

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

November 5, 2013

7:00 PM

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners Troy Kent, Rick Boehm, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager and Public Works Director Theodore MacLeod, Deputy City Attorney Ann-Margret Emery, 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. Employees of the Quarter - Criminal Investigations Division Team

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – October 15, 2013

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. 2013-194** : A RESOLUTION AMENDING THE PAY AND CLASSIFICATION PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Shelly Arzola, Human Resources Director (386-676-3202)

B. **RESOLUTION NO. 2013-195** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF NANCY L. PYELL, RELEASING A THREE-FOOT PORTION OF A TEN-FOOT UTILITY, DRAINAGE AND MAINTENANCE EASEMENT LOCATED ON LOT 49 (105 CREEK FOREST LANE) CREEKSIDE PLANNED RESIDENTIAL DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

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

C. **RESOLUTION NO. 2013-196** : A RESOLUTION APPROVING THE APPLICATION OF AEROSPACE HOLDINGS, LLC, TO PROVIDE SERVICES AS A CATEGORY EIGHT FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2013-199** : A RESOLUTION APPROVING A SETTLEMENT PROPOSAL BETWEEN THE CITY AND KATHLEEN PERHAM; AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MASTER ADMINISTRATIVE FINE/LIEN REGARDING A CODE VIOLATION ON PROPERTY LOCATED AT 1290 BUCKEYE ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-03-05-0020); AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

- E. **Request for Qualifications - Airport Improvements**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

- F. **Aquatic Weed Maintenance and Ditch Cleaning Contract Renewal**

Staff Contact: Theodore MacLeod, Assistant City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

- G. **Concentrate Monitoring and Disinfection Upgrades: Alternate Pipe Route**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

- H. **Auto Renewal Contracts - Leisure Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

- I. **Approval of Travel by the City Commission**

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

- J. **Purchase of Internet Services from Brighthouse**

Staff Contact: Ned Huhta, IT Manager (386-615-7031)

Disposition: Approve as recommended in the City Manager memorandum dated November 5, 2013.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-59** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 14.53± ACRES OF REAL PROPERTY LOCATED AT 1298 WEST GRANADA BOULEVARD FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY (UMI)" TO CITY OF ORMOND BEACH "COMMERCIAL" FOR A 4.64 ACRE PORTION OF THE SITE AND "OPEN SPACE/CONSERVATION (OS/C)" FOR A 9.89 ACRES PORTION; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2013-64** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTS OF APPROXIMATELY 18.7 ACRES AND BEING GENERALLY LOCATED ALONG THE WEST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 2,400 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 390 WILLIAMSON BOULEVARD, INCLUDING THAT PORTION OF WILLIAMSON BOULEVARD ABUTTING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; RE-DESIGNATING THE BOUNDARIES OF ZONE 3 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2013-65** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1, WEST OF THE SOUTHBOUND ENTRANCE TO INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1451, 1453, 1455, 1457, AND 1459 NORTH U.S. HIGHWAY 1, REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH 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. 2013-66** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.01-ACRES LOCATED AT 1535 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- E. **ORDINANCE NO. 2013-69** : 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 1.01-ACRES LOCATED AT 1535 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2013-70** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +8.06-ACRES LOCATED AT 260 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-71** : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2012-2013 BY AMENDING THE GENERAL FUND; THE DOWNTOWN DEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION PASS THROUGH FUND; THE GRANT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE LOCAL IMPACT FEE FUND; THE STORMWATER IMPACT FEE FUND; THE BEACHFRONT PARK FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER VEHICLE FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER DEBT SERVICE FUND; THE WATER & WASTEWATER CAPITAL PROJECTS FUND (440); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (442); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (443); THE SOLID WASTE FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-67** : AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, SECTION 4-5, HOURS; BY PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 2:00 A.M. AND 7:00 A.M. EACH DAY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2013-68** : AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, PROVIDING FOR A CONTINUATION OF ANNUAL ADJUSTMENTS TO WATER AND SEWER IMPACT FEES BASED UPON CAPITAL COSTS; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

11. REPORTS, SUGGESTIONS, REQUESTS

12. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Mayor Kelley announced that Commissioner Stowers was not in attendance that evening as he had a conflict with a business meeting.

Item #2 – Invocation

Reverend Willie Branch gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Employees of the Quarter – Criminal Investigations Division Team

Ms. Joyce Shanahan, City Manager, stated that for the first time instead of an Employee of the Quarter, the city had named *Employees of the Quarter*. She announced that the Employees of the Quarter was awarded to the Criminal Investigations Division of the Ormond Beach Police Department; whose members included Officers Apryl Andrasco, Stephen Brugone, Dan Jordan, Tom Larsen, Briana Mathis, Jim Voegtle, Corporal Lisa Rosenthal and Sergeant Jamie Gogarty.

Ms. Shanahan explained that recently the city had been a victim of a burglary ring that committed 12 burglaries in the city and another two outside of it. She stated that the residents of at least two of the targeted homes were at home at the time of the burglaries. She explained that the Criminal Investigations Division worked together and launched the initial investigation which resulted in the apprehension of two suspects, the clearance of 12 cases, and the recovery of \$10,000 worth of stolen property on behalf of the victims. She stated that the division was comprised of highly trained and experienced officers and that combined the group had over 104 years of law enforcement experience. She noted that some of the group's specialized training consisted of homicide and death investigations, fraud, child abuse and abductions, sex crimes, narcotics investigation, and crimes against the elderly.

Ms. Shanahan noted that seven of the division members were husbands and wives, and many were parents or grandparents. She explained that Ormond Beach encouraged their employees to have a healthy work and life balance. She stated that the division members had many hobbies including kayaking, fishing, football, bicyclists, and athletics with their children. She stated that the city was lucky to have this group working hard to keep everyone safe each and every day but were also lucky to have those individuals as neighbors and members of the community. She encouraged the audience to give the detectives a round of applause.

Mayor Kelley presented each recipient with a plaque and a city watch. He displayed the plaques that would hang in the City Hall Atrium to commemorate their designation as Employees of the Quarter. Police Chief Andy Osterkamp assisted Mayor Kelley in handing out the awards and congratulated the officers.

Item #5 – Audience Remarks

Mr. Charles Knause, 118 Sunny Brook Circle, stated that he was involved with a Florida non-profit organization called "We Have a Voice." He explained that they were trying to bring a commercial free FM radio station to Ormond Beach. He stated that the group needed an existing tower to mount a one meter antenna on for the station. He noted that he thought the station would be a great addition for the city. He explained that his problem was that he had to submit the application by November 14, 2013. He admitted that it was his fault that he had let the project get that far without having an antenna tower site to include on the application and that he did not know if they would receive the permit without a tower site on the application. He asked for anything the city could do to help.

Mayor Kelley asked Mr. Knause if he had spoken to anyone in the city prior to the meeting.

Mr. Knause stated that he had spoken to the Building and Planning Division and that he had originally gone to the city's Water Treatment Plant; which had a 300-foot tower

which he felt would be excellent for the station. He stated that he spoke to the Director of the Water Treatment Plant and was told that the city had a translator on the top of that tower. He noted that from time-to-time there were occasions where a low powered FM radio antenna could possibly interfere with the translator, but they would not know for sure unless they tried it. He asked if there were any other existing city towers he could use.

Mayor Kelley stated that he did not know of any other such towers and suggested that Mr. Knause speak with Ms. Shanahan. He noted that he imagined that the City Attorney would find all kinds of issues as far as communications or interference in the event of an emergency transmission. He asked Mr. Knause to contact Ms. Shanahan the next day and she would advise him of any options.

Mr. Knause thanked Mayor Kelley and stated that he would contact Ms. Shanahan.

Item #6A – Approval of Minutes

Mayor Kelley advised that the minutes of the October 15, 2013, regular meeting had been sent to the Commission for review, and were 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 Boehm moved, seconded by Commissioner Kent, for approval of the Consent Agenda.

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|------------|-------------------------|-----|
| Call Vote: | 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 – 1298 West Granada Boulevard Large Scale Comprehensive Plan Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-59
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 14.53± ACRES OF REAL PROPERTY LOCATED AT 1298 WEST GRANADA BOULEVARD FROM VOLUSIA COUNTY “URBAN MEDIUM INTENSITY (UMI)” TO CITY OF ORMOND BEACH “COMMERCIAL” FOR A 4.64 ACRE PORTION OF THE SITE AND “OPEN SPACE/CONSERVATION (OS/C)” FOR A 9.89 ACRES PORTION; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-59, on second reading, as read by title only.

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

Item #8B – 390 Williamson Boulevard Annexation (San Marco Apartments)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-64

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTS OF APPROXIMATELY 18.7 ACRES AND BEING GENERALLY LOCATED ALONG THE WEST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 2,400 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 390 WILLIAMSON BOULEVARD, INCLUDING THAT PORTION OF WILLIAMSON BOULEVARD ABUTTING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; RE-DESIGNATING THE BOUNDARIES OF ZONE 3 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-64, on second reading, as read by title only.

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

Item #8C – Gardens Business Center Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-65

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1, WEST OF THE SOUTHBOUND ENTRANCE TO INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1451, 1453, 1455, 1457, AND 1459 NORTH U.S. HIGHWAY 1, REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-65, on second reading, as read by title only.

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

Item #8D – 1535 North US Highway 1, Land Use Map Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-66

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.01-ACRES LOCATED AT 1535 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2013-66, on second reading, as read by title only.

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

Item #8E – 1535 North US Highway 1, Zoning Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-69

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 1.01-ACRES LOCATED AT 1535 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that the zoning was administratively submitted based upon a prior annexation. He stated that the Planning Board and staff recommended approval.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-69, on first reading, as read by title only.

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

Item #8F – 260 Williamson Blvd LUPA

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-70

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +8.06-ACRES LOCATED AT 260 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this item was the Ormond Beach Post Office in Commissioner Boehm's zone and that it was being given the land use designation similar to the one it held with the county, as required in the Comprehensive Plan. He stated that the Planning Board and staff recommended approval.

Commissioner Boehm stated that the Ormond Beach Post Office was now going to be fully in Ormond Beach.

Mr. Goss stated that they were almost there, as the zoning still had to be approved.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-70, on first reading, as read by title only.

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

Mayor Kelley closed the public hearings without objection.

Item #9A – Budget Amendment FY 2012-13

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-71

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2012-2013 BY AMENDING THE GENERAL FUND; THE DOWNTOWN DEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION PASS THROUGH FUND; THE GRANT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE LOCAL IMPACT FEE FUND; THE STORMWATER IMPACT FEE FUND; THE BEACHFRONT PARK FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER VEHICLE FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER DEBT SERVICE FUND; THE WATER & WASTEWATER CAPITAL PROJECTS FUND (440); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (442); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (443); THE SOLID WASTE FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2013-71, on first reading, as read by title only.

Mayor Kelley explained that the budget had to balance. He stated that this item was relative to the 2012-2013 budget and was ensuring that all of the funds were cleaned up and updated to reflect any changes that were made. He noted that he appreciated that Ms. Shanahan had provided additional detailed information to the Commission that afternoon.

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

Item #10A – Ordinance Amending Section 4-5 of Code of Ordinances Regulating Hours of Sale of Alcohol on Sunday

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-67

AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, SECTION 4-5, HOURS; BY PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES BETWEEN THE HOURS OF 2:00 A.M. AND 7:00 A.M. EACH DAY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-67, on second reading, as read by title only.

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

Item #10B – Water and Sewer Impact Fee Capital Cost Adjustment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-68

AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, PROVIDING FOR A CONTINUATION OF ANNUAL ADJUSTMENTS TO WATER AND SEWER IMPACT FEES BASED UPON CAPITAL COSTS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2013-68, on second reading, as read by title only.

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

Item #11 – Reports, Suggestions, Requests

Hand Avenue Roadway Project

Ms. Shanahan stated that she appreciated the residents' patience regarding the Hand Avenue project. She stated that the paving in the last section of the roadway had been completed and that the final inspection of the storm drain systems was in progress. She stated that the areas that had been paved would have a one-inch paving installed and a second one-inch lift would be installed afterwards, which would provide a final roadway with no joints and enhance the final appearance. She noted that the city would not have Hand Avenue, Division Avenue, and Hammock Lane all closed at the same time. She stated that City Engineer John Noble had been putting pressure on the contractor to hold fast to his schedule as he had been miserably behind.

Downtown Improvements

Ms. Shanahan stated that the undergrounding of utilities downtown had been going remarkably well. She stated that they hoped to have the trees unfurled by Thanksgiving and the up-lighting completed.

Two Teds

Ms. Shanahan noted that Assistant City Manager and Public Works Director Ted MacLeod had been on vacation for about ten days. She displayed a photo of her dressed up as him to welcome him back. The photo showed her wearing a fake beard, gray hair, and suspenders. She joked that two Teds were better than one.

Commissioner Kent asked where Ms. Shanahan purchased the beard; whereby, Ms. Shanahan stated that it was originally a very long beard which she trimmed and that she got it from Party City.

D.A.R.E Graduation at Pathways Elementary

Commissioner Kent stated that Officer Stokes did a wonderful job teaching the children for ten weeks. He thanked Chief Osterkamp for attending the graduation and stated that it meant a tremendous amount. He noted that he knew that Ms. Shanahan had a conflict and could not attend. He stated that the highlight of the show had been Mayor Kelley. He asked Mayor Kelley to do an impression of what 18 second graders looked like when the Mayor of Ormond Beach walked into the room. Mayor Kelley made the face and Commissioner Kent explained that it looked like his jaw hit the table. He stated that the kids were so excited that the Mayor came into their class. He stated that the key to the city pin that Mayor Kelley gave each of the D.A.R.E. graduates was special.

Beachfront Park

Commissioner Kent stated that although the weather was a little cooler, the Andy Romano Beachfront Park was still being used quite often. He stated that he was at the park two Saturdays prior for National Make a Difference Day with his student council students cleaning the beach. He stated that same day was the day that Ormond Beach held its Senior Games. He explained that he had brought bottled water for his student council members and the seniors thought it was for them and were helping themselves to it. He stated that he did not have the heart to tell them that it was for the kids picking

up trash on the beach, but he noted there was enough to go around. He noted that both events were positive happenings in Ormond Beach.

Movies on the Halifax

Commissioner Kent stated that he was a little disappointed that Movies on the Halifax had been cancelled because of high winds, but noted that it was to be expected sometimes.

World Series

Commissioner Boehm joked that he thought the Boston Red Sox had adopted beards that year based on Mr. MacLeod's. He stated that there had not been a championship won in Boston since 1918. He stated that he, Economic Development Director Joe Mannarino, and Mr. MacLeod were Red Sox fans. He noted that he wanted to mention the World Series Win while they could still bask in the glory.

Veterans' Day Events

Commissioner Boehm stated that Veterans Day was November 11, 2013. He stated that the City of Ormond Beach had always consistently honored its veterans and looked after them. He stated that the city sponsored an annual dinner at the Senior Center, which this year would be held on Sunday, November 10, 2013, from 5:30 p.m. to 7:00 p.m. He explained that veterans ate free and there was a nominal charge for anyone attending with a veteran.

Commissioner Boehm stated that on Veterans Day, Monday, November 11, 2013, at the Memorial Gardens, there would be a Veteran's Tribute. He stated that it was a worthy recognition of Veterans who lived in the community. He encouraged all who had the opportunity to attend to do so.

Country Music Awards

Commissioner Boehm stated tomorrow evening was the Country Music Awards. He explained that Mayor Kelley's son, Brian Kelley, was in a group called Florida Georgia Line; which was nominated for several awards. He noted that Mayor Kelley would be attending the awards. He stated that when Brian Kelley walked the red carpet, he would be accompanied by a beautiful lady, his mother and Mayor Kelley's wife, Mary-Margret Kelly. He stated that Mayor Kelley would have a very special opportunity the next day to see his son at the Country Music Awards, which would air on ABC the following evening and encouraged everyone to watch.

Commissioner Boehm Vacation

Commissioner Partington asked Commissioner Boehm if he had any seasickness on his vacation and also what he did on the eighth day of a seventeenth day repositioning cruise in the middle of the Atlantic Ocean.

Commissioner Boehm stated that it had been 81 degrees with the sun shining and a nice swimming pool with a bar. He stated that the cruise kept you entertained and had every kind of food imaginable.

Country Music Awards

Commissioner Partington stated that he looked forward to seeing the First Lady of Ormond Beach walking down the red carpet. He noted that Florida Georgia Line was nominated for four awards.

Mayor Kelley stated that the group was also performing. He noted that usually performers and those that were up for awards were seated very close to the stage so those watching the telecast at home might see his wife in her beautiful cobalt blue dress. He stated that you could not imagine that something like this could ever happen to a kid from Ormond Beach. He stated that the family was excited.

D.A.R.E.

Mayor Kelley thanked Commissioner Kent for his support of the D.A.R.E program. He stated that it was great for the kids and thought every city should participate in it. He stated that exposing kids to that program could eliminate a lot of the problems and issues with drugs, alcohol, gangs, and bullying. He stated that he wished other communities would also participate. He noted that two new cities did join after watching Officers Stokes and Cornelius make a presentation.

Homeless Issues

Ms. Shanahan stated that she had a meeting earlier in the week with Holly Hill's City Manager, who shared with her some of the issues that Holly Hill and Daytona Beach had been discussing regarding the homeless. She stated that she understood that the Volusia Council of Governments (VCOG) had also had discussions on the topic. She stated that Holly Hill planned to go to Fort Lauderdale to see what they had done with their program and she asked if any members of the Commission wished to go with them also. She explained that they had invited her to go as well.

Mayor Kelley asked for the date that they would be going.

Ms. Shanahan explained that there was not yet a date. She stated that if there was any interest from the Commission then she would try to coordinate schedules.

Mayor Kelley asked if it would be a day trip; whereby, Ms. Shanahan stated that she hoped so. He noted it would be about an eight-hour round trip.

Ms. Shanahan stated that Holly Hill's City Manager and one Commissioner would be making the trip.

Mayor Kelley stated that if he had available time on that day, he would consider it.

Item #12 – Adjournment

The meeting was adjourned at 7:38 p.m.

APPROVED: November 19, 2013

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk