

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

January 6, 2015

7:00 p.m.

Commission Chambers

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

A. Minutes from City Commission meeting – December 2, 2014

6. 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. 2015-01** : A RESOLUTION APPOINTING MEMBERS AND ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- B. **RESOLUTION NO. 2015-02** : A RESOLUTION APPOINTING MEMBERS OF THE CITIZENS' LAW ENFORCEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- C. **RESOLUTION NO. 2015-03** : A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE GENERAL EMPLOYEES' PENSION BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- D. **RESOLUTION NO. 2015-05** : A RESOLUTION APPOINTING MEMBERS OF THE LEISURE SERVICES ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- E. **RESOLUTION NO. 2015-06** : A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE FIREFIGHTERS' PENSION BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- F. **RESOLUTION NO. 2015-07** : A RESOLUTION REAPPOINTING TRUSTEES TO SERVE ON THE CITY OF ORMOND BEACH MUNICIPAL POLICE OFFICERS' PENSION TRUST FUND; ESTABLISHING TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- G. **RESOLUTION NO. 2015-08** : A RESOLUTION APPOINTING MEMBERS OF THE NEIGHBORHOOD IMPROVEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- H. **RESOLUTION NO. 2015-10** : A RESOLUTION APPOINTING MEMBERS OF THE GOODWILL AMBASSADOR PROGRAM; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- I. **RESOLUTION NO. 2015-11** : A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF ORMOND MAIN STREET, INC.; SETTING FORTH TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- J. **RESOLUTION NO. 2015-12** : A RESOLUTION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE AS MEMBERS OF THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- K. **RESOLUTION NO. 2015-13** : A RESOLUTION APPOINTING A REPRESENTATIVE AS A MEMBER OF THE RIVER TO SEA BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)
- L. **RESOLUTION NO. 2015-14** : A RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO ECONOMIC DEVELOPMENT GROWTH ASSISTANCE AGREEMENT WITH PADWELL HOLDINGS, LLC; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)
- M. **RESOLUTION NO. 2015-28** : A RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY LOCATED AT 2 SUNSHINE BOULEVARD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA FROM SUNSHINE BOULEVARD REAL ESTATE, LLC. TO ANDERSON FAMILY LAND HOLDINGS, LLC; AUTHORIZING THE RELEASE OF THE UNITY OF TITLE AGREEMENT IN FAVOR OF CAPO INC.; AND CONFIRMING THERE ARE NO LIQUIDATED DAMAGES ARISING BY VIRTUE OF POSSIBLE VIOLATIONS OF RESTRICTIONS SET FORTH IN THAT WARRANTY DEED RECORDED MAY 23, 1982, IN OFFICIAL RECORDS BOOK 2358, PAGE 158; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

- N. **RESOLUTION NO. 2015-15** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A ACCESS AND EASEMENT DEED FROM 30 FOREST CT. LLC, SATISFYING A SITE PLAN REVIEW COMMITTEE CONDITION OF APPROVAL IN THE SARAH HOUSE, ASSISTED LIVING FACILITY ALLOWING ACCESS TO A PUBLIC DRAINAGE SYSTEM LOCATED ON PROPERTY LOCATED AT 30 FOREST COURT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- O. **RESOLUTION NO. 2015-16** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC SIDEWALK EASEMENT DEED FROM 30 FOREST CT. LLC, SATISFYING A SITE PLAN REVIEW COMMITTEE CONDITION OF APPROVAL FOR THE SARAH HOUSE, ASSISTED LIVING FACILITY, ALLOWING THE CONSTRUCTION OF A PUBLIC SIDEWALK ALONG THE WESTERN PROPERTY LINE ABUTTING FOREST COURT RIGHT-OF-WAY LOCATED ON PROPERTY LOCATED AT 30 FOREST COURT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- P. **RESOLUTION NO. 2015-17** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND WILLIAM G. LORT AND SANDRA J. LORT FOR PROPERTY LOCATED AT 34 SEA GULL DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- Q. **RESOLUTION NO. 2015-18** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND GREGORY S. MOTTO AND SHANNON M. MOTTO FOR PROPERTY LOCATED AT 147 CAPRI DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- R. **RESOLUTION NO. 2015-21** : A RESOLUTION ACCEPTING PROPOSALS AND AUTHORIZING THE EXECUTION OF MISCELLANEOUS CRAFTS & TRADES CONTRACTS WITH NINE (9) FIRMS FOR CARPENTRY, STUCCO/PLASTERING/DRYWALL, PLUMBING, HVAC, FLOORING, ROOFING, PAINTING/WATERPROOFING, FENCING, AND DOCKS/DECKING SERVICES ON AN AS-NEEDED BASIS, UNDER RFP 2015-06; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- S. **RESOLUTION NO. 2015-22** : A RESOLUTION APPROVING AND AUTHORIZING AN ASSIGNMENT AND ASSUMPTION OF CONTRACT TO\ CHUCK ROBINSON CONCRETE AND BOB CAT SERVICE, INC. REGARDING THE MAINTENANCE AND CLEANING OF ROADSIDE SWALES, DRAINAGE DITCHES AND PONDS; AUTHORIZING THE EXECUTION OF A CONSENT TO ASSIGNMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- T. **RESOLUTION NO. 2015-23** : A RESOLUTION URGING AND ENCOURAGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE FUNDING TO IMPROVE SURFACE WATER QUALITY BY ALLOCATING TEN PERCENT OF ANY PROCEEDS APPROPRIATED FOR THE STATE LAND ACQUISITION TRUST FUND TO SUPPORT PROGRAMS AND INITIATIVES TO ELIMINATE SEPTIC SYSTEMS IN ENVIRONMENTALLY SENSITIVE LANDS; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

- U. **Division Avenue Raw Water Transmission Main**
Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)
Disposition: Approve as recommended in the City Manager memorandum dated January 6, 2015.

- V. **Auto Renew Contracts - Neptune Water Meter Purchase - Sunstate Meter & Supply, Inc.**
Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)
Disposition: Approve as recommended in the City Manager memorandum dated January 6, 2015.

- W. **OBSC - ADA Parking and Sidewalks (CDBG)**
Staff Contact: John Noble, City Engineer (386-676-3269)
Disposition: Approve as recommended in the City Manager memorandum dated January 6, 2015.

- X. **Approval of Travel by the City Commission/City Manager/City Attorney**
Staff Contact: Scott McKee, City Clerk (386-676-3340)
Disposition: Approve as recommended in the City Manager memorandum dated January 6, 2015.

7. PUBLIC HEARINGS

- A. **RESOLUTION NO. 2015-24** : A RESOLUTION APPOINTING MEMBERS OF THE AVIATION ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)

- B. **RESOLUTION NO. 2015-25** : A RESOLUTION APPOINTING MEMBERS OF THE BROWNFIELD ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)

- C. **RESOLUTION NO. 2015-26** : A RESOLUTION APPOINTING MEMBERS OF THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)

- D. **RESOLUTION NO. 2015-04** : A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RESOURCES BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)

- E. **RESOLUTION NO. 2015-27** : A RESOLUTION APPOINTING MEMBERS OF THE PUBLIC WORKS ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Scott McKee, City Clerk (386-676-3340)

- F. **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. **(SECOND READING)**

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

- G. **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. **(SECOND READING)**

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

- H. **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. **(SECOND READING)**

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

- I. **ORDINANCE NO. 2015-01** : 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)

- J. **ORDINANCE NO. 2015-02** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF SOUTH NOVA ROAD AT THE NORTHWEST CORNER OF THE INTERSECTION OF DIVISION AVENUE AND SOUTH NOVA ROAD, LOCATED AT 500 S. NOVA ROAD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING 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.

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

- K. **ORDINANCE NO. 2015-04** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 1,650 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 240 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 3 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.

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

- L. **ORDINANCE NO. 2015-05** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP 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)

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2015-06** : AN ORDINANCE AMENDING SECTION 5-78, DANGEROUS DOGS, AND SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF CHAPTER 5, ANIMALS AND FOWL, ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

9. RESOLUTIONS

- A. **RESOLUTION NO. 2015-09** : A RESOLUTION APPOINTING MEMBERS OF THE PLANNING BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)

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

Gary Giovanni, Riverbend Community Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Proclamation for First Responder Appreciation Week

Mayor Kelley stated that Tarpon Springs Police Officer Charles Kondak and Leon County Sheriff Deputy Christopher Smith were recently killed in the line of duty. He stated that each loss of a law enforcement officer was heartbreaking and losing two heroes in less than a month was a cry for peace and a signal to all Floridians to pray for the men and women in uniform that protected their communities each and every day. He stated that Florida's first responders, including law enforcement officers, firefighters, and emergency medical technicians (EMTs), bravely and selflessly risked their lives every day to protect Florida families, visitors, and businesses. He noted that Florida's first responders did not hesitate to risk their own lives in order to save the lives of others. He explained that first responders were vital parts of every community.

Mayor Kelley stated that acts of kindness and appreciation from citizens to first responders provided them with needed encouragement and support to confront the dangerous and uncertain situations they faced each and every day. He explained that Governor Rick Scott had officially proclaimed January 5th – January 9th, 2015 as "Florida First Responder Appreciation Week" and encouraged all Floridians to take time out of their days to show first responders how much their service was valued. He proclaimed January 5th through January 9th, 2015 as First Responder Appreciation Week in Ormond Beach and thanked the first responders who kept everyone safe.

Item #4 – Audience Remarks

Ms. Juliann Blanford, 36 Dix Avenue, stated that she was one of the volunteers on the Environmental Learning Center (ELC) that the city was putting together. She noted that the City Commission received a weekly packet with updates but she wanted to bring some of the words in the packet to life. She stated that volunteers were coming together and the first kick-off gathering would be Tuesday, January 13, 2015 at 6:30 p.m. She explained that the volunteers also had a Facebook group, which was open to the public that citizens could join to participate in the discussion and share ideas. She noted that those not on Facebook could contact the Leisure Services Department to receive email updates. She encouraged the Commission to keep speaking about the project and spreading the word. She thanked the Commission.

Mayor Kelley stated that it was individuals like Ms. Blanford, who volunteered in the community, that made Ormond Beach what it was. He thanked Ms. Blanford for her service.

Mr. Jim Schultz, 117 Harvard Drive, stated that the mumps, measles, and rubella vaccine was a live vaccine. He explained that a whistleblower had shown that the standard policy in the experiment was altered so that adverse reactions in minorities would not have to be reported; further explaining that minorities had a higher incidence of autism. He noted that he did not know why that had never really received any exposure. He stated that breaking the groups of children into smaller groups helped to alleviate the statistical difference. He stated that he felt it was amazing how things could be ignored. He stated that the whistleblower stated that the Center for Disease Control (CDC) was paralyzed with fear about exposing links of vaccines to autism.

Mr. Schultz noted that he had before mentioned the Tuskegee Experiment. He explained that he did so because it showed the depth of depravity of a government agency and their total disregard for humans. He explained that the experiment took 400 people who were illiterate, uneducated, and naïve, who had syphilis, and studied them until their deaths. He noted that they did so even after the exceptionally effective treatment of penicillin was discovered. He stated that laws requiring that they be told they have syphilis and treated were violated.

Items #5A– Approval of Minutes

Mayor Kelley advised that the minutes of the December 2 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 #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 Stowers, 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 #7 – Public Hearings

Mayor Kelley opened the public hearing.

Item #7A – Aviation Advisory Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-24
 A RESOLUTION APPOINTING MEMBERS OF THE AVIATION
 ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF
 SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Resolution No. 2015-24, as read by title only.

Mayor Kelley stated that his nomination, Mr. Bruce Mann, held a hangar lease agreement with the city. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Commissioner Boehm stated that his nomination, Mr. Sam Hamilton, was employed by Zev Cohen & Associates, a civil engineering firm that performed engineering services under contract with the city. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Commissioner Partington stated that his nomination, Mr. Larry Stout, was partial owner of Cavalier Aviation, which held a ground lease at the airport. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley explained that Mr. Mann, Mr. Hamilton, and Mr. Stout would be required to abstain from voting on any issues before the Aviation Advisory Board that were perceived as a conflict of interest.

Commissioner Kent moved, seconded by Commissioner Partington, to waive the conflicts.

City Clerk Scott McKee called the vote on waiving the conflicts:

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

City Clerk Scott McKee called the vote on the underlying resolution:

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

Item #7B – Brownfield Advisory Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-25

A RESOLUTION APPOINTING MEMBERS OF THE BROWNFIELD ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Resolution No. 2015-25, as read by title only.

Commissioner Stowers stated that his nomination, Mr. Curtis Burkett, was employed by McKim & Creed, an engineering firm that performed engineering services under contract with the city. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley stated that the City Commission's at-large appointment, Mr. Michael Snzapstajler, was employed by the Cobb Cole law firm, which was representing the city in a legal matter. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley explained that Mr. Burkett and Mr. Snzapstajler would be required to abstain from voting on any issues before the Brownfield Advisory Board that were perceived as a conflict of interest.

Commissioner Kent moved, seconded by Commissioner Boehm, to waive the conflicts.

City Clerk Scott McKee called the vote on waiving the conflicts:

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

City Clerk Scott McKee called the vote on the underlying resolution:

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

Item #7C – Budget Advisory Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-26

A RESOLUTION APPOINTING MEMBERS OF THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2015-26, as read by title only.

Commissioner Stowers stated that his nomination, Mr. Scott Cichon was employed by the Cobb Cole law firm, which was representing the city in a legal matter. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley explained that Mr. Cichon would be required to abstain from voting on any issues before the Budget Advisory Board that were perceived as a conflict of interest.

Commissioner Kent moved, seconded by Commissioner Boehm, to waive the conflicts.

City Clerk Scott McKee called the vote on waiving the conflicts:

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

City Clerk Scott McKee called the vote on the underlying resolution:

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

Item #7D – Human Resources Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-04
A RESOLUTION APPOINTING MEMBERS OF THE HUMAN
RESOURCES BOARD; SETTING FORTH TERMS AND CONDITIONS OF
SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Resolution No. 2015-04, as read by title only.

Commissioner Stowers stated that his nomination, Mr. Rick Fraser, was the Executive Director of the Ormond Beach Chamber of Commerce, an organization with a contractual relationship with the city. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley explained that Mr. Fraser would be required to abstain from voting on any issues before the Human Resources Board that were perceived as a conflict of interest.

Commissioner Partington moved, seconded by Commissioner Boehm, to waive the conflicts.

City Clerk Scott McKee called the vote on waiving the conflicts:

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

City Clerk Scott McKee called the vote on the underlying resolution:

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

Item #7E – Public Works Advisory Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-27
A RESOLUTION APPOINTING MEMBERS OF THE PUBLIC WORKS
ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF
SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Stowers moved, seconded by Commissioner Partington, for approval of Resolution No. 2015-27, as read by title only.

Commissioner Boehm stated that his nomination, Mr. Haluk Kilic, was employed by Zev Cohen & Associates, a civil engineering firm that performed engineering services under contract with the city. He explained that pursuant to Section 2-205 of the Code of Ordinances, the conflict of interest could be waived by a two-thirds vote of the Commission.

Mayor Kelley explained that Mr. Kilic would be required to abstain from voting on any issues before the Public Works Advisory Board that were perceived as a conflict of interest.

Commissioner Stowers moved, seconded by Commissioner Partington, to waive the conflicts.

City Clerk Scott McKee called the vote on waiving the conflicts:

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

City Clerk Scott McKee called the vote on the underlying resolution:

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

Board Appointments

Commissioner Kent thanked to the volunteers in the audience who served on the city's Advisory Boards. He noted there was still one board to approve later in the agenda but he wanted to take the opportunity to thank those willing to serve for their service. He noted that some of his appointments were in attendance that evening and thanked them.

Item #7F – 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.

Commissioner Kent moved, seconded by Commissioner Boehm for approval of Ordinance No. 2014-39, 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 #7G – 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.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-40, on second 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 #7H – 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.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-41, 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 #7I – Comprehensive Plan Amendment, “Residential, Office, Retail (ROR)”

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-01

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. Ric Goss, Planning Director, noted that this ordinance had actually previously been on the December 2, 2014 City Commission agenda as Ordinance 2014-43. He explained that due to an error with the legal advertising, the ordinance had to go through the approval process again, starting with the first reading, and was assigned a new ordinance number. He noted that there were no differences made to the ordinance

presented to the Commission that evening and the one they originally considered and approved on December 2, 2014.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-01, 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 #7J – 500 S Nova Road Annexation (Life Mobile Home Park)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-02

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF SOUTH NOVA ROAD AT THE NORTHWEST CORNER OF THE INTERSECTION OF DIVISION AVENUE AND SOUTH NOVA ROAD, LOCATED AT 500 S. NOVA ROAD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING 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. Goss stated that this annexation application was filed by the property owner. He stated that the property was 24 acres and had 175 units. He explained that the property had city water utilities and sewer was provided by Daytona Beach. He stated that staff recommended the annexation be approved. He noted that there had been comments made by the city's Fire Chief with regard to the fire hydrants. He explained that the fire department objected to the annexation. He stated that the property was all private without public roads. He explained that any upgrades to the facility would have to be performed by the property owner in the future.

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-02, on first reading, as read by title only.

Commissioner Boehm noted that citizens did not often appreciate that Ormond Beach was one of the most checker-boarded communities. He noted that the city had been working to annex along Williamson Boulevard and US 1. He stated that the Life Mobile Home Park was located a mile and a half north of the city's border on Nova Road but was somehow not in the city. He noted that it caused a lot of confusion for citizens when they thought certain developments were in the city but they were actually not, such as the Chelsea Place subdivision, which was annexed last year.

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

Item #7K – 240 Williamson Boulevard Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-04

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 1,650 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 240 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY;

REDESIGNATING THE BOUNDARIES OF ZONE 3 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. Goss stated that this annexation was filed by the CEO of Launch Federal Credit Union, who intended to develop a bank on Williamson Boulevard. He explained that in order to receive sewer and water they needed to annex the property into the city. He stated that they would bring back a site plan for approval for the proposed bank. He noted that almost a year and a half ago the majority of Williamson Boulevard was not located in the city of Ormond Beach but now he was proud to say that it all was except for two small parcels.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2015-04, 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 #7L – N US 1 ISBA Future Land Use Map Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-05

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP 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 stated that this item was coupled with another amendment that the City Commission reviewed on December 2, 2014, which were text amendments to the Comprehensive Plan. He noted that that item would be back before the Commission on January 20, 2015. He explained that this ordinance before them was a small scale amendment, so it did not have to go to the state, and could have second reading on January 20, 2015 as well. He stated that after that reading it would go to the state for review, and if there was no appeal within 30 days, it would be automatically adopted. He stated that the Comprehensive Plan text amendments and land use plan amendments should be completed by the end of January. He stated that the zoning amendments should be filed through the Planning Board and to the City Commission in February or March. He noted that they were also working on itinerant vendor code amendments to the Land Development Code. He estimated April or May for those amendments to be before the City Commission.

Mayor Kelley stated that the amendments would not be completed before Bike Week; whereby, Mr. Goss confirmed that was correct.

Ms. Joyce Shanahan, City Manager, clarified that when the city was negotiating with the county in regards to the Interlocal Service Boundary Agreement the issue was that the county would issue the itinerant vendor licenses, which generally renewed in September. She explained that those who had not yet received those licenses would get them through the city now, but most Bike Week vendors already had obtained their licenses from the county. She stated that Mr. Goss and City Attorney Randy Hayes worked for four years to make the agreement happen and it was a testament to the City Commission's steadfastness as a collective legislative body that enabled it to be completed.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-05, 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.

Item #8A - Amendment to Animals and Fowls Ordinance – Dangerous Dogs

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-06
AN ORDINANCE AMENDING SECTION 5-78, DANGEROUS DOGS, AND SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF CHAPTER 5, ANIMALS AND FOWL, ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-06, on first reading, as read by title only.

Mayor Kelley thanked City Attorney Randy Hayes for initiating this item.

Mr. Randy Hayes, City Attorney, stated that Ms. Ann-Margret Emery, Deputy City Attorney, initiated the item.

Mayor Kelley thanked the legal department for updating the code, noting that it had remained the same for 19 years.

Commissioner Kent stated that he was shocked when he read the amount of the average dog bite insurance claim in Florida. He thanked Ms. Emery for her work on the item.

Commissioner Boehm asked Mr. Hayes if the provided definition of ‘dangerous dogs’ was in line with the state statute; whereby, Mr. Hayes confirmed that it was.

Commissioner Boehm stated that the subsection “b” really bothered him. He read it as follows: *“a dog shall be deemed dangerous if - more than once severally injured or killed a domestic animal while off the property of its owner or keeper.”* He noted that that was the “one free kill rule” and he did not like it. He stated that he did not understand why the state of Florida allowed one free kill. He stated that it made no sense to him.

Mayor Kelley suggested that possibly that could be addressed with State Representative Fred Costello.

Commissioner Boehm noted that he understood that that was a state law and would not vote against the ordinance before them, but reiterated that he objected to how the law was written. He stated that if another dog killed his dog, he would not want that dog to be deemed ‘not dangerous’ by virtue of it only having killed once.

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

Item #9A – Planning Board Appointments

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-09
A RESOLUTION APPOINTING MEMBERS OF THE PLANNING BOARD;
APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND

CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Resolution No. 2015-09, as read by title only.

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

Item #10 – Reports, Suggestions, Requests

Starry, Starry Night

Ms. Shanahan stated that Starry, Starry Night would be held on Friday, January 9, 2015. She explained that the event was a gallery to gallery walk for the Ormond Memorial Art Museum, the Casements, and the MacDonald House. She stated that admission was free and shuttle services were provided.

Arbor Day

Ms. Shanahan stated that Arbor Day Ceremonies would be held at Central Park on Friday, January 16, 2015.

MLK Breakfast

Ms. Shanahan stated that the Martin Luther King Jr. Breakfast would be held on January 19, 2015 at the South Ormond Neighborhood Center at 8:00 a.m. She noted that city facilities would be closed that day as well.

Lean Process Improvement

Commissioner Partington congratulated staff for their participation in the Lean Six Sigma process improvement and having the foresight to use those techniques. He noted that the City Commission attended a workshop earlier that evening where it was discussed. He stated that it was a cutting edge managerial methodology for analyzing service oriented issues, noting that it was being used in government more and more. He noted that he was not aware of any other city in Volusia County that was using it. He stated that he hoped that staff would apply it to more problems in the future. He stated that James Moore & Company and Mr. Mike Sibley trained staff and coordinated the process.

New Year

Commissioner Partington wished everyone a Happy New Year. He noted that school was back in session, people were back to work, and the Commission's plates were full again. He stated that he planned on attending the Martin Luther King Jr. Breakfast on January 19, 2015.

New Year

Commissioner Stowers wished everyone a Happy New Year.

Advisory Board Appreciation

Commissioner Stowers thanked all of the volunteers who served on the city's many Advisory Boards. He stated that the Commission appreciated them and could not do all they did without them.

Movies on the Halifax

Commissioner Kent when Movies on the Halifax was for January; whereby, Ms. Shanahan stated that it had been on January 2, 2015. He lamented that he missed the movie.

HOMe for the HOLIDAYS Parade

Commissioner Boehm stated that the HOMe for the HOLIDAYS Parade was wonderful and greatly attended by the citizenry. He stated that Deputy Mayor Partington lead the parade and did a fine job.

Mayor's Health & Fitness Challenge

Commissioner Boehm stated that the Mayor's Health & Fitness Challenge had begun. He noted that 240 participants had signed up. He stated that the City Commission team was ready to challenge everyone and was on board in supporting the Mayor. He stated

that recognition had been given to the city as a 2015 Community Champion Healthy Weight Community because of the Mayor's Health & Fitness Challenge.

Baseball Tournament

Commissioner Boehm stated that the Youth Baseball Nationals would be played in Ormond Beach in July. He noted that it was a Kentucky based organization. He stated that the organization stated that one of the primary reasons they were coming to Ormond Beach was because the Ormond Beach Sports Complex Fields were some of the best he had ever seen. He stated that that was a tribute to the city's leisure services department and their property maintenance staff. He noted that he was proud of that.

Advisory Board Appreciation

Commissioner Boehm congratulated all of the volunteers appointed to serve for the next two years on the city's Advisory Boards. He stated that the city had a wonderful group of people willing to help and assist the city and the City Commission. He stated that it was gratifying that there were so many individuals willing to continue to serve.

New Year

Commissioner Boehm wished everyone a Happy New Year. He noted that all members of the Commission were hard at work working to lose weight for the New Year and the Mayor's Health & Fitness Challenge.

Advisory Board Appreciation

Mayor Kelley stated that it was the community's volunteers and joint partnerships that made Ormond Beach what it was. He thanked the members of the Advisory Boards for their service and valuable input.

First Responder Appreciation Week

Mayor Kelley thanked Commissioner Partington for making him aware of First Responder Appreciation Week. He noted that that came from the Volusia League of Cities, of which Commissioner Partington was the Chairman.

Baseball Tournament

Mayor Kelley stated that the baseball tournament Commissioner Boehm mentioned should bring a positive impact of about \$2 million to the Ormond Beach community. He hoped they could also recruit some people to move to the city and invest in the community. He thanked Leisure Services Director Robert Carolin for his work with the facility.

Mayor's Health & Fitness Challenge

Mayor Kelley stated that the Mayor's Health & Fitness Challenge was about losing weight, getting healthy, and making life changing decisions. He stated that he was reminded that evening that his goal was to lose 'half a Wyatt', which he explained was half the weight of Commissioner Kent's son Wyatt. He stated that Commissioner Kent wanted to lose 'a whole Wyatt'.

Item #11 – Adjournment

The meeting was adjourned at 7:42 p.m.

APPROVED: January 20, 2015

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk