

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

April 5, 2016

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, City Attorney Randy Hayes, and City Clerk Scott McKee.

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. Employee of the Quarter – Liviston “Stretch” Edwards

B. Civil Air Patrol Awards:

1. Cadet Color Guard Team: 1st Runner-Up at National Cadet Competition
2. Presentation of American Flag to the Casements
3. Billy Mitchell Award – Devon W. Giles

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – March 15, 2016

8. CONSENT AGENDA

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

A. **RESOLUTION NO. 2016-52** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE CASEMENTS GUILD FOR THE CITY OF ORMOND BEACH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2016-53** : A RESOLUTION ACCEPTING THE PROPOSAL OF FIREWORKS BY SANTORE, INC. REGARDING A FIREWORKS DISPLAY; ACCEPTING A CERTIFICATE OF GENERAL LIABILITY INSURANCE; AUTHORIZING THE EXECUTION OF A CONTRACT; AND SETTING FORTH AN EFFECTIVE DATE.

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

C. **RESOLUTION NO. 2016-54** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND MICHAEL S. ROTH AND TINA M. ROTH FOR PROPERTY LOCATED AT 153 CAPRI DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2016-55** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF TWO SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 44 BROADRIVER ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4219-07-00-0430); AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Chris Mason, Neighborhood Improvement Manager (386-676-3352)*
- E. **RESOLUTION NO. 2016-56** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED FOR ENGINEERING DESIGN SERVICES REGARDING THE WATER TREATMENT PLANT SOLIDS HANDLING FACILITY UPGRADES PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- F. **RESOLUTION NO. 2016-57** : A RESOLUTION ACCEPTING A BID FROM AIR MECHANICAL & SERVICE CORP. FOR HVAC SERVICES REGARDING THE CITY HALL HVAC PUMP AND CONTROLS REPLACEMENT PROJECT, UNDER BID NO. 2016-12; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- G. **RESOLUTION NO. 2016-58** : A RESOLUTION ACCEPTING A PROPOSAL FROM OM ENGINEERING SERVICES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE BREAKAWAY TRAILS ELEVATED RECLAIMED WATER STORAGE TANK REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Dave Ponitz, Utilities Manager (386-676-3305)*
- H. **RESOLUTION NO. 2016-59** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE SCADA ENGINEERING AND STANDARDS DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Dave Ponitz, Utilities Manager (386-676-3305)*
- I. **RESOLUTION NO. 2016-60** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF JUNE 2016; PROVIDING FOR EXCEPTIONS THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Scott McKee, City Clerk (386-676-3340)*
- J. **Laurel Creek Pump Station Additions and Improvements - Bid No. 2016-21**
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- Disposition:** Approve as recommended in the City Manager memorandum dated April 5, 2016.
- K. **Remediation of Airport Obstructions**
- Staff Contact:** *Joe Mannarino, Economic Development Director (386-676-3266)*
- Disposition:** Approve as recommended in the City Manager memorandum dated April 5, 2016.

L. **Budget Status Report for October 2015 - December 2015**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2016.

M. ~~**Environmental Discovery Center Logo**~~

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

~~**Disposition:** Approve as recommended in the City Manager memorandum dated April 5, 2016.~~

8. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2016-06** : 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 TWO (2) PARCELS OF REAL PROPERTY TOTALING 8.60±-ACRES LOCATED AT 101 BENNETT LANE AND A PORTION OF 634 TOMOKA AVENUE, FROM "LOW DENSITY RESIDENTIAL" TO "OPEN SPACE/CONSERVATION" AND "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)

- B. **ORDINANCE NO. 2016-07** : 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 9.60±-ACRES LOCATED AT 500 NORTH TYMBER CREEK ROAD, FROM VOLUSIA COUNTY "ENVIRONMENTAL SYSTEMS CORRIDOR" (ESC) TO ORMOND BEACH "OPEN SPACE/CONSERVATION" (OS/C) FOR 1.10±-ACRES AND FROM VOLUSIA COUNTY "RURAL" (R) TO ORMOND BEACH "RURAL ESTATE/AGRICULTURAL" (REA) FOR 8.50±-ACRES; 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. 2016-08** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1662 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND APPROXIMATELY 895 LINEAR FEET NORTH OF THE INTERSTATE 95 SOUTHBOUND RAMP; 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. **ORDINANCE NO. 2016-09** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-18(B)(2), SPECIAL EXCEPTIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO ALLOW REGULAR MAIL NOTICE FOR SPECIAL EXCEPTIONS BEFORE THE CITY COMMISSION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2016-10** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY AMENDING THE DEFINITIONS OF THE FOLLOWING TERMS (1) COMMUNITY RESIDENTIAL HOME, (2) FARMER'S MARKET, (3) LOT SPLIT, (4) PRINCIPAL USE, (5) RESTAURANTS, TYPE "B", (6) RESTAURANTS TYPE "C", AND (7) SCREEN ENCLOSURE, REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)
- F. **ORDINANCE NO. 2016-11** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1-31 CONCURRENCY ASSESSMENT, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY DELETING REFERENCE TO THE DEVELOPMENT REVIEW BOARD AND INSERTING THE PLANNING BOARD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)
- G. **ORDINANCE NO. 2016-12** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57 CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO AMEND THE FOLLOWING CONDITIONAL USE REGULATIONS: (1) MANUFACTURED HOME COMMUNITY, (2) MOBILE HOME COMMUNITY, AND (3) GARDEN CENTER/NURSERY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)
- H. **ORDINANCE NO. 2016-13** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71(C)(1)(A), HISTORIC DISTRICTS AND LANDMARKS OF THE LAND DEVELOPMENT CODE TO CLARIFY THERE IS NO COST TO THE APPLICANT FOR DESIGNATION OF A HISTORIC LANDMARK OR ARCHAEOLOGICAL SITE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)
- I. **RESOLUTION NO. 2016-61** : A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE "DEER CREEK PHASE FOUR UNIT C" PORTION OF THE "HUNTER'S RIDGE" DEVELOPMENT OF REGIONAL IMPACT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)
- J. **RESOLUTION NO. 2016-62** : A RESOLUTION AUTHORIZING THE RELEASE OF A CITY OF ORMOND BEACH DEED OF CONSERVATION EASEMENT ON PROPERTY LOCATED AT 555 AND 875 STERTHAUS DRIVE IN FAVOR OF A ST. JOHNS RIVER WATER MANAGEMENT CONSERVATION EASEMENT; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** Ric Goss, Planning Director (386-676-3238)

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2016-14** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 12-255, UNLAWFUL SOLICITATION AND PANHANDLING; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney ((386) 676-3218)

- B. **ORDINANCE NO. 2016-15** : AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 8, 2016, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR SERVICES AND MATERIALS WITH THE COUNTY OF VOLUSIA; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. DISCUSSION ITEMS

- A. **Volusia League of Cities (VLOC) Distinguished Service Awards 2016**

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

11. REPORTS, SUGGESTIONS, REQUESTS

12. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Mr. Dwight Selby gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Employee of the Quarter

Ms. Joyce Shanahan, City Manager, announced that Mr. Liviston Edwards, who was known as “Stretch”, was the Employee of the Quarter for the first quarter of fiscal year 2015-16. She stated that Mr. Edwards grew up in Ormond Beach and had lived in the Halifax area since 1970. She stated that Mr. Edwards began playing sports in 1975 with the City of Ormond Beach’s recreation leagues. She noted that he had been involved with the Ormond Beach Leisure Services Department in some capacity now for over 40 years. She explained that Mr. Edwards began his career for the City of Ormond Beach working part-time and then began working full-time in December of 1995 in the parks department. She stated that he has served as the Recreation Center Coordinator at the South Ormond Neighborhood Center for almost 25 years.

Ms. Shanahan stated that Mr. Edwards had the ability to foresee issues before they arose, and was proactive, rather than reactive, in handling them. She noted that his peers often looked to him for his level-headed advice and his knack to turn an ugly situation into something positive. She explained that it was not uncommon for Mr. Edwards to do things like put a blower on his back at 6:00 a.m. to blow off the grounds, the tennis courts and the splash pad, pick up litter in the park, and trim branches before

park users came in. She noted that he was at South Ormond almost every weekend and often checked the park at night to ensure that it was always a safe place for our community.

Ms. Shanahan explained that Mr. Edwards was willing to spend extra time mentoring a child or a family. She noted that the kids and the adults of the South Ormond community all knew that “Coach Stretch” was someone who really cared about them and would go out of his way to help. She explained that Mr. Edwards remembered receiving food baskets from the city as a child and the difference that that made for his family. She stated that he continued that tradition each year by soliciting donations and volunteers to assemble and deliver holiday baskets to local families. She stated that the positive impact that Mr. Edwards had made was evident in the kids who could not wait to run up and say hello to “Coach Stretch,” by the young men and women who went through his programs and were now successful college graduates, by the families who relied on placing their children in a safe and enjoyable summer camp each year, and by the business owners who wanted to give back to the South Ormond community.

She stated that Mr. Edwards’ respect for the generations of Ormond families who still resided here and his belief that every child deserved a chance to thrive, drove him to make the South Ormond Neighborhood Center a place where people, no matter who they were or where they came from, believed that they truly mattered. She noted that Mr. Edwards was not only an exemplary employee; but that he was an exemplary human being and pillar of the community.

Mayor Kelley congratulated Mr. Edwards on being named Employee of the Quarter and presented him with a plaque, envelope, and watch. He noted that he first met Mr. Edwards in 1994 when improvements were being discussed for South Ormond. He explained that a lot had been done to South Ormond since then and that it had made a difference in the community. He thanked Mr. Edwards for everything that he had done for the city and the community.

Item 4B – Civil Air Patrol Awards

Mayor Kelley invited members of the Civil Air Patrol (CAP) to come forward for their award presentations.

Item #4B1 – Cadet Color Guard Team: 1st Runner-Up at National Cadet Competition

Mayor Kelley stated that the Civil Air Patrol’s Cadet Color Guard Team were the first runners-up at the National Cadet Competition. He noted that the team had displayed all of the trophies they received at the competition on a table in the front of the Commission Chambers. He stated that the members of the Color Guard Team were Cadet 2nd Lieutenant Devon Giles, Cadet 2nd Lieutenant Shane Fitzgerald, Cadet 2nd Lieutenant Joel Lohman, Cadet Technical Sergeant Corey Spitz, Cadet Technical Sergeant Andrew Weiker, and Cadet Staff Sergeant Benjamin Bauder.

Lieutenant Colonel Joseph B. Wisniewski, Commander of the Ormond Beach Civil Air Patrol Squadron, stated that the Color Guard Team took first place in the Florida competition, tied for first place in the Southeastern Region competition, and went on to national competition and again tied with the same team. He noted that that team was from Coral Gables. He explained that not only did the Ormond Beach team technically place first three times but teams from Florida took the national competition for the entire country. He stated that the CAP cadets were the future Air Force officers and leaders of the country. He noted that they were substantial, wonderful young people. He stated that Captain Giles ran the program. He explained that two years ago she was unsure if the program could continue but she made it happen.

Captain Andrea Giles, Ormond Beach Civil Air Patrol, thanked the cadets for giving up their time for months of practice. She stated that the competition had been expanded that year. She explained that some of the events for the competition included indoor drills, outdoor drills, mile run, push-ups, sit-ups, sit and reach, written test, jeopardy, rocketry, uniform inspection, speech, and carrying a gurney over an obstacle course. She thanked the City of Ormond Beach for their phenomenal support.

Item #4B2 – Presentation of American Flag to the Casements

Ms. Siobhan Daly, Cultural Center Coordinator, accepted the flag presented by the cadets as a token of their appreciation, on behalf of the Casements.

Item #4B3 – Billy Mitchell Award – Devon W. Giles

Mayor Kelley stated that the General Billy Mitchell Award was one of the Civil Air Patrol's most prestigious cadet honors. He explained that the award had been in existence since 1964 and marked a coming of age for CAP's cadets as they graduated from the cadet enlisted ranks and prepared for greater leadership responsibility as cadet officers. He further explained that this award honored the late General Billy Mitchell, considered by many to be the most important figure in the history of airpower. He stated that General Mitchell was an aviation pioneer, advocate, and staunch supporter of an independent air force for the United States of America. He explained that the Civil Air Patrol, the official auxiliary of the United States Air Force, had three primary missions: Aerospace Education, Emergency Services, and the Cadet Program.

Mayor Kelley stated that the Cadet Program provided opportunities for the learning, maturing, accepting, and nurturing of leadership to over 24,000 young Americans from 12 to 20 years of age. He explained that with the advice and assistance of CAP Senior Members and the U.S. Air Force, cadets were exposed to a structured program comprised of aerospace education, leadership, special activities, physical fitness, and moral and ethical values through group and individual activities. He stated that this structured Cadet Program was divided into sixteen segments called achievements, involving study and performance in the structured program areas. He noted that upon completion of each achievement, the cadet earned increased responsibility, decorations, awards, eligibility to apply for national special activities, and opportunities for both flight and academic scholarships.

Mayor Kelley explained that the first milestone of the Cadet Program was the General Billy Mitchell Award, which was earned after completion of the first eight achievements of the cadet program. He noted that in addition, the cadet must pass a comprehensive examination covering leadership theory and aerospace topics. He stated that on average only 15% of all CAP cadets earned the General Billy Mitchell Award. He explained that once a cadet earned the General Billy Mitchell Award, he or she was promoted to the grade of Cadet 2nd Lieutenant. He stated that any cadet who had received the award, and who later entered CAP's Senior Member program, was eligible for immediate promotion to CAP 2nd Lieutenant at the age of 21.

Mayor Kelley stated that the U.S. Air Force highly regarded a cadet's membership in the Civil Air Patrol. He stated that cadets who received the General Billy Mitchell Award were eligible for advanced placement to the grade of E-3 (Airman First Class) should they choose to enter the U.S. Air Force. He noted that they were also eligible for advanced credit in AFROTC, various CAP scholarships, and CAP special activities. He stated that by order of the National Headquarters of the Civil Air Patrol, Devon W. Giles of the Ormond Beach Composite Squadron was granted the General Billy Mitchell Award and was promoted to the grade of Cadet 2nd Lieutenant, effective October 12th, 2015.

Lieutenant Colonel Wisniewski thanked Devon Giles' parents, Captain Bill Giles of the Ormond Beach Fire Department and his mother, Captain Giles of the Civil Air Patrol. He thanked Mayor Kelley and the Commission for their support. He noted that Ormond Beach had become well known in the Civil Air Patrol.

Item #5 – Audience Remarks

Mayor Kelley called for Mr. Don Cunningham, noting that he had filled out a request to speak card. Mr. Cunningham was no longer in the Commission Chambers.

Mr. Dwight Selby, 1535 Oak Forest Drive, stated that he wanted to make the Commission aware of a program called "Take This Job and Work It." He explained that the Ormond Beach Community Foundation, which was started a few years prior by the four living Mayors of Ormond Beach and Chuck Strasser, had taken on this student intern program. He noted that the goal of the program was to create 100 jobs for high school and college students. He stated that it was centered in Ormond Beach but was open to students and employers throughout the greater Daytona Beach area. He noted that there should be an article in the Sunday newspaper about the program. He stated that he hoped as many businesses as possible would post their job offerings and that as many students as possible would register. He stated that the website was www.takethisjobandworkit.com.

Item #6 – Approval of Minutes

Mayor Kelley advised that the minutes of the March 15, 2016, 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 announced that staff had requested that item 7M be removed from the agenda and not considered.

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

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| 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 – 101 Bennett Lane and 634 Tomoka Avenue Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-06

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 TWO (2) PARCELS OF REAL PROPERTY TOTALING 8.60±-ACRES LOCATED AT 101 BENNETT LANE AND A PORTION OF 634 TOMOKA AVENUE, FROM "LOW DENSITY RESIDENTIAL" TO "OPEN SPACE/CONSERVATION" AND "RESIDENTIAL, OFFICE, RETAIL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, to approve Ordinance No. 2016-06, on second reading, as read by title only.

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

Item #8B – 500 North Tymber Creek Road Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-07

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 9.60±-ACRES LOCATED AT 500 NORTH TYMBER CREEK ROAD, FROM VOLUSIA COUNTY "ENVIRONMENTAL SYSTEMS CORRIDOR" (ESC) TO ORMOND BEACH "OPEN SPACE/CONSERVATION" (OS/C) FOR 1.10±-ACRES AND FROM VOLUSIA COUNTY "RURAL" (R) TO ORMOND BEACH "RURAL ESTATE/AGRICULTURAL" (REA) FOR 8.50±-ACRES;

PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, to approve Ordinance No. 2016-07, on second reading, as read by title only.

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

Item #8C – 1662 North US Highway 1 Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-08

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1662 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND APPROXIMATELY 895 LINEAR FEET NORTH OF THE INTERSTATE 95 SOUTHBOUND RAMP; 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 Partington moved, seconded by Commissioner Boehm, to approve Ordinance No. 2016-08, on second reading, as read by title only.

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

Item #8D – LDC Amendment, Section 1-18 (Mailings)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-09

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-18(B)(2), SPECIAL EXCEPTIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO ALLOW REGULAR MAIL NOTICE FOR SPECIAL EXCEPTIONS BEFORE THE CITY COMMISSION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, noted that he would speak about items 8D through 8H at that time, rather than speak about each one individually. He explained that all five items were housekeeping items and had all been reviewed by the Planning Board. He noted that the Planning Board recommended approval. He explained that on one of the items, which contained the definition of farmer's market, the Planning Board requested that fresh caught fish be added. He noted that staff recommended approval.

Commissioner Boehm moved, seconded by Commissioner Partington, to approve Ordinance No. 2016-09, on first reading, as read by title only.

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

Item #8E – LDC Amendment, Section 1-22 (Definitions)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-10
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY AMENDING THE DEFINITIONS OF THE FOLLOWING TERMS (1) COMMUNITY RESIDENTIAL HOME, (2) FARMER’S MARKET, (3) LOT SPLIT, (4) PRINCIPAL USE, (5) RESTAURANTS, TYPE “B”, (6) RESTAURANTS TYPE “C”, AND (7) SCREEN ENCLOSURE, REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, to approve Ordinance No. 2016-10, on first reading, as read by title only.

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

Item #8F – LDC Amendment, Section 1-31 (DRB reference)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-11
AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1-31 CONCURRENCY ASSESSMENT, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY DELETING REFERENCE TO THE DEVELOPMENT REVIEW BOARD AND INSERTING THE PLANNING BOARD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, to approve Ordinance No. 2016-11, 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 #8G – LDC Amendment, Section 2-57 (Conditional uses)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-12
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57 CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO AMEND THE FOLLOWING CONDITIONAL USE REGULATIONS: (1) MANUFACTURED HOME COMMUNITY, (2) MOBILE HOME COMMUNITY, AND (3) GARDEN CENTER/NURSERY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, to approve Ordinance No. 2016-12, on first reading, as read by title only.

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

Item #8H – LDC Amendment, Section 2-71 (Historic designation)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-13
 AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71(C)(1)(A), HISTORIC DISTRICTS AND LANDMARKS OF THE LAND DEVELOPMENT CODE TO CLARIFY THERE IS NO COST TO THE APPLICANT FOR DESIGNATION OF A HISTORIC LANDMARK OR ARCHAEOLOGICAL SITE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, to approve Ordinance No. 2016-13, 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 8I – Deer Creek Preliminary Plat

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2016-61
 A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE "DEER CREEK PHASE FOUR UNIT C" PORTION OF THE "HUNTER'S RIDGE" DEVELOPMENT OF REGIONAL IMPACT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this completed the Deer Creek subdivision, which started in 2005. He noted that it had taken 11 years to get through four phases and three sub-phases. He stated that the preliminary plat was about 80% complete and that the final plat would be coming soon.

Commissioner Boehm moved, seconded by Commissioner Partington, to approve Resolution No. 2016-61, as read by title only.

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

Item 8J – Conservation Easement, 555 and 875 Sterthaus Drive

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2016-62
 A RESOLUTION AUTHORIZING THE RELEASE OF A CITY OF ORMOND BEACH DEED OF CONSERVATION EASEMENT ON PROPERTY LOCATED AT 555 AND 875 STERTHAUS DRIVE IN FAVOR OF A ST. JOHNS RIVER WATER MANAGEMENT CONSERVATION EASEMENT; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that these conservation easements were established by the City Commission when the hospital came through for development. He noted that at one time the Commission released conservation easement "B" for stormwater, which left

conservation easement "A". He explained that the city was releasing that in order for the St. John's River Water Management District (SJRWMD) to take it over with more stringent language. He noted that the applicant was in favor of that. He stated that staff recommended approval of the trade. He noted that the SJRWMD easement had to be recorded within six months.

Mayor Kelley noted that it made sense to him to work it this way, based upon where the property was at that time and its use.

Commissioner Partington moved, seconded by Commissioner Boehm, to approve Resolution No. 2016-62, 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 hearings without objection.

Item #9A – Regulation of Panhandling and Soliciting Activities

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-14
 AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71(C)(1)(A), HISTORIC DISTRICTS AND LANDMARKS OF THE LAND DEVELOPMENT CODE TO CLARIFY THERE IS NO COST TO THE APPLICANT FOR DESIGNATION OF A HISTORIC LANDMARK OR ARCHAEOLOGICAL SITE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Kent, to approve Ordinance No. 2016-14, 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 – Ordinance Calling 2016 Regular City Election

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2016-15
 AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 8, 2016, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR SERVICES AND MATERIALS WITH THE COUNTY OF VOLUSIA; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, to approve Ordinance No. 2016-15, 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 #10A – Volusia League of Cities (VLOC) Distinguished Service Awards 2016

Ms. Shanahan stated that the Commission had been presented with the proposed nominations for the Volusia League of Cities (VLOC) Distinguished Service Awards in their agenda packet. She explained that department directors had been asked for their recommendations, which were provided. She stated the Commission to let her know if they desired to make any changes, otherwise staff would submit the nominations as presented.

Commissioner Boehm noted that Ms. Colby Cilento, who served as the recording secretary at City Commission meetings, was on the nomination list and asked that she wave. He stated that the nomination was well deserved.

Commissioner Kent stated that City Clerk Scott McKee did a great job with the narrative and noted that all of the directors who had completed narratives did a wonderful job with them.

Item #11 – Reports, Suggestions, Requests

Gateway signage

Ms. Shanahan displayed photographs of the implemented gateway signage. She noted that the lighting and plantings would be installed that week. She explained that the signs that would be in medians were currently being manufactured and would be in place in the next couple of weeks. She noted that this had been a long process and that the Commission had held staff's feet to the fire to come up with appropriate, cost-effective signage.

Upcoming workshops

Ms. Shanahan stated that several workshops would be held with the Commission prior to their next Commission meetings. She stated that workshops would need to be held on April 19, 2016, May 3, 2016, and May 17, 2016. She noted that some of the things that were to be discussed at those workshops included signage, urban chickens, Andy Romano Beachfront Park parking, and medians. She stated that on Monday, June 27, 2016, there would be a healthcare update workshop. She noted that June 7, 2016 was the Capital Improvements Program Workshop and that July 26, 2016 would be the Operating Budget Workshop.

Vietnam veterans' recognition

Ms. Shanahan stated that the Vietnam veterans' recognition would be held on April 6, 2016 at 5:30 p.m. at the Performing Arts Center.

Gateway signage

Commissioner Kent stated that yesterday he exited Interstate 95 and saw the welcome signs. He noted that he felt that they were worth the wait. He stated that it had been done the correct way at that location. He thanked Mayor Kelley or Commissioner Partington for advising that it needed to be looked at again when it was previously discussed.

Vietnam veterans' recognition

Commissioner Boehm stated that it was near and dear to his heart that Vietnam veterans were being honored tomorrow. He noted that their recognition was long overdue. He noted that the Commission had honored World War II veterans and Korean War veterans previously. He stated that this was further evidence of the recognition that this city gave to its veterans and to the military. He stated that he was looking forward to the ceremony and thought that it would be very special.

Commissioner Boehm stated that Ormond Strong had held a bridge walk and Vietnam vigil the previous week. He stated that he was able to do a proclamation for them on behalf of the city making it Vietnam Veterans' Week. He explained that Ormond Strong had created a mobile Vietnam War exhibit containing the names of those in Ormond Beach that they knew were killed in combat during that war. He stated that Ormond Strong was an organization to be proud of.

Celtic Festival

Commissioner Boehm stated that on April 16 and 17, 2016, Ormond Beach Main Street ("Main Street") would hold their Celtic Festival. He noted that the Celtic Festival brought people from far and wide to Ormond Beach and was a very special event.

Vietnam veterans' recognition

Commissioner Partington stated that he was looking forward to honoring Commissioner Boehm and the other Vietnam War veterans the following evening. He noted that he thought that staff had been working hard to come up with a fantastic program.

Laurel Creek pump station

Commissioner Partington referenced item 7J, the Laurel Creek pump station addition and improvement item. He explained that during the unnamed storms of May 2009, the area had 24 inches of rain and significant flooding had occurred in the Laurel Creek area. He noted that the Commission and staff took action to make sure that that would never happen again and explained that this item was a continuation of that. He stated that he wanted to congratulate City Engineer John Noble on adding a feature that monitors National Oceanic and Atmospheric Association (NOAA) weather forecasts and would be programmed to automatically start the pump station in advance of forecasted weather events to draw down the lake levels and maximize flood storage volumes. He stated that he was excited to see that that option was available.

Fire department recognition

Commissioner Stowers stated that he wanted to recognize members of the fire department. He explained that a friend of his had a young son, who was about three, who got into the elevator at his home and was stuck inside. He stated that his friend said that the three firefighters who came to rescue him were calm, collected, and optimized professionalism. He noted that his friend was very thankful and he wanted to pass that along.

Outdoor display – Lowe's

Commissioner Stowers noted that the city had processes and hearings, and that at these hearings individuals would make requests and promises when asking the Commission to make policy decisions. He explained that Lowe's Home Improvement ("Lowe's") had previously been before the Commission requesting outdoor displays and asking the Commission to be business friendly. He noted that the Commission approved the request and provided parameters. He explained that a week prior he was at Lowe's early in the morning and saw a wall of displays sitting over 30 feet outside of the yellow line that denoted the designed areas for such displays. He noted that he initially believed that perhaps they were loading those displays and would move them in order to follow the agreed upon rules. He stated that he went back later that afternoon and all of those displays were still there.

Commissioner Stowers noted that he asked for the manager, not telling him who he was, and that the manager stated that he would fix it. He stated that that was a week and a half ago and nothing had been changed. He explained that it created a conflict for him internally because the Commission tried to be business friendly and then their efforts were ignored. He noted that he was not sure if the answer was to not have the rules at all or to expand the yellow line out further. He explained that he was frustrated that something that went through such a long process ended up this way a few years later. He noted that it bothered him that he spoke to them and they indicated that they would take care of it but did not do so.

Gateway signage

Commissioner Stowers stated that the gateway signs looked fantastic and he got goose bumps again that evening when he saw the photographs of them.

Winding Woods subdivision wall

Commissioner Stowers mentioned the Winding Woods subdivision's lime green wall located on Granada Boulevard. He noted that he had brought the topic up during the Commission's brainstorming session workshop earlier that evening. He explained that he was specifically referring to the long lime green colored wall, not the wall with the "WW" on it. He suggested painting that wall a coquina, tan color that was consistent with Ormond Beach.

Item #11 – Adjournment

The meeting was adjourned at 7:56 p.m.

APPROVED: April 19, 2016

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk