

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

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**February 6, 2018**

**7:00 p.m.**

**Commission Chambers**

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Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, City Attorney Randy Hayes, and City Clerk Scott McKee.

**A G E N D A**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
  - A. Civil Air Patrol Awards
    1. General Billy Mitchell Award – Andrew R. Weiker
    2. General Ira C. Eaker Award – Amon C. Russell
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – January 16, 2018
- 7. CONSENT AGENDA**

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

- A. **RESOLUTION NO. 2018-18** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NO. 1 BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE AIRPORT OBSTRUCTION MITIGATION PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2018-19** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF PAUL R. TRANBARGER, III, AND CLAUDINE M. TRANBARGER, HUSBAND AND WIFE, DANIEL J. GEYER AND THERESA E. GEYER, HUSBAND AND WIFE RELEASING A PORTION OF A TENFOOT UTILITY EASEMENT LOCATED ALONG THE WEST SIDE (REAR) OF LOT 11, OAK FOREST, PHASE V SUBDIVISION (1564 POPLAR DRIVE); AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2018-20** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2018 FORD F350 PICK UP TRUCK, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA 17-VEL 25.0; DECLARING VEHICLE #265 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Kevin Gray, Public Works Operations Manager  
(386-676-3522)

- D. **RESOLUTION NO. 2018-21** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE CONSTRUCTION OF A MIXED USE CONNECTOR TRAIL FROM OLD TOMOKA ROAD TO SCOTTSDALE DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2018-22** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION FOR THE PURCHASE OF ONE 2018 FORD F250 PICK UP TRUCK, UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. FSA 17-VEL 25.0; DECLARING VEHICLE #043 TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Kevin Gray, Public Works Operations Manager  
(386-676-3522)

- F. **RESOLUTION NO. 2018-23** : A RESOLUTION ACCEPTING A BID FROM DLR MOBILE REPAIR, INC. D/B/A DLR SERVICES FOR CONSTRUCTION SERVICES REGARDING THE AIRPORT OBSTRUCTION MITIGATION PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2018-05; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2018-24** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT FROM CROM COATINGS AND RESTORATIONS FOR REPAIR SERVICES TO THE CITY'S CONCRETE GROUND WATER STORAGE TANKS; AUTHORIZING THE ACCEPTANCE AND EXECUTION OF A PROPOSAL AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2018-25** : A RESOLUTION ACCEPTING A BID FROM EMPIRE COMPUTING & CONSULTING, INC. FOR THE PURCHASE OF A BARRACUDA BACKUP SERVER MODEL 895 WITH MAINTENANCE AND STORAGE SERVICES, UNDER BID NO. 2018-07; AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION AND ANY DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2018-26** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE ST. JOHN'S RIVER WATER MANAGEMENT DISTRICT UNDER THE COOPERATIVE FUNDING INITIATIVE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO THE CONSTRUCTION OF THE BREAKAWAY TRAILS RECLAIMED WATER STORAGE TANK & PUMP STATION; 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.

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

- J. **FY 2018-19 Budget Calendar**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 6, 2018.

- K. **CDBG 2018 – Washington Street & Ridgewood Avenue Lighting Replacement**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 6, 2018.

- L. **Volusia County Mosquito Control Request for Authorization**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 6, 2018.

- M. **Underground Utility Locating Services**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 6, 2018.

- N. **Auto Renew Contract Radio Control Club**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated February 6, 2018.

## 8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2018-05** : 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 0.65± ACRES LOCATED AT 692 SOUTH YONGE STREET FROM VOLUSIA COUNTY GENERAL COMMERCIAL (B-4) TO ORMOND BEACH COMMERCIAL (B-8), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- B. **ORDINANCE NO. 2018-06** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE LAND DEVELOPMENT CODE BY REMOVING THE PROPERTY LOCATED AT 33 DIX AVENUE (THE "MOORE" HOME) FROM THE ORMOND BEACH HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

## 9. REPORTS, SUGGESTIONS, REQUESTS

## 10. ADJOURNMENT

### Item #1 – Meeting Call to Order

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

### Item #2 – Invocation

Reverend John Jayaseelan, Bethel Ministries, gave the invocation.

### Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

### Item #4A – Civil Air Patrol Awards

Mayor Partington invited Andrew Weiker to come forward for his award presentation and stated that Andrew was receiving the General Billy Mitchell Award. He stated that that award was one of the Civil Air Patrol's (CAP) most prestigious cadet honors. He noted that it had been in existence since 1964 and marked a coming of age for CAP's cadets as they graduated from the cadet enlisted ranks and prepared for even greater leadership as cadet officers. He stated that to earn the Mitchell Award, cadets must pass comprehensive leadership and aerospace exams as well as a rigorous physical fitness test and complete an encampment. He stated that they had to show mature behavior, be highly responsible and demonstrate leadership skill before they could take the exam. He stated that the U.S. Air Force highly regarded cadet members in CAP, noting that cadets who received the Mitchell Award were eligible for advanced placement to the grade of E-3 (Airman First Class) should they decide to enter the Air Force. He stated that they were also eligible for advanced credit in the Air Force Reserve Officers' Training Course, for various CAP scholarships, and for CAP special activity opportunities.

Mayor Partington stated that all of the U.S. military service academies looked favorably upon cadets who had earned the Mitchell Award, noting that about ten percent of the cadets at the U.S. Air Force Academy were CAP members. He congratulated Andrew on his achievement in receiving the General Billy Mitchell Award.

Mayor Partington invited Amon Russell to come forward and stated that Amon was receiving the General Ira C. Eaker Award. He explained that it was one of CAP's most prized honors, for it marked the successful completion of all 16 achievements in the CAP Cadet Program and was presented to cadets who had demonstrated excellence in leadership, character, fitness, and aerospace education. He stated that in order to earn the well-respected award, cadets conquered some of the most ambitious projects in the program. He noted that in addition to writing a 300-500 word essay and presenting a five to seven minute speech on leadership topics, cadets also must complete Cadet Officer School, Region Cadet Leadership School or the Senior Officer Course. He stated that cadets must pass a rigorous physical fitness test as well as complete the Staff Duty Analysis Program. He explained that the Staff Duty Analysis Program itself was intense and rigorous, as cadets served as apprentices to fellow members in four different roles: Leadership Officer, Aerospace Education Officer, Operations Officer, and Logistics Officer. He noted that they must also serve as Cadet Commander in order to earn the Eaker Award.

Mayor Partington stated that Eaker Award achievers were looked upon favorably by U.S. service academies, in particular the U.S. Air Force Academy, and reiterated that ten

percent of cadets at the Air Force Academy were former CAP members. He congratulated Amon on his achievement in receiving the General Ira C. Eaker Award.

Mayor Partington thanked the Civil Air Patrol members for their attendance and noted that he was proud of the CAP program and achievements made by its members.

#### Item #5 – Audience Remarks

Ms. Debbie Kruck-Forrester, representative of Ormond Strong, distributed a packet and stated that she and Mr. John Brinkley were in attendance to invite the Commission and Ormond Beach community to attend the Ormond Strong “Salute to Iwo Jima” Remembrance and Dedication Ceremony on Saturday, February 24, 2018, at 1:00 p.m., and noted that the ceremony was to honor those veterans who had served in World War II (WWII). She stated that Ormond Strong chose that day for the celebration because February 23, 1945, marked the day that the iconic photo with the six Marines who raised the United States flag atop Mount Suribachi was taken by Joe Rosenthal. She noted that the Ormond Strong Christmas float, which was a replica of that photo made from PVC pipe and papier-mâché, was to encourage everyone to remember the individuals that were deployed during the holiday season and that it would be dedicated at the ceremony. She noted that Ormond Strong was encouraging individuals to bring a photo of loved ones or friends that served in WWII. She noted that the packet included a flyer for the event and a story of the four chaplains who served in WWII, in case the Commission had not heard of them, and noted that it was a powerful story. She stated that they passed away on February 3, 1943, so that their comrades could live and that Ormond Strong honored them on the anniversary of their deaths the prior weekend. She thanked the Commission and Mayor Partington for the honor and respect they had given to the individuals who serve in the military and first responders.

Mr. John Brinkley, Founder of the John Brinkley’s Veterans Museum and Education Center, stated that when he heard about Ormond Strong’s replica of the raising of the flag at Mount Suribachi, he wondered what Ms. Kruck-Forrester would do with it and noted that it would be difficult to display. He asked if it would be possible to add it to the Veterans Museum in downtown Daytona Beach, and she produced the upcoming event on February 24, 2018. He invited the Commission and everyone to visit the museum and noted that it had originated in a small space at Ormond Beach City Hall. He stated that the museum had since moved to a larger venue and was now housed on the second floor of the Tic Toc Clock building at the corner of Magnolia Avenue and Beach Street. He stated that he had interesting exhibits and that individuals would find them inspiring and revealing. He noted that the Veterans Museum was open on Tuesdays through Saturdays from 1:00 p.m. to 4 p.m.

Mayor Partington thanked Ms. Kruck-Forrester and Mr. Brinkley for everything that they had done to honor the veterans. He noted that both had shown amazing steadfastness in their commitment and was impressed. He stated that he was aware that Chairman Ed Kelley, who was in attendance, had been a big help in getting the Veterans Museum started and appreciated that Mr. Brinkley had continued to oversee and grow it.

Ms. Mary Anne Connors, 36 Hunt Master Ct., stated that she wanted to speak on behalf of the half-cent sales tax that was being proposed for infrastructure. She stated that there had been concerns recently with how that proposal had been structured. She stated that the scope of the problem that needed addressing was significant. She noted that Ormond Beach had a major economic development plan for Ormond Crossings, and that in order to reach full potential at that site, infrastructure that only government could provide would be needed. She stated that Tymber Creek Road needed to be developed from U.S. Highway 1 south to State Road 40 (Granada Boulevard), and that an above grade crossing was needed over the railroad tracks on that road. She noted that those were multimillion dollar projects. She stated that the City of Ormond Beach had previously discussed improvements at the U.S. Highway 1 interchange. She noted that Airport Road needed further development, and that as a resident of Hunter’s Ridge, the section of Airport Road west of Tymber Creek Road could use development, trails, expansion, etc. She mentioned the potential Hand Avenue extension over I-95 and that the City of Ormond Beach had stated in the past the need for alternative east to west to east routes. She stated that those were a few of the infrastructure issues and that list did not include the roads that would be affected by the Latitude Margaritaville and Mosaic projects in Daytona Beach. She noted that the City of Ormond Beach had development in progress that was approved by the Commission, and that some of the new development was out of their hands, since it was officially located in Daytona Beach to

the south or Flagler County to the north, but that Ormond Beach would be directly impacted by those outside developments.

Ms. Connors stated that one of the concerns mentioned was that the issue went beyond transportation and included water. She stated that she thought that was to recognize that certain cities in Volusia County might not have transportation as their major issue and were looking for something else to include outside that issue. She noted that that addition did not confine the Commission's choices and that if the priority in Ormond Beach was transportation, then that was what their work program included and the other purposes did not need to be recognized. She stated that she thought Ormond Beach could develop a strong transportation program and asked the Commission to support that issue coming to a vote in Volusia County.

Mayor Partington stated that he appreciated Ms. Connors years of service to Volusia County and knew that she understood the problems as well as anyone, having dealt with them firsthand.

Ms. Connors stated that the situation was like Haley's Comet and noted that a coalition like that only came approximately every 20 years. She thanked the Commission for their support.

Chairman Ed Kelley, Volusia County Council and Ormond Beach resident at 53 River Ridge Trail, stated that he had resided in Ormond Beach for 38 years. He stated that he wanted to address the Commission about the half-cent sales tax, and wanted to do it first as the Chair of the County. He stated that the County Manager and others had concerns about individuals that had gotten out ahead of the proposal, noting that the concept and the agreement, what they would include and would not include, had been finalized the prior afternoon. He stated that he wanted to clarify a few things. He stated that the issue came up at a Roundtable of Volusia County Elected Officials meeting, where all 16 cities in the county, the school board, and the county agreed that something needed to be done about transportation. He mentioned that the county's only involvement was that they were authorized by statute to place any item on a ballot; therefore, it had to go through the county in order to do that. He noted that in that respect, the county was part of the procedure and not necessarily the originator of the situation. He stated that a survey had been sent the prior year, requesting that all 16 cities and the county submit any issues, a hope list, or a list of infrastructure items that could not be completed; the resulting list totaled over \$1,000,000,000. He noted that there were definitely infrastructure needs in Ormond Beach that included Granada Boulevard, Airport Road, and Tymber Creek Road, that is three quarters of a mile short of completion, and that anyone who said there were not infrastructure needs had their head in the sand.

Chairman Kelley stated that as far as the default formula, it was exactly the same as sales tax. He stated that individuals might not think it was fair, but it was what one received for sales tax. He stated that he did not think Volusia County being a donor of sales tax revenue was fair either, but that was the way it worked and how the state set it up. He stated that a city could take the money that was being allotted, put it with grants, match it, and could wind up with \$40,000,000, \$50,000,000, or \$100,000,000 over the lifetime of the project and that was nothing to sneeze at. He mentioned that some wanted to remove clean water as being a non-issue because it would take more money, but noted that each issue designated was the choice of each city. He stated that each project that was done was done by individual cities and the county, noting that if a city wanted to improve storm water or flooding issues, that was their right.

Chairman Kelley stated that he wanted to speak as a resident of Ormond Beach next. He stated that he wanted to have an opportunity to vote on the issue and hoped that the Commission would allow residents to be the ones that would make the best decision for their community. He noted that 40 percent of the revenues funded came from outside of residents of Volusia County. He hoped that the Commission would take all facts and details into consideration in deciding that matter down the road and thanked them for their time.

Mayor Partington thanked the Chairman for speaking on the issue and noted that it was on the docket to be discussed at the next City Commission meeting on February 20, 2018. He noted that there would certainly be a discussion amongst the Commission on all details at that time.

Mr. Jim Schultz, 117 Harvard Drive, stated that he was glad to have followed Ms. Kruck-Forrester at the podium instead of over the Granada Boulevard Bridge, and noted that she was difficult to keep up with when the Ormond Strong group walked the bridge daily. He thanked her and Mr. Brinkley for all they had done with regards to veterans and the Veterans Museum.

Mr. Schultz stated that he wanted to speak about Andy Romano Beachfront Park and noted that the park was a real gem in his opinion. He stated that he attended the recent Walk with the Manager and discussed the situation with Ms. Shanahan. He stated that it was his understanding that certain plans were already in place to restore the plant life at the park due to devastation from both Hurricanes Matthew and Irma. He noted that some plants were still there, such as sea oats and saw palmetto, but that others, such as dune daisies, dune sunflowers, or beach morning glory, had been washed away. He noted that his garden had suffered too after the storms and wanted everything to get back to normal again. He stated that he enjoyed the plants and thanked the Commission for their time.

Ms. Julia Truilo, Ormond Beach MainStreet ("MainStreet"), stated that the Granada Grand Festival of the Arts on the prior Saturday had been wonderful. She noted that the festival included 70 artists, eight bands, and had seen about 5,000 individuals throughout the day. She thanked the Commission for allowing MainStreet to use the parking lot at City Hall for the footprint and thought it was a great fit. She noted that her group was thrilled with the way everything worked, that it was nice for the businesses on Granada to have the extra people in that area, and noted that they would be back the next year.

Mr. Jim Cameron, Daytona Regional Chamber of Commerce, distributed a copy of his Legislative Status Report and wanted to point out a few things. He stated that the House and Senate proposed budgets were in the neighborhood of \$87,200,000,000 to \$87,300,000,000. He noted that one item of interest to the Chamber was something that he had mentioned at other meetings, being workforce housing and affordable housing money. He stated that the House was taking out about \$182,000,000 out of \$322,000,000 that was generated from the Sadowski fund, and that it was being put to good uses, but uses besides workforce housing. He stated that the Senate was looking to allocate all of that money for workforce housing and he would see how that would turn out. He mentioned that he had previously sent an email to the Commission with the Legislative Status Report and included a link on there that had local projects listed. He stated that he believed money had been set aside in both budgets for the widening of Williamson Road. He stated that he also believed there was \$100,000 for septic tank conversion that Ormond Beach had requested. He stated the awareness that the legislature were going after the local governments from Tallahassee. He noted that another issue was beach access and private property rights, and that the Commission needed to keep an eye on H 631 and S 804 for those details, as Volusia County was already aware and monitoring it. He noted that the City of Ormond Beach was not part of the state retirement system fund but noted that the budgets requested \$100,000,000 more on that.

Mr. Cameron stated that another issue included rental vacation units, noting that S 1400 and S 1640 were the bills involved. He stated that he liked S 1640 by Senator David Simmons and that it would be coming before Senator Travis Hutson's Regulated Industries Committee that upcoming Thursday. He reiterated that anyone wanting to voice recommendations regarding the vacation rental units needed to contact Senator Hutson before Thursday.

Mayor Partington thanked Mr. Cameron and stated that the Commission appreciated the weekly updates by email and that it kept them on top of everything.

#### Item #6 – Approval of Minutes

Mayor Partington advised that the minutes of the January 16, 2018, regular meetings had been sent to the Commission for review and posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

#### Item #7 – Consent Agenda

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

**Commissioner Littleton requested that item 7D be pulled from the Consent Agenda.**

**Commissioner Boehm moved, seconded by Commissioner Kent, for approval of the Consent Agenda, absent item 7D.**

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

Item #7D – Forest Hills Multi Use Path LAP Grant Agreement

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2018-21

A RESOLUTION AUTHORIZING THE EXECUTION OF A LOCAL AGENCY PROGRAM AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE CONSTRUCTION OF A MIXED USE CONNECTOR TRAIL FROM OLD TOMOKA ROAD TO SCOTTSDALE DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Selby moved, seconded by Commissioner Boehm, for approval of Resolution No. 2018-21, as read by title only.**

Commissioner Littleton stated that the complimentary bus service had ended in 2008 or 2009. He stated that in 2014 and 2015 they had meetings that dealt with the bike path around that area. He stated that he thought time had shown that the children were getting to school fine and that there was no need for the trail or the expenditure of \$120,000 out of the transportation fund.

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

Comments on Consent Agenda Items

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

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – 692 S. Yonge Street Rezoning

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2018-05



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 0.65± ACRES LOCATED AT 692 SOUTH YONGE STREET FROM VOLUSIA COUNTY GENERAL COMMERCIAL (B-4) TO ORMOND BEACH COMMERCIAL (B-8), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2018-05, on second reading, as read by title only.**

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

Item #8B – LDC Amendment Landmark Designation (Removal) – 33 Dix Avenue, the Moore Home

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE LAND DEVELOPMENT CODE BY REMOVING THE PROPERTY LOCATED AT 33 DIX AVENUE (THE "MOORE" HOME) FROM THE ORMOND BEACH HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2018-06, on second reading, as read by title only.**

Commissioner Selby stated that his comment was not about the item directly, that it was more about the process of adding properties to the Historic Landmark List and then removing a property from the list. He stated that he was concerned about expenses that the city incurred, not as much when a property was added, but when they wanted to be removed. He stated that it might be a good thing to encourage individuals to add properties to the list and did not want to discourage them by having to pay money in order to do that. He noted that he had reviewed minutes from the prior meeting and that Planning Director Steven Spraker had mentioned that it cost hundreds of dollars for staff time, public notices, and such to remove a property from the list. He stated that he wanted it to go on the record that he did not think the city or other taxpayers should have to incur the expense to get off the list, and that the property owner should be responsible for that expense. He believed staff was working on a plan to change the process.

Mayor Partington stated that he agreed with Commissioner Selby and appreciated him bringing up the subject to put the exclamation point on it. He stated that staff was looking at a way to address those concerns and that they would bring it back to the Commission at a later date.

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

Mayor Partington closed the public hearings without objection.

Item #9 – Reports, Suggestions, Requests

### Cassen Park Repairs

Ms. Joyce Shanahan, City Manager, stated that crews had made good progress across the street at Cassen Park. She stated that one pier had been repaired and that the boat ramp should be open the upcoming weekend, noting that staff was excited about that. She stated that the Reel in the Fun Fishing Tournament was coming in the next few weeks at Central Park, but that the following tournaments would be at Cassen Park and the beach.

### Hurricane Matthew

Ms. Shanahan stated that as of that time, the city's total obligated expenses were \$7,400,000; the federal government had obligated \$5,500,000, but the state had only obligated \$592,000. She noted that the state was still working on it, reviewing it and was hopeful that they would continue. She stated that the city was on step 2 of an unknown amount, that staff called them daily, and had been a pain in their side so that they made the issues known. She stated that she had been sharing all information with Mr. Doug Bell, lobbyist, so that he could speak with the individuals in Tallahassee about it.

### Upcoming Workshop

Ms. Shanahan stated that the next workshop would include Ms. Marilyn Crotty, Director of the Florida Institute of Government at the University of Central Florida. She stated that the strategic plan would not be updated, but that the discussion would include issues that had come up since then. She noted that it would include homestead exemption, different ways to generate revenue, septic to sewer, and bridge lighting. She stated that staff needed a consensus on the bridge lighting issue specifically. She requested that the Commission arrive at 5:00 p.m., eat dinner, and start the workshop at 5:30 p.m. She noted that it would go until about 6:30 or 6:45 p.m.

### Rectangular Rapid Flash Beacon (RRFB)

Ms. Shanahan stated that there was a rumor floating around that the RRFBs were limited. She noted that two had been installed, one at Andy Romano Beachfront Park and one on Granada Boulevard in front of the Grind Gastropub. She stated that she thought Civil Engineer Mr. Shawn Finley had stated that those particular designs of RRFBs were somehow a patented design, and that the Florida Department of Transportation (FDOT) had indicated that they were not going to be installing any others until the patent issue was resolved. She noted that she thought Commissioner Littleton had heard the same thing at the River to Sea Transportation Planning Organization (TPO). She stated that it seemed like they had made two steps forward and six steps back, noting that two had been installed and there were still four requested for beach approaches. She noted that she was going to push hard for the others and would work to get it resolved as quickly as possible.

### Punxsutawney Phil

Commissioner Kent stated that he had a few items to mention.

Ms. Shanahan jumped in and noted that she had one more item, asking if she could interrupt for a quick moment.

Commissioner Kent stated that he was comfortable with that.

Ms. Shanahan showed a photo on the screens of Commissioner Kent and his father in top hats at the Groundhog Day event in Punxsutawney, Pennsylvania.

Ms. Shanahan stated that she wanted to give a shout out to the two top hat wearing gentlemen that went to Punxsutawney to make a memory with their father. She stated that she was jealous that they were able to do that and noted that that was a great part of the country and hoped they had a great time.

Commissioner Kent thanked Ms. Shanahan for the photo and noted that if anyone had not heard, Punxsutawney Phil had seen his shadow and that there would be six more weeks of winter.

### Officer Greg Stokes

Commissioner Kent noted that he did not know that Officer Greg Stokes would be in the audience that night but requested that the Commission celebrate Officer Stokes' accomplishment with the Police Athletic League in a future meeting. He noted that Officer Stokes was recognized as one of the PAL volunteers for the State of Florida and that he thought that was an incredible honor. He stated that the City of Ormond Beach

and the children at Ormond Beach Middle School loved Officer Stokes and that everyone was proud of him.

#### Reel in the Fun Fishing Tournament

Commissioner Kent stated that Mr. Ike Leary, owner of the Bait Shop at Cassen Park, would be at the upcoming fishing tournament providing hot dogs for everyone. He stated that anyone with a young child or grandchild should bring them out and that it was one of the incredible things the City of Ormond Beach did for the community. He stated that the city hosted three fishing tournaments during the year; one at Cassen Park, one in Mayor Partington and Commissioner Littleton's backyard at Central Park, and one on the beach. He noted that his son, Wyatt Kent, was the defending champion at the Central Park location. He stated that he would give credit where credit was due and that he had been at an appointment when his son ended up catching a monster catfish on bread.

#### Short Term Rentals

Commissioner Kent stated that he wanted to briefly mention short term rentals. He noted that the Commission knew his feeling on that issue and believed that they all felt the same way. He stated that it was not fun to live next to a hotel operating out of a home in a neighborhood. He stated that he was extremely disappointed in any politician or state leader that wanted to take away local control. He stated that they thought they knew the answer and did not mind sitting up and barking commands, but when things did not go the way they should, they were not out talking to the local residents about it. He noted that for most anyone homestead was the single largest investment and that he was not comfortable having a home next door, on both sides, across the street, or behind, that operated like a hotel.

#### Ormond Beach Police Department

Commissioner Kent stated that he had read recent police reports and commended Police Chief Jesse Godfrey and his staff for what they did every day. He noted that the men and women there helped small miracles happen in the City of Ormond Beach. He asked Chief Godfrey to thank Sargent Tom Larsen for what he did to stop a crazy situation on the Granada Boulevard Bridge, and stated that he appreciated his actions to keep the community safe. He stated that the officers started every day with no idea what the day had in store and did their jobs well. He stated that he was impressed on the last ride along, noting that they were stern when they needed to be, compassionate when they needed to be, and that he was overwhelmed with pride at their recent actions. He commended Chief Godfrey on his leadership to his team.

#### Bob Mandarino Retirement

Commissioner Kent stated that he had received the notice about Fire Chief Bob Mandarino's retirement in June and was saddened to hear that. He stated that the residents had no idea how radical Chief Mandarino was on a skateboard. He noted that School Board member Mr. Carl Persis had helped to create the skate park and had been excited about the endeavor. He stated that there were issues over the years, but that the city now had a process in place that has a responsible adult in charge, no foul language, no fighting, and consequences for not sticking to the rules.

Commissioner Kent noted that if anyone had been at the skate park on the day of the reopening and watched Chief Mandarino drop in on the bowl on his skateboard, they would have seen how radical he was. He stated that he was more impressed by the chief's speed skating in the mountains of Europe, going at speeds from 40 mph to 60 mph. He stated that he was not saying goodbye yet, but wanted Chief Mandarino to know that he was in his heart that day after reading the note and wished him luck.

#### Joe Mannarino Retirement

Commissioner Boehm stated that Mr. Joe Mannarino, Economic Development Director, was in the audience and set to retire at the end of May, noting that he was outstanding in his position. He stated that Mr. Mannarino had done a wonderful job for the city and stayed in the job long enough to see the Ormond Crossings project kick off. He stated that Ormond Crossings had been a dream for the city for a long time and mentioned that Mr. Mannarino worked closely with everyone involved in putting together a real kick starter for the future of the city.

#### Bob Mandarino Retirement

Commissioner Boehm stated to Chief Mandarino that he would always have the image of him on his skateboard at the skate park. He stated that the children there were astonished that anyone the chief's age even knew what a skateboard was, never mind doing something on it. He noted that he had heard that Chief Mandarino had been in the

bath or sore for the following three or four days after the event, but was impressed by what he had done that day.

#### Officer Greg Stokes

Commissioner Boehm joked that he would mention Officer Stokes, but that someone had already beat him to it and that he did not need more praise.

#### Preemption

Commissioner Boehm stated that he agreed with Commissioner Kent on short term rentals, and that that was another example of the state legislature thinking that they could micromanage better than the cities and the counties. He stated that he had the opportunity to attend the State of the County Address recently and listened to the former mayor and County Chair, Mr. Ed Kelley, describe all of the things that had happened and were happening in Volusia County. He stated that it was sad for local governments to go into a legislative session hoping that the state did not take more things away from the cities and counties. He noted that the local governments were not hoping for more positive things to happen, that they were fighting a rear guard action in trying to prevent the state from creating another preemption that made life harder for the elected officials on the local level. He stated that one of the issues as a city commissioner was when someone put a hotel up across the street or next door to an individual, and that noise occurred, the individual would call the city commissioner and ask why the situation was being allowed. He noted that it would be difficult to say to residents that the city had no control over something like that, and the residents would have a hard time understanding that the local government did not have the final say about what was happening in the community. He noted that he had lived in Florida for 60 years and that there were significant differences between Pensacola, Ormond Beach, Tampa, and Key West. He stated that the cities might all share the name Florida at the end, but that the people who lived in those communities were not the same people, they did not have the same problems, and did not view things the same way. He stated that to think the state could make a 'one size fits all' legislation and force everyone to handle things the same way was wrong, noting that it did not work, it would not work, and did not understand why they thought that way.

Commissioner Boehm stated that the state proved how well they worked because Ms. Shanahan had pointed out previously that they were "obligated to reimburse the city for Hurricane Matthew". He stated that was a step up from "we owe it to you" and that it was now obligated and yet no one knew what obligated meant. He stated that no one knew when the reimbursement check would come in the mail, noting that they were discussing Hurricane Matthew from 2016, not Hurricane Irma from 2017. He wondered if the city would have the Hurricane Irma money by the presidential election in 2020. He noted that it was remarkable that all of the state officials and federal officials, all of whom had the situation discussed with them ad nauseam, none of them had the ability to encourage the bureaucrats who were controlling that money to turn it loose. He stated that Ormond Beach was fortunate because they were well funded and had enough in reserves to cover the \$7,400,000 in loss, but that the reserves had been depleted. He noted that some cities and counties in the state, who were not as fortunate and were not as well funded, had to borrow the money to cover the costs. He noted that after a storm, the citizens wanted everything back to normal as quickly as possible and that it would be unusual for a city to claim that they could not afford to clean up so the debris would stay where it was located. He noted that the citizens wanted it done and the city acted on that for their citizens. He stated that it did not seem to be of great significance to either the federal government or the state government to reimburse the cities or the county.

#### Realty Pros Development

Commissioner Boehm stated that the Commission had approved the Realty Pros project months prior. He stated that he had the privilege, along with Commissioner Littleton, of attending the Realty Pros opening. He stated that the citizens could be proud of what Mr. Bill Navarra and his staff did in that building, how they landscaped it, and how they made it look overall. He noted that there were a lot of critics when anything happened on Granada that thought no commercial development should go on, that it should remain green forever, and that when someone added something, that it would not improve the look of the roadway. He stated that Realty Pros did a great job of landscaping and making their building look compatible with everything along Granada Boulevard. He stated that he was confident that CentraCare, who was going in further along Granada Boulevard, would do the same job with their property and that they would provide more services to the community than it had prior. He noted that as a community grows, there was demand for greater service and that it had to be supplied to those people. He stated that a City Commission had to ensure that when they provided those services they did

so in a reasonable and responsible manner, which he thought the current Commission did.

#### Winter Olympics

Commissioner Boehm stated that the Winter Olympics would start in Korea on the upcoming Thursday night and that as a good American he would watch sports that he only watched every 4 years and did not understand. He stated that if anyone understood the rules of curling, they were welcome to give him the run down, noting that he thought that he would make a decent Olympic sweeper if given the chance. He stated that he would be cheering for the USA and hoped that others would take the opportunity to see things that did not happen, and had never happened in Ormond Beach, but that were representative of the country as a whole as they competed against the world.

#### Ormond Beach Firefighters

Commissioner Littleton stated that he spent the prior Sunday with the Ormond Beach firefighters. He noted that he spent the morning with Station 92 and then drove around to the other stations and met everyone else who was working that shift. He stated that Chief Mandarino had great firefighters working for him and that was due to the chief's leadership and the training that they had received. He noted that he had not participated in calls the first time he visited with the firefighters, but that there had been five calls that day. He stated that they provided a great service to the community and that everyone should be proud of the city's firefighters.

#### New Planning Director

Commissioner Selby congratulated Mr. Steven Spraker who had been promoted to the position of Planning Director and noted that it was a highly deserved promotion. He stated that Mr. Spraker had to undergo a search process that pitted him against several other very worthy candidates, but that he came out on top and Commissioner Selby thought that it was a great decision by the city manager and selection team involved.

#### Homeless

Commissioner Selby stated that he had received several communications from citizens about homeless individuals, noting that the communications normally began with emails. He stated that a few were from women and a few from men, but that the general tenor of the communications were that the homeless individuals in the Ormond Beach area had become more aggressive in their approach than had been experienced in the past and there was definite concern. He stated that the women were concerned with safety, as one woman had been holding her young child in her arms when a gentleman came into her personal space. He stated that another woman informed him of a friend who had been visiting for a cheerleading competition and was mugged by what she perceived to be a homeless person; he thought that the location involved was probably at the Ocean Center in Daytona Beach. He stated that he had reached out to a few of the individuals and had lengthy conversations with them, sharing what he believed was the city's primary and long range strategies for dealing with that situation. He stated that there was not much happening in the short range, but that the First Step Shelter was definitely the answer for the long range.

#### First Step Shelter Board (FSSB)

Commissioner Selby stated that he had attended a FSSB meeting the prior week and that they had viewed a presentation from the City of Daytona Beach that requested the FSSB take over their Safe Zone. He noted that the Safe Zone was the plot of land that was located between Beville Road and Bellevue Avenue Extension on Clyde Morris Boulevard, just south of Embry Riddle Aeronautical University on the southwest corner by the airport. He stated that when the weather had been extremely cold the city allowed homeless people to put tents up, had cooking facilities, and vehicles were parked there. He stated that the city started curtailing the allowances and the land was only open for individuals from 6:00 p.m. to 6:00 a.m., no tents were allowed, etc. He stated that the City of Daytona Beach approached the FSSB with the idea of moving that Safe Zone to vacant land on LPGA Boulevard, west of the Salvation Army facility but on their land, and simultaneously opening up a temporary shelter under tents. He noted that the bottom line was that it would be for approximately nine months and that it would cost \$600,000 to \$700,000.

Commissioner Selby stated that the concept had little or no support from the FSSB, that it never got a motion on the floor, and that it died immediately after the presentation. He stated that he was glad that it did not go anywhere, because he thought that it would have been a major distraction, it would have been a huge use of funds that no one had, and that it would have been a public relations nightmare. He stated that individuals did

not understand what was going on with the original shelter plan in general and that he thought adding a temporary shelter under tents would have been terrible.

Commissioner Selby stated that the First Step Shelter was the first step in the process of fighting homelessness, but noted that next steps needed to be decided by the FSSB; some things included what exactly was the next step, who provided the next step, determining processes, what were the rules for someone wanting to graduate from the shelter, etc. He stated that the FSSB would meet with other housing providers to assist in a coordinated understanding of all details. He noted that he had learned recently that some individuals chose homelessness as a lifestyle and that no one would be able to help them. He noted that some individuals were permanently disabled, either mentally or physically, and that there was permanent support for housing available for them. He stated that there were others who would be helped, who would get into housing, then into employment, and ultimately be fully self-supportive and that he was excited about that. He appreciated the opportunity to represent the Commission and Ormond Beach on the FSSB, noting that it was now full with seven members, including recently added appointees from Ponce Inlet and Port Orange.

#### Granada Grand Festival of the Arts

Mayor Partington stated that he had the opportunity to attend the Granada Grand Celebration the prior Saturday, and complemented Ms. Truilo and her team of volunteers on an amazing job. He thanked her and the MainStreet organization for all of their hard work on it, noting that the music was fantastic, there had been plenty of vendors, and it had a huge turnout. He noted that although it was a one day event, he was impressed to see the amount of participation that drew everyone into the downtown area, and recognized that MainStreet's primary goal was helping that area thrive and that they did an amazing job at it.

#### Upcoming Workshop

Mayor Partington stated that there were certain things that he wanted to discuss at the next workshop including transportation lobbyists. He stated that he felt that they might need one at each of the federal, state and local levels, so that the three could coordinate and work together. He noted that the workshop would be an open forum but wanted to hear the other Commissioners thoughts on that.

Mayor Partington stated that he also wanted to discuss water and septic to sewer. He stated that Commissioner Selby would probably bring that up since he was the leader in that area but noted that he had done some studies as well. He stated that he had received emails from residents who were concerned about water quality and that from his research, he thought that the biggest impact they could have as far as improving the water quality was getting the old failing septic systems onto the city's sewer system and being able to treat them properly. He noted that the city's waste water was either for reuse or sent into the Halifax River and did not cause the pollution. He stated that the water was treated to almost a drinkable standard and that some cities were starting to treat their water a little further to make it drinkable. He stated that the biggest impact they could have in improving the water quality in the Tomoka and Halifax Rivers would be getting the septic systems onto the sewer, and/or providing another kind of inlet or drainage system that would go into the ocean, but noted that would be more expensive and difficult. He stated that improving water quality was a huge issue for the residents and that all polling seemed to support that.

Mayor Partington stated that annexation discussions would be included, either the Ormond-by-the-Sea area or the Halifax Plantation area, noting that those were the next logical areas that could be annexed into the city. He stated that annexing them made sense and that both areas could save money in general if they were annexed into the city. He stated that he thought Volusia County had municipal district fees that they were going to be increasing quite a bit and in that case, those areas would save more money if they annexed before the fee hike. He stated that in Ormond Beach they would receive better quality services for a lot less money and wanted the Commission to explore the options as a group.

Mayor Partington mentioned bridge lighting and noted that Ms. Shanahan indicated that they were going to rehash that issue. He hoped each of the others had a chance to drive the bridges at night and would come back with recommendations on that.

Mayor Partington stated that another issue that had lingered was a community center and emergency operations center, either individually or combined. He stated that was something that needed to be discussed when dealing with hurricanes or other natural

disasters, and that they needed to have a quality plan in place. He noted that the need for a community center on the west side had been laid out in the past by Commissioner Boehm, but that details needed to be discussed including whether it was separate facilities or combined, was it something that the residents wanted, and was there money to cover it. He noted that a building like that could range from \$8,000,000 to \$12,000,000 and wanted the Commission to address the situation at that workshop.

Home Rule

Mayor Partington noted that Commissioner Kent and Commissioner Boehm had brought up short term vacation rentals. He stated that home rule was a community's ability to decide for itself how it wanted to exist and how it wanted to look. He stated that Miami Beach did not look anything like Tampa, Key West did not look anything like Orlando, and that was because the people who decided to live in those communities voted in ways that created a certain feel for their city. He noted that he had also heard the term local freedom used and was now using both in regards to that issue. He stated that when using either term, it got the point across that it was the people who lived in that community and decided what that community would allow. He noted that if the city was a bedroom community with residences and families, then they did not want the Florida Legislature spot zoning a hotel next door to individuals who reside in a single family home. He stated that the potential for that happening was great and that the Commission was striving for local freedom for their community.

Volusia League of Cities

Mayor Partington stated that he had attended the Volusia League of Cities Executive Committee Meeting that afternoon and wanted to let everyone know that the March dinner meeting would be an educational presentation on the half-cent sales tax. He stated that the speakers would be Mr. Joe Yarborough, a dean of the city managers in the area, who was leading that initiative, and Dr. D. Kent Sharples, President of the CEO Business Alliance. He noted that they would provide facts and information, and possibly answer questions, at the March dinner in Debary.

Mayor Partington stated that the July dinner meeting would potentially be Mr. Larry Bartlett, property appraiser, speaking about the additional homestead exemption proposal, which would likely be up for a vote in November 2018, and his proposal to put the code enforcement liens on the property tax bill. He stated that Mr. Bartlett would provide information and potentially answer questions at that meeting in July, noting that he was not sure where it would be located.

Mayor Partington stated that the Distinguished Service Awards nominee opening would be coming out in the upcoming weeks and wanted to make Ms. Shanahan aware of that. He noted that staff and elected officials could nominate individuals, and wished everyone a good evening.

Item #10 – Adjournment

The meeting was adjourned at 8:09 p.m.

APPROVED: February 20, 2018

BY: \_\_\_\_\_  
Bill Partington, Mayor

ATTEST:

\_\_\_\_\_  
J. Scott McKee, City Clerk