

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

September 3, 2013

7:00 PM

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners James Stowers, Troy Kent, Rick Boehm and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, Deputy City Attorney Ann-Margret Emery, and City Clerk Scott McKee.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2013-2014 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
 - A. **RESOLUTION NO. 2013-141** : A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2013-2014 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
 - B. **ORDINANCE NO. 2013-52** : AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2013-2014 FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
- 5. PRESENTATIONS AND PROCLAMATIONS**
 - A. Recognition of Florida Legislators
- 6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 7. APPROVAL OF MINUTES**
 - A. Minutes from City Commission Meeting – August 20, 2013
- 8. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2013-151** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 1; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9A)**
Staff Contact: Ric Goss, Planning Director (386-676-3238)

- B. **RESOLUTION NO. 2013-152** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 2; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9B)**

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

- C. **RESOLUTION NO. 2013-153** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 3; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9C)**

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

- D. **RESOLUTION NO. 2013-154** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 4; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9D)**

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

- E. **RESOLUTION NO. 2013-155** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 5; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9E)**

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

- F. **RESOLUTION NO. 2013-156** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 6; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 9F)**

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

9. CONSENT AGENDA

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

- A. **RESOLUTION NO. 2013-151** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 1; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*
- B. **RESOLUTION NO. 2013-152** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 2; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*
- C. **RESOLUTION NO. 2013-153** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 3; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*
- D. **RESOLUTION NO. 2013-154** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 4; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*
- E. **RESOLUTION NO. 2013-155** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 5; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*
- F. **RESOLUTION NO. 2013-156** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 6; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact: Ric Goss, Planning Director (386-676-3238)*

- G. **RESOLUTION NO. 2013-129** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTINUING CONTRACT WITH DANELLA CONSTRUCTION CORPORATION OF FLORIDA INC. FOR FIBER OPTIC INSTALLATION AND MAINTENANCE SERVICES UNDER CITY OF PALM COAST RFP-IT-13-01; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- H. **RESOLUTION NO. 2013-130** : A RESOLUTION ACCEPTING A PROPOSAL FROM DANELLA CONSTRUCTION OF FLORIDA, INC. TO PROVIDE FIBER OPTIC SERVICES REGARDING CONSTRUCTION OF THE PHASE 2 FIBER OPTIC NETWORK INFRASTRUCTURE IMPROVEMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*
- I. **RESOLUTION NO. 2013-142** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL TOWING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Andy Osterkamp, Police Chief (386-677-0731)*
- J. **RESOLUTION NO. 2013-143** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND J&A BALBOA ENTERPRISES, INC. D/B/A ARROW SERVICE & TOWING; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Andy Osterkamp, Police Chief (386-677-0731)*
- K. **RESOLUTION NO. 2013-144** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND LANDAU ENTERPRISES, INC. D/B/A FRYER'S TOWING SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Andy Osterkamp, Police Chief (386-677-0731)*
- L. **RESOLUTION NO. 2013-145** : 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 WILLIAM VOGENITZ AND JUDY VOGENITZ LOCATED AT 30 CARRIAGE CREEK WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4126-03- 00-0640) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*
- M. **RESOLUTION NO. 2013-146** : A RESOLUTION ACCEPTING A BID FROM AMERICAN LIGHTING AND SIGNALIZATION, INC., FOR CONSTRUCTION SERVICES REGARDING THE NOVA ROAD ACCESSIBLE PEDESTRIAN SIGNALS, UNDER BID NO. 2013-12; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:** *John Noble, City Engineer (386-676-3269)*

- N. **RESOLUTION NO. 2013-147** : A RESOLUTION ACCEPTING THE PROPOSAL OF KAMTAM CORPORATION D/B/A TUI TOTAL SOLUTIONS REGARDING COPY MACHINE MAINTENANCE SERVICES; REJECTING ALL OTHER PROPOSALS; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT RELATIVE THERETO; SETTING FORTH AN EFFECTIVE DATE.

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

- O. **RESOLUTION NO. 2013-148** : A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA STATE LODGE, FRATERNAL ORDER OF POLICE; SETTING FORTH AN EFFECTIVE DATE.

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

- P. **RESOLUTION NO. 2013-149** : A RESOLUTION APPROVING S.R. PERROTT, INC. AS A QUALIFIED TARGET INDUSTRY BUSINESS; PROVIDING FOR LOCAL FINANCIAL SUPPORT FOR GROWTH ASSISTANCE FUNDING AND PROPERTY TAX REIMBURSEMENT; AUTHORIZING AN AGREEMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- Q. **Cost Adjustment Request by Austin Outdoor**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 3, 2013.

- R. **Cost Adjustment Request by Economy Electric Co., Inc**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 3, 2013.

- S. **Sungard HTE Maintenance**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 3, 2013.

- T. **Approval of Travel for City Manager**

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

Disposition: Approve as recommended in the City Manager memorandum dated September 3, 2013.

10. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-50** : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE 2,924 ACRES+ OF REAL PROPERTY LOCATED WEST AND SOUTH OF THE F.E.C. RAILROAD, EAST OF THE FLAGLER COUNTY BOUNDARY LINE, AND NORTH OF DURRANCE LANE AND HARMONY AVENUE, FROM VOLUSIA COUNTY A-1 (PRIME AGRICULTURE) AND A-2 (RURAL AGRICULTURE) TO ORMOND BEACH PMUD (PLANNED MIXED USE DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2013-51** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORDS, BY ADDING A DEFINITION OF MALTED BEVERAGE PRODUCER; BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, INDUSTRIAL (I-1), BY ADDING MALTED BEVERAGE PRODUCER AS A CONDITIONAL USE WITHIN THE ZONING DISTRICT; AND BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR MALTED BEVERAGE PRODUCER; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

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

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

11. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-53** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.25-ACRES LOCATED AT 250 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "GENERAL COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2013-54** : AN ORDINANCE AMENDING SECTIONS 22-23, 22-24 AND 22-71 OF CHAPTER 22, WATER AND SEWERS, THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2013-55** : AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2013-56** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, RELATIVE TO THE GENERAL EMPLOYEES' PENSION PLAN, AMENDING ARTICLE I, IN GENERAL, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-1, DEFINITIONS BY AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-15, MAXIMUM PENSION; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2013-57** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-71, DEFINITIONS BY AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-85, MAXIMUM PENSION; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

- F. **ORDINANCE NO. 2013-58** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-40, DEFINITIONS AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-54, MAXIMUM PENSION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

12. REPORTS, SUGGESTIONS, REQUESTS

13. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Kelley called the meeting to order at 7:02 p.m.

Item #2 – Invocation

Pastor Cord Bear, Tomoka Christian Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – FY 2013-14 Proposed Millage Rates and Tentative Budget

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-141

A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2013-2014 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT THE FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Kelley explained that, per *Florida Statutes*, he was required to state that the tentative millage rate for the City of Ormond Beach necessary to fund the 2013-2014 budget was 4.1181 mills. He stated that the rate was 4% above the rollback rate of 3.9596 mills. He stated that the tentative debt service millage rates were 0.1140 for the 2002 General Obligation Bond Sinking Fund, 0.0470 for the 2003 General Obligation Bond Sinking Fund, and 0.1450 for the 2010 General Obligation Bond Sinking Fund.

Mayor Kelley noted that the city had held several budget workshops and meetings that had been open to the public. He opened the public hearing and asked if any members of the public wished to speak.

Mr. Marvin Miller, 41 Riverside Drive, recognized that the Commission had a difficult job. He stated that he had a letter prepared which he wanted to read into the meeting record. He read the letter as follows:

“Gentlemen, you appointed an advisory committee to concur with the majority of Commissioners that an increase in property tax was necessary. You did not need all the expertise of an advisory committee to draw that conclusion. They basically looked at all that was owed and agreed that the bills had to be paid. Since the money well is running dry funding must come from property owners. As a property owner representative of many local and out of state Ormond Beach property owners, we have several alternatives, business ideas, or plans that would help solve the problem and help the city in redirecting the spending habits of the past five to ten years. We think an efficiency expert would have been the one to aid the city in getting us back on solid financial ground.

We have been slipping into a financial abyss for many years and it has now caught up with us. You have to take an aggressive look at all the options within the city. With all the increases in building and development the planning departments have done an outstanding job, especially with limited staff. Our police department, which is short staffed and paying \$5,000 less than the fire department’s starting pay, do an excellent job and cover the city extremely well. I’m not pointing fingers at any specific department or management, just every area has to be examined. Ormond Beach has had the same old spending habits for so long that it begins to feel normal.

I would suggest we begin with a financial austerity program as follows:

- 1. Freeze all spending on new projects;*
- 2. Offer all departments a 10-15% bonus in what they could save for good ideas and being conservative with their spending*
- 3. Look to consolidate jobs where possible and conserve auto trips in all departments – 10% less gas would save thousands*
- 4. Since 75-85% of the fire department calls are medical, why not send out two fireman in one of the many SUV type vehicles they now possess – which would get them to medical problems two to three minutes quicker, and we all know that could mean the difference in life or death for a stroke or heart attack victim – that would have an enormous savings on gas and extend the life of the several fire engines we have. We still have four professionals for each medical problem, two firemen and two from EVAC.*
- 5. Check the inventory on Ormond Beach properties that are not being used. They could be sold for cash benefit and put back on the tax roll, which goes for any inventory not being used. Almost all business properties and rental houses have had double digit property tax increases the past three years. Property taxes, insurance, and utility increases will be devastating for business if they continue to run out of control. We have been extremely fortunate in the past three years to*

finally get some well deserved appreciation in our real estate values in this area. That meant cash increases to all taxing authorities in the county which should have lowered the millage rate.

All citizens seemed to witness was the more you have the more you spend. We are facing a serious financial crisis in Ormond Beach being passed on to all property owners. Each person I have conferred with has their own financial hardships whether they are personal or business related. They are making adjustments, downsizing, and following the CPI as to raises. It is up to you, our governing body, to work the system and make the same adjustments as businesses do. You are charged with running a very large entity of 39,000 people. Please send out a strong message that Ormond Beach can and will operate as an efficient entity instead of the cliqued often heard "we want the best for Ormond." That seems to be a catch all phrase for excessive spending. We are all interested in the best for Ormond Beach and our county because we live and work here."

Mr. Miller explained that he previously served on the Budget Advisory Board and that the letter he wrote and just read was dated August 25, 2004. He asked the Commission to use their own thoughts, judgments, and conclusions to see where the city was considering that in 2004 he was talking about the decisions of the last five to ten years. He asked the Commission to use their best judgment to do the best they could.

Mayor Kelley stated that since 2004 the city had consolidated or eliminated about 60 employees and combined departments. He stated that Ormond Beach had the third lowest property tax rate of any of the 16 municipalities in Volusia County. He stated that \$5.2 million of the \$9 million the city received in property taxes would go to fund pensions. He stated that he thought that Ms. Shanahan was doing a great job and noted that the city did not take the budget lightly.

Mr. Jim Cameron, Senior Vice President of Government Relations, Daytona Regional Chamber of Commerce ("the Chamber"), commended the Budget Advisory Board. He stated that he had attended several of their meetings and that they had done a thorough job over the past several years with the budget. He stated that he believed that it was because of the Budget Advisory Board's guidance and attention that Ormond Beach had one of the lowest property tax rates in Volusia County. He also commended the city on reaching a deal with general employees so that new hires would be placed in a defined contribution program, similar to a 401k plan, which would save the city money. He noted that he knew that the city was looking at a slight increase in the tax rate this year and also an anticipated loss in franchise fees and an increase in employee health insurance. He explained that those things were happening in other city and county budgets. He stated that the Chamber also wanted to commend the Commission for their strong recommendations with the employee pension multipliers. He stated that unfunded pension liabilities were the Chamber's major concern for all of the cities. He asked the Commission to also keep an eye on long-term debt. He noted that the Chamber felt that the Commission was doing a good job in managing the city's finances.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Resolution No. 2013-141, as read by title only.

Call Vote:	Commissioner Stowers	No
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Mayor Kelley stated that the tentative operating millage of 4.1181 mills was 4% above the roll back millage rate. He explained that the resolution also included adoption of the tentative debt service millage rates of 0.1140 for the 2002 General Obligation Bond Sinking Fund, 0.0470 for the 2003 General Obligation Bond Sinking Fund, and 0.1450 for the 2010 General Obligation Bond Sinking Fund.

Mayor Kelley stated that the operating millage rate was set at 4.1181 mills; which was 4% above the rollback millage rate of 3.9596.

Item #4B - FY 2013-14 Proposed Millage Rates and Tentative Budget

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-52
AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2013-2014 FISCAL YEAR BEGINNING OCTOBER 1, 2013 AND ENDING SEPTEMBER 30, 2014; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2013-52, on first reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	No
Carried.	Mayor Kelley	Yes

Mayor Kelley closed the public hearing without objection.

Item #5 – Recognition of Florida Legislators

Mayor Kelley stated that they were fortunate that evening to have in attendance three elected state representatives who served Ormond Beach. He presented Senator John Thrasher, Florida Senate District 6, with a plaque in appreciation for his service. He stated that Senator Thrasher formerly lived and worked in Ormond Beach. He stated that Senator Thrasher did a great job for the community and that the city appreciated everything that he did.

Senator John Thrasher thanked Mayor Kelley. He stated that he was humbled to be there with Former Mayor and current State Representative Dave Hood and Representative Dwayne Taylor. He noted that the legislators did not often get recognized in such a way and thanked the city. He stated that he once lived in Ormond Beach and loved Ormond Beach. He stated that he represented part of Volusia County, of which Ormond Beach was a large part. He stated that he looked forward to doing even more for the city next year and looked forward to receiving Mayor Kelley's legislative wish list.

Mayor Kelley presented Representative Charles David "Dave" Hood, Florida House District 25, with a plaque in appreciation of his service. He explained that Representative Hood had previously served as a Commissioner and then as Mayor of the City of Ormond Beach. He stated that it was Representative Hood who started him on his initial run as a Commissioner with the city. He noted that he ran for Representative Hood's Commission seat when Representative Hood ran for Mayor.

Representative Hood stated that it was a true honor and privilege to be a public servant and not something he took lightly. He asked Mayor Kelley to provide them with his wish list as well. He thanked Mayor Kelley.

Mayor Kelley presented Representative Dwayne Taylor, Florida House District 26, with a plaque in appreciation of his service. He stated that Representative Taylor may recognize some members of the Commission from when he was serving in Daytona Beach. He thanked Representative Taylor for not forgetting where he came from and stated that they appreciated all he did for the city.

Representative Taylor expressed his appreciation for the recognition. He stated that it was an honor to serve. He stated that it was great to work with Senator Thrasher, who was a leader in the Senate, and also with Representative Hood. He stated that government worked the best at the local level and commended the citizens in attendance for their involvement. He noted that they had great representation with Representative Hood.

Mayor Kelley also recognized Mr. Doug Bell, Pennington P.A., who helped the city to be able to get appointments with the legislators, and thanked him for his assistance.

Item #6– Audience Remarks

Mr. Bruce Stone, 467 Riverside Drive, stated that he had lived in the city for almost a year. He stated that he loved the city and thought it was a great place. He explained that he had large concerns regarding traffic flow on Riverside Drive going toward

Daytona Beach. He stated that there was a 35 mile per hour sign but he saw vehicles going 60 miles per hour and passing each other on the side road. He stated that six months ago he had a pet get outside, and it was hit in the middle of the night by a car and killed. He stated that there had to be some better control for speeding and suggested possibly cameras. He noted that he knew that the police patrolled at nighttime, but he worked out of his home and saw fast driving during the day. He stated that he feared that next time a person would be hit instead of an animal.

Mayor Kelley asked Mr. Stone if he had contacted anyone within the city before the meeting.

Ms. Joyce Shanahan, City Manager, explained that over the last several months a speed study had been completed on that area of Riverside Drive. She stated that while there were anomalies where people were speeding, the study found that by and large they were obeying the speed limit. She stated that she appreciated that there were concerns and would ask that Mr. Stone speak to Police Chief Andy Osterkamp after the meeting so he could share with Mr. Stone what information he had and see about possibly doing some extra patrols in that area to try and slow the speeders down.

Item #7A – Approval of Minutes

Mayor Kelley advised that the minutes of the August 20, 2013, regular meetings had been sent to the Commission for review, and were on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Item#8 – Community Redevelopment Agency

Mayor Kelley explained that the City Commission served as the Community Redevelopment Agency (CRA) for the Downtown Redevelopment Area, and as such, must review related items 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 that the City Commission meeting was recessed, and he called the meeting of the Community Redevelopment Agency to order at 7:27 p.m. for discussion of Resolution Nos. 2013-151, 2013-152, 2013-153, 2013-154, 2013-155, and 2013-156. He opened the items for a public hearing.

Item #8A – Granada Plaza, Downtown Grant, Building 1

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-151

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 1; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that items 8A through 8F were for six grants toward façade improvements for the complex at 125 East Granada Boulevard, which included six buildings. He stated that the city's grants only matched what was spent. He stated that Ormond Beach Main Street reviewed the project several times and recommended approval.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-151, as read by title only.

Commissioner Kent stated that the building improvement grant program was one that had been in place for quite some time and in his opinion had been wildly successful. He stated that the money used for the grants was generated from that district.

Commissioner Boehm added that the owner was taking into account what the Andy Romano Beachfront Park looked like in trying to remain consistent with the development motif in Ormond Beach. He stated that he believed the project would be a significant improvement for the plaza.

Commissioner Stowers stated that he thought that it was wonderful that six of the eight buildings would be redeveloped and that it would greatly improve the aesthetics. He noted that he recognized in the staff report that the buildings were viewed separately for the building improvement grant program. He stated that he would hope in the near future that similar grant requests would be made for the other two buildings to the west.

Mayor Kelley noted that the agenda packet, which was available online, contained photographs of some of the architectural concepts.

Commissioner Partington stated that CRAs could be a fantastic tool for economic development when they were run correctly, like this one had been. He provided examples of a beautiful office building on Tomoka Avenue and the Brighthouse Office and Ace Hardware complex on Granada Boulevard as successful grant revitalizations. He noted that there had been ten to 15 such projects in the last five to seven years.

Mayor Kelley stated that he agreed with Commissioner Partington's statement. He stated that Ormond Beach had been using the money effectively and revitalized not only those CRA areas but the areas around them.

The motion passed by voice vote.

Item #8B – Granada Plaza, Downtown Grant, Building 2

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-152

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 2; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-152, as read by title only.

The motion passed by voice vote.

Item #8C – Granada Plaza, Downtown Grant, Building 3

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-153

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 3; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-153, as read by title only.

The motion passed by voice vote.

Item #8D – Granada Plaza, Downtown Grant, Building 4

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-154

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 4; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-154, as read by title only.

The motion passed by voice vote.

Item #8E – Granada Plaza, Downtown Grant, Building 5

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-155

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 5; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-155, as read by title only.

The motion passed by voice vote.

Item #8F – Granada Plaza, Downtown Grant, Building 6

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-156

A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE GRANADA PLAZA GROUP, LLC.; FOR THE PROPERTY AT 125 EAST GRANADA BOULEVARD, BUILDING 6; AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2013-156, as read by title only.

The motion passed by voice vote.

Mayor Kelley adjourned the meeting of the CRA, closed the public hearing, and reconvened the meeting of the City Commission at 7:35 p.m.

Mayor Kelley explained that 125 West Granada Boulevard was at the northeast corner of A1A and Granada Boulevard and housed T.G.I.Friday's and Peach Valley restaurants.

Item #9 – Consent Agenda

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

Commissioner Boehm requested that Items 9Q and 9R be pulled from the Consent Agenda.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of the Consent Agenda, absent Item 9Q and 9R.

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

Item #9Q – Cost Adjustment Request by Austin Outdoor

Commissioner Boehm explained that the city put language in its contracts with vendors that allowed the vendor to request a cost of living increase on an annual basis. He stated that Austin Outdoor was requesting a 1.75% increase. He noted that Austin Outdoor did an outstanding job of taking care of the landscaping of the city. He stated that at the last meeting the Commission had discussed Waste Management's request for an increase, which they had denied, and Commissioner Partington had pointed out that Waste Management was a national corporation with a great number of cities that they worked with and with huge national profits. He stated that Austin Outdoor was a local company working with the city and he felt that they should honor their request for the CPI change. He noted that staff was recommending denial of the request.

Commissioner Boehm moved, seconded by Commissioner Kent, to approve the cost adjustment request requested by Austin Outdoor.

Mayor Kelley stated that the Commission had turned down Waste Management last week and that they had been a business partner of the city for years. He stated that he thought that it was not relevant whether the company made money or not because if they did not make money they would not stay in business anyway. He noted that he also thought that Austin Outdoor did a great job.

Call Vote:	Commissioner Partington	No
	Commissioner Stowers	No
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Kelley	No

Item #9R – Cost Adjustment Request by Economy Electric Co., Inc.

Commissioner Boehm stated that once again Economy Electric Co. Inc., a local vendor, was seeking an increase per their contract with the city. He stated that he would admit that the Commission was at least being consistent in denying the adjustment requests by their vendors. He noted that the adjustment requests were written into the contracts. He stated that the city was denying the requests with the thought that it would be difficult to provide the vendors with the requested increases. He stated that in Economy Electric Co., Inc.'s case the increase amount was \$1,750. He stated that he thought that a local company who provided good service and only wanted a \$1,750 was something that the Commission should consider approving.

Commissioner Boehm moved, seconded by Commissioner Kent, to approve the cost adjustment request requested by Economy Electric Co., Inc.

Call Vote:	Commissioner Stowers	No
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	No
Carried.	Mayor Kelley	No

Item #10 – Public Hearings

Mayor Kelley opened the public hearing.

Item #10A – Ormond Crossings PMUD Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-50

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE 2,924 ACRES+ OF REAL PROPERTY LOCATED WEST AND SOUTH OF THE F.E.C. RAILROAD, EAST OF THE FLAGLER COUNTY BOUNDARY LINE, AND NORTH OF DURRANCE LANE AND HARMONY AVENUE, FROM VOLUSIA COUNTY A-1 (PRIME AGRICULTURE) AND A-2 (RURAL AGRICULTURE) TO ORMOND BEACH PMUD (PLANNED MIXED USE DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2013-50, on second reading, as read by title only.

Ms. Peggy Farmer, 4 Allenwood Look, stated that she was formerly with the Ormond Beach Chamber of Commerce. She stated that it was exciting to see the Ormond Crossings project come to fruition. She brought her newsletter from August of 2003 when the project was first presented by Economic Development Director Joe Mannarino. She thanked Tomoka Holdings for their perseverance through the economy and downturn and for sticking with the project, which was Ormond Beach's future. She stated that Mr. Mannarino also went above and beyond and was a wonderful person for the city.

Mayor Kelley thanked Tomoka Holdings for staying with the city on the project during difficult economic times. He noted that Commissioner Kent and Commissioner Partington were elected in 2003 and had been through the entire process.

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

Item #10B – Malted Beverage Producer, LDC Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-51

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORDS, BY ADDING A DEFINITION OF MALTED BEVERAGE PRODUCER; BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, INDUSTRIAL (I-1), BY ADDING MALTED BEVERAGE PRODUCER AS A CONDITIONAL USE WITHIN THE ZONING DISTRICT; AND BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR MALTED BEVERAGE PRODUCER; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2013-51, on second reading, as read by title only.

Mayor Kelley stated that, for clarification purposes, at the first meeting there had been discussion regarding the maximum percentage of floor space for the tasting room and retail component; however no changes were ultimately made.

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

Item #10C – 1298 West Granada Boulevard Comprehensive Plan Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-59

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 14.53± ACRES OF REAL PROPERTY LOCATED AT 1298 WEST GRANADA BOULEVARD FROM VOLUSIA COUNTY “URBAN MEDIUM INTENSITY (UMI)” TO CITY OF ORMOND BEACH “COMMERCIAL” FOR A 4.64 ACRE PORTION OF THE SITE AND “OPEN SPACE/CONSERVATION (OS/C)” FOR A 9.89 ACRES PORTION; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss explained that the property was being changed from its existing land use designation of Volusia County “Urban Median Intensity” to City of Ormond Beach “Commercial” as a result of a prior annexation.

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

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

Mayor Kelley closed the public hearing without objection.

Item #11A – 250 Williamson Boulevard Comprehensive Plan Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-53

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +1.25-ACRES LOCATED AT 250 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "GENERAL COMMERCIAL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this property was developed in the county but was located along the city’s scenic corridor so they complied with all the city’s architectural design standards. He noted that staff recommended approval.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-53, 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 #11B – Water and Sewer Rates

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-54

AN ORDINANCE AMENDING SECTIONS 22-23, 22-24 AND 22-71 OF CHAPTER 22, WATER AND SEWERS, THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-54, on first reading, as read by title only.

Mayor Kelley stated that there had been some inquiries regarding this item. He explained that the rate increase would help provide the city with \$400,000 for the replacement of two-inch water main pipes, primarily on the beachside. He stated that some of the pipes were 40 or 50 years old and had rusted. He explained that it would save water because of leaks that could happen with the old pipes and also invariably provide a better quality of water.

Mr. Ted MacLeod, Assistant City Manager and Public Works Director, stated that in four or five years all of the pipes would be replaced.

Mayor Kelley noted that the rate was not being raised for a dedicated purpose of replacing infrastructure and not arbitrarily.

Commissioner Kent added that the pipe replacements were badly needed in parts of the peninsula. He stated that he believed some of those pipes to be 60 or 70 years old. He stated that he did not want to be caught ten years down the road with bigger problems if the project was not started now. He noted that Mayor Kelley had previously mentioned that some properties he owned in other cities had much higher water rates than Ormond Beach.

Mayor Kelley stated that the base water rate was around \$13. He stated that the increase would be about \$0.30 or \$.40 a month.

Ms. Shanahan stated that Ormond Beach would still have the lowest water rate of all the surrounding communities in Volusia County.

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

Item #11C – Amendment to Solid Waste Rates

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-55

AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-55, on first reading, as read by title only.

Mayor Kelley noted that this increase would only be the fourth since 1991. He stated that the solid waste rates for the city were among the lowest in the county, as well. He explained that the city was incrementally raising the rates instead of a much larger increase a few years in the future.

Commissioner Kent stated that the increase would also leave a decent reserve in the Solid Waste Fund for the city. He stated that he did not want to keep using that reserve for rate stabilization because it would be depleted if they did so.

ORDINANCE NO. 2013-58

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-40, DEFINITIONS AMENDING THE DEFINITION OF "CREDITED SERVICE"; AMENDING SECTION 16-54, MAXIMUM PENSION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2013-58, 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 #12 – Reports, Suggestions, Requests

Movies on the Halifax

Ms. Shanahan stated that it was the fourth anniversary of Movies on the Halifax. She stated that the city had shown 50 movies and had a 72% success rate in showing the movies, with weather being the only reason for cancellation. She thanked the Casements Guild for their donation of the screen. She noted that events like Movies on the Halifax set Ormond Beach apart and were special for the community.

Florida Georgia Line

Commissioner Kent stated that former Ormond Beach resident, and Mayor Kelley's son, Brian Kelley was on the Today Show on Labor Day with his group Florida Georgia Line. He stated that he sent Mayor Kelley a congratulatory text immediately and saw him later that day at Bealls Department Store. He stated that the city was proud of how Brian Kelley represented Ormond Beach.

Movies on the Halifax

Commissioner Kent stated that Movies on the Halifax was a great wholesome free event for the community.

Fishing Tournament

Commissioner Kent stated that on Saturday, September 7, 2013, the first annual free child/parent catch and release fishing tournament would be held. He noted that there would be prizes for three different age groups. He stated that it was great that Ormond Beach did great things for the community and for families.

Commissioner Boehm stated that Commissioner Kent brought the parent/child fishing tournament to the Commission at their Goals Workshop and they were so impressed by it that they made it their first goal. He stated that Commissioner Kent was entitled to the credit as it was his idea.

Prince of Peace Dedication

Commissioner Boehm stated that since Mayor Kelley was out of town he was privileged to attend the Prince of Peace Catholic Church Consecration Mass and Dedication Ceremony for their new Social Services Ministry Building. He stated that the ministry did great things for the homeless, poor, and needy. He explained that their thrift shop would be greatly expanded to allow them to raise more money and provide more services to the people of the community.

Commissioner Partington thanked Commissioner Boehm for attending that dedication as he was covering for Mayor Kelley on another meeting and was unable to attend himself. He stated that he appreciated the teamwork. He noted that Prince of Peace did great work in the community.

Movies on the Halifax

Commissioner Partington gave Commissioner Kent praise for Movies on the Halifax and stated that it was a great idea and had been very well attended since its inception. He explained that Commissioner Kent had the idea first and since then other communities

had created their own version of a free movie within their community. He noted that imitation was the best form of flattery.

Fishing Tournament

Commissioner Partington asked how the registration for the fishing tournament was going.

Mr. Robert Carolin, Leisure Services Director, stated that 14 teams had been registered and that there were 30 spots originally available.

Commissioner Partington stated that the tournament was a fantastic, wholesome, quality event that the city was putting on. He stated that there was not enough that staff could do to make sure that the event was fully attended. He noted that more signage could be added and it could be advertised on the radio. He stated that he hoped that it would become an annual event. He noted that those that learned to fish or hunt were those that cared the most about the environment.

Mayor Kelley stated that when Commissioner Kent ran into him at Bealls on Labor Day he was actually purchasing a fishing shirt to wear to the tournament. He stated that the event started at 9:00 a.m. and went to 11:00 a.m. He stated that he hoped that the newspaper would advertise the event, noting that the city had already done an advertisement in the newspaper.

Item #11 – Adjournment

The meeting was adjourned at 8:04 p.m.

APPROVED: September 17, 2013

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk