

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

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**December 2, 2014**

**6:00 p.m.**

**Commission Chambers**

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Present were: Mayor Kelley, Commissioners James Stowers, Troy Kent, Rick Boehm, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager and Public Works Director Ted 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. PRESENTATIONS AND PROCLAMATIONS**

A. Employee of the Year - Ken Russell

**5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**

**6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – November 18, 2014

**7. COMMUNITY REDEVELOPMENT AGENCY**

A. **RESOLUTION NO. 2014-195** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES REGARDING THE GRANADA BRIDGE AESTHETIC LIGHTING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

**8. CONSENT AGENDA**

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

A. **RESOLUTION NO. 2014-195** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES REGARDING THE GRANADA BRIDGE AESTHETIC LIGHTING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2014-196** : A RESOLUTION APPROVING SKYO INDUSTRIES, INC. AS A QUALIFIED TARGET INDUSTRY BUSINESS; PROVIDING FOR LOCAL FINANCIAL SUPPORT FOR PERFORMANCE BASED JOB CREATION AND GROWTH ASSISTANCE FUNDING; PROVIDING FOR PROPERTY TAX REIMBURSEMENT; AUTHORIZING AN AGREEMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

*Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)*

- C. **RESOLUTION NO. 2014-197** : A RESOLUTION ACCEPTING A BID FROM D & W PAVING, INC. FOR CONSTRUCTION SERVICES REGARDING THE NOVA COMMUNITY PARK PAVING IMPROVEMENTS PROJECT, UNDER BID NO. 2015-04; 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)*
- D. **RESOLUTION NO. 2014-165** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL TOWING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Andy Osterkamp, Police Chief (386-677-0731)*
- E. **RESOLUTION NO. 2014-198** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 7 QUEEN ANN COURT, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4241-30- 00-0120); AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*
- F. **RESOLUTION NO. 2014-199** : A RESOLUTION RATIFYING THE EXECUTION OF A RELEASE AND SATISFACTION OF A SPECIAL MASTER ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS AND CASE COSTS ON PROPERTY LOCATED AT 186 KENILWORTH AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*
- G. **RESOLUTION NO. 2014-200** : A RESOLUTION ACCEPTING THE PROPOSAL OF UNIFIRST CORPORATION REGARDING UNIFORM RENTAL AND CLEANING SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Theodore MacLeod, Assistant City Manager (386-676-3200)*
- H. **RESOLUTION NO. 2014-201** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN ONLINE GRANT APPLICATION TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, UNDER THE ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM, FOR FUNDING ASSISTANCE TO PURCHASE PERSONAL PROTECTIVE EQUIPMENT, TRAINING EQUIPMENT AND AN EXHAUST REMOVAL 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:** *Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)*
- I. **RESOLUTION NO. 2014-202** : A RESOLUTION APPROVING A SETTLEMENT OF A PERSONAL INJURY CLAIM FILED BY SHIRLEY C. GAY; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Randal Hayes, City Attorney (386-676-3217)*
- J. **Auto-Renewal Golden Eagle Associates Inc.**
- Staff Contact:** *Robert Carolin, Leisure Services Director (386-676-3279)*

- Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- K. **Auto Renewal Contract OB Historical Trust, Inc.**  
**Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- L. **Auto Renewal Contract OBYBSA**  
**Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- M. **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 December 2, 2014.
- N. **RFP 2015-19 Miscellaneous Electrical Services (As Needed)**  
**Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- O. **Request for Proposals for Mobile Repair and Preventative Maintenance of City Vehicles**  
**Staff Contact:** Theodore MacLeod, Assistant City Manager (386-676-3200)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- P. **Backflow Prevention Device Testing, Certification and Repair Services**  
**Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- Q. **Pressure Main Cleaning Services**  
**Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.
- R. **Laurel Oaks Stormdrain Extension**  
**Staff Contact:** John Noble, City Engineer (386-676-3269)  
**Disposition:** Approve as recommended in the City Manager memorandum dated December 2, 2014.

**9. PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2014-39** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-25(C) AND (D), CENTRAL BUSINESS (B-4), SECTIONS 2-26(C) AND (D), SERVICE COMMERCIAL (B-5), SECTIONS 2-28(C) AND (D), HIGHWAY TOURIST COMMERCIAL (B-7), AND SECTIONS 2-29(C) AND (D), COMMERCIAL (B-8) TO DELETE THE PERSONAL SERVICES USE AND ADD THE PERSONAL SERVICES USE AS A CONDITIONAL USE WITHIN THE ZONING DISTRICTS; AND BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR PERSONAL SERVICES USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2014-40** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.47-ACRES LOCATED AT 1301 WEST GRANADA BOULEVARD, FROM SR (SUBURBAN RESIDENTIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT), 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)

- C. **ORDINANCE NO. 2014-41** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "BOULEVARD SHOPPES", AUTHORIZING THE CONSTRUCTION OF A 11,995 SQUARE-FOOT SHOPPING CENTER WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 1301 WEST GRANADA BOULEVARD; AUTHORIZING A LANDSCAPE BUFFER WAIVER AND A WALL AND FENCE WAIVER; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2014-203** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN EASEMENT AGREEMENT FOR INGRESS, EGRESS AND ACCESS, AND UNDERGROUND WATER WELL FROM DEMER ORMOND BEACH DEVELOPMENT, INC, SATISFYING A SITE PLAN REVIEW COMMITTEE CONDITION FOR THE PROPOSED "ZAXBY'S" TO PERMIT THE CITY OF ORMOND BEACH ACCESS TO MAINTAIN PUBLIC UTILITIES LOCATED ON PROPERTY AT 1287 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2014-42** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN BY INCORPORATING THE PROVISIONS OF THE NORTH US HIGHWAY 1 INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2014-43** : AN ORDINANCE ADOPTING CERTAIN AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TO THE CONSERVATION ELEMENT, AND TO THE FUTURE LAND USE MAP OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

## **10. REPORTS, SUGGESTIONS, REQUESTS**

## **11. ADJOURNMENT**

### Item #1 – Meeting Call to Order

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

### Item #2 – Invocation

Pastor Drew Powell, Oasis Fellowship Church, gave the invocation.

### Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

### Item #4A – Employee of the Year – Ken Russell

Ms. Joyce Shanahan, City Manager, stated that Mr. Ken Russell was born and raised in Connecticut where he grew up playing several sports including football and basketball. She stated that Mr. Russell served four years in the United States Air Force and moved to Florida to be closer to his family upon completing his tour of duty. She stated that Mr. Russell was hired in May 1990 by the City of Ormond Beach as a utility service helper in grounds maintenance. She stated that Mr. Russell was subsequently transferred to the water distribution work group in the city's Utilities Division and then promoted through the ranks to Systems Maintenance Foreman in 2003 and then to his current position as Systems Maintenance Supervisor in October 2004.

Ms. Shanahan stated that Mr. Russell promoted an effective work crew environment and enabled high output and a quality product from his staff. She noted that Mr. Russell was organized and diligent in his supervisory efforts. She explained that Mr. Russell recently served a responsible role on the city's Lean Sigma-6 Committee to promote employee efficiencies and improve the personnel evaluation process. She stated that Mr. Russell's supervisory service was unsurpassed and resulted in significant improvements to critical water systems throughout our city. She noted that Mr. Russell had seen several system expansions during his tenure as Systems Maintenance Supervisor.

Ms. Shanahan stated that Mr. Russell was known for his expert leadership, being well read, and having an intellectual wit and engaging personality. She stated that Mr. Russell's promotional record was indicative of his exemplary performance and experience obtained from operating the city's water distribution system for the past several decades. She congratulated Mr. Russell on being named Employee of the Year.

Mayor Kelley congratulated Mr. Russell on being named Employee of the Year and showed him the plaques that would hang in the City Hall Atrium to commemorate that distinction. He presented him with his rewards, as well.

#### Item #5 – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, stated that he wanted to speak about the mumps, measles, and rubella issue. He stated that Merck was the only company presently permitted by the government to manufacture the vaccine. He stated that a study performed in 2001 showed major discrepancies and higher levels of autism in African American children. He stated that the number of study participants was then reduced by eliminating any participants without a birth certificate. He noted that all of the data that could be found on a birth certificate was also present in medical and school records. He opined that there was no viable reason to eliminate those without birth certificates, other than to manipulate the data. He explained the Tuskegee Experiments and explained that was another example of a group “taking one for the team.” He stated that he believed that protestors in Ferguson, Missouri, should not have been yelling “hands up, don’t shoot” but instead yelling “honesty, full disclosure, and transparency.”

#### Items #6A– Approval of Minutes

Mayor Kelley advised that the minutes of the November 18, 2014, regular meetings have been sent to the Commission for review and were posted on the city’s website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

#### Item #7 – Community Redevelopment Agency

Mayor 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 recessed the City Commission meeting, and called the meeting of the Community Redevelopment Agency to order at 7:13 p.m. for discussion of Resolution No 2014-195. He opened the item for a public hearing.

#### Item #7A – Nominations for Deputy Mayor

City Clerk Scott McKee read by title only:

##### RESOLUTION NO. 2014-195

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC. FOR ENGINEERING SERVICES REGARDING THE GRANADA BRIDGE AESTHETIC LIGHTING PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2014-195, as read by title only.**

Commissioner Boehm stated that \$60,000 was budgeted for this project. He noted that Zev Cohen & Associates (“Zev Cohen”) was an engineering firm with a continuing contract with the city. He stated that Zev Cohen knew what the budget for this project was and bid \$34,560. He stated that Zev Cohen was comprised of honest individuals and good people to work with. He explained that he appreciated Zev Cohen giving an honest amount when they could have come in higher to match the budgeted amount. He stated that Zev Cohen had treated the city honestly and fairly over the years, and he wanted to express his appreciation to Zev Cohen. He stated that he was looking forward to the results of the project.

The motion passed by voice vote.

Mayor Kelley adjourned the meeting of the CRA, closed the public hearing, and reconvened the City Commission meeting at 7:15 p.m.

Item #8– 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 Boehm, 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 #8B – SKYO Industries Growth Assistance Agreement

Mr. Joe Mannarino, Economic Development Director, thanked the Commission for their approval of the incentive package for SKYO Industries (“SKYO”). He stated that the incentive package encouraged private sector capital investment, as well as job creation in the community. He noted that this approval was not the final step in the process as there were several state level steps to be completed. He thanked Mr. G.G. Galloway and Mr. Scott Harter from Coldwell Banker Commercial Benchmark Properties. He explained that they were instrumental in putting the deal together for the property at 2 Sunshine Boulevard, which was a vacant industrial building in the city’s business park. He stated that another key partner in the project included the CEO Business Alliance under the leadership of its president, Mr. Kent Sharples. He stated that a number of ambassadors had also worked on the project the last 11 months including Mayor Kelley, City Manager Joyce Shanahan, Ormond Beach Chamber of Commerce Executive Director Rick Fraser, and Mr. Frank Mercer from Daytona State College representing the Advanced Technology Center (ATC).

Mr. Mannarino noted that employment and workforce development was a key component to SKYO relocating to Ormond Beach. He stated that there were resources and talent available here for their manufacturing process. He stated that they had also taken tours of many of the Ormond Beach manufacturing facilities including Playtex, Hudson Technologies, Florida Production Engineering, and Command Medical, which showed that Ormond Beach was a manufacturing community. He noted that the presidents of those companies were very hospitable. He noted that Mr. Wayne Anderson of SKYO Industries was to be in attendance with Mr. Warren Anderson that evening but was delayed while returning from Taiwan and would not be able to attend. He introduced Mr. Warren Anderson.

Mr. Warren Anderson, President of SKYO Industries, stated that it had been a long journey for SKYO to find a new home. He explained that they had looked at many locations from South Carolina to Florida, including Palm Coast and Volusia County. He stated that Ormond Beach was an amazing city and the Commission should be very proud. He explained that they found that Ormond Beach had the best combination of business and lifestyle. He noted that lifestyle was important as the business could be located anywhere, but he had to live there, as well. He stated that the choice was easy once they found Ormond Beach. He noted that in addition to the business his family would be moving to the area. He explained that his family had been cutting metal since the turn of the century and that his grandfather was an orphan who received a metal cutting apprenticeship at age 14, who then taught the business to his father, who taught it to him.

Mr. Anderson stated that Mr. Mannarino had been instrumental in arranging tours. He stated that he had been in contact with every party Mr. Mannarino mentioned that evening and they answered any questions he had. He thanked Mr. Sharples and stated that it was a rewarding experience meeting him. He thanked Mr. Galloway and Mr. Harter for listening to all his requests. He noted that he saw many places in Volusia County but just kept coming back to Ormond Beach. He stated that he looked forward to being a part of the Ormond Beach community.

Mayor Kelley stated that the Commission was excited and glad to hear what Mr. Anderson had to say about Ormond Beach. He thanked Mr. Anderson for making the choice to come to Ormond Beach and stated that they looked forward to a long, successful, growing business as they believed that Mr. Anderson would be successful here. He noted that Mr. Anderson could have chosen to go anywhere.

Commissioner Kent welcomed Mr. Anderson to Ormond Beach. He stated that Mr. Galloway's name came up several times. He stated that it was no surprise to see Mr. Galloway involved in the project. He noted that he lived in Ormond Beach and loved Ormond Beach. He thanked Mr. Galloway and stated that he appreciated his business.

Item #9A – LDC Amendment – Personal Services Use

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-39

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-25(C) AND (D), CENTRAL BUSINESS (B-4), SECTIONS 2-26(C) AND (D), SERVICE COMMERCIAL (B-5), SECTIONS 2-28(C) AND (D), HIGHWAY TOURIST COMMERCIAL (B-7), AND SECTIONS 2-29(C) AND (D), COMMERCIAL (B-8) TO DELETE THE PERSONAL SERVICES USE AND ADD THE PERSONAL SERVICES USE AS A CONDITIONAL USE WITHIN THE ZONING DISTRICTS; AND BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR PERSONAL SERVICES USES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that this application was filed by Mr. Michael Sznajstajler, the attorney for Topsy Nails and Spa ("Topsy Nails"), which was located in the Trails Shopping Center. He stated that Topsy Nails was requesting the ability to have beer and wine in their salon. He explained that the amendment that was proposed to staff was to move the B-8 out of the permitted category and move it into the conditional category, add criteria, and then permit beer and wine for the B-8 district. He stated that when staff evaluated the proposal, one of the issues was that there were other personal services in other districts. He explained that they expanded the districts and went to the Planning Board recommending approval. He noted that the Planning Board had issues with regard to the sale of beer and wine in salons and the hours. He stated that the Planning Board had asked why the beer and wine would not be provided as complimentary. He stated that Topsy Nails accepted the Planning Board recommendation in lieu of denial. He explained that the Planning Board recommended that the alcohol be a complimentary service as opposed to a sale, and that the hours and deletion of the square footage requirement would no longer be needed. He stated that the proposal before the Commission was the Planning Board's recommendation. He stated that staff was recommending approval.

Mr. Michael Sznajstajler, Attorney for Applicant Topsy Nails and Spa, stated that Topsy Nails would be the second nail salon owned by Mr. and Mrs. Mike Ngyuen in Volusia County, the first being located in Port Orange in the Pavilion. He stated that he had been working with Mr. Goss and his staff regarding the request. He explained that the request was born out of the need to put regulations in place regarding something that they believed was already going on in the community. He stated that the applicant wanted to make sure that it was regulated and allowed in the code. He explained that the original request was to allow the sale and service of beer and wine to customers. He stated that staff had recommended this to the Planning Board who had some concerns and ultimately resulted in the proposal being changed to remove the sale portion. He stated that the applicant would still like the Commission to consider allowing the sale of beer and wine.

Mr. Sznajstajler stated that the salon would not profit from alcohol sales in the way that a bar would, but sales would create flexibility and allow the salon an opportunity to recover their costs. He stated that the Planning Board raised concerns involving liability. He stated that the liability concerns would be the same whether selling or providing complimentary beer or wine. He noted another concern was the unintended

consequences of bars popping up by putting a single barber chair or spa treatment area in a business. He explained that the applicant did not want to create that unintended situation. He noted that they had specified a 25% floor area requirement for the beer and wine. He explained that they believed that would prevent a bar because they could not make a big investment if they were limited to only beer and wine sales in a 25% floor area.

Mayor Kelley noted that Mr. Goss had presented that the applicant had agreed upon moving forward with the Planning Board's recommendation. He asked if the applicant was now asking for the original request.

Mr. Sznajstajler stated that they understood that accepting the recommendations of the Planning Board was necessary to get the request before the Commission with a recommendation of approval. He stated that they would like the Commission to consider their original request. He noted that they could assume the Planning Board would have denied the request as originally submitted, as they amended it before they passed it. He stated that another uncertainty in offering this type of service was the costs involved, not just to purchase the beer and wine but also the licenses required at the state level. He noted that the license was a significant investment and would be required whether the beer and wine was sold or given out complimentary. He stated that the opportunity to sell the beer and wine would help recover some of those costs.

Mr. Mike Ngyuen, 228 North Nova Road, owner of Topsy Nails and Spa, stated that he was very excited to open their business in Ormond Beach and hoped it would be successful. He stated that he understood the concern about selling beer and wine. He stated that they appreciated the city's support and looked forward to opening soon.

Commissioner Kent asked what the name of Mr. Ngyuen's salon in Port Orange was; whereby, Mr. Ngyuen stated that the salon in Port Orange was called M&M Nails.

Commissioner Boehm stated that he was concerned about the definition of personal services. He explained that he read it in the Land Development Code (LDC) as "beauty parlor, shop or salon, barber shop, tanning salon, and similar uses" and that "similar uses" was in the eye of the beholder.

Mr. Goss noted that was true. He explained that almost all of the definitions with regard to group uses had "similar use" because it was not possible to identify every use that could ever be had. He stated that they used that language to try and classify uses that were similarly classified.

Commissioner Boehm asked Mr. Goss how many businesses in the city would now be allowed to provide complimentary or sell beer and wine, if they approved those changes which did not have that ability presently; whereby, Mr. Goss stated that he did not have a number.

Commissioner Boehm stated that his concern was not solely with the applicant's salon but with opening the door to allowing anyone in those zoning districts with a personal services business to also do so. He asked how it would be controlled and how well it would be controlled.

Commissioner Partington asked if a massage parlor would be considered a personal services use; whereby, Mr. Goss replied that it would.

Mayor Kelley asked if a tattoo parlor or dog groomer would be, as well.

Mr. Goss explained that tattoo parlors were a separate use within the zoning ordinance and had its own definition, so it would not be a personal service. He stated that the Planning Board thought that since a number of salons and other businesses were offering complimentary beer or wine service, they did not have a problem with it being complimentary, noting that the charge could always be back loaded. He clarified that the Planning Board had issues with the sale of it as they were concerned with the enforcement.

Commissioner Partington asked what areas on US1 this change would apply to.

Mr. Goss stated that there were a couple of B-5 districts on US1 but north US1 was primarily B-8 and B-7. He stated that most of the B-5 areas were on south US1 along Granada Boulevard and SR40. He stated that it was a zoning district in which

everything was typically put into what they really did not want. He stated that over time they had continued to move those zoning districts and reduce the number of them.

Commissioner Boehm clarified that personal uses were a permitted use in the B5 presently.

Mr. Goss stated that they were permitted in four zoning districts as a permitted use. He explained that the thought was that if this was approved, the issue would be how a personal service would be treated that did not want to do alcohol. He stated that it would be the same as a personal service that provided alcohol complimentary. He stated that when they came to the city for a business tax receipt, there would be no provisions attached to the business tax receipt. He explained that if they wanted to provide the service, the city would attach the conditions to the business tax receipt so that if there were issues, they had the conditions and the city's Neighborhood Improvement Division could enforce those conditions.

Mayor Kelley asked when the attachment of the conditions would occur; whereby, Mr. Goss stated that it would occur when they received their business tax receipt from the city, which was after the fire inspection.

Mayor Kelley stated that he thought there would be a way to effectively control or manage the service, but it did not sound like there would be.

Mr. Goss stated that he was not sure how to control or manage 25%. He stated that if a complaint was received then the Neighborhood Improvement Division would have to check and see if the business tax receipt conditions were being violated.

Mayor Kelley stated that anyone who had a personal services business could come in and apply for a business tax receipt and have the right to provide complimentary beer and wine.

Ms. Joyce Shanahan, City Manager, noted that the applicant would still need to have a license from the state for the service.

Mayor Kelley asked whether the license would need to be presented to the city; whereby, Mr. Goss stated that it would and that the city would have to sign off on them.

Commissioner Stowers noted that he spoke to Mr. Sznajstajler about the item, and had also spoken to Mr. Goss regarding additional costs for future personal service businesses. He stated that Mr. Goss had assured him that there would be no additional costs. He noted that he was not sure if Commissioner Boehm's comments were for concern regarding both the sale and complimentary elements. He stated that to him the complimentary service eliminated the size area concern.

Mayor Kelley noted that the space requirement was eliminated from what was proposed.

Mr. Goss clarified that it was from the complimentary service proposed.

Commissioner Boehm stated that he had no real problem with complimentary beer and wine, but he did have concerns with what would happen once beer and wine started being sold. He noted that it would be difficult to regulate selling only to customers and ensuring the 25%.

Mayor Kelley stated that he did not have an issue giving away champagne, noting that it was done in places all over the country including women's clothing stores. He stated that he did have a problem with the sale of beer and wine, which was what the applicant was looking to pursue.

Commissioner Partington stated that he spoke to Mr. Sznajstajler last night. He noted that he read Mr. Sznajstajler's letter to the editor in the Daytona Beach News-Journal regarding the Brownfield program. He stated that he appreciated Mr. Sznajstajler's service to the city on the Brownfield Advisory Board and his expertise. He thanked Mr. Sznajstajler for taking the time to write that letter to educate the community about brownfields.

**Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-39, on first reading, as read by title only.**

Commissioner Kent stated that he did not blame Mr. Sznajstajler for requesting the original request that evening. He explained that he could not support the request for the fact that it was different than the Planning Board's recommendation. He noted that he was immediately turned off by the name of the salon, Tippy Nails, and further noted that he knew he had no say in the business's name. He stated that their location in Port Orange was named M&M Nails, which sounded like you might be treated to some M&Ms candy at that location, but in Ormond Beach the name would be Tippy Nails which sounded like you would go there to get drunk on alcohol. He stated that he supported approving the Planning Board's recommendation for the reasons stated by the rest of the Commission.

Mayor Kelley noted that he agreed with Commissioner Kent about the name of the salon.

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

Item #9B – 1301 West Granada Boulevard, PBD Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-40

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 2.47-ACRES LOCATED AT 1301 WEST GRANADA BOULEVARD, FROM SR (SUBURBAN RESIDENTIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this ordinance was a change in zoning for the property from suburban residential to Planned Business Development (PBD). He stated that the next ordinance would be the Development Order for the same site plan.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-40, on first 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 #9C – 1301 West Granada Boulevard, Development Order to PBD

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-41

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "BOULEVARD SHOPPES", AUTHORIZING THE CONSTRUCTION OF A 11,995 SQUARE-FOOT SHOPPING CENTER WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 1301 WEST GRANADA BOULEVARD; AUTHORIZING A LANDSCAPE BUFFER WAIVER AND A WALL AND FENCE WAIVER; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this would be a 12,000 square foot shopping center with six tenants. He stated that the far eastern side would be a drive thru restaurant. He stated that a neighborhood meeting was held and some residents attended. He explained that the issues discussed were the noise and lights. He noted that the applicant had previously stated that they would put in an eight foot wall for the drive thru and no speakers that could keep anyone up at night along the perimeter. He explained that the applicant also indicated the possibility of a financial institution located there. He stated that another neighborhood meeting would be held in that event. He stated that typically a wall the entire length of the property would be required but staff went with the Planning Board's recommendation to only have the wall down to where the commercial ends, a PVC fence along the retention area, and a 13-foot landscape buffer along the western side. He stated that all other criteria were met and there were no outstanding comments from the Site Plan Review Committee (SPRC). He noted that the conditions in the Development Order included the recommendations from the Planning Board.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-41, on first reading, as read by title only.**

Mayor Kelley noted that he did not speak to the applicant but found it interesting that someone had not wanted a speaker at the drive thru location. He explained that he could usually barely hear what they said through one when he was in his car and could not imagine it being very loud to neighboring properties.

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

Item #9D – 1287 West Granada Boulevard Easement Acceptance

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2014-203  
 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN EASEMENT AGREEMENT FOR INGRESS, EGRESS AND ACCESS, AND UNDERGROUND WATER WELL FROM DEMER ORMOND BEACH DEVELOPMENT, INC, SATISFYING A SITE PLAN REVIEW COMMITTEE CONDITION FOR THE PROPOSED "ZAXBY'S" TO PERMIT THE CITY OF ORMOND BEACH ACCESS TO MAINTAIN PUBLIC UTILITIES LOCATED ON PROPERTY AT 1287 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this resolution was for the acceptance of a dedication of an easement that would provide the well head area, a ten-foot easement for a pipe out to West Granada Boulevard, and an access easement in order for access onto the property in case the well was needed. He noted that there was a previous easement on the property, further up along SR40, which would be vacated with this easement. He stated that SPRC reviewed this and there was a public purpose for this and some value to the easement based upon the existing utility plan plus the draft utility plan currently in review. He stated that there were additional needs for well heads and they were looking for additional wells. He stated that staff recommended acceptance of the easement.

**Commissioner Kent moved, seconded by Commissioner Partington, for approval of Resolution No. 2014-203, as read by title only.**

Mayor Kelley stated that the city did not even know the well was there and he doubted they would ever use it. He stated that he also doubted that the city could get a permit from the state to drill within 20 feet of a sewer line.

Mr. Jeffrey Sweet, 595 Granada Boulevard, Attorney for Demer Ormond Beach Development, Inc. ("Demer"), stated that this location would be Demer's eighth or ninth Zaxby's restaurant and that they were also looking to put another one in Deland. He stated that the easement was discovered during the end of their title search. He explained that there was a family that had lived on the property for a long time and the present owner had provided a number of access easements to those located behind the property. He noted that those easements were difficult to locate and the legal descriptions were confusing. He explained that he was nervous before they closed and

performed a global search on any easements. He further explained that upon doing so he discovered this 1979 potable water well easement. He noted that it was very difficult to locate and that he did not believe the city knew it was there.

Mr. Sweet stated that he approached city staff and asked them to waive the easement, thinking that based on present state rules he did not believe a permit could be obtained to locate a well there. He stated that staff did not support the request to waive. He noted that he understood staff's position that it was a valuable asset. He stated that he began the process of attempting to negotiate moving the potential well head and easement area so that if the city did ever decide to put a well there they could have access to it. He stated that the new easement for consideration showed a 20 foot by 20 foot well head, close to Granada Boulevard, with a construction easement for the equipment to back in and an access easement to check if it was ever actually installed. He stated that they were prepared to accept that and in exchange the city would vacate the easement dated May 1979. He noted that they would also certainly accept the city vacating the easement if they felt that they would not utilize it.

Mayor Kelley noted that he had not spoken to Mr. Sweet prior to this meeting and did not know what Mr. Sweet would be saying in his comments. He stated that he wanted to clarify in case it seemed like he was making similar comments. He stated that while Mr. Sweet was willing to accept the new easement he did not believe the city needed it. He stated that he thought it would be unwise to invest the money for one well when other well fields could be expanded to easily. He stated that he bet the city would never use it. He explained that he did not think it was right that the city was holding an easement on something that would not be utilized most likely and were calling it valuable. He stated that the cost of doing interconnect there would be enormous.

Commissioner Kent asked if the city knew about the easement; whereby, Mr. Ted MacLeod, Assistant City Manager, stated that they did not know.

Commissioner Boehm asked Mr. MacLeod about locating a well in the middle of a commercial district on Granada Boulevard and the cost of interconnecting it.

Mr. MacLeod stated that the location was within the State Road 40 Well Field Area. He stated that there was a well located to the east and to the west and it was in a reasonable distance to the raw water main. He stated that he thought that they could economically install a well at that location.

Mayor Kelley asked what Mr. MacLeod's definition of reasonable was. He stated that the well field areas were located at Chelsea and at Williamson Boulevard.

Mr. MacLeod stated that the water main was in Granada Boulevard. He stated that there was a well located 3,000 feet in one direction and 1,500 feet in the other direction. He stated that staff looked at the easement and thought it would be worthwhile to keep as it may be something that they could use in the future.

Mayor Kelley stated that those other wells were not being used presently; whereby, Mr. MacLeod stated that they were active wells.

Ms. Shanahan stated that the city did not know the easement existed, noting that staff had changed since the time of the easement. She stated that staff believed it had value to the city and that it was in their best interest to negotiate something of value in return. She noted that the city did not typically give away things of value and had indicated that there could be a future use for the easement. She explained that if it was not used in the future, it could always be vacated at that time. She noted that she did not believe that it impacted the development of the property.

Mayor Kelley asked when the city envisioned it being utilized.

Ms. Shanahan stated that the city was going through water planning presently.

Mr. MacLeod stated that they were in the middle of their master planning process.

Mayor Kelley stated that the city had cut its consumption by 20% in the last 20 years. He asked when it would be used, if it was needed. He asked if it would be able to be permitted and what the cost would be.

Ms. Shanahan stated that the city was trying to preserve their ability to use that well location in the future if they chose to do so. She stated that she did not have the answer to some of Mayor Kelley's questions that evening.

Mayor Kelley stated that the easement was from 1979 and was done before the other wells were located in the area.

Commissioner Stowers stated that he was comfortable with the resolution passing. He noted that he understood what Mayor Kelley was saying, but the same could be said about paper streets or platted streets and the city giving those away. He noted that he appreciated that the easement had some value and he felt this was a reasonable resolution of the issue.

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

Item #9E – N US1 ISBA Comprehensive Plan Amendments

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-42  
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN BY INCORPORATING THE PROVISIONS OF THE NORTH US HIGHWAY 1 INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss noted for the record that there was a map at each Commissioner's seat on the dais that was to be attached to Exhibit B. He stated that the original direction from the state was to process the Comprehensive Plan Amendments, and the Comprehensive Plan language, as an expedited amendment. He explained that it was determined later that it would have to be split out. He further explained that all of the Comprehensive Plan language was being processed, which went with the intergovernmental coordination element with regard to the land use section, as a Comprehensive Plan amendment going through the expedited review process. He noted that it would probably take until January 20, 2015, before it would be back for its second and final reading. He stated that the actual land use plan amendments would go through a small scale amendment and come to the Commission sometime in January.

Mr. Goss stated that the ordinance would go to the Department of Economic Opportunity for review and they would have 30 days to review it and act upon it. He reiterated that Comprehensive Plan amendments would be first and also go through review by the Florida Department of Transportation (FDOT). He noted that staff had already met with FDOT, as well as the school district, county, and Volusia Growth Management Commission (VGMC), and it should all go through fairly easily as a result. He noted that the Comprehensive Plan amendments to the land use would come afterwards. He stated that staff hoped to have all of this completed by February so that the zoning could be done in March and ready for Bike Week.

**Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-42, 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

Item #9F – Comprehensive Plan Amendment “Residential, Office, Retail”

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-43

AN ORDINANCE ADOPTING CERTAIN AMENDMENTS TO THE FUTURE LAND USE ELEMENT, TO THE CONSERVATION ELEMENT, AND TO THE FUTURE LAND USE MAP OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this item was an amendment to change the Comprehensive Plan from professional office to residential, office, and retail (“ROR”). He stated that it would allow for all three uses. He explained that staff went through all of the files with regard to existing retail uses in the office category to ensure that they would not be creating any nonconformities, which was why there were two different floor area ratios for certain uses. He stated that they recommended approval. He explained that it would affect all the professional office categories and be consistent with the Comprehensive Plan.

**Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-43, on first 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 #10 – Reports, Suggestions, Requests

Last Meeting

Ms. Shanahan stated that this would be the last meeting of 2014 for the City Commission. She thanked the Commission for their service to the community.

HOMe for the HOLIDAYS Parade

Ms. Shanahan stated that the HOMe for the HOLIDAYS Christmas Parade would be on Saturday, December 13, 2014. She stated that the reception started at 5:30 p.m. at City Hall and the tree lighting would be at 6:00 p.m. She stated that at 6:05 p.m. the parade would begin.

Movies on the Halifax

Ms. Shanahan stated that Movies on the Halifax would be on Friday, December 12, 2014, and the movie would be *Polar Express*.

Casements Gala

Ms. Shanahan stated that The Casements Gala opened on Friday, December 5, 2014.

Workshops

Ms. Shanahan stated that there would be workshops in the New Year. She stated that one would be a Strategic Planning Session, which she would love to get the Commission in for a full day on a Saturday. She noted she would understand if that was not possible.

Season’s Greetings

Mr. MacLeod wished everyone a joyous Christmas and a blessed and happy New Year.

Season’s Greetings

City Attorney Randy Hayes echoed Mr. MacLeod’s greetings.

Agenda Packets

Commissioner Boehm noted that there were four students in the audience. He asked them why they were attending the meeting.

The students replied that they were there because of their government class.

Commissioner Boehm stated that the Commission appeared to go through the agenda quickly but they were provided with 1,217 pages of supporting documentation for the items on the agenda. He noted that it was not uncommon for them to have over 2,000

pages. He stated that the Commission studied those documents prior to the meeting and addressed any comments they had to staff beforehand. He noted that there was a huge amount of detail provided beforehand that they had to study and doing so helped them make their decisions. He explained that all of the agenda documents and minutes were available on the city's website for public review, as well.

#### The Casements for the Holidays

Commissioner Boehm stated that Ms. Siobhan Daly, Cultural Center Coordinator, did an amazing job with The Casements. He encouraged all who needed to find the holiday spirit to go to The Casements.

#### Elected Officials of Volusia County Roundtable

Commissioner Boehm congratulated Mayor Kelley on being named the leader of the Elected Officials of Volusia County Roundtable. He noted that was the current name of what used to be called the Volusia Council of Governments. He stated that was a testament to his leadership skills and ability.

#### Ormond Art Museum Greenhouse

Commissioner Boehm noted that there was a new green house at the Ormond Memorial Art Museum Gardens. He stated that the Garden Club, through Ms. Lori Tolland, spent \$40,000, along with the city's \$6,000, to make that greenhouse possible. He noted that it was another example of a public-private partnership in the community.

#### Ormond Beach Pride

Commissioner Boehm stated that the Ormond Beach Pride football team won the Southeastern 12 and under Regional Championship and would be going on to the national competition. He stated that he hoped the team would be recognized next year for their accomplishment.

#### Season's Greetings

Commissioner Boehm wished everyone a great Christmas and the happiest of New Years. He stated that he looked forward to working with everyone again in 2015.

#### SKYO Agreement

Commissioner Stowers welcomed SKYO and the Anderson family to Ormond Beach. He thanked the individuals involved in making the project happen. He stated that it was great that not only the business was relocating there, but also that the family was. He stated that a small growing business would breed other opportunities and allow economic gardening to continue to flourish.

#### Ormond Art Museum Greenhouse

Commissioner Kent stated he was fortunate to represent the city at the opening for the new greenhouse at the Ormond Memorial Art Museum Gardens.

#### Season's Greetings

Commissioner Kent wished everyone a Merry Christmas and Happy New Year and stated that he was looking forward to working with the Commission next year.

#### Mayor's Health & Fitness Challenge

Mayor Kelley stated that the Mayor's Health & Fitness Challenge would begin on January 3, 2015. He stated that the Commission would compete as a team again this year.

#### D.A.R.E

Mayor Kelley stated that he and Ms. Shanahan would attend the D.A.R.E Graduation at Pathways Elementary the next day.

#### Amendment One

Mayor Kelley stated that since Amendment One passed, one of the things they discussed at the Elected Officials of Volusia County Roundtable was getting a commitment from the state to use 10% of those funds for replacement of septic tanks and other things that would affect them. He stated that he thought they were in the top ten of septic systems in the state of Florida.

Ms. Shanahan asked Mayor Kelley if he wanted a formal resolution in January to send to the legislature; whereby, Mayor Kelley replied that he would.

Volusia League of Cities

Mayor Kelley stated that on Thursday Commissioner Partington would become the President of the Volusia League of Cities.

Elected Officials of Volusia County Roundtable

Mayor Kelley stated that he was honored to be chosen as chairman of the Elected Officials of Volusia County Roundtable. He stated that it would be beneficial for all the communities to work together.

SKYO Agreement

Mayor Kelley stated that Mr. Anderson and SKYO were great people, noting that he had met with them earlier that year.

Ms. Shanahan stated that it was important to recognize that Mr. Mannarino and the city's partners helped make the project happen. She stated that SKYO found them, not through a recruiting firm, and they helped make it happen.

Mayor Kelley thanked the Commission for setting aside the funding to help incentivize the project. He stated that other counties have called to congratulate them. He stated that he felt it was kind that Mr. Anderson mentioned that the choice to locate in Ormond Beach was easy.

Item #11 – Adjournment

The meeting was adjourned at 8:25 p.m.

APPROVED: January 6, 2015

BY:

\_\_\_\_\_  
Ed Kelley, Mayor

ATTEST:

\_\_\_\_\_  
J. Scott McKee, City Clerk