

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

November 15, 2011

7:00 p.m.

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

A G E N D A

1. CALL TO ORDER

- 2. INVOCATION** - Father Stephen Ogonwa
Prince of Peace Catholic Church

3. PLEDGE OF ALLEGIANCE

- 4. AUDIENCE REMARKS** - Regarding items not on the agenda.

5. APPROVAL OF MINUTES

- A.** Minutes from the City Commission meeting - November 1, 2011

- 6. CONSENT AGENDA** - The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. Resolution No. 2011-168** - A resolution accepting the proposal of Aerial Hydraulics, Inc., regarding vehicle and equipment mobile repair and preventive maintenance services; authorizing the execution of an agreement and payment therefor; rejecting all other proposals; and setting forth an effective date. (Fleet Manager)

- B. Resolution No. 2011-169** - A resolution authorizing the execution of a nonexclusive franchise agreement between the city and sunshine recycling, inc., regarding the collection of construction and demolition debris; and setting forth an effective date. (*Public Works Director*)

- C. Resolution No. 2011-171** - A resolution authorizing execution of an Amendment No. 1 to agreement between the City and Ghyabi & Associates, Inc. regarding the John Anderson Drive roadway improvements project; authorizing payment therefore; and setting forth an effective date. (*City Engineer*)

- D. Resolution No. 2011-170** - A resolution accepting a proposal from Zev Cohen & Associates, Inc., for professional services regarding the public information and coordination services portion of the John Anderson Drive Roadway Improvements Project; authorizing the execution of a work authorization and payment therefor; and setting forth an effective date. (*City Engineer*)

- E. Resolution No. 2011-172** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Patricia A. Hyatt, located at 7 Charleston Square Ormond Beach, Volusia county, (Parcel ID No. 4242-94-00-0460), for costs incurred by the city to terminate or abate a site maintenance violation; and setting forth an effective date. (*Neighborhood Improvement Manager*)

- F. Resolution No. 2011-173** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Kymberlee M. Nguyen, located at 10 Pine Trail, Ormond beach, Volusia county, Florida (Parcel ID No. 4242-68-02-0450) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (*Neighborhood Improvement Manager*)

- G. Resolution No. 2011-174** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Lonnie Robert Christopher, located at 163 Fairway Drive, Ormond Beach, Volusia County, Florida (Parcel ID No. 4211-06-01-0140) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (*Neighborhood Improvement Manager*)

- H. **Resolution No. 2011-175** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Resource Properties, Inc., located at 190 Live Oak Avenue, Ormond Beach, Volusia County, Florida (Parcel ID No. 4222-02-01-0090) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. *(Neighborhood Improvement Manager)*
- I. **Resolution No. 2011-176** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Phillip G. Arenas, located at 205 Putnam Avenue, Ormond Beach, Volusia County, Florida (Parcel ID No. 4240-01-28-0090) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. *(Neighborhood Improvement Manager)*
- J. **Resolution No. 2011-177** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by George C. Clark, Jr., and Robert Clark, located at 420 Idlewood Drive, Ormond Beach, Volusia County, Florida (Parcel ID No. 4211-04- 00-0220) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. *(Neighborhood Improvement Manager)*
- K. **Resolution No. 2011-178** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Raul M. Duarte, located at 712 Montana Terrace, Ormond beach, Volusia County, Florida (Parcel ID No. 4242-65-00-0070) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. *(Neighborhood Improvement Manager)*
- L. **Resolution No. 2011-179** - A resolution authorizing the execution of a second amendment to lease agreement between the City and BETNR Industrial Development Corporation; and setting forth an effective date. *(Economic Development Director)*
- M. **Resolution No. 2011-180** - A resolution authorizing the submittal of an online grant application in the amount of \$10,000.00 to the Florida Department of Law Enforcement, the United States Department of Justice, under the Edward Byrne Justice Assistance Grant Program; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award; and setting forth an effective date. *(Finance Director)*
- N. **Resolution No. 2011-181** - A resolution authorizing the submittal of a grant application to the County of Volusia under the ECHO Grants-In-Aid Program for funding assistance regarding the Skate Park Renovation Project; authorizing the execution of all documents incidental thereto, including any contract necessary for the city to accept the grant award; and setting forth an effective date. *(Finance Director)*
- O. **SR5A Nova Road Audible Pedestrian Signals and ADA Improvements at Granada Boulevard, Woodland Boulevard, and Division Avenue, RFQ No. 2011-28** *(City Engineer)*

DISPOSITION: Approve as recommended in City Manager memorandum dated November 10, 2011.

- P. **Specifications for Federal Legislative Lobbying Services - Request for Proposals, RFP No. 2012-05** *(Economic Development Director)*

DISPOSITION: Approve as recommended in City Manager memorandum dated November 10, 2011.

- Q. **Specifications for Miscellaneous Crafts and Trades Services (As Needed) - Request for Proposals, RFP No. 2012-06** *(Leisure Services Director)*

DISPOSITION: Approve as recommended in City Manager memorandum dated November 10, 2011.

- R. **Proposed Banners for Downtown District** *(Leisure Services Director)*

DISPOSITION: Approve as recommended in City Manager memorandum dated November 10, 2011.

7. PUBLIC HEARINGS

- A. Second Reading of Ordinance No. 2011-43** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 1.31-acres located at 1520 North US highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*
- B. Second Reading of Ordinance No. 2011-44** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 2.16-acres located at 1521 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*
- C. Second Reading of Ordinance No. 2011-45** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 2.58-acres located at 1530 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*
- D. Second Reading of Ordinance No. 2011-46** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 1.42-acres located at 1545 North US Highway 1, from Volusia County B-6 (highway interchange commercial) to 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. *(Planning Director)*
- E. Second Reading of Ordinance No. 2011-47** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 2.74-acres located at 1560 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*
- F. Second Reading of Ordinance No. 2011-48** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official zoning map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 2.19-acres located at 1561 North US Highway 1, from Volusia County b-6 (Highway interchange commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or part thereof; and setting forth an effective date. *(Planning Director)*
- G. Second Reading of Ordinance No. 2011-49** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, establishment of Zoning Districts and Official zoning map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real Property totaling 2.46-acres located at 1567 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*

- H. Second Reading of Ordinance No. 2011-50** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, establishment of Zoning Districts and Official zoning map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real Property totaling 0.36-acres located at 1570 North US Highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*
- I. Second Reading of Ordinance No. 2011-51** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real Property totaling 7.07-acres located at 1571 North US Highway 1, from Volusia County B-6 (highway interchange commercial) to 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. *(Planning Director)*
- J. Second Reading of Ordinance No. 2011-52** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, establishment of Zoning Districts and Official zoning map, of chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real Property totaling 0.76-acres located at 1576 North US highway 1, from Volusia County B-6 (Highway Interchange Commercial) to 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. *(Planning Director)*

8. SECOND READING OF ORDINANCES

- A. Second Reading of Ordinance No. 2011-53** - An ordinance amending the annual budget for Fiscal Year 2010-2011 by amending the General Fund; the Downtown Redevelopment Fund; the Ormond Crossings Fund; the Stormwater Fund; the Economic Development Fund; the Facility Fee Fund; the Grant Fund; the Facilities Renewal & Replacement Fund; the Ormond beach Redevelopment Fund; the Lease Financing Fund; the 2003 GOB Debt Fire Station #92 Fund; the 2004 Revenue Bonds Fire Station #91 Fund; the 2010 GOB Beachfront Park Fund; the General Capital Improvements Fund; the General Vehicle Replacement Fund; the Ormond Beach Redevelopment Fund; the Transportation Fund; the Recreation Impact Fee Fund; the Local Road Impact Fee Fund; the Stormwater Impact Fee Fund; the Fire Station #92 Construction Fund; the Fire Station #91 Construction Fund; the Beachfront Park Fund; the Water/Wastewater Fund; the Water/Wastewater Capital Project Fund; the Water Impact Fee Fund; the Water System Construction Fund; the Water Plant Construction Fund; the Workers Compensation Fund; and the General Liability Fund; and setting forth an effective date. *(Finance Director)*

9. FIRST READING OF ORDINANCES

- A. Ordinance No. 2011-54** - An ordinance amending the boundaries of City Commission zones in accordance with the reapportionment plan accepted by Resolution 2011-157; describing the reapportionment boundaries; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. *(Planning Director)*
- B. Ordinance No. 2011-55** - An ordinance amending Chapter 2, Administration, Article VII, Code Enforcement, of the Code of Ordinances, by amending sections 2-251, definitions; 2-254, special masters; 2-255, enforcement procedure; 2-256, notice of violations; form and content of citations; 2-257, conduct of hearing; 2-258, administrative fines and liens; 2-262, schedule of civil fines; 2-265, notices; 2-266, appeals; and 2-267, duration of lien; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. *(Neighborhood Improvement Manager)*
- C. Ordinance No. 2011-56** - An ordinance amending Chapter 14, Offenses Miscellaneous, Article VIII, Site Maintenance/Nuisances, of the Code of Ordinances, by amending Section 14-98, Liens; repealing all inconsistent ordinances or parts thereof;

providing severability; and setting forth an effective date. (*Neighborhood Improvement Manager*)

10. REPORTS, SUGGESTIONS, REQUESTS (Mayor, City Commission, City Manager, City Attorney)

11. ADJOURNMENT

Item #1 - Meeting Call to Order

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

Item #2 - Invocation

Father Stephen Ogonwa of the Prince of Peace Catholic Church gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4 - Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, commented on three court cases, the Nestle case in Maryland; the Chief Justice in Pennsylvania Supreme Court ruled against fluoridation in 1978; and Anthony Ferris case in Texas found artificial water fluoridation supply as contemplated by Houston City Ordinance that it may cause or contribute to genetic damage. Mr. Schultz stated on Wednesday night, City of Daytona Beach had Fluoridation on their agenda. He stated 41% of children had dental issues because of fluoridation and the addition of sodium fluoride at one part per million is extremely deleterious to the body.

Item #5 - Approval of the Minutes

Mayor Kelley advised the minutes of the November 1, 2011, regular meeting had been sent to the Commission for review, and were on the City's website for public review. He asked for any corrections, additions, or omissions. He stated hearing no corrections; the minutes would stand approved as presented.

Item #6 - 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.

Staff requested Item #6P and #6I pulled.

Ms. Shanahan stated Item 6P was being pulled after speaking with Marlowe and Associates and Item 6I was being pulled because the lien had been satisfied.

Commissioner Kent requested Item #6R be pulled for comment.
Commissioner Stowers requested Item #6C be pulled for comment.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of the Consent Agenda absent items #6C, #6I, #6P, and #6R.

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

Item #6C - John Anderson Drive Improvement Project

City Clerk Joshua Fruecht read by title only:

RESOLUTION NO. 2011-171
A resolution AUTHORIZING EXECUTION OF AN AMENDMENT NO. 1 TO AGREEMENT BETWEEN THE CITY AND GHYABI & ASSOCIATES, INC. REGARDING THE JOHN ANDERSON DRIVE ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING PAYMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of

Resolution No. 2011-171, as read by title only.

Commissioner Stowers stated his firm Cobb Cole represented Ghyabi & Associates on various matters, but not this project. He noted he would abstain from voting on this matter, but would participate in the discussion.

Commissioner Partington stated he received quite a few emails and noted a decision was made by the previous Commission to go forward with the sidewalks. There were meetings held and the some of the residents did not want sidewalks. He noted there were a lot of unsettled issues within the community. He wondered whether the item should be postponed to allow Zev Cohen to hold a public workshop to handle the issue, or if the Commission had heard enough to go forward with the information available.

Commissioner Kent stated he initially approved the sidewalks and knew a lot of money would be spent on the projects. He stated that sidewalks would be safer for pedestrians at the sake of removing trees. He noted a lot of time has been expended on this project and there were still flooding and drainage concerns. He stated he was in favor of the sidewalk project, but yielded to comments from the Commission.

Commissioner Boehm agreed a lot of time had been spent on this project and noted the people that sent the emails may not have seen the plans. He stated the project should not be revisited because a handful of people made comments, it would only cause another delay. He stated the project needed to move forward, as there was a need to improve the drainage and the roadway.

Mayor Kelley stated he wanted the sidewalk, but would have gone with the 10' roadway with curbs, as the Commission previously voted. He stated there was an opportunity to make something beautiful and there would be an injustice just because one person wanted to save a tree that was not going to be removed. He noted the newspaper article swayed the public. He stated that when the palm trees were removed, they would be replaced by 20' oak trees. He stated he previously voted with the Commission in the event there was an opportunity to bring it back on the prevailing side. He noted the first mistake was when direction was given to the engineering firm to save all trees. He stated there was a 20' right-of-way from the center that would have only taken out some palm trees, but more trees would have been planted. He stated that if you went to a 10' roadway and curb it, you caused an unsafe area because there was no escape for anyone walking or bicycling. He stated this project had been before the Commission for the past ten years and there were things that needed to be done. He stated more money would need to be spent for a new design which might cost as much as the sidewalk.

Commissioner Stowers stated he spoke with Mr. Neuber, a supporter of sidewalks to discuss the change order and noted it needed to move forward. He stated the road needed to be repaired and upgraded, and was a delay if we continued to discuss it without a decision. He stated there was nothing in the project that prohibited future implementation of a design that would allow the sidewalk being constructed after the project was finished. He stated there was a suggestion to construct a sidewalk from Granada Boulevard north to Colonial Circle at the July meeting. He stated of the 13 emails, ten were south of Colonial Circle and underscored the uniqueness of the area for the impacted trees, versus the north end of John Anderson Drive. He asked the community to stay involved in the process and noted the project would not be implemented until 2013. He stated the financial issue was used by both sides, but a change order should not determine how the Commission responded to what they want to do by making sure the roadway was a high quality roadway in the community.

Commissioner Partington asked whether the emails changed from the previous survey.

Commissioner Stowers stated he updated his totals. He stated the pro side for the sidewalk south of Colonial Circle increased by three from 18 to 21 and those against the sidewalk remained at 18.

Commissioner Partington agreed that the project should move forward.

Commissioner Boehm stated the Commission was never given a straight line sidewalk to review. He noted there were people that did not want to give their right of way for the sideways as outlined in the design. He stated he was not in favor of the current design of the sidewalk, but might change his mind on another design of a straight sidewalk.

Ms. Lori Gillooly, 40 Sycamore Circle, mentioned Commissioner Boehm's comment about there not being a need to reopen the discussion because of a handful of people. She stated she could say the same about the July meeting, but government worked best when people were engaged in the process. She stated she was proud of the way the Commission handled the John Anderson Drive project when she was on the Commission. She noted a practical reason was the residents who had to deal with the inconvenience, so it was better to do everything at

one time instead of inconveniencing them by doing one project at a time. She stated she did not hear the passion from the Commission that was there in 2009. She quoted from the 2009 meeting: "Commissioner Partington commented he was in favor of 2-way traffic with a 5' sidewalk; Commissioner Kent commented that the people have spoken and while he did not want to cut down trees, safety trumped trees and always would; he supported the sidewalk and 2-way traffic. Mayor Kelley commented that he agreed with Commissioner Kent and herself and was adamant about the need for a sidewalk on John Anderson. In 2005, he stated the sidewalk plan was established to provide every area in the City to have sidewalks; therefore John Anderson should have sidewalks due to the need for safety and drainage. Also that the Commission was responsible for updating infrastructure and if the street was built by current standards, it would be mandatory to provide a sidewalk."

Ms. Gillooly stated that she could not understand how the Commission would vote not to do the sidewalk after all the years of discussion, even though there was a photo of someone protecting a tree. She stated the community was always concerned about the trees and the safety issue needed to be addressed. She stated that in the past, the Magnolia Company met with staff to discuss the tree situation and how they could help. She stated that she hoped that the Commission could consider the residents and safety when making their decision.

Mayor Kelley stated it was 1995 when the sidewalk plan was imposed and he was still passionate about implementing sidewalks. He stated the best solution would be a one-way street going south with 12' on one side and 5' on the other side, and it would have removed less trees. He stated that suggestion was not accepted and he noted it was a mistake using a 10' road.

Commissioner Kent thanked Ms. Gillooly for her comments. He stated the width of the road had to be changed, but he was in favor of sidewalks because safety was needed and he did not think the residents should be inconvenienced more than once.

Mayor Kelley stated the initial design of the street was that the road would take an area to the west going north allowing for a sidewalk on the east side. He stated when reconfigured, it might not be the same design, but he agreed the residents should not be inconvenienced multiple times. He stated from Colonial south would not impact anyone's property using a 10' roadway.

Ms. Shanahan stated the residents might not have known that the issue was going to be revisited, so their voice on opposition was not present. She pointed out that even if the vote failed, the Commission needed to approve Task One because it had already been completed for a total of \$39,496.43.

Commissioner Partington stated he was okay to reject the proposal and have Zev Cohen hold a public meeting, so that the project could be done right. He agreed the atmosphere was different at a previous meeting because of all the supporters for the sidewalks. He did not understand why the City was paying Zev Cohen if they already knew what direction they were going in. He stated he had no problem if the project could go through the public meeting process again so all the information was given and received.

Ms. Shanahan stated the initial scope for the Zev Cohen public participation did not include this aspect, but it could be amended to do so.

Commissioner Stowers stated he went door to door on John Anderson Drive for weeks, talking with the residents and pointed out that the residents were very passionate about this issue. He stated this was not the first time he spoke with the residents. He stated the sidewalk concept up to Colonial was unique from the sidewalk concept north of Amsden. He stated the information provided in July was bifurcated south versus north for numerous reasons related to the public opinion. He stated the residents north of Amsden overwhelmingly were against the sidewalks 24 to 7. He stated that additional discussions would only delay the process.

Commissioner Boehm stated the issues were the concept of the sidewalk, which the Commission agreed with. He was opposed to the sidewalk because of the imposition to the right of way to those that were against the sidewalk north of Amsden and the design of what would occur if they did not relinquish the right of way.

Mr. Hayes stated the resolution had two components. He stated if there was a consensus that the Commission would reject or deny the resolution as presented, then should entertain a motion to amend the resolution. He stated it can be done by deleting everything except Task 1, as mentioned by the City Manager. He stated that even though there was a motion on the floor, the maker of the motion could withdraw the motion and the second and then restate the motion.

Commissioner Partington withdrew his motion and Commissioner Kent withdrew the second.

Commissioner Partington moved, seconded by Commissioner Kent, to approve Task 1 of Resolution No. 2011-171.

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

Commissioner Boehm moved to approve Resolution No. 2011-171. The motion died for lack of a second.

Commissioner Boehm asked how long the project would be delayed if Task 2 was not approved.

Ms. Shanahan stated if she understood the discussion, the project was supposed to be revisited with the assistance of Zev Cohen and Associates to determine if there was a consensus to do a sidewalk.

Commissioner Boehm stated there was more to Task 2 than just the sidewalks. He noted there was a utility provision, a drainage provision and a roadway design included in Task 2.

Mr. MacLeod stated that the sidewalk impacts the other sections in Task 2.

Mayor Kelley stated the discussion with Zev Cohen should include the sidewalk project from Colonial south as an addition to the entire sidewalk project, and the discussions should not take any longer than three months.

Item 6R - Proposed Banners for Downtown District

PROPOSED BANNERS FOR DOWNTOWN DISTRICT

Commissioner Partington moved, seconded by Commissioner Boehm, to approve discussion of the banner design.

Commissioner Kent stated he was not sure if this was the type of banner that should be displayed from A1A to US1 and he wanted some input from the Commission.

Commissioner Partington stated he was unsure on the design, but it was starting to grow on him. He deferred to the Main Street Board as he knew that a lot of thought went into the design.

Commissioner Stowers stated a few years ago, the wayfinding signage was the Birthplace of Speed car and the Board spent months working on the design and the lettering; and at that time, the Commission had some concerns about the design. He stated it was his feeling that the Main Street Board spent a significant amount of time on the design of this project and was passionate about the Art District and he supported the design.

Mayor Kelley stated he was shocked when he saw the design and wondered if it said what the City wanted it to say about Ormond Beach and the Art District, as he did not favor the design.

Commissioner Partington stated the poster for the Riverfest could have made a good design, but he understood that the Board put a lot of effort into this design. Commissioner Kent stated his concern was that this banner was something that was going to be seen every day.

Ms. Shanahan stated that the banners would be out most of the times, but there were other banners that were switched for different occasions.

Mayor Kelley stated he would have done an abstract pallet or a paint brush with multi-colors.

Commissioner Boehm asked whether the item could be tabled and invite the Art Committee could come back to the Commission, since the majority of the Commission had questions.

Ms. Shanahan stated the item could be removed from the agenda.

Commissioner Partington withdrew his motion and Commissioner Boehm withdrew his second.

Mayor Kelley opened the public hearings.

Item #7A - Rezoning 1520 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-43

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 1.31-ACRES LOCATED AT 1520 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance 2011-43, 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

Item #7B - Rezoning 1521 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-44

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.16-ACRES LOCATED AT 1521 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2011-44, 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

Item #7C - Rezoning 1530 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-45

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL

REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.58-ACRES LOCATED AT 1530 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2011-45, 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

Item #7D - Rezoning 1545 North Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-46

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 1.42-ACRES LOCATED AT 1545 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No 2011-46, 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

Item #7E - Rezoning 1560 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-47

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.74-ACRES LOCATED AT 1560 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2011-47, on second reading, as read by title only.

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

Item #7F - Rezoning 1561 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-48

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.19-ACRES LOCATED AT 1561 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), authorizing revision of Official Zoning Map; REPEALING ALL INCONSISTENT ORDINANCES OR PART THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley stated this was a public hearing and there were no request from the audience to speak.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2011-48, as read by title only.

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

Item #7G - Rezoning 1567 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-49

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.46-ACRES LOCATED AT 1567 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2011-49, on second reading, as read by title only.

Call Vote:	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes

Carried.	Commissioner Boehm Mayor Kelley	Yes Yes
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Item #7H - Rezoning 1570 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-50

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.36-ACRES LOCATED AT 1570 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2011-50, 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

Item #7I - Rezoning 1571 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-51

An ordinance amending paragraph C, Official ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 7.07-ACRES LOCATED AT 1571 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2011-51, as read by title only.

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

Item #7J - Rezoning 1576 North US Highway 1

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-52

An ordinance amending paragraph C, Official ZONING MAP, OF

SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.76-ACRES LOCATED AT 1576 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-6 (HIGHWAY INTERCHANGE COMMERCIAL) TO 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 there were no request from the audience to speak.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2011-52, 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 objection, Mayor Kelley closed the public hearing.

Item #8A - Annual Budget for Fiscal Year 2010-2011

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-53

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2010 -2011 BY AMENDING THE GENERAL FUND; THE DOWNTOWN REDEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE ECONOMIC DEVELOPMENT FUND; THE FACILITY FEE FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE ORMOND BEACH REDEVELOPMENT FUND; THE LEASE FINANCING FUND; THE 2003 GOB DEBT FIRE STATION #92 FUND; THE 2004 REVENUE BONDS FIRE STATION #91 FUND; THE 2010 GOB BEACHFRONT PARK FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE ORMOND BEACH REDEVELOPMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE LOCAL ROAD IMPACT FEE FUND; THE STORMWATER IMPACT FEE FUND; THE FIRE STATION #92 CONSTRUCTION FUND; THE FIRE STATION #91 CONSTRUCTION FUND; THE BEACHFRONT PARK FUND; THE WATER/WASTEWATER FUND; THE WATER/WASTEWATER CAPITAL PROJECT FUND; THE WATER IMPACT FEE FUND; THE WATER SYSTEM CONSTRUCTION FUND; THE WATER PLANT CONSTRUCTION FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2011-53, 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

Item #9A - Boundaries of City Commission Zones

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-54

AN ORDINANCE AMENDING THE BOUNDARIES OF CITY COMMISSION ZONES IN ACCORDANCE WITH THE REAPPORTIONMENT PLAN ACCEPTED BY RESOLUTION 2011-157; DESCRIBING THE

REAPPORTIONMENT BOUNDARIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm, seconded by Commissioner Stowers, for approval of Ordinance No. 2011-54, on first reading, as read by title only.

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

Item #9B - Code of Ordinances Amendment

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-55

An ordinance amending Chapter 2, ADMINISTRATION, ARTICLE VII, CODE ENFORCEMENT, OF THE CODE OF ORDINANCES, BY AMENDING SECTIONS 2-251, definitions; 2-254, special masters; 2-255, enforcement procedure; 2-256, notice of VIOLATIONS; FORM AND CONTENT OF CITATIONS; 2-257, CONDUCT OF HEARING; 2-258, ADMINISTRATIVE FINES AND LIENS; 2-262, SCHEDULE OF CIVIL FINES; 2-265, notices; 2-266, appeals; and 2-267, duration of LIEN; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2011-55, on first reading, as read by title only.

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

Item #9C - Code of Ordinances Amendment

City Clerk Joshua Fruecht read by title only:

ORDINANCE NO. 2011-56

AN ORDINANCE AMENDING CHAPTER 14, OFFENSES MISCELLANEOUS, ARTICLE VIII, SITE MAINTENANCE/NUISANCES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 14-98, LIENS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Stowers, for approval of Ordinance 2011-56, on first reading, as read by title only.

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

Item #10 - Reports, Suggestions, Requests

Medians

Ms. Shanahan stated the public hearing for the Brownsfield Area Designation had been rescheduled. She stated it would be on the Planning Board agenda on December 8, 2011, at 7:00 p.m. in the Commission Chambers and the 2nd public hearing would be before the City Commission on January 3, 2012, at 8:00 p.m. She noted this was a change in time for the meeting.

Strategic Planning Session

Ms. Shanahan stated the Strategic Planning Session was scheduled for January 3, 2012, from 5:00 p.m. to 8:00 p.m. She stated that this would give the Commission a little more time for discussion. She stated the change in time for the January Commission meeting would be on the agenda for approval.

Jewish Federation Paper Goods Drive

Ms. Shanahan stated that city employees were participating in a paper good drive for those in need. She state that this drive was also open to the public.

Food Drive

Ms. Shanahan stated that the City was participating in a Food Drive for the homeless, along with all municipal employees in Volusia County during the second full week in December.

Veterans Day Celebrations

Ms. Shanahan stated the turnout for the Veterans Day celebrations were very good. She stated that there were about 112 veterans in attendance at the dinner. She stated there was a notice on the water bills asking the veterans to contact the City so that they could be recognized.

Federal Legislative Lobbying Services Item

Ms. Shanahan stated she received a late call from Mr. Michael Willis of Marlowe and Company regarding the Federal Legislative Lobbying Services and also spoke with Congressman Mica's office, both who indicated there were no federal dollars earmarked. She stated they suggested the City not renew the lobbying contract this year.

Veterans Day Celebrations

Commissioner Partington stated he was sad that he missed the Veterans Day celebrations because he was away at the conference. He stated that he appreciated all of staff's efforts in the great job honoring the veterans. He stated the write-up in the Weekly Review was very good.

Conference

Commissioner Partington stated it was a good conference and that he gathered lots of information. He stated he would meet with Joyce about some of what he learned and then meet with the department directors to share information with them. He stated he thought it would be a good idea for Commissioners Boehm and Stowers to attend some of these idea rich conferences as new members, to help make Ormond Beach a better place.

Movies on the Halifax

Commissioner Partington stated there were two movies playing in December at the Movies on the Halifax, "Elf" and "How the Grinch Stole Christmas".

PAL Luncheon

Commissioner Partington stated the Outback PAL Luncheon was on December 10 and tickets were \$10.

Federal Legislative Lobbying Services Item

Commissioner Partington stated he also spoke with Mr. Michael Willis and reiterated that there were no federal dollars to be spent and he appreciated his honesty and comments. He noted any money disbursed by the federal government would come directly to the State.

Happy Thanksgiving

Commissioner Partington wished everyone a Happy Thanksgiving.

Riverfest

Commissioner Stowers stated the Riverfest was this weekend with Ormond Main Street. He agreed that the Riverfest poster would make a good design for the banner.

Conference

Commissioner Kent thanked Commissioner Partington for attending the conference and looked forward to the information gathered at that conference.

Riverfest

Commissioner Kent stated he had his tickets for Riverfest, but realized that his family was going to Disney the same weekend and his tickets were available to the first person that asked for them.

Veterans Day Celebrations

Commissioner Kent stated the Veterans Day celebrations were great. He commended Mayor Kelley on his speech and presentation. He stated he appreciated Commissioner Boehm sharing a few words and leading the Pledge of Allegiance since he was a Vietnam Veteran. He also thanked him for his service.

Fluoride

Commissioner Kent stated he had a meeting at his house with Utilities Director Dave Ponitz, who made a wonderful presentation on the water system. He learned that the levels had come down from 1.4 to 7/10 of a percent. He stated he would like to discuss fluoride with the Commission.

Veterans Day Celebrations

Commissioner Boehm stated the Veterans Day celebrations were excellent and commended staff for the wonderful job they did in honoring the veterans. He stated he was pleased that County Chairman Bruno, Representatives Hukill and Costello shared the event with the City. He stated that the Vietnam War Memorial was dedicated in the Memorial Gardens and the art design was a very meaningful depiction to the veterans of that war. He commended Mayor Kelley on his speech at both events and noted the veterans appreciated what the City did for them.

Pop Warner

Commissioner Boehm stated the Pop Warner PeeWee team won in Fort Myers this past Saturday and they would play against the South next Saturday for the Championship and then on to the Pop Warner Super Bowl, if they win. He stated that the Pop Warner Cheerleaders also advanced to the Regionals and congratulated them on their efforts.

Pride Organization

Commissioner Boehm congratulated the Pride Organization for winning their conference and regional championship games. He stated he thought for a first year program, it was exceptional.

Happy Thanksgiving

Commissioner Boehm wished everyone a Happy Thanksgiving.

Conference

Mayor Kelley thanked Commissioner Partington for attending the conference and taking time away from his family and stated he hoped that Commissioners Boehm and Stowers would take advantage of the conferences in the future.

Veterans Day Celebrations

He apologized for not mentioning Commissioner Partington's absence at the Veterans Day celebrations because he was attending the conference in Phoenix. He noted the coverage in the News-Journal was fantastic.

City Commission Meeting

Mayor Kelley stated the next City Commission meeting was on Thursday, December 1 and the following meeting would be December 13, 2011, so that there were no City Commission meetings the week of Christmas.

Chamber Upgrades

Mayor Kelley thanks IT Director Ned Huhta and Josh Freucht for the upgrades made in the City Commission Chambers.

Item #11 - Close the Meeting

The meeting was adjourned at 8:38 p.m.

APPROVED: December 1, 2011

BY: Ed Kelley, Mayor

ATTEST:

Joshua Freucht, City Clerk