

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

April 7, 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. PRESENTATIONS AND PROCLAMATIONS**
 - A. American Cancer Society Relay for Life
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – March 17, 2015
- 7. CONSENT AGENDA**

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

- A. **RESOLUTION NO. 2015-80** : A RESOLUTION AUTHORIZING THE ACQUISITION OF THE PROPERTY AT 64 LINCOLN AVENUE AND ACCEPTANCE OF A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT DEED FOR THE PROPERTY LOCATED AT 65 NEW BRITAIN AVENUE, IN EXCHANGE FOR THE CITY OWNED PROPERTY LOCATED AT 164 WEST GRANADA BLVD. IN CONJUNCTION WITH DRAINAGE IMPROVEMENTS FOR THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2015-81** : A RESOLUTION ACCEPTING A PROPOSAL FROM QUENTIN L. HAMPTON ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES REGARDING THE WASTEWATER TREATMENT PLANT SLUDGE DIGESTER AERATION SYSTEM IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2015-82** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND ANGELINA LOIUSE MASINI FOR PROPERTY LOCATED AT 140 VIA MADRID DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2015-83** : A RESOLUTION APPOINTING REAR ADMIRAL (RETIRED) WILLIAM MASTERS AS A MEMBER TO SERVE ON 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)
- E. **RESOLUTION NO. 2015-84** : A RESOLUTION APPOINTING A REPRESENTATIVE AS A MEMBER OF THE RIVER TO SEA CITIZENS ADVISORY COMMITTEE; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Scott McKee, City Clerk (386-676-3340)
- F. **RESOLUTION NO. 2015-85** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF JUNE 2015; PROVIDING FOR EXCEPTIONS THERETO; SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Scott McKee, City Clerk (386-676-3340)
- G. **RESOLUTION NO. 2015-86** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE CASEMENTS GUILD FOR THE CITY OF ORMOND BEACH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Robert Carolin, Leisure Services Director (386-676-3279)
- H. **RESOLUTION NO. 2015-87** : A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDED LEASE AGREEMENT BETWEEN THE CITY AND ORMOND BEACH PRIDE, INC. REGARDING THE USE OF CERTAIN CITY FACILITIES FOR THE PROVISION AND OPERATION OF A YOUTH FOOTBALL AND CHEERLEADING PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Robert Carolin, Leisure Services Director (386-676-3279)
- I. **RESOLUTION NO. 2015-88** : A RESOLUTION ACCEPTING A BID FROM WOLEN, LLC FOR CONSTRUCTION SERVICES REGARDING THE AIR TRAFFIC CONTROL TOWER NAVCOM EQUIPMENT REHABILITATION PROJECT, UNDER BID NO. 2015-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Joe Mannarino, Economic Development Director (386-676-3266)
- J. **RESOLUTION NO. 2015-89** : A RESOLUTION ACCEPTING A BID FROM J.D. WEBER CONSTRUCTION CO. FOR CONSTRUCTION SERVICES REGARDING THE DIVISION AVENUE RAW WATER TRANSMISSION MAIN PROJECT, UNDER BID NO. 2015-15; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Dave Ponitz, Utilities Manager (386-676-3305)
- K. **RESOLUTION NO. 2015-90** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF SERVICE AND MISCELLANEOUS PARTS FROM ANDRITZ SEPARATION, INC. REGARDING CENTRIFUGE REPAIRS AT THE WATER TREATMENT PLANT; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION (REQUISITION #0000012761) AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Dave Ponitz, Utilities Manager (386-676-3305)

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2015-11** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD TO DELETE SCHOOL OF ARTS DEFINITION AND ADD DEFINITIONS FOR INSTRUCTIONAL ARTISTIC ACTIVITY AND INSTRUCTIONAL PHYSICAL ACTIVITY; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-22(C), B-1, PROFESSIONAL OFFICE/HOSPITAL, 2-25(C), B-4, CENTRAL BUSINESS, 2- 26(C), B-5, SERVICE COMMERCIAL, SECTION 2-28(C), B-7, HIGHWAY TOURIST COMMERCIAL, SECTION 2-29(C), B-8, COMMERCIAL, AND SECTION 2-32(C), I-1, LIGHT INDUSTRIAL TO DELETE SCHOOL OF ARTS AS A PERMITTED USE AND ADD INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; AMENDING SECTION 2- 25(D), B-4, CENTRAL BUSINESS TO ADD INSTRUCTIONAL ARTISTIC ACTIVITY AS A CONDITIONAL USE; AND 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 INSTRUCTIONAL ARTISTIC ACTIVITY, OF THE LAND DEVELOPMENT CODE; 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)

- B. **ORDINANCE NO. 2015-12** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTIONS (X) POOLS AND (AA) SCREEN PORCHES/ENCLOSURES, OF THE LAND DEVELOPMENT CODE TO ALLOW EXISTING NON-CONFORMING SCREEN ENCLOSURES TO BE REPLACED AS THEY CURRENTLY EXIST; 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)

- C. **ORDINANCE NO. 2015-13** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA ("MSA") AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT ("ISBA") BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING REVISION OF THE 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)

- D. **ORDINANCE NO. 2015-14** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; ADOPTING PLANNED DEVELOPMENT ORDERS BY REFERENCE PREVIOUSLY ISSUED BY VOLUSIA COUNTY; AUTHORIZING REVISION OF THE 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)

- E. **ORDINANCE NO. 2015-15** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 1.91±-ACRES LOCATED AT 240 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), 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)

- F. **ORDINANCE NO. 2015-16** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD BY DELETING THE RETAIL SALES AND SERVICE, SPECIALTY USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS BY DELETING THE PROFESSIONAL OFFICE/HOSPITAL LAND USE TITLE AND BY ADDING ROR, RESIDENTIAL, OFFICE, RETAIL LAND USE TITLE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTION 2-22, B-1, PROFESSIONAL OFFICE/HOSPITAL, BY DELETING RETAIL SALES, AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT, TYPE A, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-30, B-9, BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-31, B-10, SUBURBAN BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING FINANCIAL INSTITUTION AND INSTRUCTIONAL PHYSICAL ACTIVITY AS PERMITTED USES; BY ADDING CHILD CARE FACILITIES, PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AND 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 BY DELETING THE CONDITIONS OF THE RETAIL SALES AND SERVICE, SPECIALTY AND BY ADDING CONDITIONS FOR RETAIL SALES AND SERVICE OF THE LAND DEVELOPMENT CODE; 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)

9. DISCUSSION ITEMS

A. City Manager Evaluation

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Kelley called the meeting to order at 7:03 p.m.

Item #2 – Invocation

Bishop Dr. Lillian Ward, Emmanuel Church of the Living God, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – American Cancer Society Relay for Life

Mayor Kelley recognized that members of the American Cancer Society Relay for Life team were in attendance and invited them up to receive their proclamation.

Mayor Kelley stated that cancer accounted for one in seven deaths worldwide. He explained that the American Cancer Society was a grassroots movement united in its mission of making cancer a top national priority and united patients, survivors, family and friends through the Relay for Life in the fight to find a cure. He stated that the Relay for Life event would be held on April 18, 2015, and would help raise funds for research and patient care through donations and luminaria purchases. He noted that the City of Ormond Beach would honor survivors who lived and worked in Ormond Beach at the Relay for Life with a special survivors' lap. He proclaimed April 18, 2015, as American Cancer Society Relay for Life Day in the City of Ormond Beach and urged all residents to join him to support the American Cancer Society and Relay for Life participants in their efforts to find a cure.

Item #5 – Audience Remarks

Ms. Donna Craig, 38 Plaza Grande Avenue, spoke about beach driving. She noted the ongoing debate regarding whether driving should be removed from portions of the beach. She explained that she was part of a group called "Let Volusia Vote" which strove to have the issue of beach driving placed on a ballot in order for the decision to be made by Volusia County citizens. She stated that petitions were being signed to put the issue on a ballot. She encouraged the City Commission to support allowing Volusia County residents to vote regarding beach driving policies.

Mr. Don Cunningham, 19 N. Yonge Street, stated that using gravel instead of dirt in landscaping would store stormwater and prevent it from becoming runoff. He stated that RV hookups were the best remedy for affordable housing and for a creative way to invite people to visit the area. He explained that he really wanted to maintain his home and have his neighborhood become a safer place to live. He stated that he thought the way to accomplish that was to improve the architecture and engineering of the existing mobile home park.

Mr. Jim Schultz, 117 Harvard Drive, stated that Autism Speaks was an organization started by grandparents advocating for their grandson who developed autism from a vaccine but which had been taken over now by those who saw autism as a genetic issue. He noted that autism cases were increasing drastically but that the Center for Disease Control (CDC) said that was due to better diagnostics and was not reflective of an actual increase in cases of autism. He stated that most parents and teachers were too smart to believe that. He stated that a Harvard University doctor had stated that fluoride should be considered a neurotoxin like lead and arsenic. He cited a report in Newsweek showing a correlation with the small number of those fluoridated in the United Kingdom and underperforming thyroid function and another showing a strong relationship to Attention Deficit Hyperactivity Disorder (ADHD).

Item #6A– Approval of Minutes

Mayor Kelley advised that the minutes of the March 17, 2015, regular meeting had been sent to the Commission for review and were posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Item #7– 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 Partington requested to pull item 7A from the Consent Agenda.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda absent item 7A.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes

Carried.

Commissioner Partington
Mayor Kelley

Yes
Yes

Item #7A – Acquisition of Property at 64 Lincoln Avenue

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-80

A RESOLUTION AUTHORIZING THE ACQUISITION OF THE PROPERTY AT 64 LINCOLN AVENUE AND ACCEPTANCE OF A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT DEED FOR THE PROPERTY LOCATED AT 65 NEW BRITAIN AVENUE, IN EXCHANGE FOR THE CITY OWNED PROPERTY LOCATED AT 164 WEST GRANADA BLVD. IN CONJUNCTION WITH DRAINAGE IMPROVEMENTS FOR THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2015-80.

Commissioner Partington explained that his reason for pulling this item from the Consent Agenda was that he did not like the process that was used to bring the item forth to the Commission. He noted that he knew nothing about the proposed land swap until Thursday, April 2, 2015, when the Commission received their agenda packet for the meeting. He further noted that he had never heard of the possibility of it, explaining that the item involved taking an \$81,000 valued building on prime Granada Boulevard frontage and trading it for another piece of property. He stated that the item was included in an agenda packed which was sent out just prior to the Good Friday holiday when city offices were closed. He stated that there was no opportunity for the public to ask questions. He explained that he did not feel that he had enough information or enough public input, particularly from the residents who might be affected by the swap, to know if there were any issues to be considered.

Commissioner Partington stated that one of the main components of due process was notice and opportunity to be heard and explained that he felt that residents had not had that opportunity with this item. He noted that the item came to the Commission in a prebaked manner and was quickly hurried-by on a holiday weekend. He expressed his concern with that process. He noted that he may have ultimately ended up supporting the land swap but explained that he did not feel he could do so with the way it was brought to them. He stated that other possible uses for the building, which used to be home to Halifax Urban Ministries (HUM), could be a location for the city's Veteran's Museum or for the Ormond Beach Historical Society in a possible three-way land swap due to the condition of the MacDonald House. He explained that he felt there were other possibilities for such a valuable asset that should have been explored or considered and that more public input should have been provided.

Commissioner Kent noted that it sounded as if Commissioner Partington was opposed to the item passing that evening. He asked Commissioner Partington if he would feel better if action on the item was delayed so that more research could be performed; whereby, Commissioner Partington replied that would satisfy him that evening.

Commissioner Kent stated that he would be willing to amend his motion or change it.

Mayor Kelley suggested discussing the item first.

Commissioner Kent clarified that he would be willing to amend his motion but had not made such a motion or changed his previous motion yet.

Mayor Kelley stated that he could answer where the item came from. He explained that three years prior he worked very hard finding a new location for HUM. He noted that HUM was better served in their present location and had expanded their services. He explained that the swap came about in negotiations, in which he was not involved, that dealt with the City Manager and City Attorney regarding a piece of property that the city needed for drainage improvements in the area of New Britain Avenue. He noted that he felt the value was good and that the building property on Granada Boulevard would be developed to create revenue. He noted that it would create no revenue if a non-profit organization went into the building and that the city would have to pay for the building's

upkeep in that instance, as well. He stated that it would be a win-win for everyone. He noted that the individual obtaining the building property would make improvements and make it a nice entrance to the downtown area.

Mayor Kelley stated that he did not know what else could be learned about the swap other than what was presented in the background materials included in the agenda packet. He noted that the highest appraisal was taken and the process undertaken had been no different than other property swaps. He explained that he personally felt the city was better served by having a revenue generating entity at the entrance to the downtown rather than putting another non-profit in that building. He noted that the property the city would be swapping for the building was needed for drainage. He stated that it seemed like a logical move to him.

Commissioner Boehm stated that he thought there was sufficient supporting material in the agenda packet to justify the process and the swap. He noted that he would not have pulled the item from the Consent Agenda himself.

Commissioner Stowers noted that this was a tough one for him as he agreed with Mayor Kelley's comments and also with what Commissioner Partington had said. He noted that he planned to vote "yes" on the item. He explained that put him in the position of counting votes and deciding whether he should vote "yes" that evening or to vote "yes" in two weeks if the item was continued. He stated that based on the scope and totality of the included information, and that the meeting was publicly noticed, he was 52% in favor of voting for the item that evening. He noted that all of the materials were included in the agenda packet and it was a public meeting so the due process element was met.

Commissioner Partington explained that his concern was that the city did not get an appraisal on the Lincoln Avenue property. He noted that the appraisal for the property on Granada Boulevard that came back at \$81,000 was professionally done, and he had no issues with it. He explained that the other appraisals submitted he found concerning, including the Lincoln Avenue property appraisal where the appraiser did not even visit the property. He stated that some of the comparables used on the Granada Boulevard property also struck him as odd. He explained that his primary concern was the way the deal was structured. He further explained that it had not been handled with transparency or in the sunshine where there was an opportunity for other ideas or possibilities to come forward or for the public, specifically those in the neighborhood of the property, to be fully aware of what was likely happening and for them to be given an opportunity to comment. He stated that he agreed with Commissioner Stowers that ultimately this may be the best result, but he was uncomfortable with the process.

Mayor Kelley stated that their opinions on the appraisals would not change them. He noted that he personally did not feel that the Granada Boulevard building was worth \$25,000. He explained that it had no parking, was in horrible physical shape, and had very limited use. He further explained that if the city was to retain that building they would have to put a significant amount of money into it in order to have anyone utilize it. He noted that he was not in favor of putting more money into old buildings that needed a lot of repairs.

Commissioner Kent stated that Mayor Kelley made good points, and he agreed with him. He asked Ms. Dorian Burt if she was present as the representative of the property owner in the land swap and if she could answer a question for him. He asked Ms. Burt if it would be a major problem if the item was delayed for two weeks, noting that he could count the likely votes, as well. He further noted that three Commissioners had expressed that they supported the item and that he had not given his thoughts yet. He stated that he was in favor of the swap and that he would not have pulled the item for discussion. He explained that his issue was that he wanted to give Commissioner Partington the same respect that he would want if he had questions, and so he wished to inquire whether the passage of the item that evening was dire or not. He stated that if Commissioner Partington had questions he wanted answered, he would be in favor of continuing the item two more weeks so that Commissioner Partington could have those answers provided.

Ms. Dorian Burt, Representative for Wivigeco, LLC, noted that she could also count the potential votes. She stated that the Commission knew her and knew she was ultimately fair. She explained that in fairness she could not say that two weeks would make a difference, but she noted that she might be in trouble with her boss for saying so. She stated that the first appraisal undertaken by the city did not use any downtown properties for comparables and instead used vacant land and properties on Clyde Morris

Boulevard. She noted that she did not know if any of the Commission had been in the building on Granada Boulevard. She stated that only her employer, Mr. Bill Jones, could afford to put the money into the building to make it significantly viable. She noted that Mr. Jones had plans to make the building two-stories and had suggestions for apartment housing on top and retail on the bottom, mimicking St. Augustine historic architecture to be a welcoming entrance into the downtown. She noted that she would rather the item not be continued.

Commissioner Kent thanked Ms. Burt. He noted that he was sorry to hear that her boss may be unhappy with a continuance, but he wanted there to be comfort among the Commission members. He reiterated that he planned to vote for the item. He explained that if someone wanted to hold his feet to the fire because he wanted to wait another two weeks to pass it, then so be it. He stated that he respected Commissioner Partington enough to provide that latitude. He asked City Attorney Randy Hayes if he needed to make a motion to withdraw his previous motion.

Mr. Randy Hayes, City Attorney, replied that a motion to continue would take precedence. He noted that some sections in the contract contained performance dates and would need to be modified when the item was brought back.

Commissioner Kent moved, seconded by Commissioner Partington, to continue item 7A, Resolution No. 2015-80, until the next City Commission Meeting on April 21, 2015.

Mayor Kelley stated that the item would be continued to accommodate one individual.

Commissioner Kent noted that Commissioner Partington was a fellow elected official who represented over 10,000 residents.

Mayor Kelley noted that the item would be voted on and passed at the following meeting. He stated that only one person had questioned the item. He explained that he could not support moving an item two weeks for it to be voted on and still passed, just at a later date. He noted that it made no sense to him, and he did not see the reason for it. He explained that if there were questions, all the information had been provided and publicly noticed.

Commissioner Kent stated that Commissioner Partington obviously had questions that he did not have answered yet; whereby, Commissioner Partington confirmed that he did.

Mayor Kelley noted that he understood the process to be Commissioner Partington's concern. He stated that the process would not change.

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

Mayor Kelley stated that in two weeks the item would come back and be passed.

Ms. Joyce Shanahan, City Manager, asked to clarify what the questions were in order to ensure that staff had answers prepared.

Commissioner Partington stated that Ms. Shanahan could listen to the meeting recording for his questions.

Mayor Kelley noted again that the continuance made no sense to him but stated that he would move on.

Item #8 – Public Hearings

Mayor Kelley opened the public hearing.

Item #8A – LDC Amendment, Instructional Activity

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-11

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD TO DELETE SCHOOL OF ARTS DEFINITION AND ADD DEFINITIONS FOR INSTRUCTIONAL ARTISTIC ACTIVITY AND INSTRUCTIONAL PHYSICAL ACTIVITY; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-22(C), B-1, PROFESSIONAL OFFICE/HOSPITAL, 2-25(C), B-4, CENTRAL BUSINESS, 2- 26(C), B-5, SERVICE COMMERCIAL, SECTION 2-28(C), B-7, HIGHWAY TOURIST COMMERCIAL, SECTION 2-29(C), B-8, COMMERCIAL, AND SECTION 2-32(C), I-1, LIGHT INDUSTRIAL TO DELETE SCHOOL OF ARTS AS A PERMITTED USE AND ADD INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; AMENDING SECTION 2- 25(D), B-4, CENTRAL BUSINESS TO ADD INSTRUCTIONAL ARTISTIC ACTIVITY AS A CONDITIONAL USE; AND 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 INSTRUCTIONAL ARTISTIC ACTIVITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-11, on second reading, as read by title only.

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

Item #8B – LDC Amendment, Pool Screen Enclosures

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-12

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTIONS (X) POOLS AND (AA) SCREEN PORCHES/ENCLOSURES TO ALLOW EXISTING NONCONFORMING SCREEN ENCLOSURES TO BE REPLACED AS THEY CURRENTLY EXIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-12, 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 #8C – North US1 ISBA Zoning Map Amendment (excluding Planned Developments)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-13

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING

MAP TO REZONE CERTAIN REAL PROPERTIES LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA (“MSA”) AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT (“ISBA”) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING REVISION OF THE 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. 2015-13, 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 #8D – N. US1 ISBA Zoning Map Amendment (Planned Developments)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-14

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; ADOPTING PLANNED DEVELOPMENT ORDERS BY REFERENCE PREVIOUSLY ISSUED BY VOLUSIA COUNTY; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2015-14, 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 #8E – 240 Williamson Blvd. Zoning Map Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-15

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 1.91±-ACRES LOCATED AT 240 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2015-15, on second reading, as read by title only.

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

Item #8F – ROR LCD Amendments

Mayor Kelley lamented about the length of the title to be read for the item and confirmed with Mr. Hayes that it was a state regulation that resolution and ordinances titles be comprised in that fashion.

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-16

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD BY DELETING THE RETAIL SALES AND SERVICE, SPECIALTY USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS BY DELETING THE PROFESSIONAL OFFICE/HOSPITAL LAND USE TITLE AND BY ADDING ROR, RESIDENTIAL, OFFICE, RETAIL LAND USE TITLE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTION 2-22, B-1, PROFESSIONAL OFFICE/HOSPITAL, BY DELETING RETAIL SALES, AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT, TYPE A, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-30, B-9, BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-31, B-10, SUBURBAN BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING FINANCIAL INSTITUTION AND INSTRUCTIONAL PHYSICAL ACTIVITY AS PERMITTED USES; BY ADDING CHILD CARE FACILITIES, PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AND 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 BY DELETING THE CONDITIONS OF THE RETAIL SALES AND SERVICE, SPECIALTY AND BY ADDING CONDITIONS FOR RETAIL SALES AND SERVICE OF THE LAND DEVELOPMENT CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that this ordinance would remove the 49% cap on retail activity in the B-1, B-9 and B-10 districts. He explained that it introduced personal services, all types of retail uses, and restaurants A & B as conditional uses. He

noted that it also added restaurant C, which was a drive-thru use, as a special exception in all three zoning districts.

Ms. Shanahan noted that this item dealt with an issue that had been discussed during a brainstorming session by the City Commission.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-16, on first reading, as read by title only.

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

Mayor Kelley closed the public hearing without objection.

Item #9A – City Manager Evaluation

Ms. Joyce Shanahan, City Manager, explained that there was a requirement that an evaluation of the City Manager be performed annually. She stated that the Commission was very generous in their remarks about her performance. She noted that she was grateful to work for the community with a Commission that had such steadfast leadership and a true vision. She thanked the Commission for their comments and suggestions and noted that she would do her best to try and improve on the issues that were brought to her attention. She noted that no action was required of the Commission at that time.

Commissioner Kent stated that if the evaluation had been a report card Ms. Shanahan would have received almost a 97%. He noted that was impressive and that Ms. Shanahan was amazing at what she did. He stated that it meant a lot to him that Ms. Shanahan was given such high marks by Mayor Kelley, as he worked especially closely with her. He noted that the city was fortunate to have Ms. Shanahan as its City Manager and noted that Commissioner Partington had commented that he hoped to see Ms. Shanahan here for at least another six years, as she had already been with the city for that length of time. He thanked Ms. Shanahan for the hard work she did everyday and stated that Ormond Beach was better for having her.

Mayor Kelley stated that the credit went to Ms. Shanahan for how much had been accomplished by the city as she had executed their vision beyond their wildest dreams. He noted that Ms. Shanahan kept the Commission incredibly informed and cited examples of them being sent arrest reports, accident reports, and a weekly review. He explained that many members of the Commission had been reelected without opposition for several years and that was indicative of the job that Ms. Shanahan had done.

Commissioner Kent stated that whenever he contacted Ms. Shanahan about an issue it was often handled within less than ten hours. He noted that residents often called him back to thank him for the problem being solved and that was because of Ms. Shanahan.

Mayor Kelley noted that he often did not respond back to emails to thank Ms. Shanahan because she received so many emails as it was, but he wanted to express his gratitude.

Commissioner Boehm stated that he told Ms. Shanahan that he wanted to attend her retirement party one day in Ormond Beach when she was retiring fully from service as a City Manager. He explained that in that scenario she was retiring in Ormond Beach as he did not want her to leave and go elsewhere, noting that he hoped it was many years before she retired.

Ms. Shanahan stated that the Commission had been very generous with their remarks and she loved what she did. She noted that the city had a great set of employees and that the city moved forward because of the Commission's leadership and the work of the city's employees. She explained that the city's employees loved what they did for the community. She noted that sometimes mistakes were made, but they tried to do their best to make it right if that happened. She stated that she was basking in the glow of the Commission's very kind remarks. She stated that city staff worked hard as they believed in the city and in the direction the Commission was taking the city.

Mayor Kelley noted that the Commission received more compliments from residents about the city employees during Ms. Shanahan's tenure than ever before.

Commissioner Kent noted that Mr. Ted MacLeod, Assistant City Manager and Public Works Director, was often very quiet on the dais, but he thought the public needed to know how capable Mr. MacLeod was, as well. He stated that you did not ever want to be on the other side of the table when Mr. MacLeod was going against you. He explained that he remembered attending a meeting when Mr. MacLeod was Interim City Manager before Ms. Shanahan's arrival. He stated that a staff member was not answering a question that he had asked and by the third time he was nervous watching Mr. MacLeod handle it with him. He noted that Mr. MacLeod was a fantastic leader and manager.

Commissioner Kent explained that once again he was going to bring up the uncomfortable but necessary component of the evaluation discussion, which was Ms. Shanahan's compensation, and also Mr. Hayes' compensation. He noted that he thought that this had been discussed the previous year and a decision had been made on how to handle it after receiving both Ms. Shanahan and Mr. Hayes' reviews. He asked what type of plan was being put into place.

Mayor Kelley suggested that the discussion take place during the Commission's next workshop related to the budget.

Commissioner Kent asked when that would be; whereby, Mayor Kelley stated that it could also be placed on the agenda as a Discussion Item at a future meeting, and Commissioner Kent stated that he liked that idea.

Ms. Shanahan asked when the next workshop was; whereby, City Clerk Scott McKee stated that it was the May 19, 2015, Town Hall Budget Meeting.

Mayor Kelley suggested that it could be discussed following the Town Hall Budget Meeting portion at the same workshop.

Ms. Shanahan noted that Commissioner Kent had previously requested a comparative analysis of other communities and stated that staff would make that available.

Commissioner Kent stated that he would rather discuss Mr. Hayes and Ms. Shanahan at the same time and to do so the Commission needed Mr. Hayes' review completed.

Mr. Hayes noted that his evaluation would be provided to the Commission shortly.

Item #10 – Reports, Suggestions, Requests

Human Resources Director

Ms. Shanahan asked Ms. Claire Whitley to stand up. She introduced Ms. Whitley as the city's newly hired Human Resources Director. She explained that Ms. Whitley came from state government in Tallahassee and was a recent graduate of Florida State University Law School.

Historic Landmark Preservation Board

Ms. Shanahan stated that there were two at-large appointment vacancies on the Historic Landmark Preservation Board. She noted that one recommendation had been received and that an item would be on the next agenda to fill those board vacancies.

South Peninsula Reuse

Ms. Shanahan stated that the south peninsula reuse expansion project started that week.

Community Gardens

Ms. Shanahan stated that everything was planted and looked spectacular in the community gardens.

Community Conversations

Ms. Shanahan stated that the first Community Conversation would be held on April 18, 2015, from 9:00 a.m. to 12:00 p.m. at the Performing Arts Center and the second would be held on April 22, 2015, from 6:00 p.m. to 9:00 p.m. at the Senior Center. She noted that citizens were not compelled to come to both. She explained that comments from the public received at those meetings would be given to the Commission so they could use them to guide the development of its strategic planning session, which would be held on May 12, 2015.

Mayor's Health and Fitness Challenge

Ms. Shanahan stated that the Mayor's Health and Fitness Challenge Awards for 2nd, 3rd, 4th and 5th place, as well as honorable mentions, would be given out on Saturday, April 11, 2015, and the first place awards would be given out at the April 21, 2015, City Commission Meeting.

Mast Arm Signal Painting

Ms. Shanahan stated that mast arm signals were being painted on Granada Boulevard.

Nova Recreation Paving

Ms. Shanahan stated that the paving project at the Nova Recreation Center was nearing completion.

Mayor Kelley asked what the completion date would be; whereby, Ms. Shanahan replied that it would be about two more weeks.

Palm Trees Downtown

Ms. Shanahan stated that the Medjool palms had started being planted downtown and that the old trees had been removed, along with the metal grating.

Meeting Absences

Commissioner Kent stated that he was bothered that he missed the last Commission meeting. He noted that he read through the minutes and thanked the Commissioners for their well wishes. He explained that while he missed the previous meeting Commissioner Boehm had been absent the meeting before so this was the first time the full complement of the Commission was present since then. He stated that Commissioner Boehm looked great, and he was pleased he was back and healthy. He noted that he loved reading Commissioner Boehm's comments about how well the fire department took care of him and how he detailed the way they transported him down his stairs.

Mayor's Health & Fitness Challenge

Commissioner Kent stated that Commissioner Stowers looked fantastic. He noted that each member of the Commission lost a decent amount of weight.

Coffee with Commissioner Kent

Commissioner Kent stated that at his monthly Coffee with Commissioner Kent the previous day Ms. Joanne Naumann, Neighborhood Improvement Division Manager, had been his guest. He explained that Ms. Naumann gave a great presentation to the residents that came to his home. He stated that the next Coffee with Commissioner Kent would be held on Monday, May 4, 2015, from 4:30 p.m. to 5:30 p.m. at 130 Magnolia Drive.

Beach Driving / Beach Issues

Commissioner Kent stated that some of the residents at his home had wanted to talk about beach driving. He noted that he had not kept his comments private about how he felt about the county's stewardship of the beach. He explained that he learned reading the newspaper over the last 30 days that you could ask 20 different leaders in Volusia County about their ideas on the beach and receive 20 different viewpoints and opinions. He noted that he ruffled the feathers of a resident the previous day when he repeatedly said that the county's operation of the beaches had been an epic failure. He stated that Ormond Beach had nine beach approaches. He explained that as a City Commissioner who represented over 10,000 people, he wrote a letter, signed by the entire City Commission who represented over 39,000, to the county to request that one beach approach be open and the county still refused to open it. He further explained that he had to then beat his chest and go on the news and demand to take the beach back in order to get that one approach opened.

Chamber Leadership

Commissioner Kent noted that he would be at the Ormond Beach Chamber of Commerce Leadership Event in the Commission Chambers on Thursday, April 9, 2015. He explained that he normally missed it as he was teaching, but it worked out to where he had a planning period and lunch break and was able to come over.

Commissioner Kent's Return

Mayor Kelley noted that Commissioner Kent's birthday had passed since the last meeting and that he had turned 40 years old. He joked that he still thought of Commissioner Kent as being 30.

Commissioner Kent noted that he had been 28 when he was elected Commissioner.

Commissioner Boehm jokingly asked Mayor Kelley if he remembered 40. He noted that it was good to see Commissioner Kent present and smiling, as he was absent the last meeting due to a painful experience he had to overcome. He stated that he hoped they were all there for a long time yet to come.

Frank Farmer – Florida Veterans Hall of Fame

Commissioner Boehm stated that Mr. Frank Farmer was elected to the Florida Veterans Hall of Fame. He explained that Mr. Farmer, and Ms. Peggy Farmer, were great citizens of Ormond Beach. He noted that Mr. Farmer richly deserved to be in the Hall of Fame.

Public/Private Partnerships

Commissioner Boehm noted that he had always made a point of speaking about public and private partnerships in his tenure as a Commissioner. He stated that an Easter Egg Hunt was held and had been sponsored by the Anchor Group and the Ormond Beach Chamber of Commerce. He noted that the city worked with them to accomplish it. He cited it as another example of citizens wanting to make Ormond Beach a better place.

Mayor Kelley noted that they had committed to doing it again next year.

Commissioner Boehm stated that the David Mustin Foundation gave the Ormond Beach Police Athletic League (PAL) \$1,200. He explained that Mr. Mustin had been paralyzed years earlier but maintained a positive attitude and through his foundation raised money to give back to the community. He stated that was emblematic of what a great city Ormond Beach was.

Celtic Festival

Commissioner Boehm stated that the Celtic Festival would be held April 18 and 19, 2015, and he encouraged all to attend.

Mayor's Health and Fitness Challenge

Commissioner Boehm stated that the Mayor's Health & Fitness Challenge was in its third year. He explained that in year one Mayor Kelley took the lead as far as the Commission member losing the most weight and in year two Commissioner Partington lost an astonishing 40 pounds. He stated that in year three he lost 23 pounds but was the slacker of the group. He explained that Commissioner Kent lost over 30 pounds and that Commissioner Stowers lost 45 pounds and won every award. He stated that the Commission should write a book on how to diet. He noted that the discipline amazed him.

Celtic Festival

Commissioner Partington stated that residents could attend the Community Conversation on April 18, 2015, and then go over to The Casements for the Celtic Festival afterwards. He stated that the Celtic Festival was one of the greatest events that Ormond Beach Main Street put on. He noted that there was always a lot of interest.

Beach Driving / Beach Issues

Commissioner Partington stated that he agreed with Commissioner Kent that since the county had control of the beach, it had been very difficult to get any of their concerns addressed. He noted that it was a continual frustration, and he knew that Mayor Kelley had worked to try and improve relationships. He stated that he had a family friend in town that he took to Andy Romano Beachfront Park, and he was amazed at how beautiful it was. He stated that his friend had asked him what he thought would happen with beach driving, and he explained to him that he did not ultimately know. He noted that he felt there would be a lot of noise and discussion on both sides and it would likely stay about the same, where certain areas were closed and others were open to driving. He noted that he felt that was appropriate. He stated that if there was a way to get a better response from the county, he was certainly interested in hearing it.

Commissioner Stowers' Comments

Commissioner Stowers stated that our experiences shaped us. He noted that he was going to be transparent and noted that sometimes the level of transparency was somewhat uncomfortable. He stated that your private life was put on hold when you were an elected official. He noted that he had seen what a lack of transparency could do in other local governments. He explained that he wanted to mention some things going on in his life. He stated that he recently changed positions and was now in-house counsel with a private development company. He noted that he could not be at the city

on Thursdays, and he would be working out of New Smyrna Beach rather than have an office one minute away in Ormond Beach.

Commissioner Stowers stated that many did not know about the second item he wanted to mention, as it was very difficult for him to talk about. He stated that his second daughter was born on March 18, 2015. He explained that there were some medical complications and as a result he may be missing some meetings. He stated that his daughter would be requiring surgery on her spine in the next three to six months. He noted that he did not have the capacity to tell that story individually so he wanted to share it with everyone at once. He stated that the long-term prognosis was positive and that she was otherwise healthy. He explained that when people asked him about her he may not have the typical bright response because there was more to it so he wanted to explain that. He noted that his wife and older daughter were doing well. He stated that the next six months would be a challenge.

Commissioner Stowers stated that he went into the Mayor's Health and Fitness Challenge looking at it as a transformation. He stated that when he received that difficult news on March 19, 2015, he realized that it had been in preparation. He explained that he pushed himself to transform and change, and he was in a place he had not been at mentally and physically in over a decade. He noted that he had wondered for the last three months what was giving him the strength to really follow through this time, and when they received that news he figured out that everything happened for a reason. He stated that they continued to have faith and took each day as a positive opportunity.

Mayor Kelley stated that he would pray for the surgery and hope that it would be successful. He stated that Commissioner Stowers' family would be in his prayers. He stated that the Commission was family to him.

Beach Driving / Beach Issues

Mayor Kelley stated that the Volusia County Roundtable of Elected Officials would receive a report on Monday, April 13, 2015, from their sub-committee on beach driving. He stated that the Chairman of that sub-committee, Mayor Harry Jennings of Daytona Beach Shores, had asked that Daytona Beach's vote be delayed until they received the report. He noted that a detailed analysis had been performed regarding the mileage of each city. He also noted that it took four years to get an Interlocal Boundary Agreement with the county. He stated that it should not take that long to get things done with the county.

Mayor Kelley stated that the individual who spoke that evening on beach driving had wanted to ask the Commission to put a resolution on the agenda to adopt and send to the county expressing their support for a vote to be taken on removing cars from the beach. He explained that he told them that the legal department at the county had stated that regardless of any vote the county controlled any decision to be made. He noted that the county had total control over the beach. He noted that turtle regulations had affected the ability to drive. He stated that beach access was what he thought they should try to work for. He noted that the beach was the number one asset in the community. He explained that the days of cruising up and down the beach were over.

Amendment One

Mayor Kelley stated that the roundtable would also discuss Amendment One funding. He noted that they believed that the state would do nothing to help them get money.

Dangerous Dogs

Mayor Kelley noted that he had received responses from two delegation members regarding dangerous dogs. He explained that they said they would try to do something if anything got through, but there was no companion bill in the senate.

Kiwanis Donation for Community Gardens

Mayor Kelley thanked the Ormond Beach Kiwanis Club for their \$1,000 donation to the community gardens. He stated that the gardens would be more successful than they could imagine.

Java Live

Mayor Kelley stated that Monday, April 13, 2015, at the Ormond Beach Chamber of Commerce would be called "Java Jive." He explained that he and Mr. Rick Fraser, Executive Director of the Ormond Beach Chamber of Commerce, would have a coffee meeting with those wanting to share their thoughts on the Chamber and the city.

Florida Georgia Line

Mayor Kelley stated that his son's country music duo, Florida Georgia Line, would be on American Idol the following evening, Wednesday, April 8, 2015, mentoring contestants. He noted that he had also watched them on The View.

Item #11 – Adjournment

The meeting was adjourned at 8:24 p.m.

APPROVED: April 21, 2015

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk