

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

August 8, 2018

7:00 p.m.

Commission Chambers

Present were: Mayor Bill Partington, Commissioners Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Attorney Scott McKee, and City Clerk Lisa Dahme.

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATION AND PROCLAMATIONS

A. Distinguished Budget Award Presentation - Finance

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from the July 31, 2018 City Commission meeting will be available at the August 21, 2018 City Commission meeting.

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. 2018-93** : A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2018-96** : A RESOLUTION APPROVING LUCKY'S MARKET OPERATING COMPANY, LLC AS A QUALIFIED TARGET INDUSTRY BUSINESS; PROVIDING FOR GROWTH ASSISTANCE FUNDING IN THE NATURE OF PERFORMANCE BASED JOB CREATION, TANGIBLE TAX REIMBURSEMENT, AND CAPITAL INVESTMENT INCENTIVE; AUTHORIZING AN AGREEMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Brian Rademacher, Economic Development Director (386-676-3266)

C. **RESOLUTION NO. 2018-97** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF MICHAEL A. MUNIER AND NANCY MUNIER RELEASING AN EASEMENT LOCATED ALONG THE FRONT OF LOT 11, TOMOKA OAKS UNIT 6 SUBDIVISION (83 NORTH SAINT ANDREWS DRIVE); AND SETTING FORTH AN EFFECTIVE DATE.

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

D. **RESOLUTION NO. 2018-98** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY EASEMENT DEED FROM MICHAEL A. MUNIER AND NANCY MUNIER LOCATED AT (83 NORTH SAINT ANDREWS DRIVE); AND SETTING FORTH AN EFFECTIVE DATE.

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

E. Security First Offsite Watermain Improvements, Bid No, 2018-36

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

Disposition: Approve as recommended in the City Manager memorandum dated August 8, 2018.

F. Cassen Park Pier Replacement

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

Disposition: Approve as recommended in the City Manager memorandum dated August 8, 2018.

G. Citywide Meter Replacement

Staff Contact: Chris Byle, Assistant Finance Director (386-676-3206)

Disposition: Approve as recommended in the City Manager memorandum dated August 8, 2018.

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2018-19** : AN ORDINANCE AMENDING SECTION 2-312, ADMINISTRATION OF THE PROGRAM, AND SECTION 2-313, PAYMENT OF CLAIMS, OF DIVISION 4, RISK MANAGEMENT PROGRAM, OF ARTICLE IX, FINANCIAL MATTERS, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMMITTEE MEMBERSHIP AND AUTHORIZATION FOR PAYMENT OF CLAIMS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERALBILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

9. REPORTS, SUGGESTIONS, REQUESTS

10. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Mayor Partington noted that Commissioner Selby was absent that evening as he was out of town with family.

Item #2 – Invocation

Reverend Dr. Michael Foley, Ormond Beach Presbyterian Church, stated that he and his wife, Janet, were grateful to be there, brought greetings from his church members, and gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4A – Distinguished Budget Award Presentation – Finance

Mayor Partington invited Finance Director Kelly McGuire and Assistant Finance Director Chris Byle forward. He stated there was someone who was responsible for keeping track of the finances in any family, and at times it was a shared responsibility. He noted that in the city family it was Ms. McGuire and Mr. Byle who kept track of the budget and finances for the city. He stated that the Commission was grateful to have them on staff and blessed to have such good fiscal management. He explained that year after year, the city's Finance Department had been recognized by the Government Finance Officers Association of the United States and Canada. He noted that they wanted to honor them that night in the Commission meeting, even though they had not done so in the past. He presented Ms. McGuire with the Certificate of Recognition for Budget Preparation, and thought it had been at least 13 years in a row that they had received it. He congratulated Ms. McGuire and Mr. Byle for great work over the years.

Introduction of new police officers

Mayor Partington invited Police Chief Jesse Godfrey to the front to introduce the new police officers; whereby, Police Chief Jesse Godfrey asked Officer Gagner, Officer Raihala, Officer Kavanaugh, and Officer Sesemann to line up by the podium and then introduced them.

Chief Godfrey stated that Officer Thomas Gagner III was born in Bridgeport, Connecticut and graduated from Naugatuck High School in 2006. He stated that Officer Gagner was a Military Police Officer in the United States Army from 2008 to 2013, and ended his service as a sergeant with many accolades including squad leader, patrol supervisor, and sergeant of the guard. He stated that Officer Gagner received his Bachelors of Arts in Criminal Justice with Magna Cum Laude honors, from Quinnipiac University in 2016. He noted that Officer Gagner moved to Deltona, Florida, obtained his Associates in Science degree in Crime Scene Technology from Keiser University, and completed his law enforcement equivalency training at Lake Technical College in 2017. He noted Officer Gagner lived with his girlfriend of three years.

Chief Godfrey stated that Officer Jonathan Raihala grew up in Johnstown, Ohio and graduated from Johnstown High School in 2011. He stated that Officer Raihala attended the Basic Law Enforcement Academy at Daytona State College in 2017. He noted that Officer Raihala was a United States Army veteran, serving five years as a Military Police Officer, and was promoted to sergeant where he served as squad leader and traffic accident specialist. He stated that Officer Raihala was engaged, lived in Port Orange, liked to surf, and stayed active. He added that Officer Raihala was currently pursuing his Associates in Arts from the American Military University.

Chief Godfrey stated that Officer Anthony "Tony" Kavanaugh was a Daytona Beach and Port Orange native, but had been raised in Kentucky and relocated to Central Florida in 2003. He stated that Officer Kavanaugh completed Oviedo High School and obtained his general education degree, then spent seven years in the automotive industry starting as a general service technician. He noted that Officer Kavanaugh obtained his Automotive Service of Excellence certification and promoted into management, overseeing service staff and operations. He stated that after leaving the automotive industry, Officer Kavanaugh attended Basic Law Enforcement Academy at Seminole State College, and had an uncle that was currently a sergeant with the Orange County Sheriff's Office. He noted that Officer Kavanaugh resided in Ormond Beach.

Chief Godfrey stated that Officer Jacob Sesemann grew up in the Chicago suburbs and graduated from Hinsdale South High School in 2007. He noted that Officer Sesemann joined the United States Marine Corps in 2008 and was honored to be part of two combat deployments; in 2010 with First Battalion Second Marines, and again in 2011 with First Battalion Six Marines Charlie Company. He stated that Officer Sesemann earned a Combat Action Ribbon for Afghanistan, three Navy Medals of Achievement, two Afghanistan Campaign Medals, two Sea Service Deployment Ribbons, Global War on Terror Medal, the National Defense Service Medal, the NATO IASF Afghanistan Medal, and Good Conduct Medal. He noted that Officer Sesemann was honorably discharged in 2012, and moved to St. Augustine, Florida where he attended Kaiser University and completed his Bachelor Degree in Criminal Justice in 2015. He stated that during college, Officer Sesemann worked as a loss prevention officer for Target, and after college, he worked as a substance abuse counselor for Colonial Management Group. He stated that Officer Sesemann attended St. Johns River State College Basic Law Enforcement Academy in January of 2017, and was hired by Ormond Beach in August of the same year. He noted that Officer Sesemann had been selected as a member of their special response team and lived in Ormond Beach.

The new officers shook hands with members of the City Commission before leaving the Chambers.

Item #5 – Audience Remarks

Mr. Jim Cameron, Senior Vice President of Government Relations, Daytona Regional Chamber of Commerce, stated that he wanted to give kudos to staff. He appreciated Chief Godfrey and the police officers assistance when Governor Rick Scott had been in town a short time before, and stated they had done a good job. He noted that he had a lengthy and informative conversation with Assistant Finance Director Chris Byle recently. He stated that while in Tallahassee on Monday, he spoke with Communications Director Alberto Moscoso with the Florida Department of Emergency Management, about

Federal Emergency Management Agency (FEMA) reimbursement dollars from prior hurricanes. He stated that he believed they were still trying to get \$1,500,000 in funds, and would keep the pressure on them. He noted that he passed along information that Mr. Byle had mentioned in their conversation and that it was well received.

Mr. Cameron hoped the Commission received the flyer that he distributed prior to the meeting about the upcoming program regarding the proposed Constitutional Amendments. He noted it would be held on Thursday, August 16, 2018, at 3:30 p.m., and was a brief overview of all 13 proposed Amendments, but more detail would be included on the amendments that affected the business community. He stated that Amendment 1 would be discussed in detail since it could mean a big shift in general revenue, and there would be point versus counterpoint discussion. He asked for those interested in attending to please contact him.

Mayor Partington stated that he appreciated Mr. Cameron's update. He noted that Mr. Cameron had been instrumental in setting up a FEMA meeting in Tallahassee with Chairman Kelley and himself, which led to the quicker recovery, along with staff's hard efforts, of several million dollars in the prior months. He thanked Mr. Cameron for keeping up the pressure.

Mr. Cameron noted that he would continue to stay on that and give updates. He indicated that he was already setting up meetings for Volusia Days in the upcoming year, noting it would be a staple they would have to do every year in Tallahassee.

Item #6 – Approval of Minutes

Mayor Partington advised that the minutes of the July 31, 2018 regular meeting would be available at the August 21, 2018 City Commission meeting.

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 Boehm moved, seconded by Commissioner Kent, for approval of the Consent Agenda.

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

Comments on Consent Agenda Items

Commissioner Boehm noted that Item 7A was an ongoing agreement with the Ormond Memorial Art Museum, and that it was a hidden gem in the community. He stated that they had lots of programs that benefitted everyone from children to senior citizens, and those close to his heart, veterans. He thought they did an outstanding job of running program after program, week after week, and that everyone should be proud of what they were doing.

Commissioner Boehm noted they would see a lot of the word "lucky" in the upcoming year, and was excited about Lucky's Market. He mentioned a conversation with Economic Development Director Brian Rademacher indicating that the deal was all but finalized. He noted it would guarantee employees that were being paid solid salaries, and providing them with incentives.

Commissioner Boehm stated that Ormond Beach tended to be proactive, when other cities did not, and did not wait for things to break before fixing them. He noted that one area involved roads and another involved the meter replacement, indicating there were five more years and all meters in the city would be replaced. He stated that Ms. McGuire and Mr. Byle were involved in the meter replacement project, and was proud of what they and staff had done.

Commissioner Kent stated that Commissioner Boehm was 100 percent correct in calling the Ormond Memorial Art Museum a hidden gem. He noted that he had fond memories as a child of leaving Osceola Elementary and going there to play tag, or hide and seek,

with friends. He stated the waterfall was something out of a movie, while the grounds were incredible, and absolutely stunning. He noted the most important piece was the memorial to veterans that was located there. He noted that World War II veterans came back from the war, worked together, and built the area to what it was currently. He noted that inside the museum, the first thing visible was a plaque of all the veterans from Ormond Beach that served during WWII. He stated it was touching to see that and moved him knowing the story behind it. He stated that Ormond Beach and the Ormond Memorial Art Museum were a great fit, and offered wonderful programs for the community.

Commissioner Kent stated he was excited about Lucky's Market and that it had been something the Commission worked on for years, noting that former Economic Development Director Joe Mannarino had been involved. He thought the city would fall in love with Lucky's Market. He noted that after work that day, he and his son walked and spoke with constituents in Zone 2, and about 80 percent mentioned how excited they were about Lucky's coming on Granada Boulevard. He stated there was a positive reaction in the community and was happy to see them coming to Ormond Beach.

Mayor Partington stated the Ormond Memorial Art Museum and Gardens was a huge asset for Ormond Beach. He noted the gardens were like an oasis in the middle of the city, and that it was almost always ten degrees cooler there because of the tree canopy. He remembered being taken there as a child as well, running along dirt trails, and having a blast. He joked that turtles stuck out in his mind also. He stated it was an amazing oasis in the heart of the city and they were lucky to have that partnership. He stated the art inside was beautiful, and the museum embraced the concept of honoring each of the generations of veterans, whether Korean War, Vietnam War, or WWII. He noted there were separate memorials for each group and the gardens were fantastic.

Mayor Partington stated that Lucky's Market was putting \$4,300,000 into renovations for the current building. He noted the city was doing a few performance based incentives, and the smart way to do them was to pay out once the benchmarks were met. He stated that was another way the city protected taxpayers, but still incentivized a business to locate to the downtown area. He noted that with Lucky's \$4,300,000 investment, the total of the incentives from the city would be \$114,000. He gave a comparison to other governments, stating that Flagler County put aside \$150,000 for Marineland – Dolphin Adventure and they were only getting \$740,000 of investment to match. He noted the city's incentive for Lucky's was conservative but smartly handled, and Lucky's would be a great amenity to beachside residents especially, but to all residents in the City of Ormond Beach who would enjoy shopping there.

Item #8A – Amendment to Section 2-312 and 2-313 of the Code of Ordinances, Committee Membership

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2018-19

AN ORDINANCE AMENDING SECTION 2-312, ADMINISTRATION OF THE PROGRAM, AND SECTION 2-313, PAYMENT OF CLAIMS, OF DIVISION 4, RISK MANAGEMENT PROGRAM, OF ARTICLE IX, FINANCIAL MATTERS, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES, BY AMENDING COMMITTEE MEMBERSHIP AND AUTHORIZATION FOR PAYMENT OF CLAIMS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERALBILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2018-19, as read by title only.

Mayor Partington stated it was a good idea to include the police chief on the committee, as many of the items that came before them could be police related. He noted that he was not sure about the Commission delegating the authority for staff to sign off on matters up to \$25,000. He knew the City Manager had authority for that amount in other matters, but was not sure if that were the best method when it came to litigation. He stated that he would vote in favor of the item that evening, but would research the item in more detail before the second reading in a few weeks. He thought staff might be able to provide more information on the subject.

Call Vote: Commissioner Kent Yes

	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Item #9 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, reminded everyone that the meetings in September would be on Wednesday, September 5, 2018, and Wednesday, September 19, 2018, due to budget meetings that were included as part of the regular agenda items. She noted the city was not permitted to have public hearings on the budget at the same time as the budget meetings for the School District or Volusia County, and that the normal Tuesday dates were already taken, so Ormond Beach changed their dates. She stated the Commission’s next regularly scheduled meeting would be on Tuesday, August 21, 2018.

Grant Update

Ms. Shanahan stated that staff were contacted by the Florida Department of Economic Opportunity (DEO) about two job grant applications and needed additional information on the Airport Business Park. She noted the grant was for \$2,200,000 and hoped to have a positive outcome after they received the information.

Florida Hospital Beachside Property

Ms. Shanahan stated she met with Mr. John Adams of Adams Cameron Realty to discuss the Florida Hospital property. She stated that the hospital planned to demolish that building, since it suffered significant structural damage during Hurricane Irma and contained asbestos. She noted the initial plans were for a rehab center, pharmacy, and doctor offices, but that she shared the strong desire to have emergency care there as well. She thought they would not use all of the included property for the potential plans and that there could be an opportunity to do off-beach parking with Volusia County.

Transportation Update

Ms. Shanahan stated that she had an update on the city’s legislative efforts on transportation. She noted that the Florida Department of Transportation (FDOT) had put the I-95/US 1 interchange on their priority list for design and engineering. She stated that although the date listed was 2028, it was important to be on the priority list and that nothing could be done until that happened. She stated her next goal was to get that item moved up the list.

Federal Aviation Administration (FAA) Grant

Ms. Shanahan reminded everyone about the FAA providing an Airport Improvement Program Grant offered to the city for the full amount of their project Runway 8/26 Rehab design and extensions at the Ormond Beach Municipal Airport. She stated the grant amount was \$2,200,000, which represented 90 percent of the total cost, and was excited to see it moving forward.

City Dog Park

Ms. Shanahan stated that the new city dog park by the Young Men’s Christian Association (YMCA) would be opening soon and a ribbon cutting with the Ormond Beach Chamber of Commerce was scheduled for Thursday, September 6, 2018. She noted she was excited about that.

Commissioner Kent asked Ms. Shanahan what time the ribbon cutting would be on September 6, 2018 for the city dog park; whereby, Ms. Shanahan stated she thought it was scheduled for 10:00 a.m., but was not certain.

National Night Out

Commissioner Kent stated the City of Ormond Beach and the Ormond Beach Police Department knocked it out of the park at National Night Out. He stated that it was a great event at the Nova Community Center, and a great time was had by all. He watched numerous raffle winners walk out with bicycles and kayaks. He noted that Chief Godfrey and many of his officers were cooking hot dogs, and it was a good wholesome family time.

New Police Officers

Commissioner Kent stated that having the police officer introductions during the Commission meeting was important. He appreciated Chief Godfrey taking the time to give background on each officer, and noticed them standing with pride as each

accomplishment was listed. He was pleased that they had chosen to work for Ormond Beach.

National Night Out

Commissioner Boehm agreed with Commissioner Kent about National Night Out. He stated that he had to park at least 150 yards away from the community center, noting the large amount of people at the event as the reason for his distant parking spot. He joked that he was disappointed when the hula dancers came out and Chief Godfrey did not come in to demonstrate his abilities. He thought the Hawaiian troupe did an outstanding job, and did not recommend anyone else trying the fire dance that was part of the performance. He stated that it was a great community event, well attended, and would help support the Police Athletic League of Ormond Beach (OBPAL), as well as the police community outreach programs.

OBPAL

Commissioner Boehm stated that he always advocated for OBPAL, and they recently received Outstanding Youth Directors Awards at the Annual Youth Directors' Conference. He noted there were two young men from Ormond Beach, Marcus Edwards and Cameron Walden, who were at the conference, and Greg Barry and Marissa Moss were young people who had attended in prior years; all four won OBPAL Student of the Year for the State of Florida. He stated that for a city the size of Ormond Beach to repeatedly turn out the most outstanding OBPAL members in the entire state was a tremendous accomplishment. He stated that OBPAL had great support from the police department, and a wonderful working relationship with them as well. He noted he was proud of all the ways they helped OBPAL.

Mr. Dave Ponitz

Commissioner Boehm noted that he had saved his comments about Utilities Manager Dave Ponitz for that evening. He stated that utilities, such as water and wastewater, were taken for granted as long as they worked on a regular basis. He explained that the city produced 40 million gallons of water the prior week, and the fact that no one had complained about water issues was a tribute to Mr. Ponitz and his staff's hard work. He added that the city also produced 39 million gallons of wastewater and 22 million gallons of reuse water in the same week. He stated that another proactive project by the city had been to figure out the use of reuse water for irrigation purposes, and extended that service to the west, north peninsula, and south peninsula. He thought it was an environmentally sound way to make use of the reuse water. He regretted that Mr. Ponitz was leaving and thought he had done an outstanding job over the years. He joked with Mr. Ponitz that he did not want to see Flagler brand water bottles, since Mr. Ponitz had not created Ormond Beach brand water bottles.

City Dog Park

Commissioner Boehm noted that after a long wait, the city dog park would be opening. He stated that he was excited and thought it would be outstanding for the citizens. He noted that the city participated in the funding of that dog park, with insurance that their citizens would never be charged to make use it. He thought it was a terrific public-private partnership and stated that it was located on the YMCA property.

National Night Out

Commissioner Littleton stated that National Night Out was a great event. He appreciated the numerous organizations that had tables set up at the event, and noted that Chick-fil-A seemed to be the most popular one.

New Businesses

Commissioner Littleton observed there were many new businesses coming to the area, including Zaxby's, Lucky's Market, Security First Insurance at Ormond Crossings, and Wawa. He noted that as a citizen of Ormond Beach, not a Commissioner, he appreciated the current Commission allowing the business investments that were coming into the community, which allowed him the free will to choose where to shop.

Mr. Carl Persis

Mayor Partington stated that he aimed to recognize elected officials when they attended a Commission meeting. He stated that it was good to see School Board member Mr. Carl Persis in the audience, and appreciated him being there.

Mr. Carl Persis, School Board Member, spoke from the audience thanking Mayor Partington, and apologized for taking the September meeting dates from Ormond Beach.

National Night Out

Mayor Partington stated that National Night Out was an annual, community building campaign that promoted police and community partnerships. He noted that it also promoted neighborhood comradery and made the city a safer, more caring place to live. He explained that millions of neighbors across thousands of communities took part in the event, from all 50 states, U.S. territories, and military bases worldwide, on the first Tuesday in August. He noted that the City Commission decided a few years prior to move their first August Commission meeting to Wednesday evening, so they could attend as well. He stated that the event improved each year, and that thousands had come out the night prior to take part in the three hour event. He stated that many children could be intimidated by a police officer in uniform, but enjoyed watching the police officers, in uniform or in a Hawaiian shirt, interacting with children of all ages and explaining how the dogs were trained to do their jobs. He noted that residents were impressed to watch the Ormond Beach police officers interact with their community, and was proud of that.

Mr. Dave Ponitz

Mayor Partington stated that he had spoken to Mr. Ponitz directly and was happy for him, but sad for Ormond Beach. He noted that one of Mr. Ponitz's accomplishments was the implementation of the two-inch water main project, which involved replacing the 40 to 60 year old infrastructure under the roads. He stated that the project started in the oldest section first and would eventually cover the entire city. He noted it was a very expensive project, but Mr. Ponitz convinced everyone that it needed to be done and they listened. He stated that other cities were not addressing the issue, but appreciated the proactive response from Ormond Beach staff to attack an important project. He wished Mr. Ponitz the best in his future endeavors.

Item #12 – Adjournment

The meeting was adjourned at 7:41 p.m.

APPROVED: August 21, 2018

BY:

Bill Partington, Mayor

ATTEST:

Lisa Dahme, City Clerk