility.

Commissioner Boehm stated that he thought Commissioner Stowers made excellent points. He noted that he happened to be in the minority of the vote for the increase a year ago, because he thought Waste Management was an outstanding company who had done an outstanding job for Ormond Beach. He explained that, having said that, the Commission had voted to not accept that 1.47% increase a year ago, and he did not see why Waste Management would ask them to change their votes with no changes in the argument, conditions, or service. He stated that he did not see why they should be forced to change their minds in order to extend the agreement.

He noted again that no changes were outlined and no rationale for the increase was provided. He stated that Commissioner Partington had pointed out that Waste Management's profits went up. He stated that he agreed with Commissioner Stowers that with the removal of those conditions he would vote to proceed with the contract. He explained that the addition of those conditions was a deal breaker to him, as he would not want to tie up a future Commission.

Mayor Kelley stated that he was also on the losing side of the increase vote last year. He explained that he thought that the 1.47% increase was justified. He stated that Waste Management had done nothing but fantastic service for the city at a very reasonable rate. He noted that there had been three rate increases to the consumers in 24 years and almost no complaints. He stated that he would support the contract as presented. He asked if Waste Management would be willing to eliminate the retroactive increase. He asked Ms. Shanahan if Waste Management had indicated any willingness to change those terms.

Ms. Shanahan stated that in her discussions with them they had been very firm in their resolve. She noted that the Commission had to make a decision by the end of the month whether or not to renew the contract and that there was not another meeting between now and then.

Mr. Randy Hayes, City Attorney, advised that the Commission could negotiate with Waste Management at that time, now that Waste Management knew what their position was.

Mayor Kelley recapped that the majority of the Commission did not feel comfortable retroactively approving the rate increase that was denied the previous year. He asked Ms. Coleman if that was a deal breaker for Waste Management. He noted that the other issue was changing the "shall" back to "may" when requesting rate increases.

Ms. Coleman stated that one of the criteria in their agreement was the ability on an annual basis to come before the Commission and request the cost of living adjustment, based on the CPI for a specific area. She explained that if those costs went up they requested an adjustment. She stated that if the CPI went down, they notified the city that it was down and that the rates would be adjusted down accordingly, upon their approval. She noted that they had seen it go both ways. She stated that the agreement currently provided that Waste Management could come to the city and ask for the adjustment and they may approve it. She stated that the adjustment of 1.47% was the adjustment that had been requested on October 1, 2013. She noted that the last adjustment before that occurred in 2011. She stated that she was told that if they could not secure the cost of living adjustments on a basis going forward, then Waste Management would not be able to renew the agreement. She stated that she wished she had a different answer. She stated that was why they requested the change of one word from "may" to "shall." She stated that the cost of living adjustments had been under the 3% cap and noted that there would still be a cap in place at 3%.

Mayor Kelley stated that was why he personally was comfortable with the increase. He noted that Commissioner Kent and Commissioner Partington had dealt with not increasing water rates previously. He stated that they had to deal with issues then, because rates were left the same while costs increased. He stated that if they went out to bid, they could not be assured that they would get a company who would accept that wording. He stated that they were also not assured they would get the same rate or the same service.

Ms. Shanahan asked if there was any interest by Waste Management or the Commission on not going retroactive with the adjustment, but instead making the 1.47% effective for the new year

of the contract, beginning on October 1, 2014. She went on to propose that in addition to that change, the current language of the contract would remain “*may*” and not be changed to “*shall*”.

Mayor Kelley stated that he thought Ms. Coleman said that unless they guaranteed the rate increases in the future years that Waste Management would not renew the contract.

Ms. Coleman confirmed that was correct, but she would be able to adjust the timeline of the 1.47% increase to be effective October 1, 2014.

Mayor Kelley asked if that would help any members of the Commission to move forward with the contract.

Commissioner Partington stated that it would still be binding future Commissions to the future rate increases. He explained that he also had reservations from hearing Waste Pro say that Waste Management was charging twice the commercial hauling fees, noting that that may or may not be the case.

Mayor Kelley stated that it was not.

Commissioner Partington stated that a common complaint was that government relationships got too cozy and subsequently were lazy with their contracts. He stated that staff could learn a lot in the RFP process that would be beneficial to the city. He stated that he thought that there were other providers who could provide great service, as well. He noted that it was difficult to negotiate something that evening. He stated that he would have to explain to his taxpayers why they would need to pay an increase when there were such huge profits in free cash for Waste Management. He stated that he could tell them that it was because Waste Management was a smart company that was run well, but he did not think that would settle well with residents being asked to pay higher costs. He noted that he was still in favor of the RFP process.

Commissioner Boehm stated that his concerns echoed Commissioner Stowers’. He stated that while being capped at 3% was good in its own way, the Commission would lose its ability to listen to an argument as to why an adjustment should be made and to make a decision on behalf of the taxpayers whether to grant that increase or not. He noted that the taxpayers would be locked in for those increases no matter what. He stated that he did not mind the increase starting October 1, 2014, but he was still unable to agree to “*shall*” replacing the “*may*” in the contract language.

Commissioner Stowers asked Ms. Shanahan how many times during the nine years an increase was requested and how many of those times was it granted, noting that there were times when there was no CPI increase.

Ms. Shanahan confirmed with Public Works Operations Manager Kevin Gray that Waste Management had requested the increase two previous times and received it both times, other than the increase requested last year.

Commissioner Stowers stated that the comment was made about “*may*” vs. “*shall*” being one word, but noted that it was a word with great meaning. He stated that he was still uncomfortable with that aspect of the contract. He stated that he had asked Ms. Shanahan about the previous increases because he did not think that the Commission had been unreasonable in their approvals and denials. He noted that the Commission was elected to perform in the best interests of the city. He explained that Waste Management employees lived and worked in the

community and there was not a vendetta against the CPI, but it had to be taken into accordance with the totality of the circumstances each year. He stated that he felt like handing that over in the context of a five-year extension was not something that he was comfortable with.

Mayor Kelley noted that they would only have the extension for three of the five years.

Commissioner Stowers noted that was correct, but now they were also talking about adding it to the first year for October 1, 2014.

Mayor Kelley stated that the part that bothered him was the cost that Waste Management incurred to do business with the city.

Ms. Shanahan stated that those were very important dollars for the general fund. She noted that it was part of the contract.

Mayor Kelley stated that was part of the reason Ormond Beach had the third lowest rate. He noted that he had never had any complaints about the cost of the service. He stated that he thought that service was fantastic, and he was in favor of doing the best they could for the citizens. He stated that he really did not want to take a chance on a different company. He explained that he did not think it was wise to go out to bid for an RFP. He noted that it did not personally bother him what a private company made. He stated that contracting out the services had saved the city millions over the years, as opposed to doing it in-house.

Commissioner Partington moved, seconded by Commissioner Boehm, to not renew the current Solid Waste Collection and Disposal Contract with Waste Management, and to instead direct staff to prepare a Request for Proposal (RFP) for those services.

Commissioner Stowers stated that he was disappointed in the hard line position taken by Waste Management. He stated that if the contract went out for RFP and the bids came back the same, then the city would be in no worse position.

Mayor Kelley noted that the city could be in a worse position.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	No
Carried.	Mayor Kelley	No

Mayor Kelley recessed the City Commission meeting at 8:19 p.m.

Mayor Kelley reconvened the City Commission meeting at 8:29 p.m.

Item #10A – Ocean Shore Boulevard Land Use Plan and Zoning Amendment

Mr. Goss stated that he was seeking direction from the Commission regarding a potential city initiated land use plan amendment for four properties on Ocean Shore Boulevard, including 815, 855, 915, and 935 Ocean Shore Boulevard. He explained that currently the land use was high density residential and the zoning was R-6, which did not allow transient lodging. He defined transient lodging in the city's code as anything that was rented for less than six months. He stated that all four properties had transient accommodations. He explained that a number of

inquiries had come to the Planning Department in the last two to three months requesting conformity determinations with regards to transient accommodations; which had been turned down. He explained that upon investigation it was determined that these units were built in 1973 and at the time a 1956 ordinance was in effect that allowed motels and hotels in multi-family dwellings. He stated that those uses were permitted up until 1978. He stated that in 1978 the zoning was changed to high density residential and R6.

Mr. Goss stated that staff requested a statement from the condominium officers as to whether they would support the land use change if it was city initiated. He noted that all four properties would support the change and sent letters stating that. He stated that he believed that was the only way to work out the issue with transient lodging for those properties. He explained that north of 955 Ocean Shore Boulevard there was an ocean front tourist commercial land use and they would extend that down to the four properties. He stated that he was seeking the Commission's direction on whether to do the city initiated amendment and change the land use from high density residential to oceanfront tourist commercial.

Mayor Kelley asked if any of what was going through the legislature currently related to transient lodging ability.

Mr. Hayes stated that the city adopted an ordinance in 2006 that prohibited transient lodging facilities, which was regulated by zone. He stated that in 2011 the legislature adopted a law that pre-empted the ability of local government to regulate that, unless those local governments had an ordinance that was in effect prior to 2011, noting that the city did have such an ordinance. He explained that the problem was that if they changed the prohibition then they would lose the ability to regulate it all together, which was why they were proposing the change from a zoning perspective. He stated that there was a House bill in committee currently which would allow local government to again regulate, but he did not know where it was in the process, noting that he believed there to have been a committee hearing the prior week.

Mayor Kelley stated that the committee hearing had been delayed. He stated that he did not know whether the passage of that bill would help or hurt the city.

Mr. Hayes stated that he did not think that it would affect them in any way other than providing more flexibility to amend the ordinance without fear of it being nullified as a result. He noted that the challenge was trying to fashion an equitable remedy for the affected properties. He stated that the cleanest fix would be to simply amend the zoning and land use for the zoning district. He noted that the condominium associations still maintained the ability to self regulate their own units through their articles and bylaws. He stated that the fact that the regulations would be loosened within a particular zoning district did not mean that the condominiums would have to permit transient lodging within their units.

Mayor Kelley stated that it seemed like the condominiums had been put in a situation where they had been operating illegally.

Mr. Goss stated that he did not believe, but for one of the condominiums that they could support a determination of non-conformity by the Planning Department. He stated that he knew one development only allowed transient accommodations for at least 30 days and had no interest in doing weekly rentals.

Mayor Kelley asked if they had to comply with hotel regulations; whereby, Mr. Goss replied that they would if they had rentals of less than 30 days.

Ms. Shanahan noted that the city did not enforce those regulations.

Commissioner Boehm stated that the supporting documentation from the condominium associations, as well as the owners who sent them information, all indicated that they had been for many years renting on at least a weekly basis at those units. He stated that it appeared to him that staff's treatment of the issue seemed to be the fairest resolution. He stated that he supported staff's recommendation.

Mr. Goss stated that if the amendment was city initiated it would cost the city \$6,000.

Commissioner Partington stated that he did not understand why the city would be paying instead of the applicant.

Mr. Goss stated that he was requested to bring it to the Commission as a city initiated amendment.

Mayor Kelley asked if that was a request of the condominium owners.

Ms. Shanahan clarified that she asked Mr. Goss to bring the item as a city initiated amendment, because otherwise each of those properties would have to come forward separately. She stated that she believed it to be more complicated if each owner initiated an amendment as opposed to the city doing so. She noted that she believed the city had some burden as there were changes made and the properties had continued to operate. She explained that she did not know whether that was due to an error or an omission in the zoning.

Mayor Kelley stated that it seemed like there was a misunderstanding, even at the time of the construction as far as the zoning, and as to whether or not prior to 1978 if the operation was allowed or not.

Mr. Hayes stated that he believed there were several missing pieces that they did not know the answers to.

Commissioner Kent stated that residentially he had a big problem with transient lodging in his neighborhood. He stated that he had calls from friends with homes on the ocean and he had forwarded those complaints to staff. He explained that the complaints were about their neighbors renting out their places and making it feel like they lived next door to a hotel. He stated that he was blown away that all of those condominiums looked like they were in favor of the amendment. He asked if staff had any complaints they had to address regarding that.

Mr. Goss stated that several people had brought complaints that those condominiums were running transient lodging.

Commissioner Kent stated that was what he had assumed but noted that it looked like a majority of people on the condominium boards decided they wanted to have transient lodging. He stated that he had an issue with it, because he had lived next door to a residence being used as a hotel for three years before the city stopped it. He stated that it was not fair, and he did not like dealing with drunken people in the middle of the night climbing over fences, falling into pools, and having fights where he had to call the police and get subpoenaed to go to court.

Commissioner Partington stated that he was unsure what to do, noting that some items before the Commission were easier than others. He explained that Mr. Goss, who was one of the best

in the state, if not the nation, on planning issues, was asking the Commission for direction. He stated that he was not sure why it would cost \$6,000 to advertise for the amendment. He noted that the Commission had just spoken in their Brainstorming Session Workshop about catching up with the times and explained that he was not sure that advertising in the most expensive newspaper available was required. He suggested that there may be alternative ways to advertise.

Ms. Shanahan stated that the legal advertisements were required to be placed in a publication that had a certain amount of circulation. She stated that staff had tried to advertise in the Ormond Beach Observer when they could and noted that these types of advertisements were not permitted by the state to be put online.

Commissioner Partington stated that he questioned that and asked Mr. Hayes to look into the matter and find a more reasonable solution; noting that most people now read online publications and not traditional print newspapers.

Mr. Hayes stated that he would look into it and that he believed the section pertaining to those regulations was section 166.041 or 166.042 of the *Florida Statutes*. He noted that he did not believe there would be a lot of flexibility but that he would review it.

Commissioner Partington stated that he was inclined to agree with Commissioner Kent initially, except when he heard that it had been going on for years apparently without much incident and also that the condominium boards were requesting it and that potentially the city had some culpability in how it turned into such a mess.

Ms. Shanahan stated that if the Commission was not in favor of the amendment, then staff would notify the condominium owners and it would be their responsibility to initiate the land use change. She noted that they would then be responsible for the advertising and the changes would go to the Planning Board and then the City Commission for approval. She stated that the condominiums would have the ability, much like the Moose Lodge, to move the amendment through the process and roll the dice.

Commissioner Partington noted that he was glad that Ms. Shanahan mentioned that. He stated that he was wondering why the city would incur the \$6,000 advertising cost for this amendment but would ask the Moose Lodge to pay their \$3,100 in advertising fees.

Ms. Shanahan explained that the issue was that there were many things that could not be identified over the last 20 years with regards to the ordinance related to the transient lodging, including whether it could be substantiated or not if there was any city culpability. She stated that she was erring on the side that they wanted to try and move it forward, and it was her decision to ask the Commission to support the advertising costs because they could not demonstrate either way whether the city was or was not responsible for the issue. She explained that with regards to the Moose Lodge, it was clearly a very definitive ordinance, which was not new, that the Moose conducted activity in violation of.

Commissioner Partington stated that what Ms. Shanahan said was smart and he understood that initially, and he appreciated her clarifying for the record.

Commissioner Stowers stated that he did not fault the condominium associations for requesting to shift the burden to the city. He stated that he did not want to blur the lines between this issue and the Moose issue but noted that they had already been tied together. He stated that the

suggestion was raised earlier by a Moose member that if they filed the application for the request, then they would have to go to battle with the city over it and take the risk. He explained that in his opinion, whether staff initiated the request or not, the Commission still had the obligation to evaluate the amendment that would be in front of them, regardless if it was administratively brought forward or brought by the property owner.

Commissioner Stowers noted that the item talked about changing the future land use and changing the zoning, and he felt that the condominiums could go through that process if they chose to. He explained that just by reviewing the application alone staff would be spending time on it and addressing questions. He stated that to burden staff with doing the application and being beholden to the property owners would cause them to be working in a capacity almost as a land use attorney for the property owners, even though they were employees of the city. He stated that he felt the condominiums should make the request and then staff and the Commission could evaluate it.

Mayor Kelley asked why the property owners would initiate the amendment if they knew the Commission was not entirely on board, noting that he did not know whether they were or not. He stated that was why they would discuss the item. He asked if the amendment would be approved if the property owners were willing to pay to go through the process. He stated that he would be more inclined to not put the city out those costs. He stated that the condominiums had to abide by their association rules, including for rentals.

Mr. Goss reminded the Commission that condominium rules that allowed for transient lodging would be in direct violation of the city's code.

Mayor Kelley stated that he understood that. He stated that the Commission did not feel it was incumbent on the city to pay for clearing up the issue, although there had been some unanswered questions.

Ms. Shanahan stated that she believed staff had received the Commission's direction.

Continuation of Item #4 – Audience Remarks

Mayor Kelley stated that the conclusion of Audience Remarks would take place at this time. He thanked those who had stayed to speak for their patience.

Mr. Martin Wohl, 640 N. Nova Road #201, stated that he also lived in the 90-unit, five-story Tomoka Oaks North Condominium. He stated that last year the city added to their zoning that as of June 21, 2013, if their building fell down over 50%, it could not be rebuilt over 30 feet and 56 units. He explained that a federal regulation had now passed which said that federal mortgage companies could not write mortgages on any of the apartments in the building, not just the ones which could not be rebuilt. He noted that all 90 units now could not get a mortgage. He stated that the building was well maintained, centrally located, and had withstood hurricanes. He explained that if it was destroyed, no one would be waiting for it to be rebuilt and that they would just take their insurance money and move on. He explained that because of the provision in their zoning they no longer could sell their property, get a reverse mortgage, or get an equity line. He stated that what would happen would be that people would have to rent their properties or walk away from them and stop paying their maintenance. He stated that the building would become like a housing project if that happened and the neighbors would suffer. He explained that if the zoning could just be changed back to reflect that they were a beautiful asset to the community, then there would not be a problem. He noted that the Commission just

approved rezoning for 280 units on less land a few blocks from them that would be denser and higher than their property. He noted that there was also another five-story building located on Sterthaus Drive.

Mr. Hayes stated that he and Mr. Goss had met with some of the Tomoka Oaks North residents. He stated that changing the zoning and land use would be how to allow a taller building. He explained that the problem was not the result of anything the city had done and noted that the city did not have an effect on the federal regulation that came out. He stated that those regulations made it impossible for the condominiums to have a federal loan but did not prevent them, in theory, from getting other traditional financing. He noted that other financing may or may not be at favorable rates compared to the federal loan programs. He stated that the remedy for their dilemma was to change the zoning and land use to allow a higher building in that particular district.

Mr. Goss stated that last year someone came to him asking for a conforming determination because a unit was up for sale. He explained that when the city did the research, they determined that the building was over the height limit in the zoning district and was over density. He stated that it was therefore nonconforming, but they assumed that it had been legally built at the time of construction; noting that the records were not complete so they did not know that for sure.

Mayor Kelley asked why the zoning only allowed them to rebuild at 30-something feet; whereby, Mr. Goss stated that that was what was in the zoning ordinance, and had always been in it.

Mayor Kelley noted that it had been legally built at 56 feet; whereby, Mr. Goss replied that he assumed it was built legally.

Mr. Hayes explained that regulations changed over the course of time. He gave the example of single family residential homes that were built in the 1950s and 1960s no longer conforming because they could not meet current regulations. He stated that the theory behind nonconformity was that over the course of time the city would want the properties to conform to regulations. He stated that the question was then whether or not they wanted to build in some flexibility in this particular situation to make the property conforming again under the city's code.

Mayor Kelley asked how that could be done legally.

Mr. Hayes replied that it could be done through a land use and zoning change. He explained that there needed to be a change to allow the building to be rebuilt to the height it was at presently.

Mr. Goss stated that this property was not the only one in the city that was non-conforming with regards to density or height under this zoning district or others. He explained that he asked the city's planners to do an analysis of this zoning district and other zoning districts. He stated that he suspected that sometime in the past, whoever were the city's planners at that time were thinking that the city wanted to sprawl development out and keep height down and so the floor area, density, and height were set very low. He explained that nowadays there was not as much land so density was allowed to go up over the years by zoning ordinance changes. He reiterated that this was not the only property and that the city was looking at a whole host of properties in residential zoning properties where there was a height or density non-conforming issue that could be corrected by either amending the land use plan, the zoning ordinance, or doing both. He asked the Commission to keep in mind that the land use plan took precedence

over the zoning ordinance so whatever was done in zoning would also have to be done in the land use. He stated that they could not just quickly fix it and explained that there had to be an analysis done which would take time but was currently ongoing.

Mr. Hayes explained that the policy question for the Commission, knowing that the change would be across the board, was how they wanted to treat nonconformities and whether or not they wanted to grandfather them in so that they could exist in their current state for perpetuity or if over time they wanted them to conform with whatever regulations were in place.

Mayor Kelley noted the plight of the residents in Tomoka Oaks North and how they could not receive financing since they could not rebuild their units.

Mr. Goss asked the Commission to keep in mind that the city did not make a recent change and that the 50% threshold had been with the city for many years.

Mayor Kelley stated that one of the speakers had suggested that the city made the change and he wanted to clear that up for those individuals who may think that. He stated that he thought the Commission understood the issue at hand and the difficulties it presented for the Tomoka Oaks North owners. He noted that there were still audience members who wished to speak on the subject. He explained that staff was working on the issue and that the Commission knew what the situation was, and if any speaker wished not to speak knowing that they did not have to do so.

Mr. John Garner, 640 N. Nova Rd #503, stated that he knew the city did not cause the issue for them, but now the city was partner to a situation that did not allow the condominium to have what they needed to be marketable. He stated that the action of government had unintended consequences on its citizens and it needed to be acknowledged, addressed, and rectified where possible. He explained that he was concerned hearing about the problem with Fannie Mae and Freddie Mac, noting that the city's actions predated their actions. He explained that while the congressional delegation was trying to get rid of Fannie Mae and Freddie Mac, in that legislation it was proposed that there would be an alternative federal structure to take its place, which he thought would have the same rules and regulations. He respectfully proposed that the issue was a local one and could be resolved with local effort. He stated that he thought that the Planning Director, City Attorney, and Commission had made good faith statements that they were willing to work with them. He opined that the issue was a local one and needed a local response and noted that the issue had depressed their market value and made their properties unsellable.

Commissioner Boehm stated that it appeared that Tomoka Oaks North was in a similar situation as the other condominiums on Ocean Shore Boulevard that were discussed earlier, in that they were built before the regulations were changed and were initially legal. He stated that just like they told the condominiums in the last item, these condominium owners had the same right to come forward and seek a zoning and land use plan amendment and let the Commission consider it. He noted that Mr. Goss had implied that they needed to wait for the determination of other nonconformities in the city but extolled that the Tomoka Oaks North owners were hung up right now and wanted immediate action. He stated that he thought they would be better served by beginning the process for a land use amendment now, rather than later.

Ms. Shanahan clarified that the city was not proposing they wait. She noted that the distinction between Tomoka Oaks North and Ocean Shore was that there was a broader category for the Tomoka Oaks North area which would affect many more properties than the Ocean Shore

district. She stated that it was a broader consideration for the Tomoka Oaks North area but again explained that staff was not suggesting they wait until they had completed their comprehensive review. She noted that there would be the same issues and costs associated with advertising as for the other properties.

Mayor Kelley asked for the Tomoka Oaks North condominium association president or secretary to get with Ms. Shanahan and Mr. Goss so that they could be informed of the process they needed to go through. He stated that he sympathized with the owners and would not want to be in their situation. He noted that this was not the way City Commission meetings were generally conducted but stated that he appreciated the residents taking their time and informing the Commission of their plight.

Item #11 – Reports, Suggestions, Requests

Upcoming Meeting

Ms. Shanahan stated that there would be a Shade Meeting on Tuesday, April 1, 2014, at 6:00 p.m. to discuss police and fire collective bargaining issues. She stated that their contracts expired this year.

Hand Avenue Ribbon Cutting

Ms. Shanahan stated that April 24, 2014, at 5:30 p.m. would be the Ribbon Cutting for the Hand Avenue Project on Hammock Lane.

S.R. Perrott Building

Commissioner Kent stated that he had a great opportunity to tour the new S.R. Perrott building. He stated that their superintendent was very knowledgeable and he and his son enjoyed their tour immensely.

Fire Station 91 Playground

Commissioner Kent asked Ms. Shanahan who was in charge of the landscaping around the playground at Fire Station 91.

Ms. Shanahan stated that she was sure it was Landscape Architect Paul MacDonald.

Commissioner Kent stated that he wanted to take that individual to lunch at the playground. He stated that he had not been there in close to a year but recently rode his bicycle there with his son. He highly recommended that the other Commissioners stop by. He stated that it was a nice tranquil area with perfect plantings, walkways, and benches. He gave 'mad props' to Mr. MacDonald.

Healthy Weight Community Champion

Commissioner Boehm announced that the State Surgeon General Healthy Weight Community Championship Recognition Program recognized Ormond Beach among 37 communities in the State of Florida, including only one other city in Volusia County, New Smyrna Beach. He stated that the City Commission formed a team for the Mayor's Health and Fitness Challenge, and they had collectively lost at least a small child in weight.

Taste of Ormond

Commissioner Boehm stated that Taste of Ormond, an Ormond Beach Main Street sponsored event, would be held Sunday, March 22, 2014, from 4:00 p.m. to 7:00 p.m. at Rockefeller Gardens. He stated that a number of Ormond Beach restaurants would be participating and

providing food for the event and S.R. Perrott would be providing wine and craft beer. He stated that he hoped all of the Commission would attend and extolled all citizenry to as well, highlighting the local nature of the event and event participants.

Tomoka Marathon

Commissioner Boehm stated that on March 29, 2014, the Tomoka Marathon would be held and Ms. Shanahan would be running the half-marathon, noting that she was an avid runner. He stated that Mayor Kelley was the starter of the race.

Brian Kelley on CMT

Commissioner Boehm stated that the week of June 6, 2014, the Country Music Television (CMT) Channel would be debuting a new program called "Inside Fame" and their first feature would be on Mr. Brian Kelley, Mayor Kelley's son and member of the country music duo Florida Georgia Line. He stated that in the first week of March they filmed Mr. Brian Kelley at all of his old hangouts in Ormond Beach including Larry's Giant Subs by Seabreeze High School and Houligan's. He noted that the Kelley family would all be on national television.

Mayor Kelley stated that they also went to the Ormond Beach Sports Complex and Andy Romano Beachfront Park and noted that the people from Nashville were impressed that a town with less than 40,000 people would have that level of facilities.

Commissioner Partington stated that he looked forward to seeing Mayor Kelley's family on television. He stated that Ormond Beach was a great place to grow up and appreciated the Kelley's showcasing that.

S.R. Perrott Building

Commissioner Partington stated that he also toured the S.R. Perrott facility. He stated that when he worked for his father in college, he delivered commercial hardware to different sites and dealt with a lot of supervisors, and the one at S.R. Perrott was the most knowledgeable and professional one he had ever seen. He stated that Economic Development Director Joe Mannarino was there assisting with the tour.

Taste of Ormond

Commissioner Partington stated that Taste of Ormond was one of the best events that Ormond Beach and Ormond Beach Main Street put on. He stated that it showcased a lot of local restaurants in a nice setting. He urged everyone to attend.

Volusia League of Cities Distinguished Service Awards

Commissioner Partington stated that he received an email that day announcing the Volusia League of Cities Award Recipients for the 2014 Distinguished Service Awards. He stated that he was proud that of 16 different categories Ormond Beach was awarded in four, equal to 25%. He announced Ormond Beach's winners were Public Works and Utilities Employee of the Year – City Engineer John Noble, Community Events Citizen of the Year – Mr. Brian Daly, Employee of the Year (Other Category) – Risk Manager Christina Maguire, and Parks and Recreation Employee of the Year – Leisure Services Office Manager Sylvia Frost. He stated that all of those awards were extremely well deserved.

S.R. Perrott Building

Commissioner Stowers stated that he also toured the S.R. Perrott facility with Mr. Mannarino. He stated that he was also blown away by the size of the facility and distribution center. He stated that he found it interesting that the Daytona Beach News-Journal had extensively

covered for some time the 450,000 square foot warehouse distribution center in Daytona Beach as if that was the builder of momentum for future warehouse distribution centers in the local area. He noted that it was not lost on him that he was standing inside of one in Ormond Beach right near the interchange at US1 and I-95. He stated that in terms of momentum, he thought they were already at a stage where there was more to come, and he hoped Ormond Beach would be referenced as one that was also at one of those interchanges near I-4 that also had available space for those types of operations.

Property Improvement Grants in CRA

Commissioner Stowers stated that he wanted to reference the two property improvement grants in the Community Redevelopment Agency (CRA). He stated that those were more examples of public-private partnerships leveraging the city's CRA dollars for commitment of private funds that far exceeded what the costs were for the CRA.

Mayor Kelley stated that he continued to meet with people who wanted to do redevelopment within the city. He stated that it would revitalize the community.

Brainstorming Workshop

Mayor Kelley stated that he appreciated the candidness of the Brainstorming Session Workshop and thought some of their ideas would make a difference not only in the very near future but also far into the future.

Item #12 - Adjournment

The meeting was adjourned at 9:27 p.m.

APPROVED: April 1, 2014

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk