

**ORMOND BEACH CITY COMMISSION MEETING
HELD AT CITY HALL COMMISSION CHAMBERS
December 21, 2010 7:00 p.m.**

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

A G E N D A

- 1) Meeting call to order by Mayor Kelley.
- 2) Invocation by Pastor James Davis, Strong Tower Christian Fellowship.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Presentation of plaque to Commissioner Lori Gillooly.
 - B) Certificate for "Achievement of Civic Excellence" presented to Chase Rogers, Ormond Beach Middle School, and Lauren Uzsiny, Hinson Middle School.
 - C) Presentation of Florida Planning and Zoning Association, Surfcoast Chapter, Outstanding Master Plan Award for Ormond Crossings.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the December 7, 2010, meeting.
- 7) **COMMUNITY REDEVELOPMENT AGENCY MEETING:**

Consideration of a bid from Chinchor Electric, Inc., regarding the Decorative Lighting Installation – Downtown Streetscape project under Bid No. 2011-02. (\$34,296)
- 8) **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. 2010-200 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 245 Oleander Place, Ormond Beach, Volusia County, Florida (Parcel ID No. 41-14-32-09-00-0010), for costs incurred by the City to demolish an unsafe structure. (Chief Building Official)
 - B) Resolution No. 2010-201 authorizing the submittal of an application to the Florida Department of Environmental Protection for financial assistance under the State Revolving Loan Program regarding the Airport Road Force Main and Reclaimed Water Main Improvements project (SRF# WW64012); identifying revenues pledged for repayment of loan funds. (\$7,520,718) (Acting City Engineer)
 - C) Resolution No. 2010-202 authorizing the approval and execution of a Purchase Authorization (Requisition 0000007583) for the purchase and installation of playground equipment and ground surfacing at the Ormond Beach Sports Complex under the School District of Palm Beach County Solicitation No. 10C-54B. ((\$241,072) (Acting City Engineer/Leisure Services Director)
 - D) Employee training initiative.

DISPOSITION: Accept City Manager report dated December 16, 2010.
- 9) **PUBLIC HEARINGS:**
 - A) Resolution No. 2010-203 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, accepting the bid of Chinchor Electric, Inc., regarding the installation of decorative light poles for the Downtown Streetscape Lighting project (Bid No. 2011-02); rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$34,296) (Acting City Engineer)

- B) Ordinance No. 2010-54 annexing certain real property into the City of Ormond Beach, said property being generally located along the west side of North U.S. Highway 1 approximately 255 linear feet from Interstate 95 and being commonly located at 1570 North U.S. Highway 1; redefining the territorial boundaries of the City of Ormond Beach to include the property; re-designating the boundaries of Zone 3 of the City of Ormond Beach to include the property; providing for transmission. (Second Reading) (Planning Director)
- C) Ordinance No. 2010-55 annexing certain real property into the City of Ormond Beach, said property being generally located along the west side of North U.S. Highway 1 abutting Interstate 95 and being commonly located at 1576 North U.S. Highway 1; redefining the territorial boundaries of the City of Ormond Beach to include the property; re-designating the boundaries of Zone 3 of the City of Ormond Beach to include the property; providing for transmission. (Second Reading) (Planning Director)
- D) North US1 Zoning Map amendments:
 - 1) Ordinance No. 2010-57 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 certain real properties totaling 42.871 acres located within the North US1 corridor from Volusia County B-4 (General Commercial) and Volusia County B-9 (General Office) to City of Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of the Official Zoning Map. (Second Reading) (Planning Director)
 - 2) Ordinance No. 2010-58 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 certain real properties totaling 5.68 acres located within the North US1 corridor from Volusia County B-4 (General Commercial) and Volusia County B-6 (Highway Interchange Commercial) to City of Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of the Official Zoning Map. (Second Reading) (Planning Director)
 - 3) Ordinance No. 2010-59 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 certain real properties totaling 15.16 acres located within the North US1 corridor from Volusia County B-6 (Highway Interchange Commercial) and Volusia County B-9 (General Office) to City of Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of the Official Zoning Map. (Second Reading) (Planning Director)
 - 4) Ordinance No. 2010-60 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 certain real properties totaling 31.62 acres located within the North US1 corridor from Volusia County B-9 (General Office) to City of Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of the Official Zoning Map. (Second Reading) (Planning)
 - 5) Ordinance No. 2010-61 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 certain real properties totaling 11.13 acres located within the North US1 corridor from Volusia County I-1 (Light Industrial) to City of Ormond Beach I-1 (Light Industrial), authorizing revision of the Official Zoning Map. (Second Reading) (Planning Director)

10) **DISCUSSION ITEMS:**

- A) Rosewood Avenue sidewalk project.

- B) Property maintenance code.
 - C) I-pad electronic agenda packet project.
 - D) Enhancements to transparency in government.
 - E) Naming of parks and facilities.
- 11) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 12) **CLOSE THE MEETING.**

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

The invocation was giving by Pastor James Davis, Strong Tower Christian Fellowship.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Kelley.

Item #4A – Presentation to Commissioner Lori Gillooly

Mayor Kelley stated Lori Gillooly had served on the City Commission, representing Zone 1, from January 3, 2006, to November 16, 2010. He stated she had served the City very well, and he thanked her for her service.

Lori Gillooly stated she was very humbled to be honored by the Commission, and she greatly appreciated the acknowledgement of her service in this way, because it was her honor to serve. She stated as a Commissioner, the business community was viewed by the jobs they created and the taxes they paid; in her role as Director of Halifax Habitat for Humanity she saw another side of the business community, as volunteers, who donated time and money to community. She asked the Commission to also see that it was not just about jobs, but to see the larger community development that came from our business community.

Item #4B – Achievement of Civic Excellence

Tony Capozzi, Ormond Beach Chamber of Commerce, recognized the recipients of the Achievement of Civic Excellence as Chase Rogers, Ormond Beach Middle School, and Lauren Uzsinay, Hinson Middle School. Mr. Capozzi read their teachers' descriptions of the recipients' accomplishments, which were many in school and the community.

Item #4C – Outstanding Master Plan Award

Economic Development Director Joe Mannerino stated on December 10, he and David Lesley, Tomoka Holdings, Inc., attended the Florida Planning and Zoning Association Gala Event, where Ormond Crossings was awarded the Outstanding Planning Project for the year. He stated the award was presented to Tomoka Holdings and the City, jointly. He stated this award represented all the hard work the City staff and Tomoka Holdings had done over the last several years to put together a really well designed plan that will contain about 2,900 homes, 1,000 acres of business park, and a school site.

David Lesley, Tomoka Holdings, Inc., stated all the honor of this award went to the City Commission and all the staff, who worked diligently in the entire process, and he thanked everyone.

Item #5 – Audience Remarks

Mayor Kelley stated there were no requests from the audience to speak.

Item #6 – Approval of the Minutes

Mayor Kelley advised the minutes of the December 7, 2010, organizational meeting had been sent to the Commission for review, as well as displayed at the library and on the City's website for public review. Mayor Kelley asked for any corrections, additions, or omissions. Mayor Kelley stated that hearing no corrections, the minutes would stand approved as presented.

Commissioner Stowers requested on Item #8D, Ordinance No. 2010-52, in the minutes that the word, "reclusing" be changed to "recusing."

Mayor Kelley stated it was considered a scribe's error, and he stated it would be corrected.

Item #7 – Community Redevelopment Agency Meeting

Mayor Kelley explained the City Commission served as the Community Redevelopment Agency (CRA) for the Downtown Redevelopment Area, and as such, must review each CRA agenda item and make a recommendation, as the CRA, prior to the City Commission public hearing; therefore, the City Commission meeting would be recessed and a meeting of the Community Redevelopment Agency convened. He explained that once the recommendation was made, the CRA meeting would be adjourned and the City Commission meeting reconvened.

Mayor Kelley stated the City Commission meeting was adjourned, and called the meeting of the Community Redevelopment Agency to order at 7:15 p.m. The Mayor stated the item before the CRA was regarding a bid for downtown decorative lighting.

Commission Boehm moved, seconded by Commissioner Partington, for recommending approval of Resolution 2010-203.

Mayor Kelley reported the voice vote was unanimous for recommending approval of Resolution 2010-203. Mayor Kelley stated the Community Redevelopment Agency meeting was adjourned, and he called the City Commission meeting to order at 7:17p.m.

Item #8 - Consent Agenda

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

Commission Boehm moved, seconded by Commissioner Stowers, 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 #9A – Downtown Streetscape Decorative Lighting Installation

RESOLUTION NO. 2010-203

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING THE BID OF CHINCHOR ELECTRIC, INC., REGARDING THE INSTALLATION OF DECORATIVE LIGHT POLES FOR THE DOWNTOWN STREETSCAPE LIGHTING PROJECT (BID NO. 2011-02); REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT, AND PAYMENT THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated Resolution No. 2010-203 received a unanimous recommendation from the Community Redevelopment Agency.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2010-203, as read by title only.

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

Without objection, Mayor Kelley closed the public hearing.

Item #9B – Annexation of 1570 North US1

ORDINANCE NO. 2010-54

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 APPROXIMATELY 255 LINEAR FEET FROM INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1570 NORTH U.S. HIGHWAY 1; REDEFINING THE TERRITORIAL BOUNDARIES

OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 3 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing regarding the annexation of property at 1570 North US1. He reported he had no requests from the audience to speak.

Commissioner Stowers moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2010-54, on second reading, as read by title only.

Commissioner Stowers stated he was abstaining from the vote on Ordinance 2010-54 and Ordinance 2010-55 due to his firm's involvement with the City on these matters.

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

Mayor Kelley stated without objection, the public hearing was closed.

Item #9C – Annexing 1576 North US1

ORDINANCE NO. 2010-55

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 ABUTTING INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1576 NORTH U.S. HIGHWAY 1; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 3 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing regarding the annexation of property at 1576 North US1 and he had no requests from the audience to speak.

Commissioner Kent moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2010-55, on second reading, as read by title only.

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

Mayor Kelley stated that without objection, the public hearing was closed.

Item # 9D1 – North US 1 Rezoning, Zoning Map Amendment

ORDINANCE NO. 2010-57

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES TOTALING 42.871-ACRES LOCATED WITHIN THE NORTH US 1 CORRIDOR, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) AND VOLUSIA COUNTY B-9 (GENERAL OFFICE) TO CITY OF ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing, and he stated there were no requests to speak on this matter.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2010-57, on second reading, as read by title only.

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

Mayor Kelley state with no objection, the public hearing was closed.

Item #9D2 – Amending Zoning Map

ORDINANCE NO. 2010-58

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES TOTALING 5.68-ACRES LOCATED WITHIN THE NORTH US 1 CORRIDOR, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) AND VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO CITY OF ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing, and he had received no requests to speak.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2010-58, 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

Mayor Kelley stated without objection, the public hearing was closed.

Item #9D3 – Amending Zoning Map

ORDINANCE NO. 2010-59

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES TOTALING 15.16-ACRES LOCATED WITHIN THE NORTH US 1 CORRIDOR, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) AND VOLUSIA COUNTY B-9 (GENERAL OFFICE) TO CITY OF ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing, and he received no requests to speak.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2010-59, on second reading, as read by title only.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes

	Commissioner Stowers	Yes
	Commissioner Kent	Yes
Carried.	Mayor Kelley	Yes

Hearing no objections, Mayor Kelley stated the public hearing was closed.

Item #9D4 – Amending Zoning Map

ORDINANCE NO. 2010-60

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES TOTALING 31.62-ACRES LOCATED WITHIN THE NORTH US 1 CORRIDOR, FROM VOLUSIA COUNTY B-9 (GENERAL OFFICE) TO CITY OF ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing, and he received no requests to speak.

Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2010-60, on second reading, as read by title only.

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

Hearing no objections, Mayor Kelley stated the public hearing was closed.

Item #9D5 – Amending Zoning Map

ORDINANCE NO. 2010-61

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTIES TOTALING 11.13-ACRES LOCATED WITHIN THE NORTH US 1 CORRIDOR, FROM VOLUSIA COUNTY I-1 (LIGHT INDUSTRIAL) TO CITY OF ORMOND BEACH I-1 (LIGHT INDUSTRIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing, and he stated there were no requests to speak.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2010-61, on second reading, as read by title only.

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

Hearing no objections, Mayor Kelley stated the public hearing was closed.

Item #10A – Rosewood Avenue Sidewalk Construction

Mayor Kelley stated staff recommended the City not proceed with sidewalks on Rosewood Avenue. He reported the Commission was in agreement with the staff recommendation.

Item #10B – Property Maintenance Code

City Manager Shanahan explained there were some issues not addressed in the Code of Ordinances that needed to be addressed.

Neighborhood Improvement Manager Joanne Naumann explained that staff was looking for direction from the Commission regarding regulation of internal and external conditions of structures. She stated the Commission had reviewed issues such as unsafe condition, or unsanitary conditions, but some issues were not addressed, such as tarps on roofs or open roofs, broken windows, or fallen trees left on buildings. She stated issues such as windows that do not open or torn screens were issues between landlords and tenants. She stated that currently, the Neighborhood Improvement Department (NID) dealt with issues relative to the grounds, including abandoned vehicles, but did not have regulations to deal with the structures themselves, and she asked the Commission whether they desired Neighborhood Improvement to monitor the structures.

Commissioner Partington commented he had a couple of residents complain to him about a house next door with rats, and another resident had a neighboring house with a blue tarp on the roof for a considerable amount of time, but the City did not have the ability to address this issue. He stated the City needed to address these problems.

Commissioner Boehm pointed out that other cities had codes that could be reviewed. He stated he did not have a problem regulating the exterior, but he did not want to address the inside of the structure, which could result in a landlord/tenant issue, where NID officers would be asked to mediate a dispute regarding the inside of a home.

Commissioner Kent stated his constituents complained about a house that was boarded up for six years, and a house on Lucky Drive that was a victim to a house fire but remained boarded up. He agreed with Commissioner Boehm about avoiding regulating the interior of a structure.

Commissioner Stowers stated he agreed with Commissioner Boehm and Commissioner Kent as to avoiding the interior of structures. He stated he had heard from members of the public who had expressed the City should regulate the condition of the exterior.

City Manager Shanahan stated she understood the Commission wanted to have a proposed code brought before them that would address problems with the exterior of the structure, but not the interior.

Mayor Kelley stated the issue of realistic fines could be a part of the code.

City Manager Shanahan stated a repeat violation could be up to \$500 a day, and she asked Ms. Naumann to confirm that information.

NID Manager Naumann stated the fine could be up to \$500 a day. She stated that due to enforcement action on a building not deemed unsafe, the City will not correct the violation and the daily fines start accruing, which was where the large fines were generated, because the owner chooses not to correct the violation.

Mayor Kelley stated the Commission desired something with teeth that would give the owner some incentive to resolve the violation, as opposed to levying a fine and potentially driving them out of the property.

Commissioner Stowers stated that should an owner abandon a property, the City needed some teeth and some financial push to some movement toward resolution, whether it was to get the owner to come to the City to discuss a solution or even push a foreclosure so a new owner could resolve the violation. He stated that either way would resolve the issue.

Mayor Kelley directed City Manager Shanahan to bring something to the Commission that was enforceable.

City Manager Shanahan stated that City Attorney Hayes would not allow something that was not enforceable. She reminded the objective was to gain voluntary compliance.

Item #10C – iPad Implementation for City Commission Agenda Review

City Manager Shanahan stated this item was regarding the purchase of iPads for use by the Commission to review agenda packets. She stated hard copies would continue to be made for those who needed them.

Commissioner Kent inquired as to the number of hard copies made for staff.

City Manager Shanahan explained she had her personal iPad and staff members could review the agenda packet items online or they could print their own hard copies. She commented that the cost information quoted to the Commission was for providing five iPads, as opposed to five hard copies for the Commission.

Mayor Kelley stated the agenda packets would be available to the Commission after 5:00 p.m. on packet days for downloading.

City Manager Shanahan stated there was some preparation on the part of staff and some training for the Commission; therefore, it would probably be February before the Commission received them.

Item #10D – City Commission Meeting Transparency Enhancement RFP

Director of Information Technology Ned Huhta explained the proposed enhancement system linked video, audio, minutes, voting and agenda items, which would preserve the record and make it easy for someone to research the information.

Commissioner Partington asked the costs relative to audio streaming of the meetings.

Mr. Huhta stated there were no additional charges for audio streaming.

Commissioner Partington inquired if the video would be \$1,500 a month.

Mr. Huhta explained that the provider handled all the work and stored the information on their servers. He stated it was a valuable tool in doing research of the minutes. He stated that our current methods were the most basic methods of maintain and researching the information.

Mayor Kelley stated he had inquired as to the amount of staff time saved and the amount of costs saved. He stated he was not in favor of considering an estimated \$70,000 in this budget year when it would not save any staff time, and he suggested including the project in next year's Capital Improvement Projects (CIP) for consideration.

Commissioner Partington agreed the City had made it a point to use cost effective methods to be transparent by making the meetings available online. He stated that not many people listened, and he did not feel video streaming would make a great deal of difference in the number of people listening or viewing.

Mayor Kelley stated six to eight people listened to the meetings online.

Mr. Huhta stated he would email the Commission some links to a city relatively the same size as our City, so they could see that it really enhanced the public's ability to have access to the records.

Mayor Kelley pointed out that currently the public had the same access that the Commission had.

Commissioner Boehm stated it should be considered, and it should be part of the CIP process for next year. He stated since Mr. Huhta believed that this would be an enhancement, the Commission had an obligation to review the sites that Mr. Huhta was sending to them, because he was not familiar enough with the issue, but he was not inclined to agree to the expenditure at this time.

City Manager Shanahan stated the Commission would be provided with sites to review as the CIP process approached.

Mayor Kelley stated in considering new proposals, the Commission would be looking at how much staff time was saved, how efficient it was, and how much money was saved.

Item #10E – Naming of Parks and Recreational Facilities – New Beachfront Park

Mayor Kelley stated he understood Commissioner Kent desired a discussion of the process of naming parks, and asked Commissioner Kent to confirm that understanding.

Commissioner Kent stated he actually wanted to discuss the issue a little deeper. He stated that in years to come when they were not longer on the Commission, people would talk about how wise they were to secure off beach parking along with a park. He stated an important part of the park was naming the park. He stated two things he had learned from being Zone 2 Commissioner were that public input was a great thing and there would be lots of public input for

the park, and you will never make everyone happy. He stated the Commission should make the decision, just like when the Commission made the decision for the Harry Wendelstedt Fields and Doug Thomas Way. He pointed out the decision was made, guided by the Leisure Services Advisory Board (LSAB) recommendations on both of those decisions. He stated the LSAB recommended naming the park after Mr. Beach himself, Andy Romano. Commissioner Kent read a letter from Ron Rice in support of the City naming the beachfront park for Andy Romano. He stated others in support of the idea were Marvin and Phyllis Miller, Preston and John Root; Mark Blanford, William Voges, Paul Holub, James Hull, Jr., Philip Maroney, Dr. Jeffrey Newfield, James Phillips, Dr. Norman Seltzer, Ron Nowvieskie, Dana Smith, Patrick Opalewski, Jay and Margaret McBride, Dr. Suzanne Demmings, Tasso Kirakes, John Olivari, Susan and John Parkerson, Sharon and Jerry Vanco, Richard Grumwald, Betty and Gordon Kipp, Dale Pfeffer, James Pittner, Dan Warren, Peggy and Nick Triantafellu, Lois and Wayne Carrico, Diane and Bruce Kaufman, Pat Benkhe, Geneva Jackson, and Clark Rhomer. He read Marvin Miller's letter, Mark Blanford's letter, and Philip Maroney's letter. Commissioner Kent summarized Andy Romano's background and qualifications as a candidate to have the beachfront park named for him, and he ended by requesting the beachfront park be named for Andy Romano.

Commissioner Boehm stated Andy Romano had certainly earned the name, Mr. Beach. He stated he had served with Andy Romano on the LSAB for 7 years; and heartedly agreed the name, Mr. Beach, was a very accurate term. He expressed agreement with naming the park for Mr. Romano, but he stated it was important to include the City's name in the park name. He suggested three names to be considered: Ormond Beach Andy Romano Park, Andy Romano Park at Ormond Beach, and Andy Romano – Ormond Beach Park.

Mayor Kelley stated that since the discussion was involving the actual naming of the park, the individuals who requested to speak should be allowed to speak, since it was sounding more like a motion and a second with consideration. He stated he had misunderstood, in that he thought the discussion was for determining the process to be used in naming a park, with the determination going back to the Quality of Life Board for review. He pointed out that if a decision was made at the meeting, the issue would have to come back in the form of a resolution. He stated he had told people he spoke with that the discussion was regarding the process; otherwise, they would have attended.

Commissioner Kent stated this issue was before the LSAB, so it was not a surprise. He commented to Commissioner Boehm that he had also heard the idea of including the name of the City in the name of the park, and he did not object. Commissioner Kent stated he liked all three of Commissioner Boehm's suggestions for the name. He stated he would like to have a unanimous vote in favor of naming the park for Andy Romano, but would settle for three votes.

Commissioner Stowers stated if this was a more controversial matter with discussion followed by action, there might be negative thoughts towards the Commission relative to transparency and encouraging public processes. He stated he also thought this item was about the process, and he stated a process should be determined, whether it was on a case-by-case basis or something else. He stated there was a ton of support for naming the park for Andy Romano, and he believed that Mr. Romano possessed all the necessary qualities; but he stated it was important to establish the process before the beachfront park was actually named. He stated that by asking him to vote on the name at this meeting, he felt he was being painted into a corner. He stated he was supportive of Commissioner Kent's suggestion to name the park for Andy Romano and for Commissioner Boehm's suggestions to include the City's name, but he preferred an agenda item at the next meeting when the public could attend, rather than a discussion item turned into an action item.

Commissioner Partington stated he was in favor of a case by case process, and the name, "Ormond Beach's Andrew F. Romano Beachfront Park."

Mayor Kelley suggested the item come back in January with a resolution.

Commissioner Kent stated he was ready to do it tonight but would be willing to wait.

Joe Jaynes, 21 Reflections Village Drive, related a story of two boys on Christmas morning, debating whether the present was a SUV or a truck, when the father explained that no matter what you called it, it was a gift. He stated the point was the gift was a beachfront park, and it really did not matter what the name was. He remarked that the Commission was headed in the right direction with the name.

Norman Lane, 1314 Northside Drive, agreed that the important thing was to get the City's name included in the name of the park.

Peggy Farmer, 4 Allenwood Look, stated the agenda packet was so generic in the explanation, and she thought there would be suggestions from the public as to the desired amenities at the park and suggestions for the name. She stated she did not realize that this was going to be a campaign, this early. She stated she thought there was going to be various parts of the park, such as the pavilions, named for other special people who had worked for the park with the name including the City's name.

Doug Thomas, 132 Riverbluff Drive, stated he was not prepared to speak because he did not realize the name of the park was the topic. He stated when he moved here in 1973, and Andy Romano was an institution then; and when he thought of the beach, that was the man. He stated that as a recipient of having something named for him, it was difficult to explain the honor. He expressed that somewhere in the park name should be the name of Andy Romano.

Commissioner Kent stated he agreed with some of the things Ms. Farmer said; the name could include the City's name and Mr. Romano's name, and parts of the park could be named after other individuals.

Mayor Kelley expressed that this park was larger than one person; many people had an involvement in this park, including the citizens who voted to tax themselves to pay for the creation of a beachfront park, and that story needed to be included, possibly in the form of a monument to recognize those individuals who worked for the creation of the park for future generations. He stated he had been speaking to people about donating money for the ongoing maintenance of the park, and he said their names should be included. He stated a lot of people needed to be recognized because the effort was larger than one person. He explained that when Doug Thomas Way was named it was because Doug Thomas planted the first tree and helped with the bulldozer, while Harry Wendelstedt drove the bulldozer, and the Kiwanis Field was named that because the Kiwanis donated the funds for the field. He stated there seemed to be four votes in favor of naming the park for Andy Romano, and he suggested having a resolution come before the Commission at the next meeting. He stated that should Commissioner Kent choose to invoke the Thompson Rule, he would yield; but he would prefer that others had the opportunity to come forward, and it be presented to the Commission in the form of a resolution.

Commissioner Kent stated he wanted the public and the Commission to know that he remembered the discussions regarding naming the Harry Wendelstedt Athletic Fields and Doug Thomas Way, when he did not know either gentlemen but agreed to vote in favor of the names because he respected Commissioner Kelley's opinion. He stated he was ready to vote now or in two weeks.

Commissioner Boehm suggested the Commission should take two weeks to consider the names proposed. He stated that when something was named for someone, not everyone knew why it was named for that specific person; therefore, it was not important whether the person was known, but it was recognition of a lifetime spent in moving something forward on behalf of the City. He stated he would not support invoking the Thompson Rule or for voting at this meeting, because it was not presented that way in the agenda item. He expressed that he wanted the name of the City along with the individual's name.

City Manager Shanahan suggested staff prepare a resolution with the three suggestions for the January 4, 2011, meeting agenda.

Item #11- Reports, Suggestions, Requests

Thanks

Commissioner Kent thanked the Commission for their support in naming the new beachfront park for Andy Romano. He expressed praise for the recognition of Lori Gillooly and her service to the City. He thanked City Manager Shanahan for the new ID badges. He stated Breakfast with Santa was a great breakfast with a jolly old elf, and expressed thanks to The Casements for a wonderful event.

City Manager Shanahan thanked the Commission for acknowledging all the activities put on by Leisure Services throughout the community. She reported there had been a Cassen Park clean up with the South Ormond Neighborhood Center basketball students assisting in the clean up of the park and property all the way to the Ames House. She thanked Leisure Services and thanked all of the staff for all they did.

Boundless Playground

Commissioner Boehm stated he had been living with the boundless playground project for two years. He reported that Leisure Services Director Robert Carolin created a great presentation to

sway the Daytona Racing and Recreation Facilities District, and it was a tribute to them for their grant of \$300,000 for the purpose of building the playground. Commission Boehm stated that at the request of the LSAB, Landscape Architect Paul McDonald contacted parents of children in the challenger program in the City for their input on the design of the playground. He stated he was thrilled the City was installing a playground that all children could use.

PAL Holiday Party

Commissioner Boehm reported he had attended the PAL holiday party, and he stated the PAL program was one of the great programs in the City. He stated the police support for the program and the kids was tremendous. He stated the program worked with the kids to keep them straight and out of trouble, which was exacting what we wanted to see.

HOMe for the HOLIDAYS Parade

Commissioner Stowers reported the HOMe for the HOLIDAY parade was a great time with a huge turnout, and it exceeded his expectations. He thanked staff for their efforts, and thanked the residents for supporting it.

Beachfront Park

Commissioner Stowers inquired if the RFP for the engineering services had been drafted.

City Manager Shanahan reported that the RFP had been issued.

Commissioner Stowers stated he wanted the process to be a public process with the citizens involved; therefore, he suggested a board or committee be formed to serve for a limited time to supervise the process of the development of the park to insure the public was a part of the process. He stated it was a great idea for naming different components of the park.

Mayor Kelley stated Commissioner Stowers' suggestion for a board for park development could be included and discussed at the goals setting workshop.

Free Clinic

Mayor Kelley reported that Harry Wendelstedt would again offer three umpire clinics in January and February which would be offered to the general public free of charge.

Item #11 – Close the Meeting

The meeting was adjourned at 8:55 p.m.

APPROVED: January 4, 2010

BY: Ed Kelley, Mayor

ATTEST:

Veronica Patterson, City Clerk