

**MINUTES
CITY OF ORMOND BEACH
QUALITY OF LIFE ADVISORY BOARD
REGULAR MEETING**

October 1, 2009

7:00 PM

**City of Ormond Beach
Training Room
22 South Beach Street
Ormond Beach, Florida**

1) Call to Order

Dr. Shapiro called the meeting to order at 7:00 p.m.

Members present were: Joe Daniels, Marianne DiFiore, Lewis Heaster, Dr. Philip Shapiro, William Masters and Dr. Gerald Woodard. Excused were Debbie Berner, Vicki Foley, Becky Montgomery and Fran Pezzimenti. Absent was Matt Coleman.

Others present were: Leisure Services Director Robert Carolin, Recreation Manager Wayne Phillips and Recording Secretary Shá Moss.

2) Approval of Minutes – June 4, 2009

Dr. Shapiro stated the sentence about there not being enough members present needed to be deleted.

Mr. Heaster moved seconded by Mr. Daniels to accept the minutes of the June 4, 2009 meeting, as amended. The motion passed unanimously.

3) Discussion Items

- Proposed Changes to Code of Ordinances – Chapter 4 Alcoholic Beverages, Sec. 4.3

Dr. Shapiro stated the Board has been involved with the revisions and changes at The Casements and Rockefeller Gardens and now the people wanting to use the facilities for social activities want more flexibility towards the use of alcohol.

He agreed with staff's recommended changes to the alcoholic beverage ordinance.

Ms. DiFiore also agreed to the recommendations proposed by staff.

Mr. Heaster asked whether alcohol was sold at the July 4th events.

Mr. Carolin stated there were no alcoholic beverages sold at the July 4th events. However, the existing ordinance read that there was the option for prior approval from the City Manager, which would remain in effect. The current ordinance stated the event has to be held within the building and only beer, wine or champagne can be served, not sold and the persons attending the event cannot be charged to attend. The change would allow them to have a full bar, after applying for a State permit and approval from the City Manager.

Mr. Carolin stated the other change would be to the amount of times these events can occur. Currently no more than one such event shall be held by any organization in any calendar year. The change would be that there would not be a limit on how many events can be held.

The changes were:

- Alcoholic beverages may be sold or offered at the event.
- The event may be held within the confines of a City building and/or in a designated/restricted area of the grounds of the building as per rental agreement.
- The event is scheduled through the department head in charge of the property of the designee.
- The social event may include a charge to the persons invited, with a portion of the revenue being paid to the Leisure Services Department, as per current fee resolution.
- The lessee obtains the appropriate licenses from the State of Florida Business Regulations, Division of Alcoholic Beverages and Tobacco.
- No limit on how many events can be held.

Ms. DiFiore moved, seconded by Mr. Masters that the Quality of Life Advisory Board agrees with staff recommended changes to the alcoholic beverage ordinance. The motion passed unanimously.

- School Board Contribution – Expenditure Recommendations

Mr. Carolin stated the Leisure Services Advisory Board (LSAB) recently met to discuss the School Board contribution and decided that they did not want to take any action. They wanted to see if there was a possibility to take the contribution

from Seabreeze High School, for the use of the sports complex facility for the next ten years, and put it into a special account. Mr. Carolin stated the contribution was sitting in the General Fund and could be difficult to use and the citizens would not understand the usage of the funds. The City wanted to establish a special account for the funds and more information would possibly come back to the Board for additional discussion and a recommendation.

Mr. Heaster asked whether the fencing at the complex was the expense of the City or Seabreeze High School. He also asked whether local contractors were making donations.

Mr. Carolin stated the funds were from the Renewal and Replacement Fund was used to for the fence. He stated that the fence was needed to control field 7 and to have it used as a game only field to save on the wear and tear. Mr. Carolin stated that a special account for other donations would make it easier for the City Commission to make decisions for using the funds.

Dr. Shapiro stated ten years was a long time for a commitment.

Mr. Carolin agreed that was a long time.

Mr. Masters moved, seconded by Mr. Heaster that the Quality of Life Advisory supports the Leisure Services Advisory Board in moving the funds from the General Fund to a special account. The motion passed unanimously.

Mr. Daniels asked that Mr. Carolin bring information back regarding the LSAB recommendations, and asked has Calvary Christian Academy made any recommendations.

Mr. Carolin stated even though Seabreeze makes this contribution for ten years, they do not sole use of the facility. He noted in eight years, the City would renegotiate the contract with Seabreeze. Mr. Carolin stated Calvary Christian Academy has interest in partnering with the City and was working with them on using the facility as well.

- Use of Facilities for Youth Sports on Major Religious Holidays

Dr. Shapiro stated religion and government is not a comfortable mix. He noted the Jewish community has made comments about activities being scheduled on the Jewish Year. Dr. Shapiro stated he was comfortable with Option 1. The parents needed to communicate with the organizations regarding the dates that their children would not be able to participate in the youth sports.

Gloria Maxx, 470 Andalusia Ave, Executive Director of the Jewish Federation of Volusia and Flagler Counties, stated she does not feel Jewish youngsters should be put in a position where they cannot play sports on religious holidays. She said the facilities were closed on Christmas and Easter and should be closed on Rosh Hashanah and Yom Kippur. Ms. Maxx stated there was a large Jewish community in Ormond Beach.

Dr. Shapiro stated the parents should make arrangements with the coach about the dates of those holidays so that there was no confusion.

Mr. Masters stated church and state should be kept separate and the discussion should be between the parents and the sports organizers.

Mr. Heaster stated he understood the position of the Jewish community and stated there should be a uniformed agreement on the days the facilities would be closed so that they could plan accordingly. He agreed that the City should close for the four religious days and agreed with Option 2 and needed to clarify what holidays they were. Mr. Heaster asked what the comments were from the other Boards and the City Commission.

Mr. Carolin stated the LSAB had a lengthy discussion on this issue. He stated the Leisure Services Department currently recognizes the 4 mentioned holidays and does not allow play or practice on those days, but there have been times when people have used the facility without permission on those days. Mr. Carolin stated the LSAB chose Option 2 with contingencies. Option 2 is almost like the soccer lease agreement and they wanted to make sure that the other leases read the same. He noted there have been a lot of emails and the Commission believes that the City was appropriate with how things are currently being handled. Mr. Carolin stated staff could do a better job on scheduling the facilities and making everyone aware of the days that they are closed.

Dr. Shapiro asked what the specific dates were of the Jewish holidays; and Ms. Maxx stated she could provide a list of the dates for the next ten years.

Mr. Masters stated that once the opportunity was presented for one religious organization to have facilities closed on certain holidays, other religions would want to see about their holidays being honored as well.

Mr. Heaster stated a uniformed policy was needed for all sports related organizations.

Dr. Woodard asked whether the Options could be reworded and agreed that the separation of church and state was needed. He revised Option 1 to read as follows: the decision as to whether practices or games are to be held on religious holidays will be determined by the Board of Directors of the youth sports associations and Part B - that these Board of Directors of the youth sports

associations will be informed each year in the beginning of the season of the dates on which these holidays fall. These dates should be presented to the Leisure Services Director.

Dr. Woodard suggested a year or two of implementing the Jewish holidays and then revisiting the issue.

Ms. DiFiore stated she was in favor of Option 2.

Mr. Masters stated Option 2 was not allowed on a Federal level.

Mr. Carolin stated currently the Leisure Services Department recognizes Christmas, Easter, Rosh Hashanah and Yom Kippur and are closed on those days for youth sports. The City has no intention of changing their policy at this time, but this has nothing to do with the adult run programs or whether City staff will be working. He stated it was not traditional in all cities to close.

Mr. Masters stated if the City was going to continue to honor the four religious holidays, what is the point of this discussion. He stated we could add that all religions would be considered as presented.

Mr. Heaster stated the Board should make a recommendation to the City Commission and have them make the decision.

Mr. Daniels stated that these issues present themselves every year.

Dr. Woodard moved, seconded by Mr. Masters that the Quality Of Life Advisory Board amends Option 1 as follows: that the decision as to whether practices or games are to be held on religions holidays will be determined by the Board of Directors of the youth sports associations; furthermore, the Board recommends that the Director of Leisure Services be charged with the duty to inform all members of each Board of Directors of youth sports association of the exact dates of those religious holidays at their initial meeting of each year. 4 members approved the motion and 2 members abstained. The amended Option 1 motion passed.

Mr. Masters moved, seconded by Dr. Woodard to adopt Amended Option 1. 3 members were in favor of Amended Option 1 and 3 members were opposed to Amended Option 1.

The Board had multiple opinions and agreed to pass the decision to the City Commission.

4) Members Comments

War Memorial

Dr. Shapiro stated during the CIP meeting in May, they discussed including Vietnam and Korean War memorials at the Art Museum. Tax Increment Financing Funds (TIFF) were being used to have those wars recognized.

Hotel on A1A

Dr. Shapiro stated that there was a is an abandon hotel on A1A has been an eyesore for quite some time. The property was owned by Bray and Gillespie and was in bankruptcy. However, the City was working on acquiring the property and turning it into a park, but will be some time in the future.

Dr. Woodard stated Florida Hospital on A1A has started a \$2 million dollar renovation project and may want to assist with the plans of the future park across the street. He stated he would speak with the representatives of the hospital about this effort.

Ormond Garage Replica

Mr. Heaster asked about the status of the Ormond Garage Replica.

Mr. Carolin stated he recently met with Dan Smith who said that the architects were working on the drawing, but the project was moving slowly because of financing.

Dr. Woodard asked the date of the Birthplace of Speed event.

The date is scheduled for March 16, 2010.

Recreation Manager

Mr. Carolin introduced Wayne Phillips as the new Recreation Manager handling all the programming throughout the City.

5) Audience Comments

none

6) Adjournment – Next Meeting – November 5, 2009

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Shá Moss, Recording Secretary

ATTEST:

Dr. Philip J. Shapiro, Chairman