

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

December 1, 2015

7:00 p.m.

Commission Chambers

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

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

5. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – November 17, 2015

6. COMMUNITY REDEVELOPMENT AGENCY

A. **RESOLUTION NO. 2015-215** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND FAMILY FOLIAGE LLC, FOR REAL PROPERTY LOCATED AT 147 TOMOKA AVENUE; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

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

B. **RESOLUTION NO. 2015-216** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE CHILDREN'S WORKSHOP, INC., FOR REAL PROPERTY LOCATED AT 506 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7B)**

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

7. CONSENT AGENDA

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

A. **RESOLUTION NO. 2015-215** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND FAMILY FOLIAGE LLC, FOR REAL PROPERTY LOCATED AT 147 TOMOKA AVENUE; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2015-216** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE CHILDREN'S WORKSHOP, INC., FOR REAL PROPERTY LOCATED AT 506 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2015-217** : A RESOLUTION APPROVING AND AUTHORIZING REVISIONS TO THE CITY'S FEE SCHEDULE FOR CULTURAL AND RECREATIONAL PROGRAMS AND FACILITIES OPERATED BY THE LEISURE SERVICES DEPARTMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2015-218** : A RESOLUTION AUTHORIZING THE EXECUTION OF AN ARTIFACTS LOAN AGREEMENT BETWEEN THE CITY AND MUSEUM OF FLORIDA HISTORY FOUNDATION, INC., REGARDING THE STANLEY STEAMER REPLICA; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2015-219** : A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE TAXIWAY G CONSTRUCTION AND AIRFIELD ELECTRICAL IMPROVEMENTS PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2015-24; 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)

- F. **RESOLUTION NO. 2015-220** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000013593) FOR THE PURCHASE OF ONE 2015 CATERPILLAR LOADER BACKHOE, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 15-13-0904; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)

- G. **RESOLUTION NO. 2015-221** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000013619) FOR THE PURCHASE OF TWO 2016 FORD F-150 PICKUP TRUCKS, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 15-23-0904; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)

- H. **RESOLUTION NO. 2015-222** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000013621) FOR THE PURCHASE OF TWO 2016 FORD F-150 PICKUP TRUCKS, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 15-23-0904; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)

- I. **RESOLUTION NO. 2015-223** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITIONS #0000013586 & #0000013587) FOR THE PURCHASE OF TWO 2016 FORD F-350 PICKUP TRUCKS, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 15-23- 0904; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Kevin Gray, Public Works Operations Manager (386-676-3522)
- J. **RESOLUTION NO. 2015-224** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000013617) FOR THE PURCHASE OF ONE 2016 THOMPSON PUMP #4JSVM-DYST-3TNV-M, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 15-13-0904; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Kevin Gray, Public Works Operations Manager (386-676-3522)
- K. **RESOLUTION NO. 2015-225** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF PUMPING AND CONTROLS EQUIPMENT AND REPAIR SERVICES FROM XYLEM, INC. FOR THE CITY'S WASTEWATER COLLECTION SYSTEM LIFT STATIONS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305)
- L. **RESOLUTION NO. 2015-226** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF VARIOUS REPLACEMENT AND REPAIR PARTS FROM ALPHA GENERAL SERVICES, INC. FOR THE CITY'S PRETREATMENT EFFLUENT PUMPING TANKS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305)
- M. **Auto Renew Contracts - Sunstate Meter & Supply, Inc. (Neptune Meters)**
- Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305)
- Disposition:** Approve as recommended in the City Manager memorandum dated December 1, 2015.
- N. **Auto Renewal American Janitorial Inc.**
- Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)
- Disposition:** Approve as recommended in the City Manager memorandum dated December 1, 2015.
- O. **Auto Renewal for Misc. Crafts & Trades - As Needed**
- Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)
- Disposition:** Approve as recommended in the City Manager memorandum dated December 1, 2015.
- P. **RFP Employee Health Care Clinic and Group Medical Insurance**
- Staff Contact:** Claire Whitley, Human Resources Director (386-676-3202)
- Disposition:** Approve as recommended in the City Manager memorandum dated December 1, 2015.
- Q. **Riverside Drive Closure - December 19, 2015 Revised Time**
- Staff Contact:** Robert Carolin, Leisure Services Director (386-676-3279)
- Disposition:** Approve as recommended in the City Manager memorandum dated December 1, 2015.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2015-49** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A 1.21±-ACRE PORTION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 2.57±-ACRES LOCATED AT 4 NORTH PERROTT DRIVE, FROM B-4 (CENTRAL BUSINESS) TO I-1 (LIGHT INDUSTRIAL), 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)

- B. **ORDINANCE NO. 2015-51** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.70±-ACRES LOCATED AT 10 MAGNOLIA AVENUE, FROM "LOW DENSITY RESIDENTIAL" TO "RESIDENTIAL, OFFICE, RETAIL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2015-52** : 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 1.70±-ACRES LOCATED AT 10 MAGNOLIA AVENUE, FROM R-3 (SINGLE-FAMILY MEDIUM DENSITY) TO B-1 (PROFESSIONAL OFFICE/HOSPITAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. RESOLUTIONS

- A. **RESOLUTION NO. 2015-227** : A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER EITHER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION OR ALTERNATIVELY, LIMITING THE JURISDICTION OF THE VOLUSIA GROWTH MANAGEMENT COMMISSION TO ONLY CONDUCT REVIEWS AND COMPREHENSIVE PLAN HEARINGS AMENDMENTS OF PROPOSED OF LOCAL GOVERNMENTAL ENTITIES WHEN AN OBJECTION TO A PROPOSED COMPREHENSIVE PLAN AMENDMENT IS FILED BY ANOTHER LOCAL GOVERNMENTAL ENTITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Ronald Todd, Harbor Baptist Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4 – Audience Remarks

Mayor Kelley noted that there were no audience members who completed cards to speak during audience remarks.

Item #5A – Approval of Minutes

Mayor Kelley advised that the minutes of the November 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 #6 – Community Redevelopment Agency

Mayor Kelley stated that the following items were Community Redevelopment Agency (CRA) items. He explained that the City Commission served as the Community Redevelopment Agency of the City and must review the items and make a recommendation as the CRA. He recessed the City Commission meeting at 7:06 p.m. and called the CRA meeting to order.

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-215

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND FAMILY FOLIAGE LLC, FOR REAL PROPERTY LOCATED AT 147 TOMOKA AVENUE; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2015-215, as read by title only.

The motion passed by voice vote.

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-216

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE CHILDREN'S WORKSHOP, INC., FOR REAL PROPERTY LOCATED AT 506 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2015-216, as read by title only.

The motion passed by voice vote.

Mayor Kelley closed the public hearing, adjourned the CRA meeting and reconvened the City Commission meeting at 7:08 p.m.

Item #7– Consent Agenda

Mayor Kelley advised that the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

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

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

Item #8 – Public Hearings

Mayor Kelley opened the public hearings.

Item #8A – 4 North Perrott Drive Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-49
 AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A 1.21±-ACRE PORTION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 2.57±-ACRES LOCATED AT 4 NORTH PERROTT DRIVE, FROM B-4 (CENTRAL BUSINESS) TO I-1 (LIGHT INDUSTRIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-49, 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 – 10 Magnolia Avenue – Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-51
 AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.70±-ACRES LOCATED AT 10 MAGNOLIA AVENUE, FROM "LOW DENSITY RESIDENTIAL" TO "RESIDENTIAL, OFFICE, RETAIL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-51, on second reading, as read by title only.

Mayor Kelley encouraged the speakers to stay on the topic of the land use amendment in their comments and asked them to try to not be redundant.

Ms. Pam Skilling, 11 Magnolia Avenue, stated that she had no allusion about changing the Commission's mind about the land use amendment. She noted that it was

discouraging but given the way the Commission voted at the last meeting that was the way she felt. She stated that the only thing she felt she could do was to quote from the goals and objectives of the city's Comprehensive Plan. She stated that goal one stated that *"the future land use element should allow limited commercial expansion, maintain current residential densities in the core areas, focusing redevelopment in the downtown community redevelopment areas, US1, State Road A1A, and providing a continued high level of open space."* She stated that the key policy that sought to argue in favor of her position was policy 113, which sought to preserve the character of the existing neighborhoods by not allowing intrusion of land uses that would threaten to alter the neighborhood's character.

Ms. Skilling noted that she did not understand the rationale of proposing a commercial space in a large residential enclave which contained homes, green space, churches and schools that extended from Oak Avenue all the way west to the Tuscany Shoppes. She stated that it was a special area. She noted that Ormond Beach had been designated as a Tree City USA city. She stated that enclaves of that nature should be as important as commercial spaces. She asked if another real estate office, Subway, or hair salon was needed. She noted that she did not think so. She explained that there were already Subways located at Tuscany Shoppes and the Winn-Dixie shopping center, and that there was a hair salon located at Rivergate shopping center.

Ms. Corinne Rider, 44 Oak Avenue, stated that she had sent the Commission a letter that encompassed her feelings regarding traffic, crime, safety, and noise hazard issues. She stated that when the Rivergate Shopping Center was proposed, rear through-way access was promised to the residents of Oak Avenue and Magnolia Avenue. She noted that access to the shopping center was ultimately sealed off with a chain-link fence due to possible flooding and the possibility of someone falling into a fenced retention pond, which had never held water. She stated that the promise was broken and access was denied. She stated that a trust was broken at that time. She explained that during race weeks wannabe racers looked for shortcuts and barreled down their streets only to find no outlets. She noted that large, heavy school buses also circled through. She stated that she once saw a boy nearly get hit by a speeding vehicle looping around Midway Avenue during race week.

Ms. Rider stated that she complained that signs were needed at the entrances to the two streets and a sign was erected at the corner of Oak Avenue and Midway Avenue. She noted that the sign did not alleviate traffic from the area. She stated that there were no sidewalks or gutters, but there were walkers, dog walkers, bicyclists, and children playing. She stated that the area would now be faced with an increased traffic situation. She explained that it was already difficult to enter or exit on Magnolia Avenue and Oak Avenue due to the excess traffic on State Road 40. She stated that her comments were with regards to alleviating driving anxiety and potential hazards to life and limb. She explained that she did not find it acceptable that her neighbors to the north on Magnolia Avenue would be facing commercial buildings as a result of rezoning. She noted that at one time she was told that the wooded areas surrounding Oak Avenue and Magnolia Avenue would never be rezoned. She stated that doing so would be a slap in the face to the citizens.

Ms. Rider stated that the threat of increased traffic, crime, and safety hazards, as well as the accompanying noise such a use would bring, was intolerable. She stated that she could not imagine that anyone would be as unconcerned for a neighborhood as to propose such an idea. She noted that the neighborhood had more than enough noise from the surrounding area as it was. She stated that she thought it would be a benefit to have some buffer zones in the city. She stated that she could not conceive that planning would permit such impositions to the community. She explained that there were other areas available for commercial use that would not impact a small, quiet segment of the community.

Mr. Philip De Rosia, 101 Magnolia Avenue, stated that he lived at the end of Magnolia Avenue and as such was located the furthest away from the location, but he noted that the impact of development would be just as great on him. He explained that the street was very narrow and that commercial vehicles, such as parcel delivery service trucks, came down the street every day. He noted that garbage trucks and even school buses came down the road. He explained that while the street was deemed to have a cul-de-sac he did not feel that it was big enough to truly be one. He stated that he moved to his home 21 years ago, leaving Breakaway Trails, because he wanted a more subsided neighborhood. He noted that he put thousands of dollars into his home for improvements. He stated that his driveway was torn up from vehicles using it to turn

around so he had put in an eight-inch cement driveway, at great cost. He noted that his driveway was already cracked from garbage trucks and delivery trucks.

Mr. De Rosia stated that all the citizens were asking for was recognition of the fact that they should have a little bit of consideration of the inconveniences that would result from development. He noted that he went to the Planning Board and spoke about vehicles making a short u-turn and running over his sprinkler heads in his yard. He explained that he wanted to put up a five-inch cement post and was told he could not do that, but he could put in something decorative. He further explained that he had purchased a five hundred pound piece of petrified wood and put that there instead. He noted that he had to completely redo his irrigation system due to inconsiderate people. He stated that he still had vehicles running into that large piece of petrified wood and tearing up their cars. He noted that all the citizens wanted was some consideration for their problems.

Mayor Kelley stated that he drove the road himself and turned around down there, but he did not run over a rock or a sprinkler. He stated that he sat there for about an hour to observe the area. He noted that he was sorry that delivery trucks came down the road, but he stated that the city could not stop them from doing so.

Mr. Josh of the family Lutcza, stated that he lived within 300 feet of 10 Magnolia Avenue. He stated that he did not make it to the first hearing as he was not informed about it. He stated that he had some problems with the application for rezoning of 10 Magnolia Avenue. He noted that the city website did not make a concrete description as to what ROR stood for. He explained that it was hard for him to figure out what ROR (Residential, Office, Retail) meant. He noted that it meant that someone intended to rezone the property for commercial use. He asked what would be put at the site and if it would be a skyscraper.

Mayor Kelley stated that was not part of the proposed land use amendment and as such was not part of the discussion.

Mr. Lutcza stated that he wanted to discuss it and that Mayor Kelley was a public servant who served him.

Mayor Kelley asked that the time clock recording Mr. Lutcza's speaking time be stopped. He requested that Mr. Lutcza stop speaking so that he could address him.

Mr. Lutcza continued to speak. He stated that the first amendment was a record which gave him the freedom of speech.

Mayor Kelley requested that Mr. Lutcza stop speaking. He stated that he wanted to explain the hearing procedure to Mr. Lutcza; whereby, Mr. Lutcza continued to interject. Mayor Kelley again asked Mr. Lutcza to please stop speaking; whereby, Mr. Lutcza continued to ignore Mayor Kelley's requests and continued to speak.

Mayor Kelley asked Police Chief Andy Osterkamp to request that Mr. Lutcza conduct himself in an orderly manner according with meeting procedures. He explained that he wanted Mr. Lutcza to be able to speak, but he needed to be considerate about it. He stated that he was trying to explain to Mr. Lutcza that the discussion was not about building skyscrapers or what would be put into the site. He stated that he was trying to direct Mr. Lutcza to focus on the issue before them.

Mr. Randy Hayes, City Attorney, stated that the potential change in land use designation was the issue on the agenda that was currently before the Commission. He explained that under the Commission's adopted rules of procedure, speakers could speak in accordance with the rules of conduct for the meeting. He stated that if a speaker was speaking out of turn, or in a manner inconsistent with the requirements of the rules, the Mayor could ask the speaker to comply with speaking under the rules and that if the speaker neglected to do so after a warning, then the Mayor could request that the Police Chief escort the speaker out of the meeting.

Mayor Kelley stated that he did not want to have to do that. He noted that he had served as Mayor for five years and had never had anyone speak in that kind of tone. He stated that the Commission was cordial and open to speakers. He noted that he was simply asking the speakers to listen, speak to the issue at hand, and follow meeting procedures.

Mr. Lutcza stated that the proposed future land use map suggested that there would be an exit or ramp going in front of one of his neighbor's homes and noted that such an exit would cause an extreme amount of traffic to be there. He noted that this was not what they wanted in a residential neighborhood. He stated that he expected the City Commission to listen to him in their role as public servants and not allow that to happen. He noted that Granada Boulevard was located to the north of 10 Magnolia Avenue and asked why there would be an exit onto Magnolia Avenue.

Mayor Kelley noted that he did not think that had been established yet; whereby, Mr. Hayes began to clarify that it had not; whereby, Mr. Lutcza concluded his comments.

Mayor Kelley stated that the Commission's role as public servants was to listen and they had done so.

Mr. Glenn Storch, attorney for applicant, stated that this was a land use issue, as advised by Mr. Hayes. He noted that proper planning was all that he was seeking at this point. He explained that as the process went on everyone involved had agreed that proper planning for that site was not residential. He noted that a residential use would not work on Granada Boulevard at that point. He stated that the subdivision had been located there for 40 years or more and that the site had been undeveloped that whole time. He noted that there was a sewer plant next to it and with the widening of Granada Boulevard that had taken place over the years, it was obviously not suited for a residential use. He stated that the appropriate land use was commercial. He explained that the particular use recommended by the city's Planning Director was the lowest intensity possible commercial land use. He noted that the same issues were before the Planning Board and they also recognized that this site would not be developed as a residential use as it would not be appropriate planning to do so.

Mayor Kelley asked the Planning Director to speak about some of the potential uses that would currently be allowed on the site under its current zoning, with no changes made to the land use and with no approval from the Commission needed. He noted that those had been mentioned at the previous meeting.

Mr. Ric Goss, Planning Director, stated that under the current land use designation a day care facility could be developed there. He explained that a day care facility had the highest trip generation rate they looked at, both for the land use proposed for the site and the land use currently there. He noted that the proposed land use was basically retail and office but could also be a restaurant. He stated that the land use selected, the Residential, Office, Retail (ROR), had the lowest intensity. He explained that it was selected that way because they were trying to be sensitive to the surrounding neighborhood.

Mayor Kelley stated that it could also be an assisted living facility.

Mr. Goss noted that it could be, but it would not have as high of intensity as a daycare facility would have. He stated that there were six policies that were quoted, one with regard to neighborhood intrusion, and the others having to do with adequate commercial space and making sure that commercial land use was compatible and consistent with the Comprehensive Plan as it pertained to landscaping, buffers, and things that would affect the residential neighborhood.

Mr. Storch reiterated that this was a planning issue and the question was what the appropriate planning use would be. He explained that he wanted to stress that both he and his client, Mr. Bill Navarra, had the highest possible respect for the neighborhood and would continue to deal with the neighborhood's concerns. He noted that they had heard their concerns and were working on solving those problems. He stated that every problem they had listed so far, other than the land use designation, could be solved and would be solved. He noted that they would also be meeting with the neighbors. He stated that he wanted to share that because it seemed that some of the neighbors might be afraid that the process was being run through quickly. He stated that they would work closely with them.

Mayor Kelley stated that there were at least four more opportunities in addition to a neighborhood meeting for input.

Mr. Storch stated that he had a great meeting after the last hearing. He reiterated that the problems raised by the neighbors could be solved.

Mayor Kelley noted that those issues were not being discussed tonight night by the Commission. He stated that this hearing was only one step towards trying to create the best possible use for the property.

Commissioner Partington stated that he met with Mr. Navarra about two months prior. He noted that he read all the packet materials provided and also the correspondence and comments from the residents. He noted that he did not recall if he disclosed this at the last meeting and as such wanted to put it on the record. He stated that he found that the greater weight of the evidence supported that the proposed amendment was consistent with the goals, objectives, and policies established in the city's Comprehensive Plan as well as consistent with state requirements, and an appropriate use of the land, with adequate infrastructure to serve the proposed land use, noting that the amendment did not impact surrounding jurisdictions. He explained that the real estate market was recovering in both the residential and commercial sectors and specifically the area up and down Granada Boulevard was a very hot area for commercial development.

Commissioner Partington stated that one of the biggest factors in his support of the amendment, which he hoped the residents understood, was Mr. Goss' testimony that a more intensive use could be put there right now which would never need to come before the City Commission for any decisions or consideration. He explained that this amendment would be a lighter use with opportunities to make it better. He noted that one of the speakers mentioned that the Commission was comprised of public servants. He explained that as such he felt it was their job to see the bigger picture. He further explained that they realized that a land use could be chosen for that property that would be less intensive for the neighborhood than what could go there currently, and as such that was the better option in order to protect the neighborhood as much as possible and make Ormond Beach the best place that it could be. He stated that those reasons were why he continued to support the land use change. He noted that he knew it did not make the residents happy, but he believed it would be the best result. He stated that it would be making the best of a bad situation. He noted that they were attempting to make lemonade out of lemons.

Commissioner Stowers stated that he spoke with Mr. Navarra about the project and he had also spoken with Mr. Storch about it. He stated that he concurred with Mr. Storch regarding the matter at hand. He explained that from a planning perspective it was clear. He stated that he also drove those roads and visited the property. He stated that he understood the residents' issues and concerns. He explained that those concerns were site plan issues that could be addressed, as Mr. Storch said, during the neighborhood meeting and subsequent meetings involving the site plan, through buffers and other measures. He noted that the property fronted Granada Boulevard and the proposed land use was appropriate.

Mayor Kelley noted that Commissioner Stowers was a land use attorney. He stated that he did not discuss the positives and negatives of the proposal with Mr. Navarra. He noted that he and Mr. Navarra both served on the Ormond Beach Chamber of Commerce's ("Chamber") Teacher of the Quarter committee. He explained that he mentioned to Mr. Navarra that he was aware that he had an issue coming before the Commission, but they did not have any conversation about the details of the application. He noted that he had known Mr. Navarra through his involvement with the Chamber and his service as President of the Chamber. He stated that he did not discuss what would be on the site with Mr. Navarra and noted that he believed that it would be Mr. Navarra's office. He noted that Mr. Navarra's office was presently located on Granada Boulevard.

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

Item #8C – 10 Magnolia Avenue – Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2015-52
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 1.70±-ACRES LOCATED AT 10 MAGNOLIA AVENUE, FROM R-3 (SINGLE-FAMILY MEDIUM DENSITY) TO B-1 (PROFESSIONAL OFFICE/HOSPITAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this item was for a rezoning application filed by Mr. Navarra for 10 Magnolia Avenue. He explained that once the land use was chose, the next step was to choose an appropriate zoning. He stated that staff looked at three zoning districts that were most appropriate for the ROR land use and those were B-1, B-8, and B-9. He explained that staff decided to go with B-1, noting that B-8 had a floor area ratio intensity of 0.35 and B-9 had a floor area ratio intensity of 0.30. He stated that B-1's floor area ratio intensity was 0.20. He explained that this meant that there would be less floor area built on the site, which meant that there would be less parking and more ability to put in landscaping and keep natural vegetation. He stated they felt that would be most appropriate given the sensitivity of the site with regards to the residential neighborhood. He stated that the Planning Board reviewed the zoning amendment and also agreed with the same rationale. He noted that staff and the Planning Board recommended approval.

Ms. Carol Crone, 5 Magnolia Avenue, stated that her home sat on the corner of Granada Boulevard and Magnolia Avenue. She stated that she wanted to read an excerpt of a letter to Mr. Steven Spraker, Senior Planner, from Mr. Storch. She explained that it stated that *"the neighbors will not be adversely affected in any way by this development."* She noted she believed that nothing could be further from the truth. She stated that the traffic that would be going into their road, considering the traffic that already passed by their road, would definitely adversely affect them. She stated that she met with Mr. Navarra after the last meeting and got nowhere. She explained that she had tried to discuss what would happen with the proposed driveway coming out onto their already very small road. She passed some photographs to the Commission of the traffic on Granada Boulevard taken by her husband. She noted that they were representative of the everyday traffic on Granada Boulevard that had to be navigated coming out of Magnolia Avenue.

Ms. Crone stated that going west on Granada Boulevard and cutting across two lanes of traffic in order to make a u-turn to go the other way would be absolutely impossible. She stated that it was ludicrous to think that another driveway would be coming out of a business onto their small residential street. She noted that it seemed to her that at the last meeting credentials were somewhat important. She stated that she worked for Child Evangelism Fellowship and was in the public schools day in and day out, going to every elementary school in Volusia County to make sure their clubs were ran properly. She addressed Mayor Kelley and told him that a few years ago she went on a mission trip to Brazil and roomed with his daughter. She noted that if they were going to talk about credentials, they should speak about everyone's credentials.

Ms. Crone stated that Ms. Rita Press, a member of the Planning Board, came to their neighborhood to look at the site. She explained that she and her husband were coming out of the house at that time. She noted that this took place prior to any hearings. She stated that she and her husband spoke to Ms. Press about what was proposed and Ms. Press encouraged them to come to the public hearings. She stated that she told Ms. Press that they would not be listened to and that they did not care what they had to say. She noted Ms. Press stated that they would listen. She stated that she was speaking for all of her neighbors when she said that they did not feel that they were being listened to.

Ms. Corinne Rider, 44 Oak Avenue, stated that she believed a member of the Commission had stated that the only frontage for the property would be on Granada Boulevard and there would not be any on Magnolia Avenue.

Mayor Kelley noted that he did not say that. He explained that when a potential entrance onto Magnolia Avenue was mentioned, he had noted that it was not part of the item being discussed that evening.

Ms. Rider stated that she hoped the Commission would consider that the site was a nice buffer area to have in the city and that development there would be a traffic hazard, create noise, and have a terrible impact to the residents who already had to deal with

traffic issues on Oak Avenue and Magnolia Avenue. She requested the Commission to consider them during their deliberations.

Mayor Kelley stated that he had driven in and out of that area probably a dozen times. He noted that there were times when it backed up but sometimes it was not an issue due to the traffic being signalized. He stated that the traffic everywhere on Granada Boulevard was often backed up. He noted that it presently was the busiest traffic time in the city as the snowbirds were in town.

Mayor Kelley stated that he had a card from Mr. Josh of the family Lutcza for this item and asked Mr. Lutcza if he was present and wished to speak. He noted that Mr. Lutcza had left the Commission Chambers.

Mr. Storch stated that the present legal issue was determining the appropriate zoning under the Comprehensive Plan. He noted that the appropriate zoning could not be residential as the Commission had designated the land use as ROR and therefore the zoning had to be consistent with ROR. He explained that Mr. Goss had indicated that the least intensive zoning and best use for this particular site was the recommended B-1 zoning. He noted that this was the appropriate zoning. He stated that anytime land use or zoning was changed it raised concerns from those around the affected area. He noted that the site was presently an open field with trees, and had been that way for 40 or 50 years. He stated that he understood that people would want to keep the area that way, if possible. He explained that eventually something would be put in there and he understood that there were fears as to what it would be. He noted that some of the fears expressed, such as a skyscraper or multilevel building being put in, could be put to rest by proper zoning. He reiterated that staff and the Planning Board were recommending the least intensive zoning which would have the least amount of building on the site. He noted that the B-1 zoning also allowed for additional buffers.

Mr. Storch stated that both he and Mr. Navarra had spent a lot of time listening to the neighbors and hearing what their concerns were. He noted that their largest concern seemed to be traffic on Magnolia Avenue. He stated that he was told that they wanted to be able to back out of their driveways and did not want people coming out of the site and going the wrong way on Magnolia Avenue. He stated that those problems could be solved and would be solved. He noted that they had already started speaking to a traffic engineer to take care of them. He explained that he thought it was important for the residents to understand that he and Mr. Navarra were listening. He noted that Mr. Navarra was a local and wanted to make it right. He stated that this was the best possible situation for the city and the neighborhood.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2015-52, on first reading, as read by title only.

Commissioner Kent addressed Ms. Crone's earlier comments. He noted that Ms. Crone made the statement that she did not feel like the Commission was listening to her. He stated that he thought that perhaps Ms. Crone felt that in order for him to listen to her he had to vote the way she wanted him to. He noted that Ms. Crone did not know him and that he did not know her. He stated that it was ludicrous, ridiculous and bothersome for Ms. Crone to make the statement that he was not listening. He stated that during his 13 years of service on the Commission he had listened to everyone who spoke before the Commission or called him. He noted that he returned phone calls and held a monthly meeting at his home called Coffee with Commissioner Kent, which he had held for over 12 years. He stated that the next meeting would be on December 7, 2015, which was Remember Pearl Harbor Day and would be located at his home at 130 Magnolia Drive from 4:30 p.m. to 5:30 p.m. He noted that the meeting was open to the entire city. He stated that Ms. Crone might not have meant it personally, but he took offense when she stated that he did not listen. He stated that he listened to all who came and shared their ideas.

Mayor Kelley noted that he did not speak for every member of the Commission, but they all listened. He stated that just because they might not agree it did not mean that they were not listening. He noted that both sides had to be listened to. He explained that he tried to balance his decisions. He stated that he knew that change was very difficult. He stated that when the King's Crossings subdivision was put in residents were very upset and did not want it and that the same thing happened with the Hunter's Ridge neighborhood and the movie theater on Williamson Boulevard. He stated that they had to find a balance and assign the least intrusive land use and zoning to develop the property properly. He noted that the comment that they did not listen did hurt. He

explained that he answered phone calls and 50 emails a day. He noted that he read the materials in the agenda packet and all of the correspondence provided by the residents. He stated that the Commission had to try and balance the needs of everyone in the city. He noted that the Commission was compassionate, understanding and were all residents of the community. He reiterated that just because they did not agree, it did not mean that they were not listening.

Commissioner Stowers stated that the comment had struck a nerve with him as well. He explained that he took a lot of pride in putting himself in the residents' shoes. He stated that he drove the affected streets and sat at the corner thinking about how he would feel if he lived in one of the first five or six homes. He noted that as Commissioner Kent had stated, just because they voted one way, it did not mean that the residents lost or that the Commission did not give the issue any attention. He stated that he had given a lot of thought and attention to the matter, and he had a level of empathy for the situation. He explained that the attorney, the applicant, and the engineer were present and working towards creating buffers and access where it needed to be so that the site could be as close to perfect as possible.

Commissioner Stowers noted that a speaker had asked about a member of the Commission stating that the property only fronted Granada Boulevard. He stated that he had mentioned that the property fronted along Granada Boulevard, but not only Granada Boulevard and he thought that might be what she was referring to. He stated that he had reached out to Mr. Storch on one occasion to talk about that particular site. He noted that he wanted to echo Commissioner Kent and Mayor Kelley's comments regarding the Commission giving the issue some thought. He stated that he understood the frustrations that the residents had.

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 – Volusia Growth Management Commission (VGMC)

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2015-227

A RESOLUTION OF THE CITY OF ORMOND BEACH, FLORIDA, REQUESTING THE VOLUSIA CHARTER REVIEW COMMISSION TO RECOMMEND AN AMENDMENT TO THE VOLUSIA COUNTY CHARTER EITHER ELIMINATING THE VOLUSIA GROWTH MANAGEMENT COMMISSION OR ALTERNATIVELY, LIMITING THE JURISDICTION OF THE VOLUSIA GROWTH MANAGEMENT COMMISSION TO ONLY CONDUCT REVIEWS AND COMPREHENSIVE PLAN HEARINGS AMENDMENTS OF PROPOSED OF LOCAL GOVERNMENTAL ENTITIES WHEN AN OBJECTION TO A PROPOSED COMPREHENSIVE PLAN AMENDMENT IS FILED BY ANOTHER LOCAL GOVERNMENTAL ENTITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Kelley stated Mr. Jerry Brandon served as the Commission's representative to the Volusia Growth Management Commission (VGMC) and that he had known him for at least 24 years, maybe longer. He noted that Mr. Brandon had served as the city's representative since 1992 and presently served as the VGMC Chairman.

Mr. Jerry Brandon, 14 Iroquois Trail, stated that it had been longer than that. He noted that Ms. Deanie Lowe had intended to be there that evening but was sick and could not make it. He explained that Ms. Lowe had served on the Planning Board for Ormond Beach for ten years and had served as Ormond Beach's representative to the initial charter. He noted that she was against the proposed resolution. He explained that he wanted to address some of the comments being made about VGMC. He stated that one such comment was that the VGMC intervened when no local government raised objections and when the local governments were in agreement with the proposed amendments. He explained that in accordance with the current charter, the VGMC was

required by Section 202.3, which in part stated that “*the Commission shall have the power and the duty to determine the consistency of the municipalities’ and the county’s Comprehensive Plans and any amendments thereto with each other.*” He stated that in the past ten years only three public hearings were held when there were no comments or objections raised by another jurisdiction or party.

Mr. Brandon stated that another comment he had heard was that the VGMC had become a forum for use by opponents to growth and development to delay and frustrate the legislation growth policies adopted by local governmental entities. He stated that in 2009 the VGMC polled local governments on the issue of citizen standing. He explained that of the 16 cities, 13 responded to the poll and of those only seven supported limiting standing to the local governments. He stated that due to those results they made no change to their rules and regulations, which were internal. He noted that rules could be changed without having to go through a charter review. He stated that periodically a Personnel and Operating Procedures Committee met to reevaluate VGMC’s policies and procedures. He explained that such a review could be conducted internally and submitted to the county for an ordinance amendment. He stated that since there was no overwhelming response from the governments polled to eliminate the citizens and/or other interest groups from being the affected parties, there was no reason to change policy at that time.

Mr. Brandon explained that another comment made was that the vast majority of public hearings were due to objections filed by other parties. He stated that the VGMC had received nearly 600 applications in the past ten years and held 28 public hearings. He stated that 68% of those public hearings involved applications where the comments and objections and/or request for public hearings were received from a local government and/or the Volusia County School Board. He noted that if no hearing was held on an application, a certificate of plan consistency letter was issued by the Chairman and was the final administration action by the VGMC on the application. He stated that 95% of VGMC applications fell into that category and were concluded without a hearing.

Mr. Brandon stated that he also heard that the VGMC had gone beyond its scope of authority and issued conditional certifications which required that planned development zoning have VGMC review. He explained that the VGMC is not in the business of denying applications and the VGMC must, per *Florida Statutes*, measure impacts by maximum development scenario. He stated that some viewed the conditional certifications as VGMC going beyond their scope of authority and looking at zoning issues. He noted that the alternative would be the denial of an application because the impacts could not be determined at the time of application. He stated that standard was set by the state. He stated that conditions were often the VGMC’s method of ensuring compliance when the local governments agreed upon modifications to an amendment after the application was submitted, which was done quite often.

Mayor Kelley asked Mr. Brandon if he was going to cover every comment made about the VGMC; whereby, Mr. Brandon stated that there were six comments he intended to cover. Mayor Kelley stated that the Commission was aware of the comments from both sides.

Mr. Brandon stated that he had served on the VGMC for the city since 1992. He explained that if he did not believe in what he was doing he would not be here tonight. He stated that he strongly believed in what the VGMC was doing. He explained that if the VGMC was deleted or did not exist, the alternative for a lack of cooperation or coordination between jurisdictions would be either a lawsuit or an administrative hearing, if there was not an interlocal agreement. He noted that lawsuits were expensive and timely. He stated that an administrative hearing historically took from six months to a year and a half. He stated that the VGMC was on a level playing field as every jurisdiction in the county had a member, and as such, there was no controlling interest in any particular area or with any particular group. He stated that some other cities had decided not to vote on this issue and to let the Volusia Charter Review Commission and the citizens of Volusia County decide the issue. He stated that he was asking that Ormond Beach do the same.

Mayor Kelley stated that the resolution called for the Commission to support either eliminating the VGMC or support limiting VGMC’s jurisdiction.

Commissioner Partington stated that he would like to hear from Commissioner Stowers prior to making a motion.

Mayor Kelley asked if there was a motion to bring the item to the floor for discussion.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Resolution No. 2015-227, as read by title only.

Commissioner Stowers stated that he appreciated the service of all of the representatives of VGMC. He noted that he had known the administrator and consultants for years and appreciated them, as well. He stated that he had found over the years that they followed their guidelines and explained that he felt the issue had been state regulations going from the Florida Department of Community Affairs to Florida Department of Economic Opportunity (FDOE). He noted that many of the regulations had been stripped out of the state law and yet VGMC had remained the same. He stated that he had spoken with the City Manager about a second issue and she had used the term "mission creep." He stated that there was a reference to citations and provisions of code and that was the VGMC's job, noting that they continued down that path without necessarily appreciating some of the other local nuances.

Commissioner Stowers stated that the request for additional information (RAI) process was problematic. He noted that it tolled the time for review. He explained that the VGMC had a 90-day timeframe from when they received the information and put it into public notice. He further explained that when the RAI came out from VGMC, staff tolled the time. He stated that he had dealt with this in the past month and was able to address it in a worst case scenario whereby the adoption hearings at the municipal level were at risk by months, despite not having another party of local government weigh in. He noted that a major project could be stalled for months. He stated that those sort of nuances got lost in the statistics because while they ultimately received the certificate of consistency the soft costs were lost, as well as administrative costs and time wasted. He noted that was not necessarily anyone's fault as it was the fault of the process.

Commissioner Stowers stated that he agreed with the comment about this being a separate body that encompassed numerous residents from throughout the county that really were not beholden to any one entity. He noted that he felt there were some positives to that concept. He explained that he would be in favor of limiting the jurisdiction and the scope of VGM, but also adding to the resolution a specific reference to not tolling the time for the RAI. He noted that the urgency was on the VGMC and the local governments. He explained that Governor Rick Scott had shrunk down the review processes and made it more economically friendly. He stated that he felt like that would be an appropriate measure as there would still be a 90-day timeframe, but the sense of urgency would be that if it was not resolved, then it was approved which would encourage all parties to urgently seek resolution. He noted that the way it was presently set up did not do that. He explained that there were scenarios on contentious projects where everyone knew the rules inside and out and what the tolling provisions meant. He noted that there could be manipulation there which was within the rules. He stated that he thought that would eliminate the issue and put the impetus on concise review within a smaller scope in terms of jurisdiction.

Commissioner Partington stated that his inclination was to vote for the resolution this evening, knowing that in order to even reach middle ground dissolution of the entire VGMC had to be threatened. He noted that he would guess that probably would not happen. He explained that it would at least show that they were willing to go that far to get some improvements in the system along the lines of those that Commissioner Stowers spoke about. He noted that he would be comfortable adding the language that Commissioner Stowers spoke about.

Commissioner Boehm noted that in the agenda packet materials it stated that the city submitted seven land use amendments to the VGMC in the past two years. He asked Mr. Goss what his experience had been.

Mr. Goss stated that the city had not had any contentious ones submitted. He explained that the seven that the city had submitted were mostly small acre amendments which were approved. He noted that they received consistency letters. He noted that the only time that they ran into an issue was when they were doing the Comprehensive Plan back in 2008. He explained that Volusia County had objected to the city's maps showing the unincorporated areas being served by city sewer and water. He noted that they removed the unincorporated areas and then a few years later Volusia County wanted them to serve those areas. He noted that it delayed the process. He stated that the city had not had any negative experiences with VGMC other than the time that was required. He explained that typically the city submitted amendments to the VGMC immediately

after the Planning Board meeting so that they would have the approval for the City Commission's second reading of the ordinance.

Mayor Kelley asked if the VGMC had outlived its usefulness. He explained that at the time of its conception there were many growth issues. He noted that the city was pretty much built out as were some others. He stated that he thought that the VGMC was probably useful when it was created. He noted that there were two points that concerned him. He stated that one was that someone in any one of the 15 other municipalities could file an objection, along with the county, to something being done in Ormond Beach. He noted that the city had stringent development rules and regulations. He gave an example of someone in Ponce Inlet holding up something being done in Ormond Beach. He stated that the other issue was the charge of what the VGMC's duties were and that it included anything else that may be deemed necessary. He noted that they could create a review of anything and he did not favor that. He stated that he would be comfortable if it was just Mr. Brandon doing the review but noted that there were 15 other individuals involved whom he did not know. He stated that they might not all take it as seriously as Mr. Brandon, and he felt that Mr. Brandon had worked there long enough to see that. He noted that at a recent meeting some individuals did not even show up. He stated that everything was well restricted as it was by local and state government, and he did not feel that it needed to be restricted further. He stated that he thought that it had outlived its usefulness.

Mr. Brandon stated that the average turnaround for the past five years had been 32 days. He explained that it went consecutively with the FDOE. He noted that they took 30 to 60 days. He stated that they were the only county he was aware of in the state that had an interlocal agreement with the State of Florida. He noted that they read and accepted most of the plans put in, especially all of the small amendments. He stated that 32 days was not over excessive when they had to wait for the state to take the same timeframe, if not longer.

Mayor Kelley noted that he believed that Volusia County was one of only a few counties to still have a Growth Management Commission in the state; whereby, Commissioner Partington stated that there were only two other counties in the state which had one.

Mr. Brandon stated that it was special. He explained that VGMC had no jurisdiction over who was appointed by each municipality. He noted that he believed only once in the past ten or 20 years had they not been able to have a meeting due to lack of representatives in attendance.

Mayor Kelley explained that he was referring to a meeting whereby the item had to be re-voted on because someone showed up late and it switched the outcome.

Mr. Brandon stated that the VGMC was brought into a lawsuit on that one.

Mayor Kelley explained that the other thing he really did not like was that if the VGMC turned down an application, the only other course of action was a lawsuit.

Commissioner Stowers noted that, as Mayor Kelley mentioned earlier, he was a land use attorney. He stated that he made a note and reference to VGMC staff and the members of the VGMC because he respected what they had done. He noted that he had ten times as many items that went smoothly as opposed to ones which had issues. He explained that he did not want it to appear that he was critical of the entire process. He noted that was why he did not talk about details of the timeframe for review initially. He explained that his only comment was specific to the tail end of the 90 days. He stated that the tolling time was a killer with RAIs. He noted that there was a much smaller percentage of projects that went to VGMC and even a smaller number received RAIs. He explained that they did not get to this point because of 99% of the projects but because of the 1%, and maybe even one particular project.

Mayor Kelley stated that 64 counties in the state accepted not having a growth management commission and accepted the regulations from the state, county and their own land development codes. He stated that he was in favor of leaving the resolution as it was. He reiterated that he thought that it had probably outlived its usefulness. He noted that the creep element scared him too. He noted that he did not feel that there would be many more major redevelopment projects.

Commissioner Stowers stated that the crazy thing, regarding the creep element, was that there were different ticking time bombs in different Comprehensive Plans. He noted

that Daytona Beach had in their Comprehensive Plan that any project zoning west of I-95 had to go to the VGMC. He explained that it had been built in from DRI issues years prior for LPGA. He stated that he had to deal with it while working with the Halifax Humane Society. He noted that the potential downside was RAI and other issues just for a rezoning. He stated that he felt that unfortunately the status quo was a non-starter, and he hoped that the Volusia Charter Review Commission recognized that something needed to be done.

Mayor Kelley reiterated that Volusia County was only one of three counties with this type of process and were adding another layer to deal with.

Commissioner Kent stated that he seconded the motion made by Commissioner Partington to open the item for discussion and asked for clarification.

Mr. Hayes noted that Commissioner Stowers spoke about adding some language to the proposed resolution. He stated that it could be treated as an amendment with a motion to amend, and he could restate that as an amendment. He noted that he did not know if the Commission was in favor of doing so, but he wanted to point that out prior to their voting.

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

Mayor Kelley noted that the Volusia Charter Review Commission requested that he attend the hearing and he would do so.

Item #10 – Reports, Suggestions, Requests

Environmental Discovery Center

Ms. Joyce Shanahan, City Manager, stated that progress was continuing on the Environmental Discovery Center (EDC).

Home for the Holidays Parade

Ms. Shanahan stated that the Home for the Holidays Parade would be held on Saturday, September 12, 2015. She noted that there would be a reception and tree lighting at City Hall prior to the start of the parade and that the parade line-up would be at 6:05 p.m. She stated that the parade would start at 6:30 p.m.

Upcoming Meetings

Ms. Shanahan stated that the next City Commission meeting would be on January 5, 2016, at 7:00 p.m.

Season's Greetings

Ms. Shanahan wished everyone a wonderful Christmas holiday and thanked the Commission for allowing her to serve for another year.

Mr. Hayes wished everyone happy holidays. He jokingly asked the Commission not to throw their parade candy too hard.

Donation to Community Christmas Club

Commissioner Boehm noted that Ms. Shanahan sent the Commission an email that afternoon regarding a request from Ormond Beach Main Street Director Julia Truilo about the Community Christmas Club of the Halifax Area ("Club"), which the city had supported in the past. He stated that the Club distributed food to needy people at Christmastime. He noted that they had a \$10,000 anonymous donor who passed away that had helped them make their budget every year. He stated that Ms. Truilo made a request to the Commission for a contribution of \$500 to the Club. He noted that the Commission would not meet again before the holidays and the item was not on the agenda.

Ms. Shanahan stated that the Club provided meals to largely Ormond Beach residents. She noted that many on the list of those needing help were names provided by Ormond Beach Police Athletic League (PAL) and Ormond Beach Elementary School. She stated that the request was for \$500 and the city had adequate funds if the Commission was so inclined to provide them.

Mayor Kelley noted that he had individuals who asked him to provide names of those who needed it; whereby, Ms. Shanahan stated that she could get those names to the right people if Mayor Kelley provided her with them.

Commissioner Kent stated that he liked to think that he was a kind, considerate, gracious man. He noted that he had a ton of respect for Ms. Truilo. He explained that the request was an absolute “no” for him as this was not government’s responsibility. He noted that if approved, 15 other groups would be coming to the city the next day requesting the same. He stated that there was government assistance with food and housing already. He noted that the city already bent over backwards to help with the PAL program. He stated that he knew that Volusia County Schools performed Thanksgiving food drives as he had served as the head of one for over 15 years at Pathways Elementary. He explained that his issue was not with helping this group, but he stated that he could not give away a nickel, let alone \$500, of taxpayer dollars for this, as he explained that he did not think that it was appropriate or what government funds should be used for. He noted that he was sure that this was a wonderful group, but he would have to decline. He stated that it was very wise of Ms. Shanahan to bring this before them and letting them weigh in on the decision.

Mayor Kelley stated that one of the reasons he brought up that other individuals were out there offering to give money was because of what Commissioner Kent had said. He stated that he would offer to give \$100 himself, but he would not obligate the city to help any organization that wanted to come ask for some. He noted that he agreed with Commissioner Kent. He stated that it was unfortunate that the individual who provided financial support previously passed away, but that was not really relative to whether or not taxpayer money should or should not be expended for this issue. He stated that he personally donated money that day for a woman that lost her husband and her home. He noted that it was not the city’s responsibility. He stated that the woman’s husband died in a fire and left her and her three children at Christmastime. He noted that they lost their breadwinner, their clothes and their entire home. He stated that there were all kinds of stories out there of people in need.

Commissioner Stowers stated that it was interesting how issues arose. He noted that a few years prior the naming of parks became an issue. He stated that he wanted to take a moment to bring up whether in the future they wanted to have a policy regarding who they give donations to, noting that perhaps the policy would be that there was no policy. He stated that a few meetings prior the City Commission gave Ormond Strong \$1,000. He noted that he was not suggesting that a precedent was set. He stated that there had been times over the years that requests had been before them that tugged at the heartstrings and that the Commission as good stewards and representatives of Ormond Beach could make a decision at a public hearing to move forward on an item. He stated that he thought this was a very positive discussion.

Commissioner Stowers noted that he recently had stopped at Dairy Queen in the Trails Shopping Center and saw a couple with six children who bought one ice cream cone for the six children to share. He stated that this bothered him. He explained that if that had not just happened he probably would have sided with Commissioner Kent and Mayor Kelley, but he saw that email today and thought that was a perfect opportunity to give back. He noted that he did not think there should be a policy, and he thought that the Commission should act with their minds and also with their hearts. He stated that people would understand that it was not a giveaway but if things happened or were brought to them, the Commission could then make the decision regarding them. He stated that he respected and appreciated everything that Commissioner Kent and Mayor Kelley said.

Commissioner Partington stated that he had the same initial gut reaction as Commissioner Kent. He noted that policy questions arose also as they had donated to the Seabreeze High School Band and Ormond Strong. He stated that he was in favor of donating and as such was the third member of the Commission to say “yes.” He noted that it was a onetime thing; however, he might not be in favor of it the next year. He explained that what swayed him on it was that the Victim Advocate in the city’s police department, who dealt with heavy need individuals on a daily basis, indicated that the city received a great deal of benefit from the program. He noted that made him question whether some sort of allowance should be in her budget, from law enforcement funds, grant funds or seized property funds, that might make something like that not have to come before the Commission. He reiterated that he was not setting a policy or a precedent.

Commissioner Kent stated that he understood the Commission's positions about Ormond Strong, the Seabreeze High School Band, and now this group, but he wondered where it would stop. He stated that all he could do was answer for his own actions and explained that he would try to be more vigilant as he would have a hard time spending, or giving away, any money that was not budgeted. He stated that he did not think it was their job to give taxpayer money away to nonprofits or charities. He noted that he was guilty of it as he voted for both Ormond Strong and the Seabreeze High School Band to receive donations. He stated that he appreciated Mayor Kelley offering to give \$100 and stated that he would offer to provide a box of food from his favorite store, Aldi.

Commissioner Kent reiterated that he could not commit taxpayer dollars, even \$500, from their budget. He noted that staff presented budget scenarios where the city would have to tighten its belt or increase revenue. He stated that he understood the spirit of the holidays and wanting to give and it was hard for him to say what he had to, which was that he did not believe that it was the government's job to give to charities, and that he felt that was a task for individuals to decide to do on their own. He noted that many individuals in Ormond Beach did decide to do so, and did it in a huge way.

Mayor Kelley stated that he would like to know if Ormond Beach would receive 50 boxes this year. He noted that the email had said that they received 50 the previous year.

Ms. Shanahan stated that the number many boxes prepared was dependent on what funds the organization had.

Mayor Kelley explained that the other thing that bothered him was that the donations might not really be going to Ormond Beach.

Ms. Shanahan stated that she believed they were going to Ormond Beach residents.

Mayor Kelley noted that the Community Christmas Club was not an Ormond Beach organization. He stated that it served the Halifax area.

Ms. Shanahan explained that they served the clients in their area, just like when the city participated in Halifax Urban Ministries (HUM).

Mayor Kelley asked if they knew for certain that Ormond Beach would receive 50 boxes.

Commissioner Boehm stated that all of the other cities in the eastern part of Volusia County contributed to, and participated in, the Club. He noted that they partnered with New Smyrna Beach, South Daytona, Port Orange, Daytona Beach, and Holly Hill. He noted that in the past they had partnered with Ormond Beach, as well.

Mayor Kelley asked if the city had always given \$500; whereby, Ms. Shanahan stated that she did not know that they had.

Commissioner Boehm stated that they had given whatever the Victim Advocate could give. He explained that it was not like Ormond Beach was standing alone as a government doing this, but instead would be participating with all of their fellow cities in doing something for the less fortunate people in Volusia County, and more specifically, Ormond Beach. He stated that he did not see the arguments but appreciated what Mayor Kelley and Commissioner Kent had to say about it. He noted that he disagreed.

Mayor Kelley suggested that the Commission not vote and let Ms. Shanahan decide.

Ms. Shanahan noted that she gathered the consensus and would move forward.

Letter to legislature regarding proposed municipal election changes

Commissioner Boehm stated that Ms. Shanahan had brought up another issue which she wanted the Commission to send a letter about. He explained that the letter would be sent to the legislature, particularly the House Committee that was dealing with the uniformity of municipal elections. He noted that he did not know whether they needed to support it or whether Ms. Shanahan had already done so.

Mayor Kelley stated that he was going to suggest that a letter be sent from the Commission.

Ms. Shanahan stated that she sent them already. She explained that she sent the ones that responded directly.

Mayor Kelley asked Commissioner Boehm if he responded; whereby, Commissioner Boehm stated that he was waiting to do so this evening. Mayor Kelley noted that none of them knew whether the other one responded due to Sunshine Laws.

Ms. Shanahan explained that quite honestly it was often difficult because most of those types of ideas were very time sensitive. She noted that if they responded, she sent out an email from their email.

Mayor Kelley stated that he responded; whereby, Ms. Shanahan stated that Commissioner Partington did as well.

Casements Christmas Gala

Commissioner Boehm stated that the Christmas Gala would be held at The Casements on December 4, 2015, and December 5, 2015. He stated that Ms. Siobhan Daly did an amazing job of decorating The Casements for Christmas. He stated that going to that event would get one in the holiday spirit.

Home for the Holidays Parade

Commissioner Boehm addressed Leisure Services Director Robert Carolin and threw a piece of candy into the audience at him. He joked that he was warming up for the parade. He explained that at their Brainstorming Session Workshop, held prior to the meeting this evening, they had agreed to have twice as much candy this year so that they did not run out. He noted that they also did not want candy canes and instead wanted heavier pieces of candy that would reach people when thrown.

Commissioner Kent

Commissioner Boehm displayed a photograph of Commissioner Kent and his son at the fishing tournament held by the city over the summer. He explained that the picture depicted Commissioner Kent teaching his son. He stated that one of the timeless things was a father passing his knowledge along to his son or daughter. He stated that when he saw the picture he decided to keep it until the holiday season because to him it exemplified a father teaching his son and passing his knowledge and experience along to another generation. He noted that he liked the picture a lot and wanted to end his last comments of the year on it.

Commissioner Kent gave Commissioner Boehm a high five; whereby, Commissioner Partington stated that he wished the picture was video so that it would show the dance that Commissioner Kent's son did when he pulled the fish in.

Season's Greetings

Commissioner Boehm wished everyone a merry Christmas and a happy New Year.

VGMC

Commissioner Partington thanked Mr. Brandon for his continued service. He stated that Mr. Brandon was a gentleman and he stated that the city really appreciated him and the hard work that he did. He stated that he suspected that if Mr. Brandon was willing to continue to serve that he would do so. He noted that they would see where the discussion ended up.

Season's Greetings

Commissioner Partington wished everyone happy holidays. He noted that as Commissioner Boehm had said, if you were feeling Grinch-y with the warmest November since 1986 upon you, you should go to The Casements and enjoy some of the beauty that it took over 100 people to put together.

Building Improvement Grants

Commissioner Stowers stated that he would play the role Commissioner Boehm usually did and mention an item that might have been overlooked on the Consent Agenda. He noted that it was actually on the CRA agenda, as well. He stated that the Building Improvement Grant Program had done wonderful things for the city's downtown and he appreciated all of the projects that had been approved over the years. He noted that he felt there was a special place for those projects that helped a growing business expand. He explained that in the staff report it had mentioned that the Children's Workshop had turned away 30 to 40 children over the past years and this grant would give them the ability to expand their facility. He stated that it was a great story and he wanted to make a comment on it.

Home for the Holidays Parade

Commissioner Stowers stated that earlier this year he took a position as in-house counsel with a development company in New Smyrna Beach. He explained that they decided that they were going to have a holiday party on December 12, 2015, at 6:30 p.m. He stated that he told him that unfortunately he and his wife would be late as they would be in the Ormond Beach Home for the Holidays Parade that evening. He noted that he, his wife and his older daughter, Hannah, and possibly his younger daughter, Emma, would be in the parade. He stated that he was excited to be at the parade with Hannah throwing candy to the children.

Commissioner Stowers

Commissioner Stowers stated that in December 2009, six years ago, someone came to him and asked him if he would consider running for Zone 1 Commissioner because Commissioner Gillooly would be running for Mayor and vacating her Zone 1 Commissioner seat. He noted that he spoke to others in Zone 1 to see if they would be running, or if he should consider running. He stated he had received positive feedback to run himself. He stated that he had won with a resounding victory of 11 votes in 2010. He noted that at the time that he went through that process he had no children and had thought about serving for two terms, with each term being two years. He stated that the years went by fast and he decided to run for a third term in 2014. He explained that already campaign season was beginning for 2016, and he had had individuals inquire if he was running again. He stated that after a lot of thought and consideration he had decided that he was going to step aside and not run for a fourth term.

Commissioner Stowers stated that he was looking forward to finishing the term through 2016 and stated that the city had a lot to do in the coming year. He noted that he was looking forward to the completion of the Environmental Discovery Center. He stated that after making the decision he had been reflecting back over the past five years and stated while he was proud of a lot of things, the thing he was most proud of was a small thing. He stated that he was most proud of the lack of negative attention or negativity as far as Ormond Beach was concerned. He referenced some of the issues in the news about DeBary or other groups of politicians having conflicts. He noted that the Commission that had served for five years served in a very clean time for Ormond Beach. He stated that he talked to the City Manager about it and he thought about what the Commission had been able to do through their professionalism and camaraderie to create clarity for the business community. He stated that the business community could recognize that Ormond Beach was a positive place to be.

Commissioner Kent stated that he had thoroughly enjoyed sitting next to Commissioner Stowers for five years and was looking forward to doing so for another year. He noted that they did have more work to do. He noted that he was going to say something and he would take whatever heat came with him saying it. He stated that Commissioner Stowers was his favorite person who sat to his right on the dais.

Commissioner Kent's son

Commissioner Kent thanked Commissioner Boehm for showing that picture of him and his son and asked the City Clerk to get him a copy of it.

City Hall Christmas Tree

Commissioner Kent asked if the tree outside the City Hall was the same one that that was there last year; whereby, Ms. Shanahan stated that it was not. He stated that he encouraged those who had not seen it to look left when they exited the Commission Chambers this evening. He noted that the tree was huge like the one in Rockefeller Center. He stated that it was impressive and he loved it. He noted that he used to look at the tree lighting and shake his head because while a 12-foot tree was large, it looked like nothing sitting next to a large building. He jokingly asked Ms. Shanahan if the tree met the city's height requirements. He stated that he was impressed Ms. Shanahan found it.

Mayor Kelley asked if it was 12 feet tall; whereby, Commissioner Kent stated that it was huge, thick, and full as Mr. MacLeod's beard. He noted that the tree was quite impressive.

VLOC Dinner

Commissioner Kent stated that Thursday, December 3, 2015, would be Commissioner Partington's last dinner as the President of the Volusia League of Cities. He stated that he would be in Lake Helen for that event.

Coffee with Commissioner / Veterans' Recognition

Commissioner Kent stated that the next Coffee with Commissioner Kent would be on December 7, 2015, from 4:30 p.m. to 5:30 p.m. at his home at 130 Magnolia Drive. He invited all to attend. He noted that it would be on the 74th anniversary of Pearl Harbor. He explained that he mentioned that because the Commission brought up honoring the next group of veterans in their Brainstorming Session Workshop. He noted that the city had already honored World War II and Korean War veterans. He explained that his grandfather was stationed in Pearl Harbor and was there during the attack. He stated that he told them that they had dug in into the jungle waiting for the Japanese to overrun the island and had had no communication with the mainland.

Proclamation

Commissioner Kent stated that the previous Saturday he presented a proclamation to an individual turning 100 years old. He stated that he met a woman named Ms. Mae Darling, and noted that he loved her last name. He explained that Ms. Darling emigrated from Ireland and met her husband while she was working in the family dry-cleaning business. He stated that she lived in the same home on Marvin Drive since 1977 and still lived alone at 100. He stated that he read the proclamation, prepared by Assistant City Clerk Lois Towey, who he noted did a wonderful job preparing them, Ms. Darling was weeping when he mentioned her husband and children. He noted that her children were present for the occasion.

Treats

Commissioner Kent thanked Ms. Shanahan for the goodies she gave the Commission. He noted that he looked at his calendar on his phone; and when he realized it was the only meeting in December, he thought that Ms. Shanahan might be bringing baked goods, as she did every year.

Season's Greetings

Commissioner Kent wished everyone a merry Christmas and a happy New Year.

Commissioner Stowers

Commissioner Boehm stated that he was looking forward to getting seniority on someone if he was reelected. He noted that in all of the time he had known Commissioner Stowers he did not think he had ever seen him angry. He stated that he had never seen him less than thoughtful, considerate, and respectful. He noted that in spite of all that had gone on in Commissioner Stowers' life, with him changing positions, having children and health issues, he had never failed to be fully prepared, fully knowledgeable on the issues, and always added his very thoughtful commentary to whatever the Commission did. He stated that it was a privilege to have served with Commissioner Stowers, and he knew he would be successful at whatever he did in life. He noted that he believed that it would be quite emotional when Commissioner Stowers left.

Commissioner Partington stated that Commissioner Stowers was not even gone but he missed him already. He joked that he felt that should the Commission be challenged to a basketball game he felt confident that they would have a strong chance because of Commissioner Stowers and Commissioner Boehm. He stated that he hated the thought of Commissioner Stowers not being there and noted that he agreed with everything that Commissioner Boehm had said regarding his disposition. He noted that Commissioner Stowers was able to think outside the box and was able to bring a really good perspective on a lot of different issues to the Commission to the tremendous benefit of the residents of Ormond Beach. He stated that he looked forward to working with Commissioner Stowers for the time they had left.

Mayor Kelley stated that they had almost a year before they had to say goodbyes. He noted that he and Commissioner Stowers would have to check out together. He stated that Commissioner Stowers was such a mild-mannered individual that even when he failed to recognize him when he wanted to speak he did not get flustered. He stated that everyone on the Commission was always prepared and offered their perspective. He noted that if they had questions they did not pontificate or interrogate staff. He stated that Ormond Beach was in the leadership position it was in because its Commission worked together, even if they did not always agree. He stated that Commissioner Stowers had been very instrumental in making Ormond Beach what it was. He noted that Commissioner Stowers also served on the River to Sea Transportation Planning Organization (TPO) and had also served on Main Street's Board.

Mayor Kelley noted that he taught Commissioner Stowers' daughter how to wink and asked if she still did so; whereby, Commissioner Stowers stated that she still did. He stated that it only got better as far as the children went, as he had told the other members of the Commission before. He stated that the Commission had accomplished a lot but still had work left to do. He stated that he was proud to have served with Commissioner Stowers and the rest of the Commission.

Treats

Mayor Kelley thanked Ms. Shanahan for the goodies.

VGMC

Mayor Kelley thanked Mr. Brandon for being there tonight to address them. He noted that they listened to his comments though they might not have agreed. He stated that they still did not know what would come of it, noting that they did not know what the Volusia Charter Review Commission would do. He thanked Mr. Brandon for his service.

D.A.R.E Graduations

Mayor Kelley stated that he went to Tomoka Elementary to attend D.A.R.E. graduation today. He noted that he had attended D.A.R.E. graduations at Pathways Elementary and Pine Trail Elementary the previous week. He stated that he would never forget the night that Commissioner Kent had the police officers who put on the program come before the Commission to try and keep the program. He stated that that the program made a difference. He noted that the two officers now doing the program were doing a great job and adding their own special twist to it. He stated that the children responded well.

Home for the Holidays Parade

Mayor Kelley stated that he looked forward to the parade.

Item #11 – Adjournment

The meeting was adjourned at 9:07 p.m.

APPROVED: January 5, 2016

BY: _____
Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk