

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

**May 17, 2011**

**7:00 p.m.**

Present were: Mayor Ed Kelley, Commissioners James Stowers, Troy Kent, Rick Boehm and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, City Attorney Randy Hayes, and Acting City Clerk Lois Towey.

**A G E N D A**

- 1) Meeting call to order by Mayor Kelley.
- 2) Invocation by George Pilcher, Tomoka Christian Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
  - A) Proclamation in honor of Doug Thomas, National PAL Male Volunteer.
  - B) Proclamation honoring the Trails Racquet Club Women.
  - C) Proclamation in honor of Ormond Beach Wolves Cheer Teams.
  - D) Civil Air Patrol Awards.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the May 3, 2011, meeting.
- 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. 2011-61 accepting a bid from Advanced Cabling Solutions, Inc., for installation of a surveillance system at the Ormond Beach Municipal Airport, under Bid No. 2011-10; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$86,625.40) (Acting City Engineer)
  - B) Resolution No. 2011-62 accepting a bid from Advanced Cabling Solutions, Inc., for installation of a surveillance system at the Ormond Beach Sports Complex and the Nova Recreation Center, under Bid No. 2011-12; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$85,839) (Acting City Engineer)
  - C) Resolution No. 2011-63 authorizing the execution of a Sovereignty Submerged Lands easement for public utility purposes between the City of Ormond Beach and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; providing for recordation. (Acting City Engineer)
  - D) Street Utility Improvements Project:
    - 1) Resolution No. 2011-64 accepting a bid from J.D. Weber Construction Co., regarding construction of the Alcazar Avenue, Buena Vista Avenue and Seville Street Utility Improvements project, under Bid No. 2011-09; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$960,738.20) (Acting City Engineer)
    - 2) Resolution No. 2011-65 accepting a proposal from McKim & Creed, P.A., for construction administration services regarding the Alcazar Avenue, Buena Vista Avenue and Seville Street Utility Improvements project; authorizing the execution of a work authorization and payment therefor. (not-to-exceed amount of \$34,878.00) (Acting City Engineer)
  - E) Resolution No. 2011-66 authorizing the execution of a Local Agency Program Agreement between the City and Florida Department of Transportation regarding the Tomoka State Park Sidewalk project. (\$15,000, plus in-kind services) (Acting City Engineer)
  - F) Resolution No. 2011-67 authorizing the submittal of a grant proposal to the County of

Volusia under the Ponce de Leon Inlet and Port District Beach Ramp Beautification Grant Program for funding assistance regarding improvements to the Cardinal Drive, Harvard Drive and Milsap Road beach ramps; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Total project \$120,000; Matching funds of 50% - \$60,000) (Grants Coordinator)

- G) Resolution No. 2011-68 authorizing the execution of a Locally Funded Agreement between the City and Florida Department of Transportation, regarding the painting of mast arms at the intersection of US1 and Nova Road. (\$5,000) (Acting City Engineer)
  - H) Resolution No. 2011-69 authorizing the execution of a Local Agency Program agreement with the Florida Department of Transportation regarding the design of audible pedestrian signals at three intersections along SR5A. (FDOT \$50,000; City in-kind services) (Acting City Engineer)
  - I) Resolution No. 2011-70 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 2011; providing for exceptions thereto. (City Clerk)
- 8) **RESOLUTION No.** 2011-71 supporting SunRail, Central Florida's first passenger rail project; authorizing transmittal of this resolution to Governor Rick Scott's office and to the Volusia Transportation Planning Organization. (Planning Director)
  - 9) **DISCUSSION ITEM:** Southwest Quadrant Request For Proposal.
  - 10) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
  - 11) **CLOSE THE MEETING.**

Item #1 – Meeting Call to Order

The meeting was called to order by Mayor Kelley at 7:00 p.m.

Item #2 – Invocation

The invocation was given by George Pilcher, Tomoka Christian Church.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kelley.

Item #4A – Postponed

Item #4B - Proclamation honoring the Trails Racquet Club Women

Mayor Kelley read a proclamation honoring the Trails Racquet Club Women's 6.0 team for winning the United States Tennis Association Super Senior National Champion, Women 6.0 category. The Mayor recognized Carole Bennett, Bonnie Hanes, Tommie Lou Hitson, Kay Kemmer, Jimmie Sica, and Sharron Ward for their hard-fought accomplishment.

Item #4C - Proclamation in honor of Ormond Beach Wolves Cheer Teams

Mayor Kelley read a proclamation to honor the Ormond Beach Wolves Cheer Teams accomplishments at the Florida Cheer and Dance Expo National Championships in Jacksonville, Florida, where both the older girls and the younger girls took first place in their division; and the younger girls won fourth place in Best in Show.

Item #4D - Civil Air Patrol Awards

Lt. Col. Joe Wisniewski introduced Colonel Michael Cook, Wing Commander, who spoke about the recent joint mission with the Army National Guard, held at the Ormond Beach Airport last September for eight days. He explained the mission for the Civil Air Patrol was to assist the National Guard in training relative to security in Washington, D.C. He stated the flights were about four hours in duration, concluding with crossing the "bull's eye," which was achieved within 30 seconds of the estimated time for all 750 attempts. He thanked the businesses that volunteered and presented them with plaques, and he thanked the City and the Airport Manager for all the assistance provided to the mission and presented a plaque to the City.

Lt. Col. Roger Helton, Florida Wing Director of Operations, presented the Commander's Accommodation Award, the highest award that can be given in the Florida Wing by the Wing Commander, for outstanding duty and performance to 1<sup>st</sup> Lt. Daniel Helderman and Cadet Keshawn Smith.

Item #5 - Audience Remarks

Jim Cameron, Senior Vice President of the Government Relations of the Daytona Regional Chamber of Commerce, reported the Volusia Technical Summit was to be held Friday, May 20, where the Chamber was working to bring more internet provider companies to Volusia County.

Item #6 – Approval of the Minutes

Mayor Kelley advised the minutes of the May 3, 2011, regular meeting had been sent to the Commission for review, and were on the City's website for public review. Mayor Kelley asked for any corrections, additions, or omissions. Mayor Kelley stated that hearing no corrections, the minutes would stand approved as presented.

Item #7 – Consent Agenda

Mayor Kelley advised the action proposed for each item on the Consent Agenda was so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any item separately.

Commissioner Kent requested Item #7B be pulled from the Consent Agenda for discussion.

**Commissioner Stowers moved, seconded by Commission Boehm, for approval of the Consent Agenda, absent Item #7B.**

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

Item #7B – Surveillance Systems at the Sports Complex and Nova Recreation

RESOLUTION NO. 2011-62

A RESOLUTION ACCEPTING A BID FROM ADVANCED CABLING SOLUTIONS, INC., FOR INSTALLATION OF A SURVEILLANCE SYSTEM AT THE ORMOND BEACH SPORTS COMPLEX AND THE NOVA RECREATION CENTER, UNDER BID NO. 2011-12; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE

**Commissioner Partington moved, seconded by Commission Boehm, for approval of Resolution No. 2011-62, as read by title only.**

Commissioner Kent expressed his lack of support for surveillance systems at both locations, due to the costs involved.

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

Item #8 – SunRail Support

RESOLUTION NO. 2011-71

A RESOLUTION SUPPORTING SUNRAIL, CENTRAL FLORIDA'S FIRST PASSENGER RAIL PROJECT; AUTHORIZING TRANSMITTAL OF THIS RESOLUTION TO GOVERNOR RICK SCOTT'S OFFICE AND TO THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Kent, to approve Resolution No. 2011-71, as read by title only.**

Commissioner Partington stated he had given a lot of thought to comments made by Mayor Kelley and Commissioner Boehm at the May 3, 2011, Commission meeting, but he stated he would support the issue because it was part of a plan that in the future would tie into multiple locations. He stated he wanted to show support for the west side of the County.

Commissioner Stowers stated Florida had developed a dependency on auto traffic and the SunRail was the first step in developing multi-modal transportation, along with business development around the SunRail.

Commissioner Boehm stated he had made his comments at the May 3, 2011, Commission meeting, and he had not changed his position.

Mayor Kelley stated he saw no benefit to Ormond Beach or the residents, and due to the costs, he would not support it.

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

Item #9 – Airport Southwest Quadrant Proposal

City Manager Shanahan stated discussions had been held regarding bringing proposal specification to the Commission, and this was one of those issues. She asked the Commission to make comments and ask questions, if they desired clarification of any issue.

Joe Mannarino, Economic Development Director, stated the proposal was to create a Request for Proposal to seek a Master Development Plan by a developer to develop 87 acres of land in the southwest quadrant of the airport. He stated to the west of the southwest quadrant was the Airport Business Park, which was comprised of businesses of light industrial uses. He stated the southeast quadrant had been fully developed with the airport and relative business park. He stated this project was for a creative development company that designed airports, to provide us with the resources to build this project correctly and in a timely fashion, hopefully developed in ten years. He stated there was land available to offset the wetlands located on the site. He explained a grant was received about ten years ago that allowed approximately 100 acres of land for wetlands mitigation, which resulted in more usable land. He stated there was a demand for the opportunities provided by this type of project. He stated the property to the west, known as the nursery site, which was not included, due to lack of air side access or runway connections, would be set aside for future use and would have access to Business Park Way. He stated staff very strongly recommended that any proposal respond to the noise abatement program.

Commissioner Boehm stated the proposed lease for the land was to be a long term, 30 year lease, with a build out in ten years. He stated he did not want the City to repeat the situation that Daytona Beach created with their pier lease, which was not developed, causing Daytona Beach to pay \$1.3 million to buy their way out of the long term lease.

Mayor Kelley stated the initial investment by the developer would be a large investment for the infrastructure, which would be a commitment to the project, as well as the language of the lease should prevent the type of situation in Daytona Beach.

Economic Development Manager Mannarino stated there would be a lease and the master development agreement, over which the City would have major control; and the lease would contain a two-tiered leasing rate, with a competitive rate initially, and a maximum rate at ten years, when the property would be valued at full market value, which was the greatest incentive the City could provide.

Mayor Kelley stated the lease was based on the value of the land, which the developer would help to increase, but not hold title to the property. He stated he hoped there were developers that would be interested.

Mr. Mannarino stated it was strictly a land lease only, not on the improvements provided by the developer.

Mayor Kelley expressed concerns regarding the terms that stated, “the sponsor must insure the terms imposed on aeronautical users of airport, including rates and charges are reasonable for the facilities and services provided.” He questioned how the “reasonable” was to be determined.

Mr. Mannarino stated the reasonable charge on a land lease was a fair market land appraisal.

Mayor Kelley stated, although the nursery site did not have airport access, it would have access once the taxiways were built.

Mr. Mannarino stated, although it would be close, the taxiways did not extend into the nursery site, because additional funding would be needed to extend the taxiways into the nursery site.

City Manager Shanahan stated staff had the Commission's direction to issue the RFP, which would be open for 120 days, when staff would bring the proposal back to the Commission after the bids had been evaluated.

#### Civil Air Patrol Billy Mitchell Award

Mayor Kelley stated the presentation that had been postponed earlier in the meeting was ready.

Lt. Col. Roger Helton explained the General Billy Mitchell award was a very significant award, because it signified the transition from cadet to cadet officer with more responsibility and more of a leadership role. He read the award presented to Cadet 2<sup>nd</sup> Lt. Christina Austin, explaining this award marked the completion of Phase Two of the Civil Air Patrol Cadet Program, which entitled the recipient to a rank of Airman First Class upon entering the United States Air Force.

#### Item #10 - Reports, Suggestions, Requests

##### Budget Meeting

Commissioner Partington thanked staff for arranging the Town Hall Budget Workshop; and although, there was not much of a turnout, it was a well done presentation and everyone who was there, was pleased with the direction of the budget.

##### Seafood and Blues Festival

Commissioner Partington stated he and his family enjoyed the festival, which was a great event that was very well attended.

Commissioner Kent expressed disappointment that he could not attend, but he stated the orange fence on the bridge used to keep people out was tacky, and he suggested that more people would attend and spend money if the event was free. He stated his strong desire for hydration systems at all outdoor events with chilled water free of charge from water coolers.

Commissioner Boehm stated MainStreet sponsored these festivals to make money; therefore, they needed to charge a nominal admission.

##### Parking

Commissioner Kent reported he received a complaint from a constituent that she could not find a parking space at the Birthplace of Speed Park, while she took a yoga class.

##### John Anderson Drive

Commissioner Stowers commended City Manager Shanahan for the sense of urgency with which she addressed this issue by meeting with the consultant the following day. He stated everyone understood the issues had been there for some time, but at the same time, the urgency to resolve the issues had to be balanced with getting the issues resolved correctly.

##### Cardinal Beach Ramp Repair

Commissioner Kent thanked the Commission for stepping up and supporting him in his request to get the County to change the repair schedule for the Cardinal beach approach until fall.

##### Beachfront Park

Commissioner Boehm reported he attended the public meeting for the beachfront park, and the consultants did an excellent job of presenting the progress of the project and gave everyone attending the opportunity to view the conceptual designs. He stated his appreciation for their efforts to include the citizens in the beachfront park design.

##### Vacant Gas Station

Commissioner Boehm thanked Commissioner Stowers for his efforts to spruce up the vacant gas station on the Granada Boulevard property, which motivated the sale of the property, which was to house a pet grooming business.

##### City Manager Shanahan Notes

City Manager Shanahan stated the IMR/JMR and Landscaping Workshop was scheduled for Tuesday, May 24, at 5:30 p.m. in the Training Room; and the Town Hall Budget Meeting for Zones 1 and 2 was scheduled for Wednesday, May 25, at 6:30 p.m. She reminded the Commission the next regular City Commission meeting would be held on Wednesday, June 1, at noon. She reported on Tuesday, July 21, the Capital Improvement Projects workshop was scheduled.

City Manager Shanahan stated the first reading of the Property Maintenance Code was scheduled for the June 1 regular meeting.

She stated there was a bill to be signed by Governor Scott, which contained significant changes to growth management, such as, concurrency was no longer required for the Transportation, Parks and Recreation, and Schools Elements; it was all optional for local governments. She stated the Mobility Planning and Funding Element would change. She stated staff would send a White Paper on the issues to inform the Commission of the changes.

City Manager Shanahan stated in regards to some ongoing issues, she was attending the Volusia County Council meeting on Thursday, May 19, at 5:30 p.m., where the Consolidated Unified Dispatch issue was on the agenda. She stated the Council was eliminating the fee charged to the municipalities, which was about \$560,000 for the City. She reported staff was working on the joint planning agreement for the US1 corridor. She stated staff had yet to develop a Memorandum of Understanding with the County regarding the maintenance issues and concession issues on the beachfront park, but it should be completed in the next several months.

City Manager Shanahan stated on May 18, a joint meeting with the Quality of Life Advisory Board and the Leisure Services Advisory Board would be held where Zev Cohen and Associates would share the information received, thus far, regarding the public comments on the beachfront park. She stated at the June 1 regular meeting, the Commission would be presented with what had been received to date. She stated survey forms for the public to complete were available on the City's website and at City Hall.

Volusia League of Cities

Commissioner Boehm noted the Volusia League of Cities was holding their distinguished service banquet on May 26 meeting, and City Manager Shanahan was one of three nominees for City Manager of the Year. He stated she was certainly deserving of the award, and he hoped it would be reported at the next meeting that she was the winner.

Item #11 – Close the Meeting

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

APPROVED: June 1, 2011

BY: Ed Kelley, Mayor

ATTEST:

Lois Towey, Acting City Clerk