

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

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**February 20, 2018**

**7:00 p.m.**

**Commission Chambers**

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Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, 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. Annual Audit Presentation FY 2016-17

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

**5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**

**6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – February 6, 2018

**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. 2018-27** : A RESOLUTION ACCEPTING A BID FROM ENVIROWASTE SERVICES GROUP, INC. FOR CONSTRUCTION SERVICES REGARDING THE 2018 STORM AND SEWER LINING PROJECT, UNDER BID NO. 2018-08; AUTHORIZING THE EXECUTION OF A CONTRACT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2018-28** : A RESOLUTION PURSUANT TO SECTION 8-4(8), LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY LOCATED AT 712 MONTANA TERRACE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4242-65-00-0070) FOR COSTS INCURRED BY THE CITY TO DEMOLISH AN UNSAFE STRUCTURE; AND APPROVING A SATISFACTION AND RELEASE FORM; AND SETTING FORTH AN EFFECTIVE DATE.

*Staff Contact: Steven Spraker, Planning Director (386-676-3341)*

C. **Auto-Renewal Golden Eagle Associates, Inc.**

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

*Disposition: Approve as recommended in the City Manager memorandum dated February 20, 2018.*

D. **RFP Miscellaneous Crafts & Trades**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 20, 2018.

**E. Renewal of Debt Collection Services**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 20, 2018.

**F. Budget Status Report for July 2017 – September 2017**

**Staff Contact:** Chris Byle, Assistant Finance Director (386-676-3206)

**Disposition:** Approve as recommended in the City Manager memorandum dated February 20, 2018.

**8. RESOLUTIONS**

- A. **RESOLUTION NO. 2018-29** : A RESOLUTION OF THE CITY COMMISSION OF THE ORMOND BEACH, FLORIDA APPROVING A PRELIMINARY PLAT FOR THE "SECURITY FIRST AT ORMOND CROSSINGS" PROJECT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Steven Spraker, Planning Director (386-676-3341)

- B. **RESOLUTION NO. 2018-30** : A RESOLUTION REQUESTING AND SUPPORTING THE COUNTY COUNCIL OF VOLUSIA COUNTY PLACING A BALLOT QUESTION ON THE 2018 ELECTION BALLOT FOR A ONE-HALF CENT INFRASTRUCTURE SALES TAX TO BE LEVIED FOR TWENTY YEARS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTING RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

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

**9. STAFF ACTION ITEMS**

- A. Draft List of Proposed Projects for Infrastructure Sales Tax

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

**10. REPORTS, SUGGESTIONS, REQUESTS**

**11. ADJOURNMENT**

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:03 p.m.

Item #2 – Invocation

Mayor Partington gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4A – Annual Audit Presentation FY 2016-17

Mr. Zach Chalifour, Partner, James Moore and Company, stated that fellow partner, Mr. Mike Sibley, was seated in the audience and that James Moore and Company served as the city's independent audit firm. He stated that he would be presenting the financial audit for the fiscal year which ended on September 30, 2017. He thanked the Commission and the staff for the opportunity to continue working with the city. He thanked Finance Director Kelly McGuire and her team for all of the hard work needed to be ready on time. He noted that the fiscal year included some unplanned factors, but that those factors did not affect the timing of their presentation, as the one the prior year had been held at the same time. He noted that the auditors had met with each member

of the Commission individually to go through the audit in more detail, and explained that this presentation would represent a few of the highlights of the Comprehensive Annual Financial Report (CAFR).

Mr. Chalifour stated that the financial statements were management's responsibility. He explained that the audit firm issued five reports throughout the financial statements. He noted that the report on the financial statements was an unmodified report, which was the best opinion that they could issue. He stated that the auditors looked at the city's internal controls over financial reporting and over compliance with the major grant programs. He stated that through all of the testing there were no deficiencies or other issues that came to their attention, so there were no findings reported to the city in either of those reports. He noted that also applied to any compliance matters with grants, debt, budget, or anything of that nature. He explained that a separate report that addressed a series of issues would be issued only if there were any concerns over the city's financial condition, as required by the Auditor General in Chapter 10.550, Rules of the Auditor General, noting that there were no such items. He stated that the last report was on the city's compliance with state statutes over investment policies and noted that the city was in compliance. He stated that the city's reports were known as clean, which meant that no material weaknesses or grant noncompliance were identified. He noted that one finding had been discovered the prior fiscal year and was reported in that CAFR, but had been corrected during the current fiscal year.

Mr. Chalifour stated that any significant activity or changes from an accounting standpoint were discussed. He noted that during the 2016 to 2017 fiscal year there was one new accounting standard related to the city's Other Post-employment Benefits (OPEB) liability. He stated that standard had been implemented one year early by staff in order to get a new evaluation from the outside actuary that was consulted to come up with the amounts, noting that the city was being proactive in their approach. He stated that the city dealt with multiple hurricanes and even implemented a new ERP/Accounting System during that year, which took extra time outside of regular business from the Finance Department, noting that everything seemed to be going well with the implementation of the system.

Mr. Chalifour stated that in regards to Hurricane Matthew, which hit in October of 2016, there had been about \$7,800,000 of expenditures recorded, with the bulk of that falling under the Solid Waste Fund for debris hauling, at about \$6,900,000. He noted that in total, between the \$6,300,000 revenues accrued under the Solid Waste Fund and various outstanding miscellaneous items under other funds, there was over \$7,800,000 of receivables on the books due from the Federal Emergency Management Agency (FEMA). He stated that nothing had been received from FEMA at that point, but was hopeful that the reimbursement would arrive soon. He stated that both the General Fund and Solid Waste Fund were impacted by Hurricane Matthew, but that the impact was not significant or adverse for the fiscal year, noting that there were still outstanding items in relation to damage from Hurricane Matthew. He noted that most of the expenditures from Hurricane Irma, which hit in September of 2017, would impact the fiscal year ending on September 30, 2018, since it occurred so late in the 2016 to 2017 fiscal year.

Mr. Chalifour stated that as of September 30, 2017, the General Fund balance was over \$9,600,000, noting that that amount was made up of a few different areas. He stated that the total balance included a nonspendable balance, monies already spent on inventory, prepaids, or a long term advance to another fund that could not be spent in the upcoming fiscal year; the restricted balance, any external restrictions that had to be used for a specified purpose; plus assigned and unassigned balances, what was really available and/or earmarked for a project. He stated that excluding the earmarked funds, the city had about 18.7 percent of general fund budget and that amount was within policy, noting that policy was a minimum of 15 percent.

Mr. Chalifour reviewed the unfunded liability on all three of the pension plans, noting that each plan took a substantial improvement due to all of the plan investment returns hitting around the upper 11 percent area versus the 6.75 to 7 percent assumed rates of return for each. He stated that it had been a positive trend due to investment returns for the year and noted that one uptick or downtick in the market could move the numbers a little. He stated that the key takeaway was that the city was being diligent in the funding of the pensions and made all the required contributions. He stated that all of the plans were valued at more realistic interest rates than was sometimes shown with other plans. He reiterated the need for the city to continue being diligent in funding those pensions.

Commissioner Kent stated that City Manager Joyce Shanahan had been involved in finance prior to her time with the City of Ormond Beach. He stated that she was a great asset with sharp eyes and keen skills, and wanted her to know that all of that did not go unnoticed.

Commissioner Kent thanked Ms. McGuire for the fantastic job by her and her staff. He noted that the city's financial house was in order again and that Ormond Beach historically had done an excellent job of making sure to spend every tax dollar efficiently and effectively.

Commissioner Kent thanked Mr. Chalfour and Mr. Sibley for their professionalism and service to Ormond Beach, noting that he thought they were fantastic human beings and looked forward to their personal skills every year. He stated that they were two gentlemen who could take subject matter that could put a baby who never wanted to go to sleep, right to bed.

#### Item #5 – Audience Remarks

Ms. Pam Novy, 26 Carriage Creek Way, stated that she was there to speak about the deforestation of beautiful Route 40, also known as Granada Boulevard. She stated that like everyone else that drove past the Granada Pointe site, she was shocked and noted that Ormond Beach was the City of Trees. She questioned where they had gone and stated that the developer had not left a buffer. She stated that there was one little oak tree and a few palm trees remaining and that the area was ugly. She stated that the situation was not going to get any better, because the trees were gone and wondered why the developer had clearcut. She wondered why they had not left a buffer of greenery.

Ms. Novy stated that she had read an article in the Daytona Beach News-Journal and noted that Commissioner Kent was quoted in the article; whereas, Commissioner Kent stated that he was quoted correctly.

Ms. Novy wondered why there would be a Wawa gas station. She wondered what the big show was with Kings Crossing when developer Mr. Paul Holub magnanimously took the Wawa off the table. She stated that the Commission knew that they would have one anyway. She read from the Daytona Beach News-Journal article:

*“Ormond Beach City Commissioner Troy Kent said property owners have a right to develop their land.”*

Ms. Novy stated that the property owner had the right to do with their property what was allowed when they bought it. She stated that if it were zoned one way, that the property owner absolutely needed to hold to that zoning and noted that the city was routinely waiving the zoning. She stated that the Commission had said that it did not change the character of Ormond Beach and asked if that were really true; whereby, Commissioner Kent stated that was absolutely true.

Ms. Novy stated that others could go by that site, that clear-cut, and think that it did not change, but she disagreed. She wondered where the ten acres were that were set aside. She stated that it must be off someplace where it was not noticed by the residents. She wondered if others thought that it was not affecting downtown Ormond Beach. She stated that Ormond Beach was a beautiful community and that it was being destroyed by a thousand cuts.

Ms. Alice Jaeger, 1335 Jarecki Avenue, stated that she currently lived in Holly Hill, but had been very active in Ormond Beach for a long time. She stated that she had attended the funeral for Mr. Bob Thames in Ormond Beach a short time prior, and noted that she had not driven down Granada Boulevard in some time. She stated that she almost had a heart attack when she looked over and saw what had happened to the beautiful drive up to the main part of Ormond Beach. She stated that she thought the Commission had made bad choices and was truly disappointed, noting that Ormond Beach was a special city. She stated that Mr. Thames was a special person and that he had worked really hard at the restoration of the Little Tomoka Yacht Club. She stated that residents and tourists had numerous places in town that they visited and remembered, including the little parks and beautiful little areas. She stated that Ormond Beach was going to start looking like Orlando. She wondered if another strip mall was going to be added to that location. She stated that the beautiful vegetation had been ripped out. She wondered what would have happened if the Commission had been in charge of the Loop area,

noting that Halifax Plantation and Bellemead Development were willing to set aside a buffer zone. She wondered what happened to the Commission's insight into what Ormond Beach was all about. She stated that it was a beautiful area with lots of trees. She stated that she was disappointed with Commissioner Kent and figured that Mayor Partington would have had a heart too. She stated that Mr. Thames had died young, that he had a heart and soul, that a lot of individuals in town had a heart and soul for the city, that the individuals loved the city, that they looked to the Commission to make the decisions about what happened to the city, and that the Commission definitely changed the character of Ormond Beach when the forest was ripped out. She stated that she hoped the Commission went to sleep at night feeling sick about what they had done because it was irreplaceable. She stated that she hoped that the people of the city would vote them out of their chairs if they continued to do that kind of stuff in Ormond Beach. She stated that she did not live in Ormond Beach anymore, but that Ormond Beach was the gateway to the whole area. She stated that the Commission should be ashamed of themselves and that if they ever made another decision like that, or even thought about making another decision like that, she hoped they would look at Granada Boulevard and see what they had done. She reiterated that she was truly disappointed.

Mr. Jim Cameron, Daytona Regional Chamber of Commerce, stated that he was going to give a brief update on the legislative session for the previous week and hoped that the Commission had been receiving the Legislative Status Reports that he sent on Friday afternoons. He stated that House Bill 631 by Representative Katie Edwards had passed the House of Representatives recently and that it involved possession of real property. He noted that there was also a Senate version, which was Senate Bill 804 by Senator Kathleen Passidomo, and noted that it was not only possession of real property, but that it was private property rights as it related to the beach. He stated that he was aware of the Commission's discussions about beach matters, and noted that it was the same bill that had come before the legislature the prior year, but that it had failed because they could not get the bills to align. He stated that he did not know the situation or what would happen with the current bills, but wanted the Commission to stay in touch with the legislatures on that situation.

Mr. Cameron stated that he was aware of Commission discussions regarding vacation rental units and noted that there were Senate and House Bills on that as well. He stated that they were Senate Bill 1400 by Senator Greg Steube and House Bill 773 by Representative Mike La Rosa, noting that the House Bill had stalled. He stated that House Bill 773 was scheduled to go before the Government Accountability Committee the upcoming Thursday and that Ormond Beach had two committee members involved, Representative David Santiago and Representative Patrick Henry. He asked the Commission to keep those bills on their radar.

Mr. Cameron stated that Commissioner Selby had contacted him and he thought that he had responded, but that it was in regards to Community Redevelopment Agencies (CRA). He stated that he had not seen anything move on CRAs all session, but noted that he had been on a conference call the prior Monday and heard that something might move on that in the upcoming weeks. He stated to be on the lookout for House Bill 17 and Senate Bill 432.

Mr. Cameron mentioned that the Chamber's 35<sup>th</sup> Annual Welcome Back Breakfast for the Legislative Delegation would be on April 12, 2018, and that the Chamber would be hosting a program on Constitutional Amendments in August of 2018.

Ms. Suzanne Scheiber, 548 Sandy Oaks Boulevard, stated that the Commission did not represent the citizens of Ormond Beach by rezoning the property at mid-town Ormond Beach and by allowing all the trees to be cut down. She stated that it was repeated many times that a developer has the right to develop a property and noted that was true. She stated that the zoning was changed for that property and that the Commission changed it. She stated that the residents were suffering property value losses and that it had already started happening. She wondered if the Commission thought that no one in Ormond Beach would notice that the trees were all gone. She stated that Commissioner Kent had mentioned in the Daytona Beach News-Journal article that no one had complained, noting that many had complained, but that Commissioner Kent did not listen. She stated that the article implied that no one cared and stated that she and everyone that she spoke with about the situation cared. She shamed Commissioner Littleton and the Commission. She stated that it did matter and was unacceptable. She stated that individuals did care.

Ms. Lois Spiess, 209 Osceola Avenue, stated that she was one of many Ormond Beach citizens who felt betrayed by the actions of the City Commission, which led to the complete destruction of an old grove forest on Granada Boulevard. She stated that the 32 acres were zoned as Low Intensity/Boulevard/Office and that the Commission unanimously voted to change that zoning to allow the destruction of every living thing on that site. She stated that it was such an outrageous lack of consideration for nature, aesthetics, the clean air a forest produces, and a watershed that held excess rain. She stated that it was all bulldozed under for the sake of high impact development. She noted that she was heartbroken and that it was unforgivable. She stated that the community had voted again and again for natural conservation and that it was a slap in the face. She stated that there were so many other possible land development uses that could have and should have been considered before the action that the Commission approved. She noted that the shaded cool drive that individuals enjoyed between U.S. Highway 1 and Nova Road was gone. She stated that instead the residents were given more gas stations and concrete. She noted that she was there to say goodbye to a priceless Ormond Beach landmark, the beautiful forest that was lying on the ground.

Mr. Jeff Boyle, 614 North Halifax Drive, stated that with a heavy heart, he joined thousands of Ormond Beach residents who mourned the senseless devastation on West Granada Boulevard. He stated that none of the residents were prepared for the massive deforestation or to be told by the Commission that developer property rights required them to vote yes. He stated that a private mandate apparently overruled their public mandate. He stated that they granted special exceptions and failed to limit the project size. He noted that the desecration that was viewed every day had become the Commission's legacy and that they owned it. He stated that Ormond Beach's 27 year designation as a Tree City was a joke. He stated that each Commissioner had to be aware of the public will before they voted. He stated that again and again, citizens had asked the Commission to preserve their city, its historic profile, and its environment.

Mr. Boyle stated that in 1995, and again 15 years later, the residents successfully opposed commercial restaurants in the parks at both ends of the Granada Boulevard Bridge. He stated that in 1997, the residents voted to tax themselves to buy 80 acres beside the Tomoka River. He stated that in 2002, Ormond Beach citizens led a county wide rally to Save the Loop and that in 2006, they went to court to get and win a referendum on building heights. He stated that in 2011, citizens again voted to bond and tax themselves to get a beachfront park. He stated that despite the documented history he went down, the Commission continued to reject the residents' wishes for green space and for the city's unique aesthetic character. He stated that in 2009, three of the Commissioners voted to remove Ormond Beach wetland rules, noting that those were protections that were long supported by voters that prohibited wetland destruction. He stated that the Commission had approved four feet of fill in a massive flood zone which brought the real threat of future catastrophic flooding. He stated that another condemned forest that stood beside the Moose Lodge was awaiting the bulldozer. He stated that the city's environmental standards seemed to be trending the wrong way with the Commission. He noted that the City of Ormond Beach had 40,000 people and that the Commission Chamber had 150 seats. He stated that clearly the residents had no choice but to trust the Commission to protect their quality of life. He stated that the tragedy on Granada Boulevard violated that trust and their sense of place. He explained that each citizen lost something priceless that they would never get back, noting that they grieved for the forest that came down, for the city, and for the residents.

Mr. Eric Sommerlad, President of International Association of Firefighters (IAFF) Local 3499, stated that he wished to continue discussions about the Volusia County Emergency Medical Services (EMS/EVAC). He stated that he was looking for answers, wanted to work with the Commission, and wanted to press Volusia County to fix the problem. He stated that there had been an article in the Hometown News and thought it was a good article, but that it stressed too much on the homeless and elderly. He stated that he had been in the area for a long time and that the homeless had been there a long time, noting that they were a challenge, but not the problem. He stated that the amount of elderly individuals was growing and that the firefighters would get those calls, but that also could not be fixed. He stated that the elderly were a fabric of society and that everyone needed to work together to solve the issues.

Mr. Sommerlad stated that the problem was that there were not enough units on the ground to transport individuals. He stated that he had recently finished a 34 hour shift working at Fire Station #92 and that they had 12 calls. He stated that out of those 12 calls, three were for lift assist, or picking someone up who had fallen, and the rest involved an ambulance meeting them. He stated that out of the nine ambulance calls,

the majority came from LPGA Boulevard or further south of Ormond Beach and that nothing that he experienced was in the City of Ormond Beach. He stated that at 2:10 p.m. that day, they received a call to the 1300 block of Ocean Shore Boulevard in Ormond-by-the-Sea covering for another truck, as they were on a call. He noted that the ambulance that arrived had come from George W. Engram Boulevard and Nova Road, noting that was in Daytona Beach. He stated that he had been asked what the answer was to the situation. He stated that for starters, Volusia County needed to bring the units up per capita, making them comparable to what the surrounding counties had and what they were doing. He stated that the county was running fewer units during the day than what some of the other counties had out at night, and that everyone needed to push them to make a change. He stated that something needed to be done and once a change was made, the county could reassess later and make further changes, if needed. He stated that one answer could be consolidation and that he would love that. He noted that based on his impression, he was not sure if County Manager James Dinneen was the right leader for that issue, but mentioned that he had not met him. He stated that Mr. Dinneen had been asked a question by the media and ran from them, which did not show strength in his opinion. He stated that if someone made a decision that that person needed to hold their convictions. He noted that he would be back to discuss that topic again.

Mr. Lou Lumaghi, 1 Cliffside Drive, stated that he agreed with everything that had been said prior on the stripping of the trees, but that his angle was the traffic. He stated that everyone was aware that Ormond Beach had a big traffic problem and that it was getting worse. He stated that it would be worse because of the 300 houses planned at Ormond Crossings. He stated that Plantation Oaks would push a lot of traffic onto U.S. Highway 1 and Beach Street. He reiterated that Ormond Beach had a lot of traffic and that it was getting worse. He stated that he saw no moves being made and that the Granada Pointe project did not help because it would have two stores, parking lots, and traffic moving into one of the busiest parts of Granada Boulevard already. He suggested that the Commission reconsider that development or they would pay the penalty later, noting that all residents of Ormond Beach would.

Ms. Kathleen Hanson, 535 Lake Bridge Drive, stated that she grew up in the area but had moved away and lived in Atlanta, Toronto, and Tallahassee. She stated that Tallahassee was where her suggestions were coming from that evening. She stated that Ormond Beach residents were very disappointed at the trees being clear-cut and thought that that was not allowed anymore, anywhere. She stated that Atlanta had been clear-cut everywhere and that it was a mess. She stated that she lived in Tallahassee for ten years and that they had one of the strictest tree ordinances that still held true. She stated that when that city widened Thomasville Road, they had to divert part of the road because of a large oak tree and they did it that way because there was a pride in that community to preserve the trees. She stated that she was shocked when she saw what happened on Sterthaus Drive and Center Street, noting that huge oaks had been removed, and then on Granada Boulevard. She suggested that the city adopt stricter tree ordinances like Tallahassee had, because that was not a good thing and the city was too beautiful to allow that kind of sacrifice to happen.

Ms. Jenny Nazak, 409 Harvey Avenue, Daytona Beach, thanked all the citizens who had spoken previously about the trees and noted that she shared their pain. She stated that what happened in Ormond Beach, happened to those in Daytona Beach and that it was a regional issue.

Ms. Nazak stated that when humans were given dominion over all the other species, that did not mean they just got to run around and kill everything; it meant that they were supposed to watch over things and get their needs met, but also take care of others as well. She stated that for those who believed in consequences in the afterlife, that there would be those consequences, but noted that on earth there were earthly consequences of the over removal of vegetation. She stated that wetlands and forests had economic value and that they also mitigated weather extremes, helping to guard the hydrological cycle. She stated that as more and more vegetation was removed, humans would see more and more severe consequences of flooding. She stated that those impacts would be seen on very expensive infrastructure, such as roads and sewer systems. She noted that when she studied permaculture, a sustainable design approach for meeting the basic human needs while also improving the health of ecosystems, she learned certain verbiage was very useful, noting that wetlands and forests perform services, that they actually did work for free just by the nature of their being. She stated that the wetlands and forests did work that had economic benefit to humans. She stated that there was a natural wetland at the site on Granada Boulevard. She explained that humans needed to

expand their thinking, so that they could build the buildings and do their human needs and leave the natural wetlands in place, because it was really expensive to fill something in at one area and dig a pond in another.

Ms. Nazak stated that she personally knew a few of the Commissioners and that they did have some green forward thinking ideas. She stated that Mayor Partington was into planting more vegetation, and that Commissioner Selby showed her the Low Impact Development Best Practices manual and that was great. She hoped that they would put more of that type of thinking into practice. She finished by stating that humans did not have to pit economic development against the health of their ecosystem, which had truisitic value and had value to the residents.

Mr. Paul Holub, Applicant, stated that there would be a 36 foot buffer on the property for about 800 feet, which could have been reduced if they had asked for a reduction because of the depth of the property. He stated that the city code allowed for that reduction, but that they did not ask for that. He stated that the most westerly 400 foot section had a portion that was 45 feet in depth, noting that there was not a buffer on Granada Boulevard of that size period. He stated that he designed the buffer to be planted uniform with very large specimen trees, noting that it did not matter whether it would be himself and his company or the future tenants or landowners planting it. He stated that the entire thousand plus feet of frontage buffer would look the same, reiterating that it would be uniform from one end to the other.

Mr. Holub stated that in order to fill the property, they had to remove the trees. He noted the citizens' concern for the trees in general, as well as the historic trees, and stated that on the south side of the development, the historic trees were in horrible condition from storms, hurricanes, and lightning strikes over the years. He stated that a conservation easement would be on ten acres, which was in the immediate vicinity of the property and right behind the Moose Lodge. He noted that it would be adjacent to The Three Chimneys Historical Site ("Three Chimneys"), and that about four acres of it was uplands which would house 18 historic trees that would be preserved forever. He stated that those trees would remain in a forested area, that there were over 1000 specimen trees and probably 50 to 75 specimen trees that were almost at the historic status, noting that those would achieve the minimum 36 inch historic status over the upcoming few years. He stated that if tree preservation was on the residents' minds that they would have a great ten acre parcel, which could include passive parks or something like that. He suggested that the community could potentially do a project in conjunction with Three Chimneys.

Mr. Holub stated that the south side of the Granada Boulevard property did not have any wetlands that required mitigation. He stated that the wetland was on the north side and that it was mitigated for through the St. John's River Water Management District (SJRWMD), at about six or seven tenths of an acre. He stated that the property had a seven acre compensatory storage and retention pond and that flooding issues had been discussed. He stated that the property would not flood, nor would it impact the adjoining homeowners because the retention pond was twice the size that would normally be required if one were outside of a flood zone. He stated that he had gone above and beyond with all the design standards and hoped that the community would give them the opportunity to finish the project and then address any issues at that time.

#### Item #6 – Approval of Minutes

Mayor Partington advised that the minutes of the February 6, 2018, regular meetings had been sent to the Commission for review and posted on the city's website for public viewing. He asked for any corrections, additions, or omissions.

Commissioner Selby stated that he thought he needed to make corrections, because in his Commissioner comments at the end of the prior meeting he incorrectly stated that the safe zone was at the corner of Bellevue Avenue Extension and Beville Road. He noted that there was no corner of Bellevue Avenue Extension and Beville Road, as they ran parallel to each other. He commended the top notch staff for fixing that mistake for him so that when he read the minutes, he was impressed to see that they caught his error. He stated that he had no corrections at that time.

Mayor Partington thanked Commissioner Selby for the notation and stated that the minutes would stand approved as presented.

#### Item #7 – Consent Agenda

Mayor Partington advised that the actions proposed for the items on the Consent Agenda were stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda.**

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Comments on Consent Agenda Items

Mayor Partington noted that no member of the Commission wished to make any comments on any Consent Agenda items.

Item #8A – Security First at Ormond Crossings, Preliminary Plat

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2018-29  
A RESOLUTION OF THE CITY COMMISSION OF THE ORMOND BEACH, FLORIDA APPROVING A PRELIMINARY PLAT FOR THE "SECURITY FIRST AT ORMOND CROSSINGS" PROJECT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, stated that the resolution was to allow the subdivision of land, so that the Security First property would be subdivided from the overall Ormond Crossings project. He stated that the Security First property was under construction, that there were building permits that were pending, and that the project was moving forward. He noted that Security First would come back to the City Commission with a final plat.

Mayor Partington noted that Melissa Burt DeVriese, Chief Legal Counsel for Security First Insurance, was present in the audience.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2018-29, as read by title only.**

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #8B – Resolution Requesting and Supporting an Infrastructure Sales Tax

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2018-30  
A RESOLUTION REQUESTING AND SUPPORTING THE COUNTY COUNCIL OF VOLUSIA COUNTY PLACING A BALLOT QUESTION ON THE 2018 ELECTION BALLOT FOR A ONE-HALF CENT INFRASTRUCTURE SALES TAX TO BE LEVIED FOR TWENTY YEARS; PROVIDING FOR SEVERABILITY, PROVIDING FOR CONFLICTING RESOLUTIONS AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Boehm moved, seconded by Commissioner Selby, for approval of Resolution No. 2018-30, as read by title only.**

Commissioner Littleton stated that he wanted to highlight what he liked about the resolution. He stated that it was a sales tax, which was a consumption tax and in his opinion, was a much better way to collect revenue than through property taxes. He stated that he liked the fact that the CEO Business Alliance would be spending their

money and effort on the advocacy campaign, instead of the taxpayer's money. He noted that there were few things that he took issue with, one being what the money could be spent on. He stated that it should stay focused on road infrastructure and improvement, noting that it was clear that there was not a sufficient funding source for new road construction. He stated that waste water and storm water projects already had service fees, respective funds, impact fees, and if necessary, the General Fund. He stated that he thought it was evidenced by the initial narrative that that was supposed to be about transportation and roads. He noted that his final issue was the revenue split, noting that he had a problem with that one. He explained that numbers indicated that Ormond Beach had roughly 8.1 percent of the population of Volusia County, but that the amount of money that the city would receive was equivalent to just over 5.2 percent. He stated that that was inefficient and showed that Ormond Beach was getting the short end of the stick. He stated that he did not believe that he had ever voted for something that he believed was unfair to the citizens of Ormond Beach, and did not plan to start either.

Mayor Partington pointed out that on the resolution, the Commissioners were not voting for anything other than allowing the residents to vote on a ballot whether they wanted to tax themselves for something like that or not. He noted that Commissioner Littleton brought up good points that residents should consider when they were making that decision.

Commissioner Kent stated that the tax issue was one that he had struggled with and that he knew no one took it lightly. He stated that the federal government, the President, and Congress in Washington, D.C. had just given one of the most historic tax breaks in the history of the United States. He noted that most of the individuals that were working were receiving more money in their paychecks, but that Volusia County and Ormond Beach were contemplating asking people to pay more and tax themselves.

Commissioner Kent stated that the roads in Ormond Beach were in really great shape and wondered why that was the case. He stated that they were in great shape because the city had a road program, a dedicated millage, and that they took care of what they owned. He stated that the same could not be said for other municipalities near Ormond Beach or for the County of Volusia. He stated that Ormond Beach had been doing everything right. He noted that the road program was a scientific, mathematic method and that the city would take care of the road before it got into such disrepair that it cost ten times more. He reiterated that Ormond Beach had been doing the right thing, but that the city was going to ask the residents to vote on a tax that took more money away from them. He noted that the residents were wise and that there was no doubt in his mind that they would make the right decision.

Commissioner Kent stated that he did not like the flyer or the list of demands that came from Volusia County about the tax. He noted that the county's verbiage implied that the cities were being forced to do certain things, such as lobbying for the tax, or sending out informational pieces and that taxpayer dollars could not be used for it. He stated that what he viewed as a demand from the county concerned and bothered him. He stated that it was a tax and would hurt those that had the least. He noted that once the tax was approved, that it would never go away, noting that individuals could say that it would sunset in 20 years. He stated that they should have a discussion about it in 20 or 21 years. He stated that he would vote for it, like Mayor Partington mentioned, and that it was about giving the residents the opportunity to see if they wanted to do that. He noted that the tax had been changed to include water issues, as well as road infrastructure, and that those issues could be discussed and worked on. He explained that water was another area in which the city was in great shape. He stated that there were exceptions of a few outliers in the city limits, where there were still some septic tanks, but otherwise the city was in good shape. He stated that their financial house was in order, the road program was in order, and that the city did a great job in general. He stated that the residents should think about those things and whether or not they would want to tax themselves on everything.

Commissioner Kent stated that he was tired of hearing that approximately 40 percent of the tax would be paid by people that did not live in the area. He noted that those who did live in the area would be paying 100 percent of it, every time they bought anything that was not food related. He agreed that 40 percent of individuals that did not live in the area would be paying for it but that everyone local would pay for it every day.

Commissioner Selby stated that he wanted to clarify a few things about the tax. He stated that in regards to uses, each municipality in the county would decide the projects that they wanted to spend money on and that it would not be dictated by any other city.

He noted that there would be a citizen review panel that would evaluate each of the projects from each city in the county so that it would conform to the decision of the voters. He reiterated that this resolution was an opportunity for the citizens of the county to tell their elected officials whether or not they wanted to tax themselves.

Commissioner Selby stated that the money split was an interesting issue and that he had initially been concerned about it, like Commissioner Littleton. He stated the numbers that Commissioner Littleton used were based on the historical gas tax split that was in effect.

Ms. Joyce Shanahan, City Manager, stated that it was based on the sales tax split, noting that the gas tax was a separate formula.

Commissioner Selby stated that many of the major roads that ran through Ormond Beach were county roads, noting that most citizens did not have a clue what was a city road and what was a county road. He stated that Commissioner Kent raised a great point about the 40 percent versus 60 percent, but that the reality was that was found money, explaining that out of every dollar that was raised only \$.60 came out of local pockets and \$.40 came out of non-local pockets.

Commissioner Selby stated that it was true that the city was being asked to educate their citizens about the tax and that he had volunteered to do just that. He stated that he did not consider it lobbying, he considered it helping individuals to understand what was being proposed. He noted that he thought that was important because people did care and that they frequently were misinformed or did not have all of the information. He stated that he was looking forward to being a part of that if that was the will of the Commission.

Commissioner Selby stated that it was good that the tax term was 20 years, because if a municipality or the county chose to bond some of that revenue they could do that, and noted that they would not be able to do that if the term was not that long. He stated that it was good that it would sunset, so that the tax would not go on forever, noting that in 20 years the voters would have to decide whether or not to keep it. He stated that he would be supporting the motion.

Commissioner Boehm stated that the reality was that because of prior obligations, the county had no money available for the purpose of dealing with infrastructure issues. He stated that the cities in Volusia County met and identified \$180,000,000 in need for their county alone, noting that there would be a discussion coming up in the agenda about those needs. He stated that the President had discussed the infrastructure in the United States and that in certain places it was crumbling and in need of replacement. He stated that he agreed with Commissioner Kent in that Ormond Beach did an excellent job of taking care of the roads; however, as they would discuss in a future item, there were projects that the city did not have the funds to accomplish, with their present funding and present means. He noted that the infrastructure problems did not get better over time, they did not solve themselves, and they did not cure themselves. He stated that one could argue that the county should have taken better care of their transportation and gas tax money in the past, and that everyone might agree with that. He stated that that did not change the fact of how the money was handled, that they did not have the funds available, and that the city had significant needs in the county that needed to be met.

Commissioner Boehm stated that one of the key components of the tax was that all of the money generated by it would be spent on projects within the county. He wondered if Ormond Beach would get their fair share. He stated that Commissioner Littleton appropriately addressed the question when he spoke about what Ormond Beach would not receive. He stated that the county was going to get 48 percent of the money and wondered if the county would use that money to meet a lot of the needs that the city felt needed to be met, since they were for county roads. He noted that that was the long term question. He stated that all the Commission was being asked that night was to give the citizens the chance to educate themselves on the tax, see what the money was proposed to be used for, and make a decision themselves as to whether or not they would tax themselves. He stated that for that reason, he would support the resolution.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	No
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

## Item #9A – Draft List of Proposed Projects for Infrastructure Sales Tax

Mr. Doug Thomas, 132 River Bluff Drive, stated that he was not sure if that was the time to bring up his issue, but noticed the proposed projects for infrastructure sales tax on the agenda and wanted to speak, noting that there was a catch 22. He stated that the road he was most interested in was Tymber Creek Road, which was a county road, but that it delivered a lot of Ormond Beach students to Pine Trail and Pathways Elementary Schools. He stated that when the county decided that they wanted to widen Tymber Creek Road to four lanes, they stopped about a quarter of a mile short of Airport Road and that struck him as bizarre and insane. He stated that stories he had heard were that they did not have the funding, that they could not get the right of way, or whatever, and that he did not find that acceptable. He stated that they managed to do it through the housing developments further south on Tymber Creek Road, noting that some houses were only 20 feet away from the road. He stated that it was a dangerous and serious situation, noting that he had a dog in the fight with two grandchildren who lived in Saddler's Run. He stated that if anyone had driven north or south on Tymber Creek Road in front of Saddler's Run, they would notice where the four lane ran out and the road curved. He stated that if someone were heading north on Tymber Creek Road and wanted to turn left into that subdivision, they would notice that the cars that were headed south were heading straight for them until the last minute when the road curved and went out of the way. He stated that this would not be the last time that the city or county would hear from him about the issue. He noted that he would love to have Tymber Creek Road on the list of roads approved for widening.

Mayor Partington stated that Tymber Creek Road was number six on the list and that the cost estimate was \$8,000,000.

Ms. Shanahan stated that the cost estimate had been received from the River to Sea Transportation Planning Organization (TPO).

Mayor Partington stated that he appreciated Mr. Thomas advocating for it and pointing it out. He stated that he needed a motion and a second.

Commissioner Boehm stated that it was only a discussion item.

Commissioner Kent asked City Attorney Randy Hayes if that were the case or if they did need a motion for a discussion item.

Mr. Randy Hayes, City Attorney, stated that it depended on action direction that Ms. Shanahan was looking to get from them.

Ms. Shanahan stated that the idea was to get feedback on the list, noting that they were not in any particular priority order, and then get direction on how the Commission would like to receive public comment on the list.

Commissioner Littleton stated that his top three essential picks were: the Hand Avenue extension, the I-95/U.S. Highway 1 interchange, and the Tymber Creek Road widening. He noted that those costs were \$24,000,000, \$41,000,000, and \$8,000,000 in that order and wondered where they would be financially after that.

Commissioner Boehm stated that the Commission should express what they considered the top projects that dealt solely with Ormond Beach and those that dealt with Daytona Beach, the county, or other entities. He reiterated that Tymber Creek Road was a county road and what they would have to do was try to convince the county to consider that to be an issue of great importance. He stated that the Ormond Beach items started at number seven on the list with the Business Drive Extension and Ormond Crossings collector roads, along with Pineland Trails. He stated that he expected the portion of money that Ormond Beach received would go to those items and hoped that maybe the county would fund some of the more expensive and bigger projects, or that perhaps the city could participate or partner with them in some way. He stated that the list was not in order or broken down by what was a county item or a city item and he did not want citizens to be confused about what was important to the city when they read the list. He suggested that the list be redrafted to show what projects were county projects, in which the city might participate, and what were solely city projects, which the Commission might consider in spending the monies derived from that tax.

Mayor Partington stated that he did not have a problem with that, but that he did want the agenda item to be listed on the city's website in order for the residents to do a vote on the items. He stated to Ms. Shanahan that there were different companies that provided that ability so that the residents could go online and vote as to which one of the projects, whether it was county or city, would have the biggest improvement on their quality of life. He stated that would help the Commission and give them better direction moving forward. He stated that he agreed with Commissioner Littleton and that the tax should be laser focused on transportation projects. He stated that he did not know how other cities were going to do it, but thought that Ormond Beach should state what they would do, so that it would make sense when Commissioner Selby went out to sell it.

Commissioner Selby stated that he was going to educate about the tax, not sell the tax.

Mayor Partington stated that the Commission should state what they were going to do and show how the oversight committee was going to make sure that the city did exactly that, so that citizens knew that that was what was going to be done with their tax money. He noted that the school board had done the same thing when they sold their half-cent sales tax to the public previously, and the public stated that they wanted that at the time. He stated that the citizens wanted those improvements for the schools and that the schools made sure that the public knew that if they paid that, it was going to get done. He stated that since Ormond Beach did it better than most other cities, the city needed to make that promise and keep that promise. He stated that he thought that was the only way the tax had a chance of passing, noting that he was in agreement with Commissioner Boehm.

Commissioner Selby stated that the citizen input was vital on the issue and wondered if the items should be ranked as one through 20, or have them listed as very important, not very important, or somewhat important. He noted that the citizens could do that all the through the list and that would give the Commission an idea of what the citizens wanted. He stated that the citizens should be asked if there were anything else that they thought the city should be looking at. He stated that transportation was the highest priority, but that quality of life was and always had been a really important item for Ormond Beach residents. He stated that the question would give the opportunity to tell the city if there were other quality of life matters that they would like to see some of the funds spent on.

Ms. Shanahan stated that the list should be broad enough, because if the city did not get buy in from the county right away on that list, the city would want to be able to spend their dollars on road resurfacing or whatever else. She stated that the list covered a potential 20 year period of time and that she was not sure if and when the city would have the ability to add additional projects. She thought it might be a possibility but wanted the Commissioners to be broad enough so that there was flexibility.

Commissioner Littleton stated that his concern was that the gas tax already covered road resurfacing, noting that it was on the list, and that he did not hear a lot of screaming that the city roads were falling apart. He stated that the city needed new roads, not nicer roads from his position. He asked if the road resurfacing came out of the General Fund instead of from the gas tax; whereby, Ms. Shanahan stated that it did come out of the General Fund, noting that the city resurfaced roads about every 20 years or so.

Commissioner Boehm reiterated that one of the problems that he had dealt with throughout his term was the lack of understanding by the general public of what was a state road, what was a county road, what was a city road, and which ones were maintained by whom. He stated that his suggestion to rephrase the list was to make it clear what the tax money would be spent on by the city, whether direct city projects or partnerships with other entities. He stated that he wanted the citizens to understand that it was two different sides of the tax for Ormond Beach; the part that was going to go to the county and the part that was going to come to the city. He stated that he wanted them to understand that the projects were separate, and that the city did not expect that the county was going to assist with city only projects, or that the county would expect the city to assist with county only projects. He stated that at the same time, the city did need to create, lobby, work, or do something with the county, to get them to work on the projects that the city deemed vital from the funds that they would receive from this tax.

Commissioner Selby stated that he was concerned about something that Ms. Shanahan said. He stated that he wanted to make sure that they did not make a list in the upcoming months that was supposed to be a comprehensive plan for the next 20 years. He stated that the city could bond the roughly \$2,000,000 a year at about 4 percent, which might be a little high on an interest rate for a municipal bond, noting that it was

only about \$26,000,000 versus \$2,000,000 a year for 20 years that was \$40,000,000. He stated that unless the city had a gigantic project, it would not make sense to bond because it was more likely that the city would spend a couple million dollars a year every year for the upcoming 20 years. He stated that he did not feel comfortable projecting what the city might need even five years from that time, let alone ten, 15, or 18 years from then.

Ms. Shanahan stated that the city would be governed by the language that was in the ballot initiative.

Commissioner Selby stated that he wanted to make sure that they did not have to make a list that day that could not be updated later.

Ms. Shanahan stated that the Commission did not have to do that and thought that the oversight committee would help provide guidance with that. She reiterated that the city would be governed by the ballot language in the long run. She stated that there were big projects, as Commissioner Boehm noted, but that when Clyde Morris Boulevard was widened, the city partnered with the county to do that even though it was a county roadway. She stated that the same thing might have to be done with Tymber Creek Road since it was a county road, and that the city might have to contribute funds to make sure the widening happened.

Commissioner Selby stated that he thought that was a good strategy and that one can attract more with honey than with vinegar. He stated that he was reminded of the North U.S. Highway 1 project, where about \$100,000 of private sector money was contributed for landscaping and encouraged the Florida Department of Transportation (FDOT) to spend over \$1,000,000 on landscaping improvements. He stated that he thought the same philosophy applied, especially when working with the county. He reiterated what others had said previously about having a very effective city road resurfacing program. He stated that the city was able to make that work out of the General Fund at that time and did not want to use the new revenue for that program. He stated that he hoped the city would keep that program in place and the additional would be for underfunded projects, not just supplanting that money. He stated that he might have more comments depending on what others said.

Mayor Partington asked Ms. Shanahan if she needed more direction; whereby, she stated that she knew that they wanted to do an online poll and get some priorities from the community. Ms. Shanahan stated that she would provide some continuity to the list so that citizens understood which roads were controlled by what entity.

Commissioner Selby stated that the poll could be a really effective tool to use for the education portion, i.e. when he would interface with people in Rotary Clubs and such, noting that it would allow those individuals to weigh in on what they thought was important.

Ms. Shanahan stated that there was a platform called Hometown or Peak Democracy that allowed someone to tell the story, even about the trees for example, and share that information. She stated that staff had been exploring options and would get that up and running as soon as possible.

#### Item #10 – Reports, Suggestions, Requests

##### Upcoming Workshop

Ms. Joyce Shanahan, City Manager, reminded the Commission that they had the Financial Trends Workshop on March 6, 2018, and noted that it would not start until 6:00 p.m., unless they thought there was a reason to start earlier. She stated that the presentation would not take an hour and a half and other issues that needed direction had been covered earlier in the evening. She stated that the Commission mentioned at the earlier workshop meeting that they used to get a list of capital projects, noting that she always had that list with her. She stated that she would start including her written report as an attachment to their agenda item, so that it would become part of the permanent record. She stated that the Sign Code Workshop would be on March 20, 2018, and that it would be a joint workshop with the Planning Board, noting that she would make sure that the Planning Board got their agenda packet in advance. She noted that the joint workshop would be a final review of the sign code before it would be taken by staff to the Planning Board.

##### Former Sheriff Ben Johnson

Commissioner Boehm recognized long term sheriff, Mr. Ben Johnson, who had retired previously but decided to become a candidate for the County Council more recently. He commended Mr. Johnson for staying awake through one of the Commission's meetings, reaching an hour and 17 minutes at that point. He noted that Mr. Johnson was sitting next to Mr. Cameron and knew what a great job he had done during the years that he was sheriff.

#### Taste of Ormond

Commissioner Boehm noted that Ms. Shanahan usually reviewed calendar items but that since she had not, he would note a few items. He stated that Ormond Beach MainStreet ("MainStreet") would have one of their significant events of the year on March 4, 2018, called Taste of Ormond 2018, noting that it would be before the next Commission meeting. He stated that for those who had never attended, it was over a dozen Ormond Beach restaurants and some Ale Houses that came together in Rockefeller Gardens. He stated that it was a wonderful event and hoped that many would be able to attend. He noted that MainStreet would be delighted to sell tickets and to contact them directly. He stated that it was a special event that the city held every year.

#### Security First Groundbreaking

Commissioner Boehm stated that Security First would have their groundbreaking ceremony at Ormond Crossings on March 7, 2018, from 5:00 p.m. to 7:00 p.m., and he thought that anyone was invited. He stated that he had always mentioned that he liked to see the first shovel turn because then he knew that the project was real and coming together. He stated that they did have the plat and other things in place already for the construction, but that the city had been waiting a long time for Ormond Crossings to get kick started and developed. He thanked the Ford family for their part in getting the development going, noting that the groundbreaking was a significant event in the history of Ormond Beach and that it was going to include development of a major commercial building and campus of buildings.

#### Unity in the Community Event

Commissioner Boehm stated that the Ormond Beach Police Department was putting on their Unity in the Community event on March 17, 2018, from 11:00 a.m. until 2:00 p.m. at the South Ormond Neighborhood Center on Division Avenue. He stated that the police department devoted a great deal of their time to outreach programs and was not sure if the citizens appreciated that fact. He noted that those community events included Soda Pop with a Cop, Coffee with a Cop, Reading with a Cop, Science Programs with a Cop, and many others. He stated that they wanted to be out in the community to show the citizens that they were not the threatening bad guys with a gun, but that they were fellow citizens who sought to support and interact with their citizens. He stated that the Unity in the Community event was described as family friendly, culturally diverse with community members, food, refreshments, music, and fun. He stated that the police department would have National Night Out later in the year and noted that this was another event that reached out to residents and that it was free. He stated that he did not know who came up with the event but since Police Chief Jesse Godfrey was in the audience, he would give him the credit and noted that it would be a special event for Ormond Beach.

#### REEL in the FUN Fishing Tournament

Commissioner Boehm stated that he would defer to later comments that would be made by Commissioner Kent, but mentioned the REEL in the FUN fishing tournament. He did not know who had attended the event, but credited Commissioner Kent with being the creator of that program, and noted that it could easily have been Mayor Partington that started it. He stated that he knew Commissioner Kent wanted to do it because he was anticipating that his son would win trophies and wanted to have multiple years to do that.

#### Hurricane Matthew Reimbursement

Commissioner Boehm stated that the Hurricane Matthew reimbursement was best summed up this way; same situation, different day. He stated that time was moving on and that the check had still not been received. He noted that someday, somehow, someday the check would be in the mail, but that it had been another two weeks and nothing.

#### Groundhog South

Commissioner Boehm stated that he had learned after the last Commission meeting that Commissioner Kent went to Punxsutawney, Pennsylvania for the purpose of studying whether the city could start a Groundhog South program in Ormond Beach. He stated that Groundhog Day was celebrated more in the north and that Punxsutawney Phil was

certainly well known. He wondered if Mr. Thomas, who was a longtime resident, was an expert on the subject of Punxsutawney Phil. He noted that he thought the city's version should be Ormond Beach Ollie or something similar. He stated that Commissioner Kent was already experienced in how to run Groundhog Day, and that the city should consider adding a new event to the calendar where people would come to visit and look for a groundhog to see its shadow in Florida.

#### REEL in the FUN

Commissioner Littleton stated that he stopped by the fishing tournament on the prior Saturday and noted that it was a beautiful day in Central Park. He stated that it was a great day for fishing and noted that there was never a bad day for fishing. He thanked Director of Leisure Services Robert Carolin and his staff for an excellent job in putting on the event; he thanked the volunteers for their work; and he thanked Cassen Park Bait Shop Owner Mr. Ike Leary for giving out free hot dogs at the event.

#### First Step Shelter Board (FSSB)

Commissioner Selby stated that Daytona Beach Police Chief Craig Capri had made a comment that every city should have a safe zone, and he noted that the FSSB had received clarification on that comment at their last meeting, through the comments made by Judge Belle Schumann; the First Step Shelter itself would be the safe zone meaning that it would be Ormond Beach's safe zone and the safe zone for all other cities that contributed to it, making it Pottinger compliant. He stated that the FSSB had started the process of discussions with law enforcement and the criminal justice committee to work through the procedures necessary at the shelter for intake, managing, safety, and so forth. He stated that they were also beginning the process of coordinating with the other housing providers throughout the area to define next steps for those in the shelter, and those deemed ready to graduate.

#### Ormond Crossings

Commissioner Selby stated that he had visited the Ormond Crossings site where Security First was going to build and noted that a tremendous amount of earth moving had already been done.

#### Virtual Buildings

Commissioner Selby stated that there were preliminary discussions previously through Team Volusia about doing virtual buildings. He stated that the concept was basically where one could fly through a total digital building, whether it was a warehouse, an office building, or whatever. He noted that it would most likely be an industrial type of warehouse or manufacturing building. He stated that he was told that what the sales people at Team Volusia needed were spec buildings, but that the problem was no one was willing to write a check to build a multimillion dollar building without a tenant. He stated that the virtual building would solve that issue, had the opportunity to be the sales piece, and would shorten the whole development process. He stated that he was looking into the details of that type of project.

#### Community Activities

Commissioner Selby stated that the Ormond Beach Chamber of Commerce would have their Economic Prosperity Hour at La's Bistro the following morning at 7:30 a.m. He noted that the Humane Society would have the groundbreaking for their new facility on LPGA at 10:00 a.m. the upcoming Thursday.

#### Ms. Pat Behnke

Commissioner Kent stated that Ms. Pat Behnke was in the audience, noting that she was a sight for sore eyes and that it was great to see her. He stated that Ms. Behnke and her husband, Mr. Bob Behnke, moved to the area around 2003 and lived in Bear Creek. He noted that both Mr. Behnke and Ms. Behnke served on advisory boards for over a decade in the city, commenting that they came right in acting and feeling like they had been Ormond Beach residents their entire lives. He stated that Mr. Behnke had recently passed away and that the notice had been in the newspaper. He stated that he had a favorite line and read the quote:

*"Bob enjoyed working in the yard and he could trim a hedge that would make a carpenter proud."*

Commissioner Kent stated that he loved the photo that Ms. Behnke had given him of Mr. Behnke, and that when he read the quote he always heard her voice saying it and could picture Mr. Behnke working as diligently as he did. He reiterated that it was good to see her.

#### Former Sheriff Ben Johnson

Commissioner Kent stated that he was glad to see Mr. Johnson at the meeting. He stated that as an elected official there were times that one would not always be cheered and would not always be jeered. He stated that he was glad Mr. Johnson was there to experience that because most of the comments had been directed at him, although a few had been directed at Commissioner Littleton and Mayor Partington. He stated that he took it on the chin and that he stood by every vote he had made for the prior 15 years. He noted that people were passionate in the city and that he loved them for their comments and passion. He stated that he was comfortable with their honest feelings and that they could take it out on him.

#### Granada Boulevard Developments

Commissioner Kent stated that he was pleased that Mr. Holub spoke and cleared up misconceptions, noting that one area of conflict involved wetlands and that there were no wetlands in that area mentioned. He noted that there would be ten acres that would remain untouched. He stated that when he was a young boy, his father would drive him to Little League practice on Nova Road and that they went over the Granada Boulevard Bridge, noting that it was a drawbridge at that point and they had to stop for the sailboats. He stated that if the city had not cut down trees in the area, they would not have a Lowes and all the homes that were built in the last decades. He stated that he still believed that a developer had property rights, no matter how upset that anyone wanted to be at them. He stated that Ormond Beach was a Tree City USA. He stated that there had been development out on Granada Boulevard across from Lowes that included banks, and that trees had to be cut down to build them, but noted that he did not hear complaints about that. He stated that one of the speakers mentioned that the area was zoned for Boulevard/Office and mentioned that even with that zoning, trees had to be cut down in order to build an office building, noting that the development could not be built on top of the trees. He stated that he was not being funny, just commenting on the statements that had been made earlier in the evening. He stated that he also made the comment because he noticed Ms. Jarleene Almenas from the Ormond Beach Observer had been taking photos while people were speaking, and he had a feeling that she might be covering a story for the paper. He noted that when he was growing up, there were horses where the Lowes was located at present day and that Granada Boulevard would have businesses, restaurants, doctor offices, and funeral homes along it.

#### Volusia County EMS/EVAC

Commissioner Kent thanked Mr. Sommerlad for speaking on the issues about EVAC, noting that he had seen details on that recently. He stated that Mr. Sommerlad had been very honest about what he had experienced during his 30+ hour shift and stated that it was not good enough, using an expression that Mayor Partington had used many times. He stated that the situation was not good enough for the city's residents and appreciated that Mr. Johnson was there to hear the information. He stated that this issue was extremely important when it came to making sure that the residents were taken care of when they really needed the emergency personnel. He noted that when units had to come from all over the county, specifically the west and south sides, to Ormond Beach it did not seem right. He explained that when it happened consistently that something in the system was failing, which definitely needed to be addressed and fixed. He reiterated his appreciation to Mr. Sommerlad for being there and not letting the issue fade away. He stated to Ms. Shanahan that he wanted information sent to the Commission with details about the EVAC situation, including feedback from Fire Chief Bob Mandarino on how the fire department was affected daily.

#### REEL in the FUN

Commissioner Kent stated that he signed his son, Wyatt Kent, up for the fishing tournament and both of them had been excited. He stated that he had been under the weather on Saturday, so they were not able to make the tournament. He stated that they would make the next two tournaments and looked forward to them. He confirmed that Commissioner Boehm was correct in his assumption that the initial fishing tournament was Commissioner Kent's idea, but credited Mayor Partington with expanding it from one to three tournaments, and noted that that was why they bounced around the city the way that they did.

#### Ormond Beach Approaches

Commissioner Kent stated that he wanted to finish his comments speaking about County Chair Ed Kelley and noted that he would discuss the situation every chance that he got. He stated that Chairman Kelley had been able to accomplish something that he had been working on for 15 years, noting that it involved the beach approaches opening. He

stated that he had never stopped fighting for it, never stopped advocating for it, and that it was the single greatest thing that could happen to the beachside community in Ormond Beach. He stated that Ormond Beach, the actual beach, had never been open for business since 1986. He noted that residents and visitors usually had to go north to Flagler County or Ormond-by-the-Sea, and south to Daytona Beach, to access the beach. He explained that that would change with the Ormond Beach approaches being open, and that it was a huge win for the citizens. He stated that he would praise Chairman Kelley every day for that accomplishment. He stated that Chairman Kelley could do every other thing that he disliked and that he would still admire him for that, noting that he was able to accomplish it in a little over a year on the County Council. He thanked Chairman Kelley profusely.

#### Granada Pointe Development

Mayor Partington pointed out that when Mr. Holub started speaking on the Granada Pointe project, all the citizens who had spoken previously got up and left the Commission Chambers. He stated that he thought that was unfortunate because Mr. Holub cleared up a lot of the misstatements, misunderstandings, and misconceptions. He wondered if those individuals wanted to hear what was really going on or if they had another agenda. He stated that it did not make sense that if someone were interested or concerned about an issue that they would leave before the person gave the answers and explained the entire situation.

Mayor Partington stated that the big thing about Granada Pointe was that it was not completed and that there were no wetlands there, despite the misconception that was put out there. He explained that no matter what was going to be built there, whether it was apartment complexes, office buildings, or the project that was ultimately recommended by the Planning Board unanimously and approved by the City Commission, the development of that parcel would have had to occur the same way, with the removal of trees and providing of the fill. He stated that the Commission historically had not just approved development. He stated that they had made sure that there were public benefits that were received in exchange for that approval. He stated that one of the public benefits for that project was the requirement that the Tomoka Avenue and West Granada Boulevard traffic signal, along with the related right of way improvements associated with the signal, be installed. He noted that the cost for that was \$525,000 which would be paid by the developer and not the city. He stated that some developers would come in and want the city to pay those costs, but that was not the situation here and that was a public benefit.

Mayor Partington stated that another public benefit was the providing of a drainage easement on the north parcel for the existing drainage ditch, and that easement was provided at no cost to the public. He stated that the drainage ditch that bisected the developers parcel had no easement of record, so the developer agreed to provide that as a public benefit even though he did not have to do it. He stated that another benefit was that the developer agreed to reduce the floor area ratio from the permitted 231,585 square feet to a reduced 130,000 square feet. He noted that that was a reduction of 101,000 square feet and that almost 44% of the project was reduced voluntarily by the developer to provide a public benefit.

Mayor Partington stated that the developer agreed to provide a landscaped island at the signalized intersection and that island would be maintained by the property owners association. He stated that the developer provided almost 70 percent of the historic trees be preserved on the overall project, along with a conservation easement of 10.06 acres out of about 30 acres. He noted that one-third of the project the developer had set aside as a conservation easement, which was a public benefit and that he gave that up in exchange for the approval. He stated that the developer had reduced the overall height limit from 75 feet, which was currently permitted in the B-9 zoning district, to a height limit not to exceed 45 feet, noting that that was another way that the project impact had been greatly reduced.

Mayor Partington stated that the developer agreed to provide eight decorative street lights for the entrance intersection of West Granada Boulevard and Tomoka Avenue. He stated that eight nonexclusive parking spaces would be provided upon development of the north side parcel, for the benefit of Three Chimneys. He noted that \$10,000 had been donated to the Historical Society for construction of a walkway for pedestrian access to Three Chimneys and that upon development of the north side parcel, the developer provided and recorded an easement for the parking spaces and walkway which benefited Three Chimneys. He explained that the previous items mentioned were

just the ten biggest public benefits that the project provided and he thought they were important to point out.

Mayor Partington stated that when doing a Planned Business Development the whole concept was to have the ability to negotiate with the developer, let them know important issues for the community, and to get public benefits, instead of just allowing the developer to develop as of right what could be developed without going to the Commission and potentially having huge impacts on the city. He noted that there were additional public benefits that were listed in the applicant's submittal letter, but only pointed out some of the ones that he considered important on the Granada Pointe project.

REEL in the FUN

Mayor Partington stated that he stopped by the fishing tournament on the previous Saturday morning and noted that it was a beautiful morning. He noticed that there were a lot of smiling faces, and enjoyed seeing the young kids and families out having fun and enjoying the park. He stated that Leisure Services had done a fabulous job, that it was a great addition to the city's activities, and that it warmed his heart. He stated that he also saw Ms. Shanahan at the event.

Heather Post Welcome and Walk with the Mayor

Mayor Partington stated that after the fishing tournament, he visited the Commission Chambers to welcome Volusia County Councilwoman Heather Post, who was giving a Government 101 presentation. He stated that he listened for a few minutes but then had to leave for his next commitment.

Mayor Partington stated that the Walk with the Mayor event was at the Environmental Discovery Center (EDC) at 10:00 a.m. that morning. He stated that his event was combined with a bird watching event that the Audubon Society was holding at the same time. He noted that there were numerous individuals at the EDC and numerous events in the City of Ormond Beach that day that had been positive for the community.

Item #11 – Adjournment

The meeting was adjourned at 8:41 p.m.

APPROVED: March 6, 2018

BY:

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Bill Partington, Mayor

ATTEST:

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J. Scott McKee, City Clerk