



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
March 18, 2014  
7:00 PM**

**Mayor Ed Kelley**

**Zone 1 – Commissioner James Stowers**

**Zone 3 – Commissioner Rick Boehm**

**Zone 2 – Commissioner Troy Kent**

**Zone 4 – Commissioner Bill Partington**

**COMMISSION CHAMBERS**

**22 South Beach Street, Ormond Beach, FL 32174**

**Phone: 386-677-0311**

**Web: [www.ormondbeach.org](http://www.ormondbeach.org)**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – March 4, 2014 **APPROVED**

**6. COMMUNITY REDEVELOPMENT AGENCY**

- A. **RESOLUTION NO. 2014-48** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE HEASTER FAMILY LIMITED PARTNERSHIP; FOR THE PROPERTY AT 42 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7A)**

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

- B. **RESOLUTION NO. 2014-49** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND HIGHLANDER CORP.; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 7B)**

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

**APPROVED**

## 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. 2014-48** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND THE HEASTER FAMILY LIMITED PARTNERSHIP; FOR THE PROPERTY AT 42 EAST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- B. **RESOLUTION NO. 2014-49** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING A WAIVER OF THE SHARED PARKING AND INDEMNIFICATION REQUIREMENTS RELATED THERETO; AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND HIGHLANDER CORP.; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- C. **RESOLUTION NO. 2014-35** : 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 A WATER QUALITY IMPROVEMENT PROJECT WITHIN LAKE 5 OF THE CENTRAL PARK LAKE SYSTEM; 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)*

**APPROVED**

- D. **RESOLUTION NO. 2014-36** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONSERVATION EASEMENT IN FAVOR OF ST. JOHNS RIVER WATER MANAGEMENT DISTRICT OVER APPROXIMATELY 9.60 ACRES AT THE ORMOND BEACH SPORTS COMPLEX PERIMETER ROAD IMPROVEMENTS; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- E. **RESOLUTION NO. 2014-37** : A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE ORMOND BEACH SPORTS COMPLEX ROADWAY IMPROVEMENTS PROJECT, UNDER BID NO. 2013-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- F. **RESOLUTION NO. 2014-38** : 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 EXTENSION OF THE RECLAIMED WATER SYSTEM ON THE SOUTH PENINSULA; 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)*

**APPROVED**

- G. **RESOLUTION NO. 2014-39** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF GREGORY E. WIERSIG AND KAREN L. WIERSIG, RELEASING A PORTION OF A CERTAIN DRAINAGE EASEMENT AT 562 WOODGROVE STREET; SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- H. **RESOLUTION NO. 2014-40** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF NORBERT J. ZARB AND JOSETTE M. ZARB, RELEASING A PORTION OF A PUBLIC UTILITY EASEMENT AT 1549 POPLAR DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- I. **RESOLUTION NO. 2014-41** : A RESOLUTION PURSUANT TO SECTION 14-98, LIENS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES AUTHORIZING THE IMPOSITION OF A LIEN AGAINST THE REAL PROPERTY OWNED BY WILLIAM VOGENITZ AND JUDY VOGENITZ LOCATED AT 30 CARRIAGE CREEK WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4126-03- 00-0640) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **APPROVED**

- J. **RESOLUTION NO. 2014-42** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF A SPECIAL MASTER ADMINISTRATIVE FINE/LIENS FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 712 SOUTH ATLANTIC AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **APPROVED**

- K. **RESOLUTION NO. 2014-43** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SIXTH AMENDMENT TO THE LABOR COUNSEL AGREEMENT BETWEEN THE CITY AND ALLEN, NORTON & BLUE, P.A., TO INCREASE FEES; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- L. **RESOLUTION NO. 2014-44** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO HANGAR LEASE AGREEMENT BETWEEN THE CITY AND BLUE SKY RENTAL, INC.; SETTING FORTH AN EFFECTIVE DATE.

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

- M. **RESOLUTION NO. 2014-46** : A RESOLUTION ACCEPTING A PROPOSAL FROM A.M. WEIGEL CONSTRUCTION, INC. TO PROVIDE ADDITIONAL DESIGN AND CONSTRUCTION SERVICES REGARDING THE CONSTRUCTION OF A MULTI-USE BUILDING AT THE ORMOND BEACH SPORTS COMPLEX; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- N. **RESOLUTION NO. 2014-50** : A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE AIR TRAFFIC CONTROL TOWER SYSTEMS UPGRADE PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- O. **RESOLUTION NO. 2014-51** : A RESOLUTION ACCEPTING A PROPOSAL FROM AVCON, INC. TO PROVIDE DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES REGARDING THE AIR TRAFFIC CONTROL TOWER SYSTEMS UPGRADE PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- P. **Stump Cutter Intent to Bid**

**Staff Contact:** Facundo Tassara, Fleet Operations Manager (386-676-3506)

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

- Q. **Austin Outdoor Contract Update**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**R. Auto Renewal Contracts**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**S. Fireworks by Santore, Inc. Contract Auto-Renew**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**T. Engineering Division Capital Improvement Program Summary**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**U. Street Tree Planting**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**V. Police Department Fencing**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**W. FDOT Maintenance Agreement**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**X. Strategic Action Plan for Volusia Safe Harbor Program**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

**Y. Financial Status Report for October -December 2013 1st Quarter FY 2014**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated March 18, 2014. **APPROVED**

## 8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2014-2** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +18.68 ACRES LOCATED AT 1500 SAN MARCO DRIVE FROM VOLUSIA COUNTY "URBAN HIGH INTENSITY (UHI)" TO CITY OF ORMOND BEACH "OFFICE/PROFESSIONAL (O/P)"; AUTHORIZING TRANSMITTAL; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** Ric Goss, Planning Director (386-676-3238)  
**APPROVED ON SECOND READING**

- B. **ORDINANCE NO. 2014-13** : AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4-3, SALE, CONSUMPTION, POSSESSION, ETC., PROHIBITED EXCEPT ON LICENSED PREMISES; EXCEPTIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** Randal Hayes, City Attorney (386-676-3217)  
**APPROVED ON SECOND READING**

- C. **ORDINANCE NO. 2014-14** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTS OF APPROXIMATELY 1.4±-ACRES AND BEING GENERALLY LOCATED ALONG THE EAST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 2,800 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 395 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; RE-DESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

**Staff Contact:** Ric Goss, Planning Director (386-676-3238)  
**APPROVED ON SECOND READING**

- D. **ORDINANCE NO. 2014-15** : 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 CERTAIN REAL PROPERTY TOTALING 8.3±-ACRES LOCATED AT 1451, 1453, 1455, 1457, AND 1459 NORTH US HIGHWAY 1, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-8 (COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- E. **ORDINANCE NO. 2014-16** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF A PORTION OF ONE (1) PARCEL OF REAL PROPERTY LOCATED AT 875 STERTHAUS DRIVE TOTALING 13.73±-ACRES FROM “PUBLIC INSTITUTIONAL” TO “OFFICE PROFESSIONAL”; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

## 9. STAFF ACTION ITEMS

- A. **Solid Waste Collection and Disposal Contract Renewal**

*Staff Contact:* Theodore MacLeod, Assistant City Manager (386-676-3200) **MOTION TO PUT CONTRACT OUT FOR RFP - APPROVED**

## 10. DISCUSSION ITEMS

- A. **Ocean Shore Boulevard Land Use Plan and Zoning Amendment**

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

## 11. REPORTS, SUGGESTIONS, REQUESTS

## 12. ADJOURNMENT

Website Address – [www.ormondbeach.org](http://www.ormondbeach.org)

**NOTICE** – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.  
Phone: 386-677-0311



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