

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

May 17, 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, Assistant City Manager and Public Works Director Ted MacLeod, City Attorney Randy Hayes, and Assistant City Clerk Lois Towey.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Pop Warner Scholar Athletes
 - B. Community Gardens Project Recognition
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – May 3, 2016
- 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. 2016-70 : A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN FOR THE 2016-2017 FISCAL YEAR; AND SETTING FORTH AN EFFECTIVE DATE.**

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

- B. RESOLUTION NO. 2016-71 : A RESOLUTION AUTHORIZING THE EXECUTION OF A UNDERGROUND DISTRIBUTION FACILITIES INSTALLATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND FLORIDA POWER AND LIGHT FOR THE PURPOSE OF INSTALLING CERTAIN UNDERGROUND ELECTRICAL UTILITIES REQUIRED FOR THE TAXIWAY GOLF CONSTRUCTION AND AIRFIELD ELECTRICAL IMPROVEMENTS PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF TWO UNDERGROUND EASEMENTS AS A REQUIREMENT OF THE AGREEMENT; AUTHORIZING THE EXPENDITURE OF FUNDS; AND SETTING FORTH AN EFFECTIVE DATE.**

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

- C. RESOLUTION NO. 2016-72 : A RESOLUTION ACCEPTING A BID FROM MCMAHAN CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES REGARDING THE LIME SILO DUST ARRESTOR REPLACEMENT PROJECT, UNDER BID NO. 2016-10; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.**

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

D. **Siemens Industry, Incorporated - Sole Source Procurement - Notice of Annual Expenditures in excess of \$25,000**

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

Disposition: Approve as recommended in the City Manager memorandum dated May 17, 2016.

E. **Debris Removal, Reduction, and Recovery for the City of Ormond Beach**

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

Disposition: Approve as recommended in the City Manager memorandum dated May 17, 2016.

F. **General Underground LLC Contract Renewal**

Staff Contact: *Dave Ponitz, Utilities Manager (386-676-3305)*

Disposition: Approve as recommended in the City Manager memorandum dated May 17, 2016.

G. **Budget Status Report for January 2016 to March 2016**

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

Disposition: Approve as recommended in the City Manager memorandum dated May 17, 2016.

H. **Ormond Crossing 6th Annual Report dated April, 2016**

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

Disposition: Approve as recommended in the City Manager memorandum dated May 17, 2016.

8. **PUBLIC HEARINGS**

A. **ORDINANCE NO. 2016-20** : AN ORDINANCE AMENDING A DEVELOPMENT ORDER FOR "CHELSEA PLACE" PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED AND RESTATED PLANNED RESIDENTIAL DEVELOPMENT-DEVELOPMENT ORDER TO INCREASE THE MAXIMUM LOT COVERAGE PERCENTAGE FOR PRINCIPAL AND ACCESSORY STRUCTURES TO 45% AND TO PROVIDE FOR A FRONT YARD SETBACK OF 20' ON FRONT PORCHES FOR CERTAIN VACANT PARCELS OF REAL PROPERTY LOCATED WITHIN "CHELSEA PLACE" PLANNED RESIDENTIAL DEVELOPMENT, INCLUDING LOT NUMBERS 15, 21, 22, 54, 60, 62, 67, 68, 69, 71, 72, 90, 91, 94, 95, 96 AND 114 WITHIN PHASE I, LOT NUMBERS 115, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 133, 134, 135, 138, 144, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, AND 246 WITHIN PHASE II, AND LOT NUMBERS 151-215 WITHIN PHASE III; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2016-21** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, 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 9.60±-ACRES LOCATED AT 500 NORTH TYMBER CREEK ROAD FROM 1.10±-ACRES OF VOLUSIA COUNTY RESOURCE CORRIDOR (RC) AND 8.50±-ACRES OF VOLUSIA COUNTY RURAL (A-2) TO ORMOND BEACH RURAL ESTATE/AGRICULTURAL (REA), 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)

- C. **RESOLUTION NO. 2016-73** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR DISPLAY AND SALES OF MERCHANDISE AT "PERRINE'S PRODUCE & DELI" STORE LOCATED AT 120 SOUTH NOVA ROAD, WHICH IS WITHIN THE B-8 (COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2016-22** : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2015-2016 BY AMENDING THE DOWNTOWN DEVELOPMENT FUND; THE AIRPORT FUND; THE STORMWATER FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE VEHICLE & EQUIPMENT FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATERMAIN REPLACEMENT PHASE II FUND; THE SOLID WASTE FUND; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. DISCUSSION ITEMS

- A. **Volusia Governments Water Compact**

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

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

Father Ernie Bennett, St. James Episcopal Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Pop Warner Scholar Athletes

Mayor Kelley stated that Pop Warner was the nation's largest youth football and cheerleading organization, noting that it had nearly 400,000 participants from every state in the United States. He stated that Pop Warner programs sought to develop well-rounded young men and women who learned not only the fundamentals of football and cheerleading, but also the importance of education in an atmosphere conducive to developing sound character while having a good time, as well as promoting integrity, leadership, excellence, and academics. He noted that participants were required to maintain a 96% average in all of their core classes while serving their communities by volunteering in a variety of roles.

He stated that the Ormond Beach Pop Warner SandCrabs Youth Football and Cheerleading Association had been participating in football and cheerleading activities since the year 2000. He explained that although the parents and the Pop Warner organization were very proud of all of the successes on the fields and the sidelines, what they were most proud of were the accomplishments off of the field and in the classroom. He stated that this year the Ormond Beach SandCrabs produced 27 students who qualified as Academic All Americans, with one student in the top 35 of their grade in the nation and six students on the Southeast Region list, and seven Cheer and 24 Football All Conference Scholar winners. He noted that the Ormond Beach Pop Warner Academic All American awards represented one of the highest totals in the State of Florida. He proclaimed May 17, 2016, as a day to recognize our Pop Warner Academic All-Americans in the City of Ormond Beach and urged all residents to join him in acknowledging the accomplishments of those young people as they continued their commitment to future accomplishments and the community.

Item #4B – Community Gardens Project Recognition

Mayor Kelley invited Mr. Russ Royce to the front of the Chambers and noted that Mr. Royce believed he was in attendance to speak about the community gardens. He surprised Mr. Royce was declaring that this proclamation was to honor him.

Mayor Kelley explained that the creation of a community garden was identified as a number one priority by the Ormond Beach City Commission in 2013. He stated that the city's Leisure Services Department diligently worked with a dedicated team of volunteers to create the City's first community garden, which was located at 601 Hammock Lane in Central Park Phase II. Their mission was *"to create and maintain public gardens that promote a healthy lifestyle and for those who share a love and desire to learn more about gardening."*

Mayor Kelley stated that Mr. Russ Royce had been an integral part of the process from the beginning planning stage through maintaining the garden today. He explained that Mr. Royce assisted with preliminary plans of the Community Garden, including everything from research to design to supply lists to installation, and participated in the addition of a shed and compost bins. He stated that Mr. Royce regularly performed garden maintenance, including fixing irrigation, weeding, and maintaining compost bins. He explained that Mr. Royce oversaw the garden, promptly reporting anything requiring attention, and presented new and innovative ideas.

Mayor Kelley stated that Mr. Royce personally met almost every gardener and offered valuable knowledge on how the community garden worked and tips for growing vegetables. He stated that the Community Garden would not be what it was today without Mr. Royce's dedication and support—as he continued to take an active role in the development of the City's second Community Garden project. He proclaimed May 17, 2016, as a day to honor Mr. Russ Royce in the City of Ormond Beach and urged all residents to join with him to recognize Mr. Royce for his service to the city and efforts to make a better quality of life for the community.

Item #5 – Audience Remarks

Ms. Rita Press, 875 Wilmette Avenue, stated that she wanted to thank Mr. Royce and explained that he had helped make her vegetable garden fantastic. She thanked the City Commission and the staff for the wonderful community garden. She stated that most people carried pictures of their children and pets in their phones while she carried pictures of her radishes and broccoli. She stated that she looked forward to the new

community garden. She noted that the community garden was a great asset and that it was very enjoyable for her to garden.

Item #6 – Approval of Minutes

Mayor Kelley advised that the minutes of the May 3, 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.

Commissioner Kent 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 – Chelsea Place Rezoning PRD Amendment

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2016-20

AN ORDINANCE AMENDING A DEVELOPMENT ORDER FOR “CHELSEA PLACE” PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED AND RESTATED PLANNED RESIDENTIAL DEVELOPMENT-DEVELOPMENT ORDER TO INCREASE THE MAXIMUM LOT COVERAGE PERCENTAGE FOR PRINCIPAL AND ACCESSORY STRUCTURES TO 45% AND TO PROVIDE FOR A FRONT YARD SETBACK OF 20’ ON FRONT PORCHES FOR CERTAIN VACANT PARCELS OF REAL PROPERTY LOCATED WITHIN “CHELSEA PLACE” PLANNED RESIDENTIAL DEVELOPMENT, INCLUDING LOT NUMBERS 15, 21, 22, 54, 60, 62, 67, 68, 69, 71, 72, 90, 91, 94, 95, 96 AND 114 WITHIN PHASE I, LOT NUMBERS 115, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 133, 134, 135, 138, 144, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, AND 246 WITHIN PHASE II, AND LOT NUMBERS 151-215 WITHIN PHASE III; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that this amendment had been before the Commission previously for a first reading. He explained that there were four properties included in the original ordinance that needed to be removed because ICI Homes did not have ownership of them. He noted that the ordinance was receiving a new first reading because the amendment to it was substantive. He stated that staff still recommended approval.

Commissioner Kent moved, seconded by Commissioner Boehm, to approve Ordinance No. 2016-20, on first reading, as read by title only.

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

Item 8B – 500 North Tymber Creek Rezoning (SE & REA)

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2016-21

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, 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 9.60±-ACRES LOCATED AT 500 NORTH TYMBER CREEK ROAD FROM 1.10±-ACRES OF VOLUSIA COUNTY RESOURCE CORRIDOR (RC) AND 8.50±-ACRES OF VOLUSIA COUNTY RURAL (A-2) TO ORMOND BEACH RURAL ESTATE/AGRICULTURAL (REA), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this was the property that staff discovered had been in the city for over 20 years with a county land use and zoning designation. He noted that the City Commission approved the city land use just over a month ago. He stated that this zoning designation was consistent with the provided land use. He stated that staff and the Planning Board recommended approval.

Commissioner Kent moved, seconded by Commissioner Stowers, to approve Ordinance No. 2016-21, 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 8C – Perrine’s Produce & Deli Outdoor Display Special Exception

Assistant City Clerk Lois Towey read by title only:

RESOLUTION NO. 2016-73

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE THE PERMANENT OUTDOOR DISPLAY AND SALES OF MERCHANDISE AT “PERRINE’S PRODUCE & DELI” STORE LOCATED AT 120 SOUTH NOVA ROAD, WHICH IS WITHIN THE B-8 (COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that Perrine’s Produce and Deli had several stores in Volusia County. He explained that they wished to display produce outside their Ormond Beach location which required a special exception. He stated that they would have their produce displayed outside year-round and the produce displays would be moved inside at night. He explained that they would be required to have a painted line delineating where the produce could be displayed. He noted that they made certain that was handicap accessibility to get around the displays. He stated that Perrine’s Produce and Deli was located next to Big Lots in the Rivergate Shopping Center. He stated that staff recommended approval, as did the Planning Board, and noted that the Planning Board was glad to see Perrine’s come into town.

Mayor Kelley noted that positive comments had been made about it at the Planning Board meeting.

Commissioner Partington moved, seconded by Commissioner Stowers, to approve Resolution No. 2016-73, as read by title only.

Call Vote:	Commissioner Partington	Yes
	Commissioner Stowers	Yes

	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Kelley	Yes

Mayor Kelley closed the public hearings without objection.

Item #9A – FY 2015-16 Budget Amendment

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2016-22

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2015-2016 BY AMENDING THE DOWNTOWN DEVELOPMENT FUND; THE AIRPORT FUND; THE STORMWATER FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE VEHICLE & EQUIPMENT FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATERMAIN REPLACEMENT PHASE II FUND; THE SOLID WASTE FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, to approve Ordinance No. 2016-22, 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 Governments Water Compact

Commissioner Partington stated that he was comfortable with the general concept of the water compact. He noted that he was not sure whether they were expected to approve the actual compact or just send a letter in support. He explained that his only issue with the language in the compact was that it did not include the Tomoka River and Spruce Creek River, which were outstanding Florida waterways. He noted that the draft letter from Mayor Kelley did include those waterways though. He stated that he had no issue supporting the letter.

Mayor Kelley stated that the letter would agree to support the concept. He noted that many of the municipalities may have adjustments to the language. He stated that a compact took a year to work out in South Florida and he hoped that it could be resolved quicker here. He stated that the largest focus of the discussion he had was the septic systems. He noted that there was state funding for that available and possibly even federal government funding. He confirmed with the rest of the Commission that they were comfortable sending the letter as proposed.

Item #11 – Reports, Suggestions, Requests

Ormond Beach Chamber of Commerce Capital Project Donation Request

Mayor Kelley noted that he spoke about a request with the City Manager and wanted to bring it to the Commission. He explained that the request was something that the City Manager could approve under her authority, but she felt should instead be brought to the Commission for their review and approval. He stated that the Ormond Beach Chamber of Commerce (“Chamber”) was doing a capital project to raise funds to modernize their technology to make the Chamber more effective and efficient in delivering their services to businesses. He explained that they had asked the city to contribute \$5,000 towards the project fund. He noted that most of the donations were from private businesses and the city would be contributing the only public funds. He asked the rest of the Commission if they had any questions, concerns, or comments about the request.

Commissioner Partington stated that he would support it and explained that he felt that the city should be a partner with an organization that did so much for the city. He noted that the city partnered with the Chamber on an operating basis at an almost fee-for-service level, but he felt that the city should be an almost equal partner on a capital basis. He stated that the funding request was not a huge amount to the city but could be a substantial step in the right direction for the Chamber.

Commissioner Boehm noted that the Chamber served local businesses. He stated that the amount that they were asking from the city was \$5,000 and noted that he believed that the Chamber was seeking to raise \$50,000 overall. He stated that a number of local businesses had already invested, and he felt that this was a good opportunity for the city to show its continuing support of the business community.

Commissioner Kent stated that the entire Commission supported the Chamber, including him. He explained that he took a day every year and attended the Chamber's leadership tour, which he loved doing. He noted that he had never voted against the Chamber for anything in his 13 years on the Commission, but he had a couple of concerns. He explained that the funds they were speaking of contributing were not the Commission's personal funds but were taxpayer's money. He further explained that he loathed eleventh hour requests. He stated that he was just hearing about this now and noted that he had received a phone call about it three and a half hours prior to the meeting informing him that this might be coming up. He stated that he did not like those types of surprises. He noted that it was wise of the City Manager to bring this to the Commission to discuss. He stated that he did not like spending money that was not in the city's budget.

Commissioner Kent stated that he had no problem helping the Chamber and no problem helping the business community, but he had a problem spending taxpayer funds when the only information he had was that it was for a capital project. He asked what the capital project was and noted that he heard no response. He stated that the idea was for the city to contribute \$5,000 to help the Chamber be even more successful than it was by hiring a consultant and upgrading technology. He noted that would be put on the backs of taxpayers. He stated that he refused to vote for it tonight and reiterated that he did not like late requests that were not completely vetted. He explained that he would move to do nothing until they received a report from staff and more information. He stated that he had no clue what was going on and did not want to vote away \$5,000 of taxpayer money until he did so. He noted that he personally did not know what was going on and stated that if the other four Commissioners knew the details, and it was just him who did not, then someone should be ashamed if they were sharing information unequally.

Commissioner Kent noted that he did not like to sound like Scrooge. He reiterated that he supported the Chamber and probably always would. He stated that this was not the proper way for this to come before them, noting that it was not even on the agenda. He stated that it was not right. He noted that the city's contribution to the Chamber had recently increased from \$30,000 to \$33,000. He noted that it added up. He explained that the different groups that wanted funding could attend the city's budget meetings, sit down with the Commission, the Budget Advisory Board, and Finance Director Kelly McGuire and talk about how much money every year they wanted to give out. He noted that the funds were not his. He stated that the Commission should not write out a check without doing their due diligence.

Mayor Kelley brought up the Thompson Rule and asked for a waiver to discuss the financial commitment.

Commissioner Partington moved, seconded by Commissioner Boehm, to waive the Thompson Rule.

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

Mayor Kelley stated that he attended a Chamber meeting once a month. He asked the City Manager if she had the outline.

Ms. Joyce Shanahan, City Manager, stated that the Chamber discussed this at their annual banquet. She explained that since then they had fleshed out the idea that the funding would be used for technology upgrades, some staff training, and to enhance the overall service they provided to businesses. She further explained that the idea was to get the commitment to the city to help spur investment from other investors. She stated that they desired to raise \$50,000 and had commitments from about five to six individuals thus far.

Mayor Kelley stated that copies of checks were presented from businesses. He stated that these businesses stepped up to help fund improvements to US1. He stated that private businesses were donating their money, and he felt it was incumbent upon the city to show their support for the community. He stated that the business community represented thousands of jobs and were trying to make the community better. He stated that the \$5,000 would be a small investment in economic development for job creation. He noted that the Chamber was the true first line ambassador for the city, and he would support this. He noted that he understood Commissioner Kent's concern. He noted that Ms. Shanahan could have approved the donation under her own discretion. He stated that this was an investment that showed support for the community and that he felt that it was the right thing to do. He noted that the community was made up of residents who may also be members of the business community.

Commissioner Kent asked Mayor Kelley if he was trying to teach him who the city's residents and business members were. He noted that he did not know if Mayor Kelley was trying to sway him or not.

Mayor Kelley noted that he was not and requested to finish speaking; whereby, Commissioner Kent noted that Mayor Kelley had interrupted him during his comments.

Mayor Kelley explained that he had interrupted Commissioner Kent to invoke the Thompson Rule, noting that it had to be waived in order to discuss financial spending.

Commissioner Kent noted that he was perplexed and asked why the discussion did not start with the Thompson Rule.

Mayor Kelley stated that he and Commissioner Kent could not discuss this in advance, due to the Sunshine Laws, and noted that he had no idea that Commissioner Kent would be opposed to investing the \$5,000. He stated that he did not know where the discussion was going to go.

Commissioner Kent clarified that he was not against investing \$5,000. He explained that it bothered him to hear anyone insinuate that he would be against the business community or investing in the same individuals and businesses that had helped the community so much. He noted that he was not against it but was against it this evening. He stated that in two weeks he could have information in front of him and be in favor of it. He noted that he had a nice conversation with someone from the Chamber today and explained that he had told him that last year they went from being in the negative to being in the positive \$40,000, and were trying to be in the positive \$70,000 that year. He stated that gave him pause and made him wonder why they were asking the taxpayers for any money. He noted that he did not understand. He explained that he asked if there was a plan for the future for when capital issues arose so that the taxpayers were not leaned on again. He noted that he was told that there was no plan presently in place but that they hoped to get one established with the help of the consultant they wanted to hire.

Commissioner Kent stated that he was missing the big picture information and all of the details and thought it was unfair that he be expected to vote on something blindly when he did not have any information. He noted that Mayor Kelley attended the Chamber's meetings and apparently felt extremely comfortable to spend the taxpayer's money in this way. He explained that he did not attend those meetings, was not involved in those meetings, and thus was ignorant about the plan and specifics. He stated that if this was an agenda item where the Commission was provided information about it, he would more than likely be voting for it. He stated that the request was being made in the eleventh hour, the funds were not in the city's budget, and he could not support it.

Mayor Kelley stated that even if it was brought back as an agenda item he did not think that the Chamber could pin down exactly what amounts they would be spending for what services. He stated that he trusted what the Chamber was doing and trusted and supported them. He noted that he knew that Commissioner Kent was not against the Chamber and stated that he was not implying that. He stated that Commissioner Kent was against the process. He explained that there would not be any more information other than it was a capital project and the city would be showing its support for the Chamber and the businesses that made up the Chamber's members.

Ms. Shanahan suggested pledging support for the project and then having it brought back when the Chamber finalized their capital project campaign with their spending details.

Mayor Kelley stated that the Chamber did not know how much funding they would see. He noted that he would ask, or Ms. Shanahan could ask, the Chamber to come back when they reached their \$50,000 goal and explain to the city where the funds would go. He stated that until the Chamber knew how much money they would have to utilize, they did not know where it would be utilized.

Commissioner Kent asked Mayor Kelley if that sounded outrageous to him; whereby, Mayor Kelley replied that it did not.

Commissioner Kent explained that they were asking for money but did not know where it was going to go; whereby, Mayor Kelley explained that they did not know the amount that they would have available to dedicate to each project.

Commissioner Kent stated that it did not make any sense to him to vote taxpayer money into the project not knowing that information. He noted that it seemed to be getting muddier.

Commissioner Partington stated that Commissioner Boehm had always been a proponent of community partnerships. He stated that the city's businesses and residents were willing to work with the city to make it a better place and as such the partnership concept had been wildly successful in many situations. He stated that he heard at the Chamber's annual banquet that they would be replacing outdated technology, including computers, televisions, and projectors. He noted that replacing three computers and two laptops at about \$1,000 each would be \$5,000, and that the city would be chipping in to replace those. He stated that this seemed very reasonable and logical to him to do, given the amount of benefit the city received from the Chamber. He noted that Chamber members contributed thousands of dollars for the partnership with the city's welcome signs. He stated that the city just spent a couple of million dollars to improve their operating system and noted that it did not strike him as wildly irresponsible that a much smaller entity would have upwards of \$50,000 in needs in order to run more efficiently. He noted that he trusted the current leadership of the Chamber and felt it was a reasonable request. He stated that he believed the city should be part of a committed effort to move Ormond Beach forward.

Commissioner Stowers noted that it was much easier to lead when things were smoother and there was a consensus. He thanked Commissioner Kent for his effective leadership, noting that speaking your mind was not always the easiest path. He noted that he appreciated where Commissioner Kent was coming from as he too received a call late that afternoon and it was the first he had heard about it. He stated that he believed that these last minute items needed to be eliminated or minimized. He noted that Ms. Shanahan could unilaterally approve this item anyway and that fact carried weight with him. He stated that there was an admitted imbalance in the community between business and residential which did not mean blank checks to the Chamber, but meant funds to upgrade the Chamber were a useful use of taxpayer dollars, in his opinion that would pay dividends towards a more balanced tax base. He noted that he understood Commissioner Kent's concern on last minute items and the potential Pandora's Box that could be opened by trying to determine which organizations could or should be able to make such a request. He noted that he thought that the Chamber was unique in the partnership they had with the city and in what they did for all of Ormond Beach.

Commissioner Boehm stated that this discussion was a good demonstration of the impact of the Sunshine Law. He noted that he had involvement with the Chamber and thus had been aware of the campaign and request from the city for quite awhile. He explained that he could not talk to Commissioner Kent or the other Commissioners about it and could not determine what they knew about it or not. He noted that he also spoke to Ms. Shanahan about her concerns with fulfilling the request without bringing it to the Commission first, even though it was within her purview to do so. He stated that he did not ask Ms. Shanahan if the other members of the Commission knew. He echoed Commissioner Stowers and Commissioner Partington's comments about what the Chamber did for the city and for its residents.

Commissioner Kent noted that he also supported the Chamber and what he did for the city. He noted that Commissioner Boehm and Mayor Kelley had known about this for weeks or months. He stated that if an entity came to him and told him that they were looking at making this type of request, his response to them would be for them to contact city staff and get the item on the printed City Commission meeting agenda. He explained that if this was a printed agenda item, he would not be making these comments as he

would have had the opportunity to do his homework. He thanked Commissioner Stowers for his comments about the late hour request. He stated that Ms. Shanahan had fantastic intuition to bring this to the Commission. He noted that he would have been extremely unhappy had she made the donation without his review. He stated that he wanted to support the request but needed information. He noted that he had not heard why the funds were needed immediately, and when he spoke to Mr. Walsh from the Chamber this afternoon, he had expressed that he preferred it be tabled. He stated that he supported the Chamber wholeheartedly but would have to vote “no” if they were to vote this evening due to lack of information.

Commissioner Partington moved, seconded by Commissioner Boehm, to approve the requested \$5,000 contribution to the Ormond Beach Chamber of Commerce.

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

Mayor Kelley stated that he did not realize the discussion would go the way it did. He stated that he was sure that the Chamber would come back with a report of their spending. He noted that the contribution showed the city’s support and faith in the Chamber.

Upcoming Meetings

Ms. Shanahan stated that June 7, 2016, at 5:30 p.m. would be the CIP Workshop and Monday, June 27, 2016, at 5:30 p.m. would be the Healthcare Strategic Plan Update Workshop. She noted that staff was in the process of negotiating its three collective bargaining agreements and may need to have a shade meeting sometime in June with the City Commission to talk about where they were going with collective bargaining.

Environmental Discovery Center

Ms. Shanahan stated that the Environmental Discovery Center grand opening would be held on Saturday, May 21, 2016.

Heavy Rainfall

Ms. Shanahan commented about the intense rain this evening. She stated that a tree was on the power lines on Center Street and awaiting Florida Power and Light (FPL). She noted that the Florida Department of Transportation (FDOT) system on A1A took on so much water that it blew three manhole lids, which crews were replacing. She stated that there was a tree down on Division Avenue that had been cleared. She noted that US1 had flooded but was now open and that Fleming Avenue had minor street-flooding as well.

Memorial Day

Ms. Shanahan stated that the Memorial Day Remembrance would be at 9:00 a.m. at Rockefeller Gardens on Monday, May 30, 2016.

Shade Meeting

Mayor Kelley noted that Ms. Shanahan referenced a shade meeting needing to be scheduled; whereby, Ms. Shanahan stated that she had not considered any dates yet.

Mayor Kelley stated that he would not be available on June 24, 2016.

Ms. Shanahan stated that another Commissioner was out the week of June 20, 2016. She noted that she would probably be looking at the last week in June. She stated that it would be preferable to hold it before or after a Commission meeting rather than a separate day. She suggested possibly holding it after the June 27, 2016, meeting.

The Casements Voting Precinct

Commissioner Kent stated that he was pleased to announce that The Casements was back as a voting precinct location. He noted that there was a new Supervisor of Elections and an upcoming election. He explained that the Commission sent a letter to the then current Supervisor of Elections and all of the candidates for that office asking that The Casements be reopened. He stated that it was the right thing for Ormond Beach and its residents to have that voting precinct location back. He noted that a lot of residents did not travel over the bridge.

Mercy Boxcar Display

Commissioner Kent stated that June 14, 2016, which was Flag Day, had something interesting happening in Holly Hill. He explained that in 1949 France sent 49 mercy boxcars to the United States, one for each state at the time, and one for Washington, D.C. He noted that the mercy boxcar for the state of Florida was housed in Holly Hill. He stated that on Flag Day at 11:00 a.m. at City Hall the boxcar would be redelivered and displayed.

Badges and Boardshorts

Commissioner Kent stated that Badges and Boardshorts was an event that would be held on June 4, 2016, starting at 6:45 a.m. He noted that surfing, tug-of-war, and other things would be going on in front of Andy Romano Beachfront Park. He stated that the police department held out-of-the-box outreach events.

Volusia League of Cities (VLOC) Banquet

Commissioner Kent stated that Ormond Beach had two honorees at the banquet, Viv Livaccori as Citizen of the Year and Economic Development Director Joe Mannarino as Employee of the Year in Economic Enrichment. He stated that Mr. Mannarino was one of the best in the business.

Pop Warner Scholar Athletes

Commissioner Boehm stated that he became involved with Pop Warner when it came back to Ormond Beach in 2000. He noted that he was directly involved in it until he was elected as a Commissioner in 2010. He stated that the organization valued academics, noting that it did not name football All-Americans, just academic ones. He noted that Academic All-Americans had to have a 96% average. He stated that to be in the top 35 in the country, like one of the recipients was, one had to have excellent grades and special extracurricular service.

Environmental Discovery Center

Commissioner Boehm stated that the Environmental Discovery Center opening would be from 10:00 a.m. to 2:00 p.m., with all kinds of activities planned. He noted that there would be a shuttle from Prince of Peace Church to assist with parking. He stated that he was very excited to go see it on Saturday.

Memorial Day

Commissioner Boehm stated that the Commission repeatedly showed its commitment to veterans. He noted that the Memorial Day Remembrance was full every year and had great numbers of veterans and their families attending.

Environmental Discovery Center

Commissioner Partington stated that he was very excited about the Environmental Discovery Center. He noted that it had taken more than 13 years from concept to completion. He explained that it would provide benefits to residents for years to come.

Community Gardens

Commissioner Partington stated that the community garden was looking fantastic. He stated that the growth was amazing.

Movies on the Halifax

Commissioner Partington stated that on June 3, 2016, the Movie on the Halifax would be a great one.

Pop Warner

Mayor Kelley stated that he had asked a previous Commission to provide \$20,000 and support Pop Warner's involvement in the community. He noted that it had been a great investment.

US1 Coalition

Mayor Kelley stated that the US1 Coalition met again. He explained that the coalition was preparing a letter to send to the River to Sea Transportation Planning Organization (TPO). He noted that he could not talk to Commissioner Stowers, the Commission's TPO representative, about this outside of a public meeting. He asked if there was some way that he could present the coalition's case to the TPO at the next meeting, outside of the audience remarks portion. He stated that their desire was to put the improvement of the US1 interchange on equal footing with LPGA. He noted that funds were available and they did not want to be behind them.

Commissioner Stowers asked Mayor Kelley if he was the TPO representative alternate; whereby, Mayor Kelley confirmed that he was.

Commissioner Stowers noted that he may have a conflict and he would check his schedule before the meeting.

The Casements Voting Precinct

Mayor Kelley stated that he had a conversation with Supervisor of Elections Lisa Lewis and former Supervisor of Elections Ann McFall about The Casements being used as a voting precinct.

Heavy Rainfall

Mayor Kelley stated that the area averaged about 54 inches of rain. He noted that as long as they received that rainfall they would not run out of water. He stated that the tremendous lightning storm would put nitrogen in the soil and make the grass green.

TPO

Commissioner Stowers noted that he had just checked his schedule and that he was out of the office next week and that he next TPO meeting was May 25, 2016. He asked Mayor Kelley if he could attend in his stead.

Mayor Kelley asked Ms. Shanahan to let TPO know that he would attend.

Florida Georgia Line

Commissioner Boehm noted that Florida Georgia Line would be playing at the speedway this weekend. Mayor Kelley encouraged everyone to attend.

US1 Coalition

Mayor Kelley stated that \$1.2 million was funded for the landscaping and all of the plants were in. He noted that because of that there was an application for a grant for an additional \$800,000 from the state to finish the landscaping project all the way down to Lincoln. He noted that he pushed at the Coalition meeting for staff to seek a location for the welcome sign. He explained that the hold-up was that it could not be put in the center island because it was not curbed. He suggested looking at curbing one of the islands rather than putting the sign on the side of the road.

Item #12 – Adjournment

The meeting was adjourned at 8:12 p.m.

APPROVED: June 7, 2016

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk