

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

January 8, 2014

7:00 PM

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

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Florida League of Cities IEMO III: Leadership Challenge - Certificate of Completion for Commissioner Partington
 - B. SHINE Program Awards – John Bouck and Carrie Davis
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – December 3, 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. 2014-01** : A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE STATE ATTORNEY OF THE SEVENTH JUDICIAL CIRCUIT FOR PROSECUTION OF VIOLATIONS OF CITY ORDINANCES PUNISHABLE BY INCARCERATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2014-02** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000011114) FOR THE PURCHASE OF ONE 2014 FREIGHTLINER 114SD TANDEM AXLE CHASSIS, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 13-11- 0904; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Facundo Tassara, Fleet Operations Manager (386-676-3506)

- C. **RESOLUTION NO. 2014-03** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000011080) FOR THE PURCHASE OF ONE VAC-CON SEWER CLEANING/VACUUMING MACHINE, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 13-11- 0904; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Facundo Tassara, Fleet Operations Manager (386-676-3506)

- D. **RESOLUTION NO. 2014-04** : A RESOLUTION ACCEPTING A PROPOSAL FROM QUENTIN L. HAMPTON ASSOCIATES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE SOUTH PENINSULA RECLAIMED WATER MAIN EXTENSION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2014-05** : A RESOLUTION AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY AND HALIFAX WRECKING COMPANY, INC., REGARDING THE COLLECTION OF CONSTRUCTION AND DEMOLITION DEBRIS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2014-06** : A RESOLUTION ACCEPTING THE PROPOSAL OF SUNSHINE STATE OFFICIALS ASSOCIATION, INC., TO PROVIDE SPORTS OFFICIALS FOR THE VARIOUS ATHLETIC PROGRAMS SPONSORED BY THE CITY OF ORMOND BEACH; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2014-07** : A RESOLUTION AUTHORIZING THE EXECUTION OF AN OPTION AND LEASE AGREEMENT BETWEEN THE CITY, TOWERCOM III, LLC AND CIVIL AIR PATROL, UNITED STATES AIR FORCE AUXILIARY, FLORIDA WING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **Auto Renew Agreement FEC Railway Blank Utility Agreement**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 8, 2014.

- I. **Dual Check Valve Assembly Procurement & Dual Check Valve Assembly Installation Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 8, 2014.

- J. **Approval of Travel by the City Commission/City Manager/City Attorney**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 8, 2014.

8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-78** : 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 0.90-ACRES LOCATED AT 1740 WEST GRANADA BOULEVARD, FROM VOLUSIA COUNTY "LOW IMPACT URBAN" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2014-01** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO (2) PARCELS OF REAL PROPERTY TOTALING +3.13-ACRES LOCATED AT 55 AND 75 NORTH NOVA ROAD, FROM "OFFICE/PROFESSIONAL" AND "PUBLIC/INSTITUTIONAL" TO "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2014-02** : 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 +18.68 ACRES LOCATED AT 1500 SAN MARCO DRIVE FROM VOLUSIA COUNTY "URBAN HIGH INTENSITY (UHI)" TO CITY OF ORMOND BEACH "OFFICE/PROFESSIONAL (O/P)"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2014-03** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.24± ACRES LOCATED AT 250 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), 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)

- E. **ORDINANCE NO. 2014-04** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 8.06± ACRES LOCATED AT 260 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY BPUD (PLANNED BUSINESS UNIT DEVELOPMENT) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), 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)

- F. **ORDINANCE NO. 2014-05** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 A CERTAIN PARCEL OF REAL PROPERTY TOTALING 0.90 ACRES LOCATED AT 1740 WEST GRANADA BOULEVARD, FROM VOLUSIA COUNTY R-7 (URBAN MULTIFAMILY RESIDENTIAL) TO CITY OF ORMOND BEACH B-1 (PROFESSIONAL OFFICE/HOSPITAL) 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)

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2014-06** : AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Joseph Kim, Riverview United Methodist Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Florida League of Cities IEMO III: Leadership Challenge – Certificate of Completion for Commissioner Partington

Mayor Kelley stated that he was proud to present Deputy Mayor and Zone Four Commissioner Partington with a Certificate of Completion from the Florida League of Cities for his successful completion of their Institute for Elected Municipal Officials (IEMO) III Leadership Challenge program. He noted that Commissioner Partington completed part I and II of the challenge previously. He stated that the Florida League of Cities felt that Commissioner Partington's attendance at the program was indicative of his continued commitment to improve the quality of municipal government in Florida.

Commissioner Partington stated that his parents always stressed the value of education. He stated that the program was continuing education and explained that Former Mayor Fred Costello had really encouraged them to attend continuing education when he was Mayor and noted that Mayor Kelley continued to push for it as well. He stated that he was proud to have achieved the certificate and noted that he had participated in the inaugural class of IEMO, which comprised approximately 42 elected officials. He stated that he appreciated the support from Mayor Kelley and Former Mayor Costello for the members of the Commission to learn as much as they could so that they could stay on top of the issues that affected their city.

Item #4B – SHINE Program Awards – John Bouck and Carrie Davis

Ms. Joyce Shanahan, City Manager, stated that last calendar year the city started an employee suggestion program called the SHINE (Suggestions Help Increase and Nurture Excellence) Program. She explained that the program was established to promote innovation in the workplace, greater efficiency, increased productivity, and more effective public service. She noted that the program also promoted cost savings. She stated that the SHINE committee met and reviewed five suggestions made by employees. She explained that the SHINE committee is comprised of employees and they evaluated the cost savings and feasibility of implementing the suggestions they received.

Ms. Shanahan announced that the first award would be for Mr. John Bouck, Environmental Improvement Officer for the Neighborhood Improvement Division of the Police Department. She stated that Mr. Bouck had submitted a suggestion regarding the Special Magistrate citation and hearing notification process which resulted in a significant cost savings for his division. She stated that his suggestion would be awarded a Gold Award with a monetary prize of \$100. She thanked Mr. Bouck for his efforts.

Ms. Shanahan announced that the second award that evening would be awarded to Ms. Carrie Davis, Firefighter/Paramedic. She stated that Ms. Davis submitted a suggestion that the city recognize and develop a reward program for employees who exhibit excellent customer service. She explained that the program would be a peer to peer recognition award for employees going above and beyond. She stated that employees who were nominated would be entered into drawing where one winner would be drawn each month and would receive a \$25 gift card. She stated that Ms. Davis was awarded the Silver Award for her suggestion and a monetary prize of \$50.

Mayor Kelley thanked both program participants for their contributions to the city.

Item #5 – Audience Remarks

Mr. Don Cunningham, 19 North Yonge Street, stated that he lived in the mobile home park behind the bank on US 1. He stated that the park was run down and only about 60% full when he had arrived. He stated that he terraced the land there as he had done when he was in the landscaping business. He stated that in the state of Florida, out of 52 inches of rainfall, only 19 of it was recharge. He stated that in order to have healthy and robust biological diversity the land must be terraced properly and recharge in order to keep clean water. He stated that the architects were not aggressive and liked leaving it to the engineers. He stated that the ditch and drain tacit would not float and degradation would continue.

Mayor Kelley stated that according to reports he had received, about 5 inches was needed each year in rainfall. He stated that about an inch and a half of rainfall each year was used.

Mr. Jay Magrane, 2245 Lippizan Trail, stated that he was thoroughly disgusted with an article he read in the Daytona Beach News-Journal the other day about a police sergeant that had sex on the clock, beat his wife, and lied to the Police Chief. He stated that no one should stand for that. He provided other examples of poor behavior by law enforcement including a cop in Deland that ran over a black gentleman and killed him, cops in Daytona Beach taking pictures of their genitals and putting them on the internet, and beach rangers running over people. He stated that somewhere the lines had to be drawn and the laws he had to follow should have to be followed by law enforcement as well. He stated that the cops came to visit him because his wife had osteoporosis and had her hip and spine broken several times. He stated that the cops probably felt that he was harming her when he was not.

Item #6A – Approval of Minutes

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

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 – 1740 W Granada Blvd Small Scale Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-78
 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 0.90-ACRES LOCATED AT 1740 WEST GRANADA BOULEVARD, FROM VOLUSIA COUNTY "LOW IMPACT URBAN" TO ORMOND BEACH "LOW INTENSITY COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-78, on second 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 – 55 & 75 North Nova Road – Small Scale Land Use Map Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-01
 AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO (2) PARCELS OF REAL PROPERTY TOTALING +3.13-ACRES LOCATED AT 55 AND 75 NORTH NOVA ROAD, FROM "OFFICE/PROFESSIONAL" AND "PUBLIC/INSTITUTIONAL" TO "LOW INTENSITY COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that this item was a joint application between 75 North Nova Road and the church at 55 North Nova Road. He explained that the purpose of the amendment was to extend commercial use to 75 North Nova Road, noting that the property was currently a vacant bank designated as a professional/office use. He stated that the owner, Mr. Holub, would like to redevelop that site to a commercial use. He noted that the only way to have a commercial use there was to include the church to provide continuity. He stated that Planning Board and staff recommended approval.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-01, 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 – 1500 San Marco Drive Large Scale Land Use Plan Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-02

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 +18.68 ACRES LOCATED AT 1500 SAN MARCO DRIVE FROM VOLUSIA COUNTY “URBAN HIGH INTENSITY (UHI)” TO CITY OF ORMOND BEACH “OFFICE/PROFESSIONAL (O/P)”; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss explained that when the property was annexed staff had full intentions of assigning it a high density residential (HDR) designation; but once they analyzed the plan that was approved in the county; they observed that the HDR designation did not allow for the floor area that was presently on the site. He stated that they needed to provide a designation that would allow for that floor area, which is why they selected the professional office designation. He noted that that designation was compatible with the hospital located two doors down. He stated that the rezoning would probably be brought before the Commission with a planned business development (PBD).

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-02, on first reading, as read by title only.

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

Item #8D – 250 Williamson Blvd. Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-03

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.24± ACRES LOCATED AT 250 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that the property was developed in the county and met the green belt corridor standards with regards to signs, architecture, and buffers. He explained that the problem was that there were other dimensional standards that were not met; which was why it was being brought into the city as a Planned Business Development (PBD), to recognize the plan that was approved in the county.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-03, on first reading, as read by title only.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes

Carried. Commissioner Partington Yes
Mayor Kelley Yes

Item #8E – 260 Williamson Blvd Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-04

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 8.06± ACRES LOCATED AT 260 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY BPUD (PLANNED BUSINESS UNIT DEVELOPMENT) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that when the property went through development in the county it was limited to certain types of uses, which was why there was a PBD.

Mayor Kelley noted that this property was the Ormond Beach Post Office.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2014-04, 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 #8F – 1740 W Granada Blvd Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-05

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 A CERTAIN PARCEL OF REAL PROPERTY TOTALING 0.90 ACRES LOCATED AT 1740 WEST GRANADA BOULEVARD, FROM VOLUSIA COUNTY R-7 (URBAN MULTIFAMILY RESIDENTIAL) TO CITY OF ORMOND BEACH B-1 (PROFESSIONAL OFFICE/HOSPITAL) AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this item was related to the annexation and the land use to be consistent with the county.

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-05, 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

Mayor Kelley closed the public hearings without objection.

Item #9A – 2013 CIE Update

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-06
AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE
CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND
BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES
SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES
OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that annually the Capital Improvements Element (CIE) had to be updated based upon the Capital Improvements Program. He stated that that was what was being done with this ordinance and that it would be sent to the state to comply with that statute.

Mayor Kelley noted that this ordinance was just to take care of the paperwork for that process.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-06, on first reading, as read by title only.

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

Item #10 – Reports, Suggestions, Requests

Upcomign Meetings

Ms. Shanahan stated that the Shade Meeting that was previously scheduled for that evening had been postponed. She stated that she would like to instead have that meeting occur prior to the City Commission Meeting on January 21, 2014 at 5:30 p.m.

Mr. Randy Hayes, City Attorney, noted that the meeting would regard the litigation involving American Persian Engineers (APEEC) versus the city and other defendants.

Ms. Shanahan stated that as part of that meeting they also planned to update the Commission on collective bargaining with the fire pension plan. She stated that she would like to try to do that at that meeting or immediately following the City Commission Meeting.

Ms. Shanahan stated that the Goal Setting Workshop would be moved to February 4, 2014 at 5:30 p.m. prior to the City Commission that evening. She stated that she also had asked the City Clerk to update the Commission calendar to have a Brainstorming session on the following dates at 5:30 p.m.: March 18, 2014, June 17, 2014, and September 16, 2014.

Upcoming Agenda Item

Ms. Shanahan stated that at the December meeting a gentleman from Painting with a Twist came by to ask for the Commission to consider some amendments to the code. She stated that staff was working on that item and expected to have it on the February 4, 2014 meeting Agenda.

Reuse Water

Ms. Shanahan stated that there was 4.4 million gallons of reuse water available, and that the city was presently using 2.6 million, an amount which had increased substantially since they added the new reuse water line to Breakaway Trails. She stated that they anticipated the reuse usage to go up to about 2.9 million. She noted that during this year they would also be extending the reuse water line on beachside south of Granada Boulevard. She explained that it was a big accomplishment to use all of the reuse water that they did.

Mayor’s Health and Fitness Challenge

Ms. Shanahan stated that there were 345 participants that had already registered for the Mayor’s Health and Fitness Challenge.

Mayor Kelley thanked Ms. Shanahan, Ms. Christina Maguire, Risk Manager, and all of the Human Resources staff for their efforts. He stated that the partners and sponsors of the challenge were all doing a great job as well.

Ms. Shanahan wished good luck to all of the challenge participants, noting that she herself was one.

Commissioner Stowers stated that he signed up for the challenge on Saturday and noted that he was at his heaviest weight. He stated that he had been working out for the past couple days by working out at the YMCA and walking the bridge and saw other people but did not know whether or not they were also participants in the challenge. He stated that he had an idea to get rubber bracelets that said "2014 Mayor's Challenge" which could be given to participants to wear while they were working out to promote camaraderie.

Mayor Kelley stated that that was a great idea.

Ms. Shanahan stated that they would look into it.

Commissioner Kent stated that he and his father were also participating in the challenge. He noted that he was 'in it to win it' and had not eaten any of the candy on the dais.

Beach Control

Commissioner Kent noted that Channel 13 News did a piece on his idea of taking the beach back from county control. He stated that the newspaper also ran an article about it. He stated that next Wednesday he would be meeting with Ms. Shanahan and Mr. Hayes about the issue to discuss some parameters and legal issues. He noted that he had quite a few people talk to him about the idea and that he had not heard any negative comments.

Coffee with Commissioner

Commissioner Kent stated that Monday, February 3, 2014 would be Coffee with Commission Kent at his home. He noted that Ms. Sue Parkerson was in the audience and that she had met with him ten and a half years ago and told him it would be a great idea to host such a meeting. He thanked Ms. Parkerson for the idea and for her patronage at his residence. He stated that the meeting would be held from 4:30 p.m. to 5:30 p.m. at 130 Magnolia Drive, which was located on the beachside behind the hospital.

Liberty Preservation Ordinance

Commissioner Kent stated that in his first year teaching in Ormond Beach he had a student named Josh Allred. He stated that Mr. Allred was now about 22 or 23 years old and was a lover of history. He explained that Mr. Allred had sent an email to the Commission and he had told him that he would bring his idea up at a meeting. He noted that he wished to see if another Commissioner was also interested in looking into it. He stated that the information Mr. Allred sent the Commission was about the Liberty Preservation Ordinance. He explained that a federal law was enacted in 2001 allowing United States citizens to be detained on United States soil for the mere suspicion of association with terrorist forces. He stated that he loved the tenacity of Mr. Allred to want the City of Ormond Beach to stand up and say that that was not right. He explained that the founding fathers encouraged citizens to stand up when something happened with the government that they were not comfortable with. He stated that he commended Mr. Allred for doing research and having the guts to send it to the Commission. He asked that if anyone else was interested in the ordinance to please let him know.

January Birthdays

Commissioner Boehm joked that he did not know what it was about people with January birthdays that drove them towards city government. He noted that the following members of the Commission and city staff had January birthdays: Planning Director Ric Goss, Economic Development Director Joe Mannarino, Fire Chief Bob Mandarino, Assistant City Manager and Public Works Director Ted MacLeod, Commissioner Partington, and Airport Manager Steven Lichliter.

Long Term Service

Commissioner Boehm noted that Commissioner Kent and Commissioner Partington were both starting their 11th year on the City Commission. He stated that those were all consecutive years. He noted that Mayor Kelley had about that much time with broken

service. He stated that it was admirable that they had served for so long. He stated that the Commission made close to minimum wage and so did not hold their positions for the money but instead because they believed in Ormond Beach and were dedicated to making it a better place.

UCF Football

Commissioner Boehm noted that the big three university football teams in Florida was always the Florida State University (FSU) Seminoles, the University of Florida Gators, and the University of Miami Hurricanes. He stated that this year there was another, the number ten team in the country, the University of Central Florida (UCF) Knights. He noted that both Commissioner Kent and Commissioner Partington attended UCF and should be proud of their football program.

FSU Football – National Champions

Commissioner Boehm thanked the Commission for its foresight in moving that night's meeting from Tuesday, January 7, 2014 to Wednesday, January 8, 2014 so that he and Mayor Kelley could attend college football's BCS (Bowl Championship Series) National Championship Game in Pasadena, California, where the FSU Seminoles won the title.

UCF Football

Commissioner Partington noted that it had been five weeks since they officially met last. He congratulated FSU on their win. He stated that he did not know how to act with UCF going to a bowl game as big as the Tostitos Fiesta Bowl and winning, noting that it was a new experience for them.

Starry Starry Night

Commissioner Partington stated that Friday, January 10, 2014 would be Starry Starry Night, which was a celebration of art and culture in Ormond Beach. He stated that the event had been held for twenty five years, was free, and consisted of a stroll along Granada Boulevard to different participating culture centers of Ormond Beach. He stated that there would be activities and refreshments at the various stops. He stated that Ormond Beach Main Street sent out a notice which included the poster for the event and he thought it was gorgeous and he would love to get a print of it if possible.

Ms. Shanahan stated that it was painted by someone teaching a Van Gogh class but it had not been made into a poster yet.

Homeless Issue

Commissioner Partington stated that he also wanted to touch on the homeless issue, as it seemed an appropriate topic with the recent cold weather. He stated that he asked Ms. Shanahan to forward a copy to the Commission of the resolution that Daytona Beach enacted supporting the concept that Judge Schumann had promoted; which was the Safe Harbor concept from Pinellas County. He stated that he would like the Commission to adopt a similar resolution, noting that it would not commit any finances, but just support the concept. He stated that he thought it was the right thing to do not just from a compassionate human perspective but also from the financial and cost savings perspective. He noted that he wanted to make the Commission aware of that initiative prior to their Goal Setting Workshop. He stated that he believed that other cities and agencies in the county would be passing similar resolutions. He explained that there was a meeting in Daytona Beach on Friday, January 10, 2014 at 4:30 p.m. about the issue, noting that a city staff member would be in attendance. He stated that he would attempt to make it but was unsure if he could with work.

Jobs

Commissioner Partington stated that the continuation of "jobs, jobs, jobs" would be one of his goals. He stated that part of what prompted that was reading the U.S. job forecast put out by UCF, which they all received. He stated that in that document it was asked why every politician and talking head on television was not focusing on jobs. He stated that it also went on to state that the primary objective of government should be to get the economy back to its potential in the jobs market, and everything else should be on the back burner.

Economic Development

Mayor Kelley stated that he thought the city might want to look at some of the restrictiveness in some of the PBDs, noting that some required that 49 or 50% of the space be office space, when they already had more office space than was needed. He stated that he was introduced to an individual over the holidays who owned large manufacturing facilities in Texas and Georgia. He stated that he asked him what the

climate was in Florida because he was becoming disenchanted with some of the areas. He stated that it should be government's job to create the condition for jobs not create jobs.

Tallahassee Trip

Mayor Kelley stated that he ran into Governor Rick Scott while in Pasadena. He stated that he briefly spoke to he and his wife and that the Governor noted that they would be seeing more of Ormond Beach. He stated that he and Ms. Shanahan would be leaving to go to Tallahassee on Monday and had meetings scheduled on Tuesday. He stated that he would also be presenting to the Senate Pension Committee, as he thought they needed to hear honestly from local governments.

FSU Football – National Champions

Mayor Kelley thanked the Commission for adjusting the meeting day to allow for return travel from the BCS National Championship Game in Pasadena. He noted that he had only been back in town for about two hours and had been traveling back the last two days, including spending seven hours in the Los Angeles Airport. He stated that he was happy for the Seminoles win.

Item #11 – Adjournment

The meeting was adjourned at 7:50 p.m.

APPROVED: January 21, 2014

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk