

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

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**April 16, 2014**

**7:00 PM**

**Commission Chambers**

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

**A G E N D A**

**1. CALL TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS AND PROCLAMATIONS**

- A. Healthy Weight Community Champion Recognition - Dr. Bonnie Sorensen
- B. Civil Air Patrol Cadet Color Guard Team - 2014 Southeast Region Cadet Competition Winners

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

**6. APPROVAL OF MINUTES**

- A. Minutes from City Commission meeting – April 1, 2014

**7. COMMUNITY REDEVELOPMENT AGENCY**

- A. **RESOLUTION NO. 2014-55** : 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 R. GARY CONNORS, TRUSTEE OF THE R. GARY CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997, AND MICHELE P. CONNORS, TRUSTEE OF THE MICHELE P. CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997; FOR THE PROPERTY AT 330 AND 350 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

**8. CONSENT AGENDA**

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

- A. **RESOLUTION NO. 2014-55** : 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 R. GARY CONNORS, TRUSTEE OF THE R. GARY CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997, AND MICHELE P. CONNORS, TRUSTEE OF THE MICHELE P. CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997; FOR THE PROPERTY AT 330 AND 350 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2014-56** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE CASEMENTS GUILD FOR THE CITY OF ORMOND BEACH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2014-57** : A RESOLUTION GRANTING A LIMITED WAIVER FROM THE CITY'S MINIMUM INSURANCE REQUIRMENTS WITH RESPECT TO ELEVATOR INSPECTION AND REPAIR SERVICES PERFORMED BY PIONEER ELEVATOR, LLC; AUTHORIZING THE ACCEPTANCE OF A CERTIFICATE OF INSURANCE; AUTHORIZING THE RENEWAL OF AN AGREEMENT WITH PIONEER ELEVATOR, LLC; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2014-58** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF JULY 2014; PROVIDING FOR EXCEPTIONS THERETO; SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2014-60** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF SERVICE AND MISCELLANEOUS PARTS FROM GEA MECHANICAL EQUIPMENT US, INC. REGARDING CENTRIFUGE REPAIRS AT THE WASTEWATER TREATMENT PLANT; AUTHORIZING THE APPROVAL OF A REQUISITION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **Auto Renew Sports Agreement Contracts**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 16, 2014.

- G. **Enterprise Resource System**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 16, 2014.

H. **Brownfield Program Initiative**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 16, 2014.

I. **Ormond Beach Pride, Inc. Endorsement**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 16, 2014.

J. **Solid Waste Collection and Disposal Services, Yard Waste, Curbside, Recycling Collection, Roll-Off Service/Billing and Transfer Station Lease**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated April 16, 2014.

9. **PUBLIC HEARINGS**

- A. **ORDINANCE NO. 2014-17** : 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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 18.68± ACRES LOCATED AT 1500 SAN MARCO DRIVE, FROM VOLUSIA COUNTY R-7 (URBAN MULTI-FAMILY RESIDENTIAL) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2014-10A** : AN ORDINANCE AMENDING ORDINANCE NO. 2014-10 REGARDING THE ANNEXATION OF THE PROPERTY LOCATED AT 275 WILLIAMSON BOULEVARD BY CORRECTING THE APPROPRIATE CITY COMMISSION ZONE DESIGNATION FROM ZONE 3 TO ZONE 4; RATIFYING ORDINANCE NO. 2014-10, AS AMENDED; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2014-18** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 167.47±-ACRES OF REAL PROPERTY LOCATED AT 100-513 CHELSEA PLACE AVENUE, 300-396 CHESHAM STREET, 1200-1225 DRAYCOTT STREET, AND 1201-1234 REGENTS STREET FROM VOLUSIA COUNTY "URBAN MEDIUM INTENSITY" FOR 38.9±-ACRES AND FROM VOLUSIA COUNTY "URBAN LOW INTENSITY" FOR 128.57±-ACRES TO CITY OF ORMOND BEACH "SUBURBAN LOW DENSITY RESIDENTIAL"; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2014-59** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE ITINERANT VENDING DURING SPECIAL EVENTS AT THE "C. & J. DAIRY QUEEN" LOCATED AT 1626 NORTH U.S. HIGHWAY 1 AND BEING SITUATED WITHIN THE B-7 (TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

## 10. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2014-20** : AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 4, 2014, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR SERVICES AND MATERIALS WITH THE COUNTY OF VOLUSIA; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

## 11. REPORTS, SUGGESTIONS, REQUESTS

## 12. ADJOURNMENT

### Item #1 – Meeting Call to Order

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

### Item #2 – Invocation

Pastor Reginald Johnson, Historic New Bethel AME Church, gave the invocation.

### Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

### Item #4A – Healthy Weight Community Champion Recognition

Dr. Bonnie Sorensen, Director of Florida Department of Health in Volusia County, presented to the Commission a Healthy Weight Community Champion Award. She noted that the award was signed by the Florida Surgeon General, Dr. John Armstrong. She explained that the award was in recognition of multiple efforts by the City of Ormond Beach. She stated that the participants in the Mayor's Health & Fitness Challenge lost over 600 lbs. She congratulated Commissioner Partington for his robust success in the challenge. She stated that the city had made a tremendous commitment to walk-able communities, sidewalks, and traversable roads and had a dedicated fee for those services, which was something she had never heard of before. She noted that the city had also committed to healthy vending machines for their employees, as well as access to gyms. She congratulated Ormond Beach and encouraged them to keep up the good work.

Mayor Kelley thanked Dr. Sorensen for the award on behalf of the Commission and the citizens of Ormond Beach. He explained that he had challenged the Commission to form a team for the challenge that year and lead by example. He noted that Commissioner Partington and Commissioner Stowers' results had blown them away.

### Item #4B – Civil Air Patrol Cadet Color Guard Team – 2014 Southeast Region Cadet Competition Winners

Mayor Kelley stated that the Civil Air Patrol (CAP) was a voluntary service organization with three primary missions: aerospace education, cadet programs, and emergency services. He stated that the CAP had a permanent presence in the City of Ormond Beach community since 1966 when the city leased a parcel of land to the CAP upon the existing hanger facility at the Ormond Beach Municipal Airport. He explained that the CAP Cadet Color Guard Program prepared cadets to serve as color guards and honor guards while simultaneously furthering their individual character and development.

Mayor Kelley stated that the Ormond Beach CAP Cadet Color Guard Team competed successfully against eight other teams and won six trophies, including first place overall at the 2014 Civil Air Patrol Florida Wing Cadet Competition at Patrick Air Force Base. He explained that the team then represented Florida and competed successfully against teams from three other states, winning seven trophies including first place overall at the 2014 CAP Southeast Region Cadet Competition at Maxwell Air Force Base in Alabama. He explained that as a result of their victory at the regional competition the Ormond Beach Cadets will have the honor to serve the entire Southeast Region at the Region Conference in Atlanta and also help to train other cadets at the Civil Air Patrol Cadet Honor Guard Academy in Tennessee and the Color Guard Academy at Patrick Air Force Base.

Mayor Kelley stated that the City of Ormond Beach was proud of the accomplishments of the Ormond Beach CAP Cadet Color Guard Team and recognized the discipline and rigorous training it took for them to win the competition. He proclaimed April 16, 2014, as a day to recognize the Ormond Beach Civil Air Patrol Cadet Color Guard Team in the City of Ormond Beach and urged all residents to join him in recognizing the team.

Mayor Kelley encouraged anyone with the opportunity to work with the CAP to do so. He explained that last year they had participated in Exercise America's Shield, which was part of the homeland security defense. He stated that they did an excellent job and were a fine group of young individuals. He stated that the City of Ormond Beach was proud to be involved with them.

Cadet Senior Master Sergeant Devon Giles thanked the City of Ormond Beach on behalf of the squadron for their support. He explained that they had been working hard and had been well supported by the city, noting that the city provided practice facilities. He stated that they could not have had such success without the city.

#### Item #5 – Audience Remarks

Ms. Joanna Bernhardt Voss, 192 S. Ridgewood Avenue, stated that she received a notice of violation regarding having a commercial vehicle flatbed truck on her property on Monday and the notice indicated that she must remove the truck from her property. She explained that she found it absurd that the city would not allow her husband to park his truck, which he drove daily for work, on their property. She stated that the city was asking him to either drive four hours a day to and from work in order not to park the truck there, noting that he was working on the paving project on Granada Boulevard, but his company was based in New Smyrna Beach. She stated that the other option would be for him to put in his two weeks' notice, noting that he had worked for the company for 14 years, and attempt to find a new job that was closer to home. She explained that would take food from her children's' mouth and the roof from over their heads. She noted that she did not understand why the truck could not be parked in their backyard behind a privacy fence.

Ms. Bernhardt Voss read from Chapter 2, Article 3, Section 2-50G of the Commercial Vehicle Storage and Parking Ordinance as follows:

*“Commercial vehicles which are used daily by residents of the household for transportation, but which do not exceed manufacturers' standard one-ton size pick-up truck, may be parked outdoors in a residential district; provided that only one such commercial vehicle may be located at one dwelling unit.”*

Ms. Bernhardt Voss stated that according to that provision they were not in violation. She also explained that commercial vehicles were not weighed by tonnage but by the gross vehicle weight rating. She noted that she understood that Ormond Beach's code enforcement was *reactive*; but felt that if one regulation was enforced than all should be. She explained that she knew of many other trucks similar to her husband's that were in her neighborhood, noting that one which was larger was located just a few homes down from theirs. She stated that there were many other violations that could be seen by driving around the city; for a example, she cited a hoarder's house with people living out of a camper in the yard and stealing water from the city. She noted that code enforcement had not returned her phone call from Monday.

Mayor Kelley asked Ms. Bernhardt Voss if she had spoken with anyone from the city.

Ms. Bernhardt Voss stated that her call had not yet been returned.

Mayor Kelley asked City Manager Joyce Shanahan to give Ms. Bernhardt Voss her business card. He asked Ms. Bernhardt Voss to contact Ms. Shanahan by phone.

Mr. Donald Cunningham, 19 N. Yonge Street, stated that some years ago Police Chief Andy Osterkamp had called him about a sidewalk. He stated the lots where he lived needed to be terraced properly to retain water and save the large oak trees. He noted that the oak trees were not showing any new growth that spring but could be saved. He stated that he needed permission from the landlord to do the necessary work. He stated that a sidewalk needed to be installed in such a way to enable the stormwater to recharge along it. He stated that the parcel by parcel challenges were different for each lot. He explained that he would enjoy doing the needed work as a volunteer but could not speak to the landlord because his primary objective was to collect rent. He stated that he understood the landlord's position, which was that he did not have time for anything else. He explained that he wanted to address the City Commission to see if a meeting could be set up to walk around the park, and he could show what he had been able to do and what he could do, once he received permission.

#### Item #6A – Approval of Minutes

Mayor Kelley advised that the minutes of the April 1, 2014, regular meeting had been sent to the Commission for review, and were on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

#### Item 7 – 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 7:18 p.m. for discussion of Resolution No. 2014-55. He opened the item for a public hearing.

#### Item 7A – 330 Lincoln Avenue Downtown Grant

City Clerk Scott McKee read by title only:

##### RESOLUTION NO. 2014-55

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 R. GARY CONNORS, TRUSTEE OF THE R. GARY CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997, AND MICHELE P. CONNORS, TRUSTEE OF THE MICHELE P. CONNORS REVOCABLE TRUST DATED FEBRUARY 6, 1997; FOR THE PROPERTY AT 330 AND 350 LINCOLN AVENUE; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2014-55, as read by title only.**

The motion passed by voice vote.

Mayor Kelley closed the public hearing, adjourned the CRA Meeting, and reconvened the City Commission Meeting at 7:20 p.m.

Item #8– 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 Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda.**

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

Item #9 – Public Hearings

Mayor Kelley opened the public hearings.

Item #9A – 1500 San Marco Drive (Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-17  
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 ONE (1) PARCEL OF REAL PROPERTY TOTALING 18.68± ACRES LOCATED AT 1500 SAN MARCO DRIVE, FROM VOLUSIA COUNTY R-7 (URBAN MULTI-FAMILY RESIDENTIAL) TO ORMOND BEACH PBD (PLANNED BUSINESS DEVELOPMENT), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-17, 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 #9B – 275 Williamson Blvd. Annexation (Correction)

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-10A  
AN ORDINANCE AMENDING ORDINANCE NO. 2014-10 REGARDING THE ANNEXATION OF THE PROPERTY LOCATED AT 275 WILLIAMSON BOULEVARD BY CORRECTING THE APPROPRIATE CITY COMMISSION ZONE DESIGNATION FROM ZONE 3 TO ZONE 4; RATIFYING ORDINANCE NO. 2014-10, AS AMENDED; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2014-10A, 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 #9C – Chelsea Place Future Land Use Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-18  
AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF 167.47±-ACRES OF REAL PROPERTY LOCATED AT 100-513 CHELSEA PLACE AVENUE, 300-396 CHESHAM STREET, 1200-1225 DRAYCOTT STREET, AND 1201-1234 REGENTS STREET FROM VOLUSIA COUNTY “URBAN MEDIUM INTENSITY” FOR 38.9±-ACRES AND FROM VOLUSIA COUNTY “URBAN LOW INTENSITY” FOR 128.57±-ACRES TO CITY OF ORMOND BEACH “SUBURBAN LOW DENSITY RESIDENTIAL”; PROVIDING FOR TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Ric Goss, Planning Director, stated that the development was approved under a typical plat in the county for phases one, two, and three. He explained that the most applicable land use designation for the development was “suburban low density residential.” He noted that designation allowed for the density of the development already platted out in the county. He stated that a number of residents from Chelsea Place attended the Planning Board Meeting and had expressed concerns about phase three and the closeness of the residential units in Spring Meadows to their properties. He explained that the distance was over 100 feet and they had ensured the residents that the wetlands separating the developments would not be impacted during phase three’s development. He noted that the Planning Board recommended approval, as did staff.

**Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2014-18, on first reading, as read by title only.**

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

Item #9D – 1626 North US Highway 1 (Dairy Queen) Special Exception

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2014-59

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY TO INCLUDE ITINERANT VENDING DURING SPECIAL EVENTS AT THE "C. & J. DAIRY QUEEN" LOCATED AT 1626 NORTH U.S. HIGHWAY 1 AND BEING SITUATED WITHIN THE B-7 (TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this resolution was for a special exception for outdoor activity. He explained that the applicant owned a Dairy Queen property and would like to do outdoor activities that were related to those events that the Daytona Bureau of Tourism declared, such as Bike Week, Biketoberfest, and Daytona Speed Week. He explained that there were 13 conditions in the special exception, including limiting the number of vendors. He noted that a number of the conditions were borrowed from the Kickstarter Saloon special exception, which came before the Commission several months prior. He stated that two additional conditions were added to the special exception, in case they finalized the agreement with Volusia County for the Interlocal Boundary Agreement, depending on the year in which they did so. He explained that if that agreement was entered into, the special exception would be valid no longer since the applicant would be permitted administratively to have the outdoor activity. He stated that staff and the Planning Board recommended approval.

Mayor Kelley noted that the Planning Board had recommended unanimous approval.

**Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Resolution No. 2014-59, as read by title only.**

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

Mayor Kelley closed the public hearing without objection.

Item #10A – Calling 2014 Regular City Election

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-20

AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 4, 2014, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR SERVICES AND MATERIALS WITH THE COUNTY OF VOLUSIA; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-20, 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 #11 – Reports, Suggestions, Requests

Upcoming Meeting

Ms. Joyce Shanahan, City Manager, stated that there would be a workshop on May 6, 2014, at 5:30 p.m. on welcome signs, the lean six sigma process from James Moore and Company accounting firm, and the Citizens for Ormond Beach, making a presentation on foreclosed and unoccupied homes.

Hand Avenue Project Ribbon Cutting

Ms. Shanahan stated that the ribbon cutting for Hand Avenue was scheduled for April 24, 2014, at 5:30 p.m., with parking at Hammock Lane.

Earth Day

Ms. Shanahan stated that the city worked out their issues with the Farmer's Market and they would also be present on Thursday at City Hall during Earth Day.

Community Garden Meeting

Commissioner Partington stated that the next evening there would be a Community Garden Meeting at 6:30 p.m. at the Performing Arts Center. He stated that anyone interested should attend. He noted that this would be the third meeting on the topic.

Hand Avenue Project Ribbon Cutting

Commissioner Partington invited all to attend the ribbon cutting in Central Park on April 24, 2014, at 5:30 p.m. He stated that he believed they would all be taking a little canoe trip afterwards.

City Projects

Commissioner Partington stated that the pictures of Granada Boulevard that Ms. Shanahan sent earlier looked fantastic. He stated that she also sent pictures of the American with Disabilities Act (ADA) Improvements at Sanchez Park, which looked great and were funded with Community Development Block Grant (CDBG) funds.

### ECN

Commissioner Kent thanked Economic Development Director Joe Mannarino for his work in keeping Emergency Communications Network (ECN) in Ormond Beach.

### Chamber Leadership Class

Commissioner Kent stated that he had the opportunity to be a speaker at the Ormond Beach Chamber of Commerce Leadership Class tour this past Saturday. He noted that they had already met with the rest of the Commission and were very complimentary of that experience. He stated that Fire Chief Bob Mandarino spoke to them about his background and his life before fire, including his professional skateboarding career.

### CDBG

Commissioner Kent stated that he had been frustrated in the past with how CDBG funds had been spent. He stated that he could not be happier about this topic and was so pleased with it, explaining that staff designed it in-house and made it more ADA compliant.

### Community Garden Meeting

Commissioner Kent explained that he wanted to be at the Community Garden Meeting, but his son's baseball team would be playing an undefeated team that evening.

### Problem Solving

Commissioner Kent thanked Ms. Shanahan for being both reactive and proactive. He stated that he had a big thank you for Commissioner Partington as well, noting that due to the Sunshine Laws he could not respond to Commissioner Partington about it before that night. He explained that he had no idea that the Farmer's Market would not be held because of the Earth Day Celebration, and that Commissioner Partington's response to that revelation made sense and was to the point. He stated that Ms. Shanahan then problem solved, and because of Commissioner Partington stepping up and saying something, both events would be held at the same time. He stated that got him thinking about Movies on the Halifax, noting that sometimes several months would pass without that event being held because there was bad weather on its scheduled night. He asked Ms. Shanahan to think outside the box again, and if there was nothing scheduled for Saturday in Rockefeller Gardens, move the movie back a night. He stated that a replacement sign could go up on Friday stating that the movie would be on the next day.

### Fleet Department Recognized

Commissioner Boehm stated that it was amazing that the city's Fleet Department was ranked 19<sup>th</sup> out of the 100 best fleet operations in the country. He stated that the City of Orlando finished 46<sup>th</sup>, the City of Jacksonville finished 90<sup>th</sup>, Boston finished 42<sup>nd</sup>, and New York City finished 38<sup>th</sup>; noting that Ormond Beach was competing with large major cities and came out ahead.

### Commission Members Recognized

Commissioner Boehm stated that in the new My Coast Magazine, Mayor Kelley was named among the *50 Most Influential People in Volusia County*. He stated that in the Business Report's *40 Prominent People under 40*, Commissioner Stowers was featured. He stated that Commissioner Partington also had his own profile in the *Daytona Beach News-Journal* about his recent weight loss in the Mayor's Health & Fitness Challenge.

Beautification Award

Commissioner Boehm stated that the Ormond Beach Chamber of Commerce gave a Renovation / Beautification Award to the Nova Community Park.

Brian Kelley

Commissioner Boehm stated that Mayor Kelley's son, Brian Kelley of the country music group, Florida Georgia Line, was on the cover of USA Today's USA Weekend Magazine, and displayed a picture. He explained that he was not on the cover just for his music but because of the cause that the group believed in and had supported for years. He stated that Brian Kelley reflected well on himself and his family. He noted that in the article either Brian Kelley or the writer chose to describe Ormond Beach as "tony." He stated that at the Academy of Country Music Awards Florida Georgia Line won New Artist of the Year and New Vocal Duo or Group.

Mayor Kelley stated that issue they were taking up meant more to him than the music did, and he thought that the group felt the same way. He stated that the group participated in the fight against hunger prior to their fame. He stated that he was proud of his son and stated that he was proud that he was from Ormond Beach.

Casements Guild Anniversary

Mayor Kelley stated that he attended the 35<sup>th</sup> anniversary of The Casements Guild. He stated that hundreds of thousands of dollars of volunteer hours had been donated. He stated that it was estimated that about \$75,000 of time was given that year. He stated that The Casements Guild was an example of the special quality of life in the community.

Mayor's Health & Fitness Challenge

Mayor Kelley stated that Commissioner Partington came in third in one individual category. He stated that the Commission's team finished second in one category. He stated that he was proud of the Commission for stepping up. He stated that the Commission lost close to 90 pounds.

Item #12 - Adjournment

The meeting was adjourned at 7:45 p.m.

APPROVED: May 6, 2014

BY:

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Ed Kelley, Mayor

ATTEST:

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J. Scott McKee, City Clerk