

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

February 19, 2019

7:00 p.m.

Commission Chambers

Present were: Mayor Bill Partington, Commissioners Troy Kent, Susan Persis, and Rob Littleton, City Manager Joyce Shanahan, Assistant City Manager Claire Whitley, City Attorney Randy Hayes, and City Clerk Lisa Dahme.

A G E N D A

1. CALL TO ORDER

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. Officer Hanson-Auld and Officer Long

B. Annual Audit Presentation FY 2017-18

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

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – February 5, 2019

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. 2019-43:** A RESOLUTION ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES TO PERFORM A FEASIBILITY STUDY REGARDING THE RELOCATION OF THE POLICE STATION AND EMERGENCY OPERATIONS CENTER; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

B. **RESOLUTION NO. 2019-44:** A RESOLUTION ACCEPTING A PROPOSAL FROM VANASSE HANGEN BRUSTLIN, INC. TO PERFORM A FEASIBILITY STUDY REGARDING THE POTENTIAL SITE USES FOR THE PROPERTY LOCATED AT 56 N. BEACH STREET; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

C. **RESOLUTION NO. 2019-46:** A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND KEVIN J. TUCKER TRUSTEE OF THE KEVIN J. TUCKER TRUST 3-29- 16 FOR PROPERTY LOCATED AT 9 OCEAN BREEZE CIRCLE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2019-47:** A RESOLUTION AUTHORIZING THE EXECUTION OF A RETAIL UTILITY SERVICE AGREEMENT FOR DEERFIELD TRACE BETWEEN THE CITY AND HUNTER'S RIDGE COMMUNITY DEVELOPMENT DISTRICT NO. 1 AND ROYAL LIONS GATE, LLC; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Steven Spraker, Planning Director (386-676-3341)
- E. **RESOLUTION NO. 2019-48:** A RESOLUTION ESTABLISHING A DOWNTOWN STEERING COMMITTEE; ESTABLISHING PURPOSE, FUNCTION AND DUTIES; ESTABLISHING TERMS AND CONDITIONS FOR MEMBERSHIP; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Steven Spraker, Planning Director (386-676-3341)
- F. **RESOLUTION NO. 2019-49:** A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE DOWNTOWN STEERING COMMITTEE; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Steven Spraker, Planning Director (386-676-3341)
- G. **RESOLUTION NO. 2019-50:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN UNDERGROUND EASEMENT DEED IN FAVOR OF FLORIDA POWER & LIGHT COMPANY GRANTING AN EASEMENT FOR UNDERGROUND UTILITIES LOCATED AT 35 BREAKAWAY TRAILS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Gabe Menendez, Public Works Director (386-676-3292)
- H. **RESOLUTION NO. 2019-51:** A RESOLUTION ACCEPTING A BID FROM AEREX INDUSTRIES, INC. REGARDING THE WATER TREATMENT PLANT LOW PRESSURE REVERSE OSMOSIS MEMBRANE REPLACEMENT PROJECT, UNDER BID NO. 2019-13; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Gabe Menendez, Public Works Director (386-676-3292)
- I. **RESOLUTION NO. 2019-52:** A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDMENT 1-2019 TO THAT CONTRACT AWARDED TO AUSTIN OUTDOOR, LLC D/B/A YELLOWSTONE LANDSCAPE REGARDING GROUNDS MAINTENANCE SERVICES, BY INCREASING THE CONTRACT PRICE BY \$36,870.80; AND SETTING FORTH AN EFFECTIVE DATE.
- Staff Contact:* Robert Carolin, Leisure Services Director (386-676-3279)
- J. **Auto Renewal Contract OB Historical Trust, Inc.**
- Staff Contact:* Robert Carolin, Leisure Services Director (386-676-3279)
- Disposition:* Approve as recommended in the City Manager memorandum dated February 19, 2019.
- K. **Budget Status Report for July 2018 – September 2018**
- Staff Contact:* Kelly McGuire, Finance Director (386-676-3226)
- Disposition:* Approve as recommended in the City Manager memorandum dated February 19, 2019.
- L. **4" and 6" Concrete Sidewalk Repair and Replacement Services on FDOT MOA Roadways**
- Staff Contact:* Kevin Gray, Public Works Operations Manager (386-676-3522)
- Disposition:* Approve as recommended in the City Manager memorandum dated February 19, 2019.

M. Request to Extend Current Local Option Fuel Tax Formula Through August 31, 2022

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated February 19, 2019.

8. PUBLIC HEARINGS

- A. RESOLUTION NO. 2019-45:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR STORAGE AT "BIG CHIEF TRAVEL CENTER, INC." LOCATED AT 1560 NORTH U.S. HIGHWAY 1, WHICH IS WITHIN THE B-7 (HIGHWAY TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. ORDINANCE NO. 2019-02:** AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. ORDINANCE NO. 2019-03:** AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 3.56-ACRES LOCATED AT 275 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-10-00-006B) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) WITH A PLANNED BUSINESS DEVELOPMENT OVERLAY (SOUTHWEST I-95 COMPLEX) TO (PBD) PLANNED BUSINESS DEVELOPMENT, AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. ORDINANCE NO. 2019-04:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "EXTENDED STAY AMERICA", AUTHORIZING THE CONSTRUCTION OF A FOUR (4) STORY ALL SUITES HOTEL WITH 124 ROOMS ALONG WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 275 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-10-00-006B); AUTHORIZING A PARKING DEFERRAL OF 39 PARKING SPACES; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **ORDINANCE NO. 2019-05:** AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED PLANNED BUSINESS DEVELOPMENT ORDER FOR THE "GRANADA POINTE" PLANNED BUSINESS DEVELOPMENT, LOCATED AT 520 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0010), 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0020), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0030), 650 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0040), 535 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-000A), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-000B), 655 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); TO ALLOW PRIVACY WALLS TO RANGE FROM A MINIMUM OF SIX (6.0') IN HEIGHT TO A MAXIMUM OF EIGHT (8.0') IN HEIGHT; TO REMOVE THE CONDITION FOR AN EASEMENT FOR EIGHT (8) PARKING SPACES ON THE NORTH PARCEL; PROVIDING FOR THE \$10,000 CONTRIBUTION TO BE MADE TO THE ORMOND BEACH HISTORICAL SOCIETY; AND CLARIFYING THAT TWO (2) OUTPARCELS ARE PERMITTED ON UNIT 4; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2019-06:** AN ORDINANCE SETTING FORTH A PROPOSED AMENDMENT TO SECTIONS 3.03, 3.05, 5.06 AND 6.02, OF THE CHARTER OF THE CITY OF ORMOND BEACH, FLORIDA, BY AMENDING TERMS OF OFFICE TO INCLUDE STAGGERED, FOUR-YEAR TERMS FOR CITY COMMISSIONERS AND FOR MAYOR; PROVIDING A SCHEDULE FOR STAGGERING THE TERMS OF OFFICE; PROVIDING A PROCEDURE FOR DETERMINING A PRIMARY ELECTION; CALLING FOR A MUNICIPAL REFERENDUM ELECTION TO BE HELD BY MAIL BALLOT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Lisa Dahme, City Clerk (386-676-3340)

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Ben Brown, Tomoka Christian Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4A – Officer Hanson-Auld and Officer Long Proclamation

Mayor Partington invited Officer Kameron Hanson-Auld and Officer Austin Long forward, and presented them with a proclamation honoring their outstanding display of kindness

and compassion with an individual in crisis on December 25, 2018. The officers received a standing ovation.

Item #4B – Annual Audit Presentation FY 2017-18

Mr. Mike Sibley, Partner, James Moore and Company, briefly reviewed the annual audit for the fiscal year ending on September 30, 2018. He highlighted significant activities and changes, the General Fund, and Pension Funds.

Commissioner Kent commented on the city's finances and how well they were managed.

Mayor Partington recognized Finance Director Kelly McGuire, Assistant Finance Director Chris Byle, and staff for their great work on the finances.

Item #5 – Audience Remarks

Mr. Ike Leary, Granada Pier Bait and Tackle, discussed the REEL in the FUN! Fishing Tournament the prior weekend, and asked to be included in discussions on the new bait shop.

Ms. Ashlee Gruenewald, 3 Brookwood Court, wanted details on the recycling changes; whereby, Mayor Partington suggested she speak with Public Works Director Gabe Menendez and City Manager Joyce Shanahan.

Ms. Gruenewald discussed Tomoka Elementary School, signage near the school, and speeding by vehicles; whereby, Mayor Partington stated that Police Chief Jesse Godfrey would be the contact for those issues.

Ms. Sandy Kauffman, 23 Wildwood Trail, noted that her goal of having a woman elected to the City Commission had been fulfilled, and congratulated Commissioner Persis. She was against the half cent sales tax, four year office terms, and staggered terms for the Mayor and Commissioners.

Item #6A – Approval of Minutes

Mayor Partington advised the minutes of the February 5, 2019, regular meeting had been sent to the Commission for review and were 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 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 requested that Item 7J be pulled from the Consent Agenda.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of the Consent Agenda absent Item 7J.

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

Item #7J – Auto Renewal Contract OB Historical Trust, Inc.

Commissioner Kent was comfortable with the contract, but wondered why the Ormond Beach Historical Trust no longer wanted parking spaces on the east side of The Three Chimneys location; whereby, Mr. Thomas Massfeller, representative of the Ormond Beach Historical Trust, stated the Historical Trust had a contract with the office complex on the west side of the site for closer parking.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Item 7J.

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

Item #8 – Public Hearings

Mayor Partington opened the public hearings.

Item #8A – 1560 North U.S. Highway 1: Special Exception for Outdoor Storage

City Clerk Lisa Dahme read by title only:

RESOLUTION NO. 2019-45
 A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR STORAGE AT “BIG CHIEF TRAVEL CENTER, INC.” LOCATED AT 1560 NORTH U.S. HIGHWAY 1, WHICH IS WITHIN THE B-7 (HIGHWAY TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Steven Spraker, Planning Director, detailed the special exception requested by the property owner for outdoor storage. He stated the Planning Board recommended approval.

Mayor Partington noted that he had a card from the applicant, Mr. Harley Head, if anyone had questions.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Resolution No. 2019-45, as read by title only.

Commissioner Kent did not like the outdoor appearance, whereas Commissioner Littleton was comfortable with it since it had been grandfathered in from the county.

Mayor Partington agreed with both Commissioner Kent and Commissioner Littleton, and noted Mr. Head was working with the city to make adjustments.

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

Item #8B – 2018 CIE Update

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2019-02
 AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker noted the updates were administrative and did not include text changes to the goals, objectives, or policies. He stated the Planning Board and staff recommended approval.

Mayor Partington noted that no cards had been submitted on the item.

Commissioner Kent moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2019-02, on first reading, as read by title only.

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

Item #8C – 275 Interchange Boulevard, Extended Stay America: PBD Rezoning

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2019-03

AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE A CERTAIN PARCEL OF REAL PROPERTY TOTALING APPROXIMATELY 3.56-ACRES LOCATED AT 275 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-10-00-006B) FROM B-7 (HIGHWAY TOURIST COMMERCIAL) WITH A PLANNED BUSINESS DEVELOPMENT OVERLAY (SOUTHWEST I-95 COMPLEX) TO (PBD) PLANNED BUSINESS DEVELOPMENT, AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker discussed the rezoning on this item and the development order on the next item for the Extended Stay America project. He noted the applicant wanted to defer 39 parking spaces at that time, but would add the parking if needed at a later time. He stated the Planning Board and staff recommended approval.

Commissioner Kent was concerned about the parking deferral; whereby, Mr. Spraker noted the Neighborhood Improvement Division would enforce the need for extra parking, if the proposed situation violated code.

Mr. Randy Hayes, City Attorney, noted language in the next item that would ensure the extra parking, if necessary.

Mayor Partington noted that he had a card from the applicant, Mr. Peter Pensa, if anyone had questions for him.

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Ordinance No. 2019-03, on first reading, as read by title only.

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

Item #8D – 275 Interchange Boulevard, Extended Stay America: PBD Development Order

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2019-04

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS “EXTENDED STAY AMERICA”, AUTHORIZING THE CONSTRUCTION OF A FOUR (4) STORY ALL SUITES HOTEL WITH 124 ROOMS ALONG WITH ASSOCIATED SITE IMPROVEMENTS TO BE LOCATED AT 275 INTERCHANGE BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER: 4125-10-00-006B); AUTHORIZING A PARKING DEFERRAL OF 39 PARKING SPACES; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Ordinance No. 2019-04, on first reading, as read by title only.

Mr. Hayes confirmed the required language in paragraph 3 for Commissioner Kent.

Call Vote:	Commissioner Littleton	Yes
	Commissioner Kent	Yes
	Commissioner Persis	Yes

Item #8E – Granada Pointe Planned Business Development Amendments

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2019-05

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A FIRST AMENDED PLANNED BUSINESS DEVELOPMENT ORDER FOR THE "GRANADA POINTE" PLANNED BUSINESS DEVELOPMENT, LOCATED AT 520 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0010), 550 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0020), 600 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0030), 650 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-0040), 535 TOMOKA AVENUE (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-000A), 101 BENNETT LANE (VOLUSIA COUNTY PARCEL NUMBER 4241-48-00-000B), 655 WEST GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-12-0100), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-10-0070), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0120), NO ADDRESS, NORTH SIDE OF GRANADA BOULEVARD (VOLUSIA COUNTY PARCEL NUMBER 4241-01-09-0110); TO ALLOW PRIVACY WALLS TO RANGE FROM A MINIMUM OF SIX (6.0') IN HEIGHT TO A MAXIMUM OF EIGHT (8.0') IN HEIGHT; TO REMOVE THE CONDITION FOR AN EASEMENT FOR EIGHT (8) PARKING SPACES ON THE NORTH PARCEL; PROVIDING FOR THE \$10,000 CONTRIBUTION TO BE MADE TO THE ORMOND BEACH HISTORICAL SOCIETY; AND CLARIFYING THAT TWO (2) OUTPARCELS ARE PERMITTED ON UNIT 4; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; RATIFYING AND CONFIRMING ALL PRIOR APPROVALS; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Spraker reviewed all details and amendments included in the planned business development order. He noted conditions in Amendment 1 that were updated after the Planning Board meeting. He stated the Planning Board and staff did not recommend approval on Amendment 1 or Amendment 6; however, they did recommend approval on Amendment 2, Amendment 3, Amendment 4, and Amendment 5.

Mayor Partington noted that 15 cards had been submitted on the item.

Mr. Mark Watts, Cobb Cole Law Firm, noted the applicant would be comfortable with the Commission's decision on Amendment 6. He addressed Amendment 1 and allowed uses.

Mr. Paul Holub, Granada Pointe Investors, LLC and Applicant, clarified that additional fast food restaurants were not being requested. He showed a presentation and detailed the amendments, site plans, and uses. He noted an updated architecture style in Amendment 1.

Commissioner Persis asked for clarification on the allowed use; whereby, Mr. Watts explained the different uses mentioned.

The following individuals spoke in opposition to this item: Ms. Connie Colby, 108 Roble Lane; Mr. Eric Breitenbach, 184 Royal Dunes Boulevard; Ms. Suzanne Scheiber, 548 Sandy Oaks Boulevard; Ms. Rita Press, 875 Wilmette Avenue; Ms. Linda Williams, 131 Bosarvey Drive; Mr. Ed Kolaska, 32 Rio Pinar Trail; Mr. Ken Sipes, 355 Applegate Landing and representative of Citizens And Neighbors Dedicated to Ormond 2 (CANDO 2); and Mr. Robert Renforth, 97 South Ridgewood Avenue.

The following individuals spoke in favor of this item: Mr. Greg Wiersig, 562 Woodgrove Street; and Travis Sargent, 406 North Beach Street.

The following individuals were called to speak and declined to do so: Ms. Merri Churchill, 39 Coquina Point Drive; Mr. Ronald Nowvskie, 1320 Oak Forest Drive; and Ms. Susan Neff, 2 King Edward Drive.

Mr. Watts and Mr. Holub concluded with their rebuttal comments.

Mayor Partington proposed handling Amendments 2-5 first, then Amendment 6, and Amendment 1 last. He asked Mr. Hayes if that process would satisfy the approvals needed; whereby, Mr. Hayes stated he was comfortable with that as long as they approved the underlying ordinance also.

Commissioner Kent moved, seconded by Commissioner Persis, for approval of Amendment 2.

Commissioner Littleton was comfortable with the limits provided.

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

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Amendment 3.

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

Commissioner Kent moved, seconded by Commissioner Littleton, for approval of Amendment 4.

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

Commissioner Littleton moved, seconded by Commissioner Persis, for approval of Amendment 5.

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

Commissioner Kent confirmed with Mr. Hayes that a Motion to Deny would be sufficient on Amendment 6.

Commissioner Kent moved, seconded by Commissioner Persis, for denial of Amendment 6.

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

Commissioner Kent and Commissioner Persis asked for clarification on uses for the site; whereby, Mr. Spraker and Mr. Hayes gave the details requested.

Commissioner Persis noted she would not support Amendment 1.

Commissioner Littleton, Mayor Partington, and Commissioner Kent stated they would support Amendment 1 with the conditions listed, and discussed details supporting their decisions.

Commissioner Littleton moved, seconded by Commissioner Kent, for approval of Amendment 1 with the following conditions: hours of operation shall be limited to 7:00 a.m. to 8:00 p.m.; there shall be no outside detailing onsite; the vacuum

system shall only operate during the car wash operational hours; and amended the architectural elevations after the Planning Board review.

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

Commissioner Kent moved, seconded by Commissioner Littleton, for approval of Amendment 1 with the conditions stated, for approval of Amendments 2 through 5, and denial of Amendment 6 in Ordinance 2019-05, on first reading, as read by title only.

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

Mayor Partington closed the public hearings without objection.

Item #9 – Referendum

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2019-06
AN ORDINANCE SETTING FORTH A PROPOSED AMENDMENT TO SECTIONS 3.03, 3.05, 5.06 AND 6.02, OF THE CHARTER OF THE CITY OF ORMOND BEACH, FLORIDA, BY AMENDING TERMS OF OFFICE TO INCLUDE STAGGERED, FOUR-YEAR TERMS FOR CITY COMMISSIONERS AND FOR MAYOR; PROVIDING A SCHEDULE FOR STAGGERING THE TERMS OF OFFICE; PROVIDING A PROCEDURE FOR DETERMINING A PRIMARY ELECTION; CALLING FOR A MUNICIPAL REFERENDUM ELECTION TO BE HELD BY MAIL BALLOT; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Partington noted that 7 cards had been submitted on the item.

The following individuals spoke in opposition to this item: Mr. Joe Hannoush, 87 Carriage Creek Way; Mr. David Buono, 19 Hunters Run Circle; Ms. Linda Williams, 131 Bosarvey Drive; Ms. Georgeann Meadows, 817 Lindenwood Circle West; and Ms. Julie Sipes, 355 Applegate Landing and representative of CANDO 2.

The following individual spoke in favor of this item: Mr. Rich Cooper, Chairman of the Ormond Beach Chamber of Commerce.

Mayor Partington called Mr. Russell Benett, 880 Old Mill Run, but he had already left the Commission Chambers.

Commissioner Persis moved, seconded by Commissioner Littleton, for approval of Ordinance No. 2019-06, on first reading, as read by title only.

Commissioner Littleton, Commissioner Persis, and Mayor Partington were in favor of allowing residents to vote on staggered terms for the Commission.

Mayor Partington stated that in Volusia County, 75 percent of the cities have four year terms and 87.5 percent of the cities have staggered terms.

Commissioner Kent discussed the drawbacks of primary elections, and noted none of the residents in Zone 2 had requested changes to the Commission's terms, but did not object to the question going to the residents for a vote.

Commissioner Persis also mentioned opportunity of the upcoming half cent sales tax that would be on the ballot.

Ms. Lisa Dahme, City Clerk, read Commissioner Selby's comments in his absence, which indicated that he was in favor of a primary election, four year terms, and term limits. She noted the comments would be included in the minutes.

Commissioner Kent noted the motion needed to be amended per the prior discussion; whereby, Mr. Hayes confirmed the primary component of the ordinance wanted to be removed by a majority of the members, and clarified the new motion absent that section.

Commissioner Littleton stated he was against removing the primary election component.

Commissioner Persis moved, seconded by Commissioner Kent, for approval of Ordinance No. 2019-06 absent Section 3, on first reading, as read by title only.

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

Item #10 – Reports, Suggestions Requests

Project Update

Ms. Joyce Shanahan, City Manager, gave updates on transportation issues, including three Rectangular Rapid Flashing Beacons (RRFB) on Atlantic Avenue between Granada Boulevard and Andy Romano Beachfront Park, and the I-95 and U.S. Highway 1 interchange.

New Utilities Manager

Ms. Shanahan invited Public Works Director Gabe Menendez forward to introduce the new Utilities Manager; whereby, Mr. Gabe Menendez, Public Works Director, introduced Ms. Robin Bain to the Commission.

Events

Commissioner Kent stated the REEL in the FUN! Fishing Tournament had been a success the prior weekend. He noted the next fishing event would be in June on the beach.

Mayor Partington noted the Ormond Beach Historical Society was celebrating Black History Month with a free event at the Anderson Price Building.

Bait Shop

Commissioner Kent requested that Mr. Leary be included in discussions for a future bait shop.

Upcoming Meetings

Commissioner Kent asked for clarification on meetings listed for Tuesday, February 26, 2019, and Wednesday, February 27, 2019; whereby, Ms. Shanahan stated there would a special meeting on February 26, 2019, for a second reading of the referendum, and the Strategic Planning Workshop would be held on February 27, 2019. Commissioner Kent noted he might not be able to attend on Tuesday, February 26, 2019, due to a schedule conflict.

Safety

Commissioner Persis discussed crime and safety in the city.

Commissioner Littleton noted the Ormond Beach Police Department recommended a 9:00 p.m. routine, which involved locking vehicles and houses at that time each night.

Mayor Partington suggested viewing the 9:00 p.m. routine campaign on social media.

Riverbend Park

Commissioner Littleton discussed mountain bikes and trails in Riverbend Park.

Winn-Dixie Community Bag Program

Mayor Partington noted the Ormond Beach Young Men's Christian Association (YMCA) was chosen as a recipient of the Winn-Dixie Community Bag Program, which meant they would receive funds from every bag sold, and invited the community to support this fundraiser.

Commissioner Selby's Letter – Read by City Clerk, Lisa Dahme
Mayor Partington, Vice Mayor Kent, and Commissioners Persis and Littleton,

I regret that I am not able to be with you tonight due to an industry meeting in Austin, Texas. Here are my thoughts on the Charter Amendments regarding election procedures.

I support good government, majority rule, saving money, maximizing turn out and term limits.

Good government is enhanced when it is stable and possess historical knowledge. Staggering terms helps to provide continuity in policy and allows for citizen input.

Voter turn out is maximized when elections are held in the even years - coincidental with federal elections. Odd year elections have very low turnout.

By scheduling our elections in even years they will coincide with Presidential and mid-term elections thus saving the city money by avoiding paying for elections in odd number years.

Our current system involves one election and winner take all. It does not allow for a run-off and it does not require the winner to be the selection of a majority of the voters. If 5 candidates ran for a seat the winner could, in theory, win with slightly over 20% of the vote - meaning slightly under 80% of the voters selected other candidates. I believe winners should capture a majority (50% + 1) of the votes. A two election system provides for a run-off if necessary and ensures that the winner always receives at least 50% + 1 of the votes.

Contrary to the proposal in the agenda package, I recommend the city election be held in AUGUST during the state primary election. All races with two or more candidates would be on the ballot. The candidate receiving 50% + 1 or more shall be elected. In races without a majority winner, the top two vote getters would go to a runoff during the general election in NOVEMBER. Unopposed candidates shall be elected at the end of qualifying, as is the procedure currently.

Finally, I support term limits. Twelve years (Three 4-year terms) seems long enough to me starting with the first 4-year term in 2020 and 2022 respectively. This assures turnover eventually.

Longer terms is not the objective but it is necessary to accomplish the other goals articulated above.

Thank you for listening. I trust your judgement on this matter and welcome the guidance and input of city attorney Hayes and city manager Shanahan. Best wishes,

Dwight Selby
Commissioner Zone 1
City of Ormond Beach
dwight.selby@ormondbeach.org
386-295-8729 cell

Item #11 – Adjournment

The meeting was adjourned at 10:03 p.m.

APPROVED: March 5, 2019

BY:

Bill Partington, Mayor

ATTEST:

Lisa Dahme, City Clerk