

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

June 23, 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. Park and Recreation Month
5. **AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
6. **APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – June 2, 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. 2015-127** : A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN FOR THE 2015-2016 FISCAL YEAR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

- B. **RESOLUTION NO. 2015-128** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF AN ONLINE GRANT APPLICATION IN THE AMOUNT OF \$11,925.00 TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, UNDER THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROGRAM; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

- C. **RESOLUTION NO. 2015-129** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MAGISTRATE ADMINISTRATIVE\ FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 550 WEST GRANADA BOULEVARD (A/K/A 535 TOMOKA AVENUE), ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4241-01- 13-0073); AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2015-130** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 1 BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE AIR TRAFFIC CONTROL TOWER SYSTEMS UPGRADE PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2015-131** : A RESOLUTION ACCEPTING A BID FROM STEWART & STEVENSON FDDA, LLC D/B/A FLORIDA DETROIT DIESEL-ALLISON AND AUTHORIZING THE EXECUTION OF A PURCHASE AUTHORIZATION (0000012977) FOR THE PURCHASE OF ONE BACKUP GENERATOR FOR THE AIR TRAFFIC CONTROL TOWER, UNDER BID NO. 2015-31; AUTHORIZING PAYMENT THEREFORE; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2015-132** : A RESOLUTION ACCEPTING A PROPOSAL FROM UNIVERSAL ENGINEERING SCIENCES, INC. TO PROVIDE BUILDING INSPECTION SERVICES ON AN AS-NEEDED BASIS; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2015-133** : A RESOLUTION ACCEPTING THE PROPOSAL OF EMPLOYERS MUTUAL, INC. D/B/A ASCENSION BENEFITS & INSURANCE SOLUTIONS, REGARDING WORKERS' COMPENSATION CLAIMS ADMINISTRATION AND MEDICAL MANAGEMENT SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Human Resources Director (386-676-3202)

- H. **RESOLUTION NO. 2015-134** : A RESOLUTION APPROVING AND AUTHORIZING A GENERAL WAGE ADJUSTMENT FOR THE CITY MANAGER AND CITY ATTORNEY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Claire Whitley, Human Resources Director (386-676-3202)

- I. **RFP 2015-38 Property, Casualty, Liability & WC Insurance**

Staff Contact: Claire Whitley, Human Resources Director (386-676-3202)

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

- J. **Auto-Renewal Austin Outdoor, LLC Grounds Maintenance Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

- K. **Ormond Crossing 5th Annual Report**

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

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

L. **2016 Tomoka Marathon**

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

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

M. **COPS Hiring Program (CHP) 2015**

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

N. **Letter in Support of Williamson Blvd. Widening Project**

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

Disposition: Approve as recommended in the City Manager memorandum dated June 23, 2015.

8. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2015-24** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A SECOND AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE "TUSCANY SHOPPES" PLANNED BUSINESS DEVELOPMENT LOCATED AT 1185 WEST GRANADA BOULEVARD BY ALLOWING FUNERAL HOMES AS A PERMITTED USE; BY AMENDING THE RETAIL SALES AND SERVICES RESTRICTIONS TO BE CONSISTENT WITH THE "RESIDENTIAL, OFFICE, RETAIL" FUTURE LAND USE DESIGNATION; BY AMENDING THE SIZE AREA ALLOWANCE FOR TWO ON-SITE MONUMENT SIGNS, BY AMENDING ALLOWED USES WITHIN THE PROJECT, BY AMENDING SIGNAGE STANDARDS TO BE CONSISTENT WITH RECENT LAND DEVELOPMENT CODE AMENDMENTS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2003-216 AND AMENDED BY ORDINANCE 2004-53; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2015-25** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1080 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE "HARRIS VILLAGE AND RV PARK" PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2015-26** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1090 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE "WILD BILLS AND KURRAS MOBILE VILLAGE" PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- D. **RESOLUTION NO. 2015-135** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED AND RESTATED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW AN AMENDMENT TO THE HOURS OF OPERATION OF OUTDOOR LIVE MUSIC AT "RIPTIDES RAW BAR AND GRILL" RESTAURANT LOCATED AT 869 SOUTH ATLANTIC AVENUE, WHICH IS WITHIN THE B-6 (OCEANFRONT TOURIST COMMERCIAL) ZONING DISTRICT; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2003-216 AND AMENDED BY RESOLUTION 2014-65; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

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

- E. **ORDINANCE NO. 2015-29** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1105 NORTH U.S. HIGHWAY 1 ALONG THE EAST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE "BEAVER BAR" PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2015-30** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 23.44± ACRES LOCATED AT 500 SOUTH NOVA ROAD FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY (UMI)" TO ORMOND BEACH "MEDIUM DENSITY RESIDENTIAL (MDR)"; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2015-31** : AN ORDINANCE AMENDING SECTION 4-3, CONSUMPTION IN PUBLIC PLACES; EXCEPTIONS; OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2015-32** : AN ORDINANCE AMENDING CHAPTER 15, PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH BY ADDING A NEW ARTICLE AND SECTIONS TO BE NUMBERED AND CAPTIONED AS ARTICLE III, SPECIAL USES OF CITY PROPERTY, SECTION 15-92, DEFINITIONS; SECTION 15-93, GENERAL USE REQUIREMENTS; SECTION 15-94, RESERVATION OF CONTROL BY THE CITY OVER CITY PROPERTY; SECTION 15-95, PROMULGATION OF ADMINISTRATIVE RULES AND REGULATIONS; SECTION 15-96, SPECIAL EVENT PERMIT REQUIRED; SECTION 15-97, EXEMPTIONS; SECTION 15-98, DISPLAY PROMOTION, OR SALE OF MERCHANDISE, FOOD AND NON-ALCOHOLIC BEVERAGES; SECTION 15-99, DISPLAY, PROMOTION, OR SALE OF ALCOHOLIC BEVERAGES; SECTION 15-100, GENERAL APPLICATION REQUIREMENTS; SECTION 15-101, TEMPORARY ROAD CLOSURE; RESTRICTED ACCESS TO LOCAL ROADS; SECTION 15-102, GENERAL CRITERIA FOR APPROVAL OF PERMIT; SECTION 15-103, GENERAL CRITERIA FOR DENIAL OR REVOCATION OF PERMIT, APPEALS; SECTION 15-105, LIABILITY INSURANCE; INDEMNIFICATION; AND SECTION 15-105, VIOLATIONS; ENFORCEMENT, BY PROVIDING DEFINITIONS; PROVIDING REQUIREMENTS FOR SPECIAL EVENT USE OF CERTAIN CITY PROPERTY; PROVIDING REQUIREMENTS FOR SPECIAL EVENT APPLICATIONS AND CONDITIONS FOR ISSUANCE OF PERMITS; PROVIDING CONDITIONS FOR THE TEMPORARY CLOSURE OR RESTRICTED ACCESS TO LOCAL ROADS DURING SPECIAL EVENTS; PROVIDING CONDITIONS FOR APPROVAL, DENIAL OR REVOCATION OF A SPECIAL EVENT PERMIT; PROVIDING REQUIREMENTS FOR GENERAL LIABILITY COVERAGE; PROVIDING FOR ENFORCEMENT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2015-33** : AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VII, CODE ENFORCEMENT, OF THE CODE OF ORDINANCES, BY AMENDING SECTIONS 2-251, DEFINITIONS; 2-252, DECLARATION OF LEGISLATIVE INTENT; 2-255, ENFORCEMENT PROCEDURE; 2-256, NOTICE OF VIOLATIONS; FORM AND CONTENT OF CITATIONS; 2-257, CONDUCT OF HEARING; 2-262, SCHEDULE OF CIVIL FINES; AND 2-265, NOTICES; BY PROVIDING DEFINITIONS FOR ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, ORGANIZED OR CRIMINAL GANG ASSOCIATE, AND ORGANIZED OR CRIMINAL GANG PUBLIC NUISANCE; PROVIDING FOR ENFORCEMENT, REMEDIES, FINES AND PENALTIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2015-34** : AN ORDINANCE AMENDING CHAPTER 14, OFFENSES – MISCELLANEOUS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH BY ADDING A NEW ARTICLE AND SECTIONS TO BE NUMBERED AND CAPTIONED AS ARTICLE X, ORGANIZED OR CRIMINAL GANGS, SECTION 14-103.1, PURPOSE AND LEGISLATIVE FINDINGS; SECTION 14-103.2 DEFINITIONS; SECTION 14-103.3, LEGAL PRESUMPTIONS; SECTION 14-103.4, ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, AND ORGANIZED OR CRIMINAL GANG ASSOCIATE; PROHIBITED; SECTION 14-103.5, COMPLIANCE WITH REGULATIONS; SECTION 14-103.6, ENFORCEMENT; PENALTIES, BY PROVIDING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS FOR CRIMINAL GANGS, ORGANIZED OR CRIMINAL GANG MEMBERS, AND ORGANIZED OR CRIMINAL GANG ASSOCIATES; PROVIDING REGULATIONS TO PROHIBIT CRIMINAL GANG ACTIVITY; PROVIDING LEGAL PRESUMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2015-35** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS, AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-05, COMPLIANCE WITH DISTRICT REGULATIONS OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE DEFINITION FOR CLUBS AND FRATERNAL ORGANIZATIONS; BY PROVIDING A DEFINITION FOR ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, AND ORGANIZED OR CRIMINAL GANG ASSOCIATE; BY PROHIBITING ORGANIZED OR CRIMINAL GANGS, ORGANIZED OR CRIMINAL GANG MEMBERS, AND ORGANIZED OR CRIMINAL GANG ASSOCIATES; PROVIDING FOR ENFORCEMENT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2015-27** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY ADDING A NEW ARTICLE TO BE NUMBERED AND CAPTIONED AS ARTICLE VII, NORTH U.S. HIGHWAY 1 INTERLOCAL PLANNING AND MUNICIPAL SERVICE AREA; BY ADDING DIVISION 1, ITINERANT MERCHANT REGULATIONS FOR RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITY; TEMPORARY CAMPSITES: SECTION 2-74, MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PURPOSE; SECTION 2-75, LEGISLATIVE FINDINGS; SECTION 2-76, DEFINITIONS; SECTION 2-77, HIGH IMPACT USES ON LAND; CLASSIFICATION AND CATEGORY OF USE; RATIONALE; SECTION 2-78, AMORTIZATION SCHEDULE FOR VACANT OR UNIMPROVED LAND CATEGORY; SECTION 2-79, APPLICATION, LICENSE AND PERMIT REQUIREMENTS FOR ITINERANT COMMERCIAL ACTIVITY; SECTION 2-80, TEMPORARY CAMPSITES; SECTION 2-81, RESERVATION OF POWER; SECTION 2-82, ENFORCEMENT; BY REGULATING ITINERANT MERCHANT USES AND ACTIVITIES DURING RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITIES; PROVIDING CLASSIFICATIONS OF LAND FOR IMPROVED LAND AND VACANT OR UNIMPROVED LAND; PROVIDING REGULATIONS FOR TEMPORARY CAMPSITES DURING RECOGNIZED SPECIAL EVENTS; PROVIDING LICENSE AND PERMIT REQUIREMENTS; PROVIDING A FIVE YEAR AMORTIZATION PERIOD FOR VACANT OR UNIMPROVED LAND; PROVIDING FOR THE INCLUSION OR REMOVAL OF LAND FROM THE IMPROVED LAND CATEGORY; RESERVING POWER TO THE CITY COMMISSION; PROVIDING FOR ENFORCEMENT OF THESE REGULATIONS; 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. 2015-28** : AN ORDINANCE RELATIVE TO MASTER AND ITINERANT VENDOR FEES FOR THE NORTH U.S. HIGHWAY 1 MUNICIPAL SERVICE AREA; AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES BY ADDING MASTER VENDOR, ITINERANT VENDOR, AND OUTDOOR ENTERTAINMENT ACTIVITY PERMIT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

11. RESOLUTIONS

- A. **RESOLUTION NO. 2015-136** : A RESOLUTION ACKNOWLEDGING THE COMPLETION OF CERTAIN MATTERS REGARDING THE ESTABLISHMENT AND IMPLEMENTATION OF THE NORTH U.S. HIGHWAY 1 JOINT PLANNING AND MUNICIPAL SERVICE AREA; ACKNOWLEDGING THE CITY HAS ACQUIRED JURISDICTIONAL AUTHORITY OVER THE LANDS IN THE JOINT PROJECT AND MUNICIPAL SERVICE AREA; AND SETTING FORTH AN EFFECTIVE DATE.

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

12. DISCUSSION ITEMS

- A. **City Attorney Evaluation**

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

13. REPORTS, SUGGESTIONS, REQUESTS

14. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Bible Instructor Gary Giovanni, Riverbend Community Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Park and Recreation Month

Mayor Kelley stated that since 1985, America had celebrated July as the nation's official Park and Recreation Month. He explained that this year a nod was being given to our history with a fun, throwback 1980s theme, but noted that the crucial part of celebrating 30 years of Park and Recreation Month was looking at the enduring importance and impact parks and recreation makes in all of our lives. He stated that local parks and recreation experiences enhanced the citizens of Ormond Beach's quality of life by contributing to a healthy lifestyle, increasing communication skills, building self esteem, teaching life skills, and providing places for enjoyment. He explained that parks and recreation activities, and leisure experiences provide opportunities for young people to live, grow, and develop into contributing members of society; create lifelines and continuous life experience for older members of the community; generate opportunities for people to come together and experience a sense of community; and pay dividends to the communities by attracting businesses, jobs, and increasing housing value.

Mayor Kelley stated that Ormond Beach parks and trails ensure ecological beauty, provide space to enjoy nature, help maintain clean air and water, and preserve plant and animal wildlife, such as at Central Park, Ames Park and Memorial Gardens. He stated that the City of Ormond Beach recognized the benefits derived from quality public and private parks and natural land resources, like Sanchez Park, Cassen Park, and Rockefeller Gardens. He invited all to come out and take part in their community through parks and recreation. He proclaimed July 2015 as Park and Recreation Month in the City of Ormond Beach and encouraged residents and visitors to enjoy using the parks, trails, and special places that enhanced the quality of life in the community. He thanked Leisure Services Director Robert Carolin and his staff for their hard work and dedication to the city's parks and recreation activities.

Item #5 – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, noted that he had been an advocate regarding the Vitamin D issue for awhile. He explained that he was aware of some conflicts of interest that set the current institute of medicine level incredibly and bafflingly low. He stated that he found some other studies that demonstrated why that was and also that it might not have been an accident. He explained that the error was so great that one would have to be a scientific idiot to make it or otherwise do it intentionally. He noted that scientist Hector DeLuca of the University of Wisconsin Madison was neither of those and was a very rich man with the most Vitamin D analog patents in the world. He noted that he had made over \$500 million in income for the university from those patents over the last 30 years. He stated that their institute of medicine set a level in 2010, which received backlash from other scientists that study Vitamin D who felt that the level was out of touch with reality. He noted that the site was then locked down so no one could read the negative comments. He stated that the other researcher at the university said that it was absurd that the level was not set differently. He stated that the University of Alberta scientists went through the studies and found a glaring error. He noted that conflicts of interest were the norm in standard setting situations.

Item #6A– Approval of Minutes

Mayor Kelley advised that the minutes of the June 2, 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.

Mayor Kelley stated that item 7N was being removed from the agenda by staff. He noted that the Governor had vetoed the project that the letter for consideration was in support of, and therefore, the item no longer needed to be considered.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of the Consent Agenda.

Mayor Kelley noted that he had received a card from an audience member wishing to speak on Consent Agenda item 7A. He explained that unless a Consent Agenda item was pulled from the Consent Agenda by a Commission member for discussion there would be no discussion on that item. He noted that the Commission had adopted a policy to not discuss or pull any Consent Agenda items from the Consent Agenda unless it was requested to be pulled by a member of the Commission. He explained that he would be happy to discuss the agenda item with the individual wishing to speak about it after the meeting.

Commissioner Kent addressed Ms. Mercer, the audience member who wished to speak on item 7A and lamented that she had not told him previously as he would have pulled the item in advance for her, if he had known she wished to speak on it. He noted that Ms. Mercer resided in his zone. He explained that Ms. Mercer had worked diligently with the Community Block Development Grant (CDBG) funding in her neighborhood and district. He stated that the district had changed since the census numbers were released which directly affected her. He noted that she had been very involved, and he wanted her to understand why Mayor Kelley was not allowing her to speak at this time.

Mayor Kelley stated that he would meet with Ms. Mercer individually at another date if she would like; whereby, Commissioner Kent asked Ms. Mercer to call him the next time she wished to speak, and he would make sure that this did not happen again.

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

Item #8 – Public Hearings

Mayor Kelley opened the public hearing.

Item #8A – Tuscany Shoppes PBD Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-24

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A SECOND AMENDED AND RESTATED DEVELOPMENT ORDER FOR THE "TUSCANY SHOPPES" PLANNED BUSINESS DEVELOPMENT LOCATED AT 1185 WEST GRANADA BOULEVARD BY ALLOWING FUNERAL HOMES AS A PERMITTED USE; BY AMENDING THE RETAIL SALES AND SERVICES RESTRICTIONS TO BE CONSISTENT WITH THE "RESIDENTIAL, OFFICE, RETAIL" FUTURE LAND USE DESIGNATION; BY AMENDING THE SIZE AREA ALLOWANCE FOR TWO ON-SITE MONUMENT SIGNS, BY AMENDING ALLOWED USES WITHIN THE PROJECT, BY AMENDING SIGNAGE STANDARDS TO BE CONSISTENT WITH RECENT LAND DEVELOPMENT CODE AMENDMENTS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2003-216 AND AMENDED BY ORDINANCE 2004-53; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2015-24, on second reading, as read by title only.

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

Item #8B – 1080 N. US Highway 1 (Harris Village and RV Park) Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-25

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1080 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE “HARRIS VILLAGE AND RV PARK” PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-25, on second reading, as read by title only.

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

Item #8C – 1090 N. US Highway 1 (Wild Bills) Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-26

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1090 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE “WILD BILLS AND KURRAS MOBILE VILLAGE” PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-26, on second reading, as read by title only.

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

Item #8D – 869 S. Atlantic Avenue (Riptides Raw Bar and Grill) Special Exception Amendment

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-135

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED AND RESTATED SPECIAL EXCEPTION DEVELOPMENT ORDER TO ALLOW AN AMENDMENT TO THE HOURS OF OPERATION OF OUTDOOR LIVE MUSIC AT “RIPTIDES RAW BAR AND GRILL” RESTAURANT LOCATED AT 869 SOUTH ATLANTIC AVENUE, WHICH IS WITHIN THE B-6 (OCEANFRONT TOURIST

COMMERCIAL) ZONING DISTRICT; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2003-216 AND AMENDED BY RESOLUTION 2014-65; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

Mr. Ric Goss, Planning Director, stated that this was an application to amend an application approved the previous year for Riptides Raw Bar and Grill ("Riptides") for a special exception regarding hours of live music. He stated that staff prepared a noise assessment of the project whereby the decibels did not exceed the allowed marker. He explained that the Planning Board approved that application except for the hours requested for the days of the week running from Sunday to Thursday. He further explained that the Planning Board recommended that the hours allowed during those days be from 4:00 p.m. to 8:00 p.m. rather than from 4:00 p.m. to 10:00 p.m. as the application originally requested. He noted that the Planning Board did so because they were concerned about consistency and fairness among all of the outdoor music special exceptions that restaurants had in the city, as well as ease of enforcement. He stated that the City Commission took that recommendation from the Planning Board and approved the Sunday through Thursday hours as from 4:00 p.m. to 8:00 p.m.

Mr. Goss explained that this amendment would only amend that portion of the application regarding the Sunday through Thursday hours. He stated that Riptides was requesting that the hours be changed from 4:00 p.m. to 8:00 p.m. to 4:00 p.m. to 10:00 p.m. He noted that originally staff had recommended denying the amendment to the Planning Board. He explained that the Planning Board held a public hearing and there were a number of individuals who came and spoke in favor of the application amendment and the Planning Board reversed direction from staff's recommendation and recommended instead that the hours be extended as requested. He further explained that the Planning Board had indicated that the applications should perhaps be looked at on individual merit as opposed to trying to treat all of the applications the same. He stated that staff had changed their recommendation to be consistent with the Planning Board and was recommending approval of hours change.

Mr. Goss noted that staff had received one email that was in objection to the amendment at the Planning Board and another for the City Commission meeting, both of which were from the same individual who lived in a condominium complex next door to Riptides. He stated that given all of the testimony in overwhelming support of the amendment at the Planning Board, both the Planning Board and staff recommended approval.

Mayor Kelley noted that the Planning Board vote was 4 to 1 in favor of the amendment. He stated that two Planning Board members were absent and explained that he had spoken to one of the absent members and believed that it would have been supported 6 to 1, if all members would have been in attendance. He noted that several individuals wished to speak, and he asked them to keep their comments relative to the hour change amendment proposed.

Mr. Ian Anderson, 913 Peninsula Drive, stated that he lived about a block and a half from Riptides and noted that he also owned a restaurant in Daytona Beach which had similar issues as it also abutted a residential area. He explained that he felt that the music applications should be considered on a case-by-case basis and noted that initially Riptides was being compared to The Beach Bucket Bar and Grill ("Beach Bucket") and Dimitri's Bar Deck and Grill ("Dimitri's"), which were only open until 9:00 p.m. He stated that he attended Riptides on a regular basis as they were open later and had a later night crowd. He noted that he worked late and wanted a place to have dinner later in the evening. He stated that he previously lived behind Dimitri's and he could occasionally hear their music because their deck sat way up high, but Riptides was more contained. He asked the Commission to support the times change.

Mr. Shawn Flaherty, General Manager of Riptides Raw Bar and Grill, 869 S. Atlantic Avenue, noted that the Planning Board had discussed decibel level and that one individual had complained about the proposed time change. He explained that even in that individual's email he had stated that it was the Beach Bucket's music that was bothering him. He stated that he wished for the amendment to be approved.

Mayor Kelley noted that there had been a question at the Planning Board regarding meals served and that Mr. Flaherty provided an exact number of meals served, which he thought that was very important.

Mr. Kevin Choyka, 207 Boylston Avenue, Daytona Beach, stated that he was a frequent customer of Riptides. He explained that due to the time he got home from work, he was part of the late night dinner crowd and stated that part of the reason he went to Riptides was because of their live music. He stated that he had brought friends, family and entertained clients at Riptides, spending quite a bit of money at the establishment. He noted that he spent approximately \$6,000 to \$7,000 at Riptides in 2014, which was good revenue to the City of Ormond Beach. He stated that he was fully in support of extending the hours.

Mr. Robert Hoekstra, 89 S. Atlantic Avenue, stated that it was important to the city and musicians for the hours to be extended. He explained that it made a difference on how the business ran and stated that he supported it.

Mr. Dan Statz, 670 Hand Avenue, stated that he was employed by S.R. Perrott Distributing in Ormond Beach. He explained that he was there on behalf of Riptides as a personal favor to them and that he would do so for any customers. He stated that Riptides was a successful business in Ormond Beach and should be thanked for their service to the community. He explained that he also felt that each application should be considered on a case-by-case basis. He noted that Riptides had had no complaints. He stated that he was in favor of extending the hours for the residents, patrons and visitors of Ormond Beach.

Mr. Walter Nettles, General Manager for Ocean East Resort Club, 867 S. Atlantic Avenue, stated that Ocean East Resort Club was the landlord for Riptides and Beach Bucket. He noted that there had been some question during the Planning Board meeting regarding the Beach Bucket also trying to extend their hours. He explained that the Beach Bucket's lease stated that they had to be closed at 9:00 p.m. and so there would be no reason to have that extension. He explained that the Ocean East Resort building was about 50 feet from Riptides, and he walked out there each day and could not hear the music until he was just about at Riptides' overhang. He stated that he represented the Ocean East Resort Club Board of Directors and Home Owners' Association, and both encouraged the extension of the hours.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2015-135, on first reading, as read by title only.

Commissioner Kent noted that Riptides was located in Zone 2. He stated that he had been in contact with Mr. Flaherty on several issues and felt that the city had responded quickly, efficiently and effectively to address any concerns. He stated that he would support the amendment that evening and was comfortable considering such applications on a case-by-case basis. He noted that he did have one resident who lived on Marvin Road call him, whereby he went to his home and spoke about several issues, this included. He explained that the individual's concern was that he liked to go outside and enjoy the fresh air and sometimes felt that he could hear the music. He stated that he told the individual that Riptides wanted to be a good neighbor to him. He noted that the individual ate at Riptides also and enjoyed it. He stated that Riptides did not want the music to be too loud requiring the police go out for a decibel check. He cautioned Riptides that if the wind was blowing hard and the speakers were facing across A1A that individual might hear it which might cause an issue.

Mayor Kelley stated that applications should be case-by-case at both the Planning Board and City Commission level. He stated he did not feel the applications should be voted against because they might cause something else to happen in the future. He stated that the Commission would consider each individual case with a common sense approach. He stated that he was proud of what Riptides had done with their facility and noted that he had eaten there and enjoyed the food and service. He explained that the extended overhang on the building looked great and "Ormond Beach-like" as opposed to looking like some other local areas.

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

Mayor Kelley congratulated Riptides on the success of their restaurant.

Item #8E – 1105 North U.S. Highway 1 (Beaver Bar) Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-29

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1105 NORTH U.S. HIGHWAY 1 ALONG THE EAST SIDE OF SAID HIGHWAY AND BEING NORTHWEST OF AIRPORT ROAD AND BEING COMMONLY KNOWN AS THE "BEAVER BAR" PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this was another annexation pursuant to the Interlocal Service Boundary Agreement (ISBA). He stated that an alternative approach to annexation was permitted and explained that while an enclave was being created the city was permitted to create it. He stated that staff recommended approval and noted that the land use and zoning had already been provided previously.

Mayor Kelley asked Mr. Goss if he had an idea of the number of parcels left that the city planned to annex. He noted that Mr. Goss previously had a list he was working from.

Mr. Goss replied that he was still working on the list; whereby, Mayor Kelley clarified that he was asked that question at a meeting the previous day.

Mr. Goss explained that Destination Daytona would be coming before the Commission for first reading towards the end of July. He noted that Phase II of that would be in August. He explained that the city was moving along the corridor and picking up properties for annexation. He noted that there was still some time needed for the annexation paperwork but the land use and zoning no longer had to be done so it should be quicker. He stated that he believed that it was way ahead of schedule.

Mayor Kelley asked if the plan was to bring in every property that they could; whereby, Mr. Goss replied that he hoped to bring in any property that could be brought in.

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-29, on first reading, as read by title only.

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

Item #8F – 500 South Nova Road Land Use Map Amendment (LUPA)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-30

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 23.44± ACRES LOCATED AT 500 SOUTH NOVA ROAD FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY (UMI)" TO ORMOND BEACH "MEDIUM DENSITY RESIDENTIAL (MDR)"; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that the Commission had already approved the second reading of the annexation and that this item was for the land use. He explained that the property was being given a medium density residential use as the density was too high for low density and too low for high density. He noted that it was consistent with the Comprehensive Plan and staff recommended approval, as did the Planning Board.

Commissioner Stowers moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-30, 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

Mayor Kelley closed the public hearing without objection.

Item #9A – Special Events on City Property – Chapter 4, Code of Ordinances

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-31
AN ORDINANCE AMENDING SECTION 4-3, CONSUMPTION IN PUBLIC PLACES; EXCEPTIONS; OF CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2015-31, 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

Item #9B – Special Events on City Property – Chapter 15, Code of Ordinances

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-32
AN ORDINANCE AMENDING CHAPTER 15, PARKS AND RECREATION OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH BY ADDING A NEW ARTICLE AND SECTIONS TO BE NUMBERED AND CAPTIONED AS ARTICLE III, SPECIAL USES OF CITY PROPERTY, SECTION 15-92, DEFINITIONS; SECTION 15-93, GENERAL USE REQUIREMENTS; SECTION 15-94, RESERVATION OF CONTROL BY THE CITY OVER CITY PROPERTY; SECTION 15-95, PROMULGATION OF ADMINISTRATIVE RULES AND REGULATIONS; SECTION 15-96, SPECIAL EVENT PERMIT REQUIRED; SECTION 15-97, EXEMPTIONS; SECTION 15-98, DISPLAY PROMOTION, OR SALE OF MERCHANDISE, FOOD AND NON-ALCOHOLIC BEVERAGES; SECTION 15- 99, DISPLAY, PROMOTION, OR SALE OF ALCOHOLIC BEVERAGES; SECTION 15-100, GENERAL APPLICATION REQUIREMENTS; SECTION 15-101, TEMPORARY ROAD CLOSURE; RESTRICTED ACCESS TO LOCAL ROADS; SECTION 15-102, GENERAL CRITERIA FOR APPROVAL OF PERMIT; SECTION 15-103, GENERAL CRITERIA FOR DENIAL OR REVOCATION OF PERMIT, APPEALS; SECTION 15-105, LIABILITY INSURANCE; INDEMNIFICATION; AND SECTION 15-105, VIOLATIONS; ENFORCEMENT, BY PROVIDING DEFINITIONS; PROVIDING REQUIREMENTS FOR SPECIAL EVENT USE OF CERTAIN CITY PROPERTY; PROVIDING REQUIREMENTS FOR SPECIAL EVENT APPLICATIONS AND CONDITIONS FOR ISSUANCE OF PERMITS; PROVIDING CONDITIONS FOR THE TEMPORARY CLOSURE OR RESTRICTED ACCESS TO LOCAL ROADS DURING SPECIAL EVENTS; PROVIDING CONDITIONS FOR APPROVAL, DENIAL OR REVOCATION OF A SPECIAL EVENT PERMIT; PROVIDING REQUIREMENTS FOR GENERAL LIABILITY COVERAGE; PROVIDING FOR ENFORCEMENT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated that he believed these five first reading ordinances were bringing language in the code up to date.

Mr. Randy Hayes, City Attorney, noted that was true for the next three ordinances but explained that this ordinance and the one approved before it addressed special uses on city property. He stated that there were three categories: indoor events, outdoor events and block parties. He explained that it also established an administrative review process. He noted that the process should be expedient.

Ms. Joyce Shanahan, City Manager, stated that it provided greater flexibility with regard to Ormond Beach Main Street ("Main Street") events and noted that was what prompted this particular issue.

Commissioner Boehm noted that he served as the City Commission representative on the Ormond Beach Main Street Board. He stated that Main Street had the opportunity to review the ordinance and was in support of it.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2015-32, 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 #9C – Revisions to Organized or Criminal Gang Regulations (Article VII, Chapter 2, Code of Ordinances)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-33

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VII, CODE ENFORCEMENT, OF THE CODE OF ORDINANCES, BY AMENDING SECTIONS 2-251, DEFINITIONS; 2-252, DECLARATION OF LEGISLATIVE INTENT; 2-255, ENFORCEMENT PROCEDURE; 2-256, NOTICE OF VIOLATIONS; FORM AND CONTENT OF CITATIONS; 2-257, CONDUCT OF HEARING; 2-262, SCHEDULE OF CIVIL FINES; AND 2-265, NOTICES; BY PROVIDING DEFINITIONS FOR ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, ORGANIZED OR CRIMINAL GANG ASSOCIATE, AND ORGANIZED OR CRIMINAL GANG PUBLIC NUISANCE; PROVIDING FOR ENFORCEMENT, REMEDIES, FINES AND PENALTIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley confirmed with Mr. Hayes that these three ordinances were just updating the language in the code.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-33, on first reading, as read by title only.

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

Item #9D – Revisions to Organized or Criminal Gang Regulations (Chapter 14, Code of Ordinances)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-34

AN ORDINANCE AMENDING CHAPTER 14, OFFENSES – MISCELLANEOUS OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH BY ADDING A NEW ARTICLE AND SECTIONS TO BE NUMBERED AND CAPTIONED AS ARTICLE X, ORGANIZED OR

CRIMINAL GANGS, SECTION 14-103.1, PURPOSE AND LEGISLATIVE FINDINGS; SECTION 14-103.2 DEFINITIONS; SECTION 14-103.3, LEGAL PRESUMPTIONS; SECTION 14-103.4, ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, AND ORGANIZED OR CRIMINAL GANG ASSOCIATE; PROHIBITED; SECTION 14-103.5, COMPLIANCE WITH REGULATIONS; SECTION 14-103.6, ENFORCEMENT; PENALTIES, BY PROVIDING LEGISLATIVE FINDINGS; PROVIDING DEFINITIONS FOR CRIMINAL GANGS, ORGANIZED OR CRIMINAL GANG MEMBERS, AND ORGANIZED OR CRIMINAL GANG ASSOCIATES; PROVIDING REGULATIONS TO PROHIBIT CRIMINAL GANG ACTIVITY; PROVIDING LEGAL PRESUMPTIONS; PROVIDING FOR ENFORCEMENT AND PENALTIES; 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. 2015-34, 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 #9E – Revisions to Organized or Criminal Gang Regulations (Article III, Chapter 1 and 2, Land Development Code)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-35

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS, AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-05, COMPLIANCE WITH DISTRICT REGULATIONS OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY AMENDING THE DEFINITION FOR CLUBS AND FRATERNAL ORGANIZATIONS; BY PROVIDING A DEFINITION FOR ORGANIZED OR CRIMINAL GANG, ORGANIZED OR CRIMINAL GANG MEMBER, AND ORGANIZED OR CRIMINAL GANG ASSOCIATE; BY PROHIBITING ORGANIZED OR CRIMINAL GANGS, ORGANIZED OR CRIMINAL GANG MEMBERS, AND ORGANIZED OR CRIMINAL GANG ASSOCIATES; PROVIDING FOR ENFORCEMENT; 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. 2015-35, 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

Item #10A – LDC Amendment – Itinerant Vendor Criteria

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-27

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE BY ADDING A NEW ARTICLE TO BE NUMBERED AND CAPTIONED AS ARTICLE VII, NORTH U.S. HIGHWAY 1 INTERLOCAL PLANNING AND MUNICIPAL SERVICE AREA; BY ADDING DIVISION 1, ITINERANT MERCHANT REGULATIONS FOR

RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITY; TEMPORARY CAMPSITES: SECTION 2-74, MUNICIPAL SERVICE AREA AND JOINT PLANNING AREA; PURPOSE; SECTION 2-75, LEGISLATIVE FINDINGS; SECTION 2-76, DEFINITIONS; SECTION 2-77, HIGH IMPACT USES ON LAND; CLASSIFICATION AND CATEGORY OF USE; RATIONALE; SECTION 2-78, AMORTIZATION SCHEDULE FOR VACANT OR UNIMPROVED LAND CATEGORY; SECTION 2-79, APPLICATION, LICENSE AND PERMIT REQUIREMENTS FOR ITINERANT COMMERCIAL ACTIVITY; SECTION 2-80, TEMPORARY CAMPSITES; SECTION 2-81, RESERVATION OF POWER; SECTION 2-82, ENFORCEMENT; BY REGULATING ITINERANT MERCHANT USES AND ACTIVITIES DURING RECOGNIZED SPECIAL EVENTS AND OUTDOOR ENTERTAINMENT ACTIVITIES; PROVIDING CLASSIFICATIONS OF LAND FOR IMPROVED LAND AND VACANT OR UNIMPROVED LAND; PROVIDING REGULATIONS FOR TEMPORARY CAMPSITES DURING RECOGNIZED SPECIAL EVENTS; PROVIDING LICENSE AND PERMIT REQUIREMENTS; PROVIDING A FIVE YEAR AMORTIZATION PERIOD FOR VACANT OR UNIMPROVED LAND; PROVIDING FOR THE INCLUSION OR REMOVAL OF LAND FROM THE IMPROVED LAND CATEGORY; RESERVING POWER TO THE CITY COMMISSION; PROVIDING FOR ENFORCEMENT OF THESE REGULATIONS; 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. 2015-27, 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 #10B – Master/Itinerant Vendor Permit Fees

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-28

AN ORDINANCE RELATIVE TO MASTER AND ITINERANT VENDOR FEES FOR THE NORTH U.S. HIGHWAY 1 MUNICIPAL SERVICE AREA; AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES BY ADDING MASTER VENDOR, ITINERANT VENDOR, AND OUTDOOR ENTERTAINMENT ACTIVITY PERMIT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-28, 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 #11A – North U.S. Highway 1 JPA/MSA jurisdictional and regulatory authority

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-136

A RESOLUTION ACKNOWLEDGING THE COMPLETION OF CERTAIN MATTERS REGARDING THE ESTABLISHMENT AND IMPLEMENTATION OF THE NORTH U.S. HIGHWAY 1 JOINT PLANNING AND MUNICIPAL SERVICE AREA; ACKNOWLEDGING THE CITY HAS ACQUIRED JURISDICTIONAL AUTHORITY OVER THE LANDS IN THE

JOINT PROJECT AND MUNICIPAL SERVICE AREA; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley asked Mr. Hayes if this was the light at the end of the tunnel; whereby, Mr. Hayes replied that it was the exclamation point.

Commissioner Stowers moved, seconded by Commissioner Partington, for approval of Resolution No. 2015-136, as read by title only.

Mayor Kelley thanked Mr. Hayes for his hard work for the last five years getting this accomplished.

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

Item #12A – City Attorney Evaluation

Mr. Hayes stated that this item included the results of the evaluations conducted recently by the Commission. He thanked the Commission and stated that it was an honor to serve them and the community. He noted that it was a challenge each day and humbling, but there was no place he would rather be.

Mayor Kelley noted that the majority of the Commission members were attorneys themselves and so Mr. Hayes received almost a peer review. He thanked Mr. Hayes for his service and dedication to the city.

Commissioner Boehm referred to the amount of work that Mr. Hayes just completed for the ISBA and noted that it was impressive, very detailed, and an extraordinary amount of work. He stated that while doing that he also worked towards getting other ordinances in line including some that Main Street wanted to see passed. He joked that he did not know whether Mr. Hayes was cloned or not. He stated that Mr. Hayes had proved that he had the ability to do the work that the city needed to get done and cited this evening's agenda as ample proof. He stated that he stood behind his evaluation as Mr. Hayes had done a terrific job.

Commissioner Kent stated that Mr. Hayes received 4.7 out of 5 on his evaluation. He noted that he was a teacher and that score was a strong A+. He thanked Mr. Hayes for doing his job well and representing the city in a positive way.

Item #13 – Reports, Suggestions, Requests

Ms. Shanahan vacation

Mayor Kelley noted that Ms. Shanahan made it back from Alaska this evening with a few minutes to spare.

Ms. Shanahan stated that it was always good to be back home.

City Attorney Evaluation

Ms. Shanahan echoed the Commission's comments on Mr. Hayes. She stated that he was a joy to work with and pushed staff to make sure that they were thorough and thoroughly vetting the issues. She explained that she had worked with a number of city attorneys in her career, and Mr. Hayes was by far the best.

Fourth of July

Ms. Shanahan stated that the Independence Day Celebration would begin at 6:00 p.m. on Saturday, July 4, 2015, and noted that as such there would be no Movie on the Halifax that Friday due to set-up.

City Welcome Signs

Ms. Shanahan stated that the city welcome signs were submitted for final approval with the Florida Department of Transportation (FDOT) and the city was waiting to hear from them.

North US1 Landscaping

Ms. Shanahan stated that the North US1 landscaping bids would be opened on Thursday, June 25, 2015.

Flood Mitigation

Ms. Shanahan stated that FEMA Phase II Central Park Flood Mitigation Project had been submitted for grant approval.

Upcoming Meetings

Ms. Shanahan stated that the next City Commission meeting would be Tuesday, July 28, 2015, and the Operating Budget Workshop would be held at 5:30 p.m. prior to the meeting. She noted that if that workshop was not completed by 7:00 p.m. when the meeting started, it could be recessed and reconvened after the meeting adjourned. She stated that the tentative millage rate would be set at that City Commission meeting.

November Meeting Date

Ms. Shanahan stated that the Commission may want to consider moving their Tuesday, November 3, 2015, meeting. She explained that the National League of Cities was having their annual conference and expo in Nashville, Tennessee, and that several members of the Commission would be attending. She noted that Tuesday would be a travel day typically for the conference. She stated that if the Commission decided to move the meeting date, staff would bring a resolution back at the July meeting.

Mayor Kelley noted that the meeting could be moved to the day before, Monday, November 2, 2015, or to the following week. He stated that he would be out of town the following week.

Commissioner Partington suggested that the meeting be moved to Monday, November 2, 2015; whereby, Mayor Kelley instructed Ms. Shanahan to prepare a resolution changing the meeting date.

Playful City USA 2015

Commissioner Boehm noted that Mayor Kelley had given Mr. Carolin credit earlier with his proclamation for Park and Recreation Month, and he wished to add to it by recognizing that Ormond Beach was again designated as a Playful City USA Community for 2015, the city's fourth consecutive year receiving that distinction, which recognized what Ormond Beach did for recreation and the outstanding job that Mr. Carolin did. He noted that Ormond Beach was the only city in Volusia County with the 2015 designation.

Project ROMP

Commissioner Boehm stated that he was always proud of how the citizens of Ormond Beach helped the city and the number of public and private partnerships. He explained that he received an email that Project ROMP (Renovation Ormond's Many Parks), who built the Magic Forest Playground, partnered with GC Contractor Services to replace a section of the entry walkway to the playground with all of the necessary materials provided by Project ROMP and all of the labor donated by GC Contractor Services. He specifically thanked Mr. Glen Canfield, the owner of GC Contractor Services, and Mr. Mike Bowen, the President of Project ROMP. He noted that the city did not have any cost involved and did not solicit those services. He stated that this was just another example of Ormond Beach's citizens wanting the city to look good and be a better place for people to live.

Campus Outreach

Commissioner Boehm asked Mr. Carolin how many years in a row campus outreach volunteers had helped the city; whereby, Mr. Carolin stated that it had been eight years. Commissioner Boehm explained that campus outreach sent college students to help the city clean up the parks and grounds. He noted that those students were not even from Ormond Beach, but he was proud of them and what they had done.

Home Rule Hero

Commissioner Boehm noted that he read that Florida League of Cities recognized Commissioner Partington as a "Home Rule Hero." He stated that it was richly deserved as Commissioner Partington was always going above and beyond and knew the roads to Tallahassee and Washington, D.C., well. He stated that was part of what made Commissioner Partington a special City Commissioner and Deputy Mayor.

Commissioner Stowers' daughter

Commissioner Boehm stated that on Thursday, June 25, 2015, Commissioner Stowers' daughter, three-month old Emma Stowers, would be having serious surgery for three to six hours in Jacksonville. He asked those in attendance to observe a moment of silence and pray a brief prayer supporting Emma's successful recovery. He noted that he had a child with chronic illness and it was a lot harder for parents to watch a small child suffer. He stated that he thought it was the hardest thing a parent would have to do or deal with. He stated that he felt for Commissioner Stowers and his wife and what they would be going through. He asked for a moment of silence to be observed.

The audience members, city staff and City Commission observed a moment of silence.

Commissioner Boehm thanked everyone.

Commissioner Partington thanked Commissioner Boehm for mentioning the "Home Rule Hero." He explained that he could not do what he did without the Commission's support. He stated that Commissioner Kent and Mayor Kelley deserved the designation as much as he did but noted that perhaps his involvement with the league this year caused him to be recognized. He explained that staff was a huge support to him as well and provided talking points and brief papers to take into the meetings. He stated that he looked at it as a team effort and that the Commission and staff deserved the credit. He stated that he was pleased if it made Ormond Beach look good.

Commissioner Partington stated that he had already been thinking about Commissioner Stowers and his wife and child. He noted that he also had a daughter who spent the first week to ten days of her life in a Neonatal Intensive Care Unit (NICU) and at times during the week he felt lost and unsure what would happen. He stated that 12 years later she was an outgoing, fantastic and healthy child. He stated that his thoughts and prayers would be with Commissioner Stowers.

Fishing Tournament

Commissioner Partington stated that on Saturday, June 20, 2015, he attended the Reel in the Fun Fishing Tournament and noted that Commissioner Kent also attended. He stated that his team caught a shark, two whittings, and a spot. He noted that he also saw that some stingrays had been caught, as well as croakers. He stated that it was an exciting morning and expressed that two hours was a perfect timeframe for the tournament. He stated that it was good for the children to learn surf fishing technique, noting that it was different than freshwater fishing in lakes or parks. He stated that staff did a great job and that Mr. Ike Leary from the Bait Shop provided items for the children's goodie bags and cooked and served hot dogs. He noted that he believed the *Ormond Observer* would have some photographs of the event in their newspaper.

Commissioner Stowers' daughter

Commissioner Stowers thanked the Commission and everyone else for their thoughts and prayers. He hoped there would be a positive resolution on Thursday to his daughter's medical issue.

City Attorney Evaluation

Commissioner Stowers thanked Mr. Hayes for all of his work and noted that he knew where he stood.

Agenda Preparation

Commissioner Stowers thanked staff for the agenda that evening, noting that it was 1,006 pages. He explained that staff put together and included such detailed information in each item, citing the Riptides item specifically which contained the minutes for both Planning Board and City Commission meetings for the last two years on the restaurant music special exception approvals. He noted that it was right at their fingertips and would take minutes to read rather than hours for them to try and track that information down. He stated that it was an impressive feat to put that agenda packet together and especially for critical items like those heard that evening. He thanked staff for making it easier for the Commission to get to the heart of the issues.

Commissioner Stowers also thanked the Planning Board. He cited the same Riptides agenda item and explained that the Planning Board's debate and discussion of the issues was critical and noted that the City Commission leaned heavily on them. He stated that when all of the moving parts of the city worked as they should, the process became seamless and created a lot of agreement from the Commission. He noted that

there was a lot of work that went into the process. He noted that Commissioner Boehm often touched on that, but he wanted to this evening with the issues at hand.

Commissioner Stowers' daughter

Commissioner Kent stated that his family would be thinking of Commissioner Stowers' family.

Electronic Agendas

Commissioner Kent stated that the Commission was now used to their iPads and receiving their agendas electronically. He explained that for his first six or seven years on the Commission, the Commission members lugged around binders of printed agenda packets. He noted that when he received a paper binder copy of the Capital Improvement Program (CIP) a few weeks prior, it brought back bad memories. He thanked Commissioner Partington as he was a big push in getting that technology.

Home Rule Hero

Commissioner Kent noted he also wanted to mention Commissioner Partington's designation as keeper of the home rule. He stated that it felt like Commissioner Partington should have been knighted with that title.

Fishing Tournament

Commissioner Kent stated that the fishing tournament was so important to him and his son that they drove back from Orlando at 6:15 a.m. in order to be at the beach in time for it. He noted that this was the third fishing tournament that he and his son had entered and that he had started the idea of the fishing tournament a few years prior. He stated at the first fishing tournament on the river, his son did not catch anything; and at the second tournament at Central Park, his son also did not catch anything. He explained that he was getting aggravated and his eight-year old son reminded him that was why it was called "fishing" and not "catching." He stated that this third fishing tournament was packed, and he did not think more people could have been in the tournament without extending the tournament area.

Commissioner Kent explained that one hour and forty minutes into the tournament they had not caught anything again when his son's pole finally went off and he caught his first whiting. He stated that three minutes later he caught a second one. He stated that he then thought that the tournament needed to be over two hours as they were just getting hot. He stated that his son's first whiting was four ounces and his second was five ounces. He stated that the winning fish in the tournament was eight ounces.

Fire and Police Ride-Alongs

Commissioner Kent stated that he went on a ride-along with the fire department and the police department and noted that Ms. Shanahan and Commissioner Partington had done so previously, as well. He stated that he wanted to tell the Commission a couple of things that he picked up on. He explained that he spent four hours with the firefighters at Fire Station 92. He addressed Fire Chief Bob Mandarino and told him that he had an incredible group of people there and that they were professional and efficient. He noted that he got to go along on a call; and while he was not crazy about the vest and hard helmet he had to wear, he noticed that the driver was great at his job and the paramedic was on point. He stated that the captain was the glue that held everything together, and he was extremely impressed.

Commissioner Kent stated that he also met Sergeant Lisa Rosenthal with the police department. He explained that he was completely blown away by Sergeant Rosenthal's knowledge and the compassion she had toward fellow human beings. He stated that they went all over the city and were at all of the calls. He explained that when there were not calls, Sergeant Rosenthal was checking parks in the city, and she knew the individuals in the city down on their luck and where they could be found. He explained that Sergeant Rosenthal was very kind and compassionate in speaking to them and offering them assistance to try and get them help. He stated that her fellow officers respected her and each other. He stated that the experience left a super positive impression with him. He noted that he had always been a fan of both Fire Chief Bob Mandarino and Police Chief Andy Osterkamp and wanted to state it publicly. He stated that both Chiefs did a great job and put the right people in the right positions.

Home Rule Hero

Mayor Kelley congratulated Commissioner Partington and pointed out that two years the Florida League of Cities had recognized former Mayor Fred Costello, who is now a State

Representative. He explained that home rule meant that the state would stay out of the city's business and noted that was an impossible feat.

Education Funding

Mayor Kelley stated that the \$500 million proposed by the legislature to increase education funding would be coming from property taxes. He noted that everyone should be prepared for their property taxes to increase, as that funding would not be coming from the state, but out of the pockets of property owners. He stated that he thought it was not funded correctly. He explained that Volusia County was already shortchanged by receiving almost 3% less than other counties and to make it up with property taxes was not fair. He noted that the city would keep trying to be heard and not give up.

Quality Cities Magazine Features

Mayor Kelley stated that he had the issue of *Quality Cities Magazine* for that month from the Florida League of Cities. He noted that someone from Saint Brendan Catholic School finished in fourth place with their "If I Was Elected Mayor" essay. He explained that two of the three winners stressed attracting more people and businesses to support the economy in order to take the tax burden off of citizens. He noted that those essays were written by seventh graders. He read an excerpt as follows: "*If I were elected Mayor, I would place better road signage for small general businesses so that they could be successful.*" He asked Commissioner Kent to read the rest of the excerpt for him as the print was small.

Commissioner Kent read the excerpt as follows: "*Good road signage for small businesses should be implemented because it will improve customer traffic and increase tax revenue for the city.*"

Mayor Kelley noted that two out of the three top winners emphasized the economy and businesses. He stated that he was happy to support Riptides this evening as the sales tax revenue and property tax revenue generated there helped to fund the city's costs of operating the city. He noted that the Rediscover US1 Scavenger Hunt was also mentioned in the magazine.

Chamber and Mayor Luncheon

Mayor Kelley stated that he attended the Ormond Beach Chamber of Commerce ("Chamber") monthly meeting with the Chamber and Mayor Luncheon. He stated that there was a waiting list again and many came to listen and share their ideas. He noted that Commissioner Kent also held a Coffee with the Commissioner event at his home.

Girls State Students

Mayor Kelley stated that the previous day he met with two Spruce Creek High School students who lived in Ormond Beach and were attending Girls State. He explained that they grilled him with 18 questions regarding legislation. He stated that both girls were amazing and would graduate Spruce Creek High School with their Associate of Arts degrees and enter college as juniors.

Commissioner Stowers' daughter

Mayor Kelley noted that his wife had mentioned to him about Commissioner Stowers' daughter's surgery Thursday and his prayers would be with them.

Item #14 – Adjournment

The meeting was adjourned at 8:09 p.m.

APPROVED: July 28, 2015

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk