



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
January 20, 2015
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

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. HOmE for the HOlidays Parade Award Winners
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – January 6, 2015 **APPROVED**
- 7. COMMUNITY REDEVELOPMENT AGENCY**
 - A. **RESOLUTION NO. 2015-29** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A BID FROM RJ LANDSCAPE CONTRACTORS, INC. REGARDING STREETScape LANDSCAPING ALONG SR40 FROM ORCHARD STREET TO A1A, UNDER BID NO. 2015-07; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE. **(SEE ITEM 8A)**

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

APPROVED

8. CONSENT AGENDA

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

- A. **RESOLUTION NO. 2015-29** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, ACCEPTING A BID FROM RJ LANDSCAPE CONTRACTORS, INC. REGARDING STREETScape LANDSCAPING ALONG SR40 FROM ORCHARD STREET TO A1A, UNDER BID NO. 2015-07; 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

- B. **RESOLUTION NO. 2015-19** : 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 MATTHEW A. GARDNER AND BRIT-ERIN GARDNER LOCATED AT 103 DAWN DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4210-11- 00-0310) 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**

- C. **RESOLUTION NO. 2015-20** : 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 JOHN WILLIAM BERGSTROM AND JOAN M. THATE LOCATED AT 503 LAKEBRIDGE DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4216-04-00-0010) 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**

- D. **RESOLUTION NO. 2015-30** : 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 JOANN H. MYERS, LIFE ESTATE LOCATED AT 12 SOUTHERN PINE TRAIL, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-23-00-0180) 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**

- E. **RESOLUTION NO. 2015-31** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND WEEKI WACHEE LEASE, LLC FOR THE USE OF OFFICE SPACE AS A POLICE DEPARTMENT SUBSTATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Andy Osterkamp, Police Chief (386-677-0731)* **APPROVED**

- F. **RESOLUTION NO. 2015-32** : A RESOLUTION ACCEPTING THE PROPOSAL OF AMERICAN JANITORIAL, INC., REGARDING PROFESSIONAL JANITORIAL SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2015-33** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF LAWRENCE W. PERRY, JR. AND MARY C. PERRY RELEASING A PORTION OF A TEN-FOOT DRAINAGE AND UTILITY EASEMENT LOCATED ALONG THE REAR OF LOT 3, LAUREL OAKS REPLAT (511 LAUREL DRIVE); AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2015-34** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A UTILITY, ACCESS, AND MAINTENANCE DEED FROM S. RICHARD W. CAREY AND JANET CAREY ELDRED, FOR PROPERTY LOCATED AT 115 RIVERSIDE DRIVE IN CONJUNCTION WITH THE RIVERSIDE DRIVE DRAINAGE PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2015-35** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY, ACCESS AND MAINTENANCE EASEMENT DEED FROM RICHARD PAUL DODD, FOR PROPERTY LOCATED AT 127 RIVERSIDE DRIVE IN CONJUNCTION WITH THE RIVERSIDE DRAINAGE PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- J. **RESOLUTION NO. 2015-36** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A UTILITY, ACCESS, AND MAINTENANCE DEED FROM MARK D. KILMAN AND DANIELA SARDO-MELIM, FOR PROPERTY LOCATED AT 145 RIVERSIDE DRIVE IN CONJUNCTION WITH THE RIVERSIDE DRIVE DRAINAGE PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- K. **RESOLUTION NO. 2015-37** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A UTILITY, ACCESS, AND MAINTENANCE DEED FROM LURA LEIGH WILHITE FOR PROPERTY LOCATED AT 161 RIVERSIDE DRIVE IN CONJUNCTION WITH THE RIVERSIDE DRIVE DRAINAGE PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- L. **RESOLUTION NO. 2015-38** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A UTILITY, ACCESS, AND MAINTENANCE DEED FROM JAMES RICKS, JR. AND AMY LOU PANTAGES FOR PROPERTY LOCATED AT 165 RIVERSIDE DRIVE IN CONJUNCTION WITH THE RIVERSIDE DRIVE DRAINAGE PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- M. **RESOLUTION NO. 2015-39** : A RESOLUTION ACCEPTING A BID FROM J.D. WEBER CONSTRUCTION CO. FOR CONSTRUCTION SERVICES REGARDING THE SOUTH PENINSULA RECLAIMED WATER MAIN EXTENSION PROJECT, UNDER BID NO. 2015-11; 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

- N. **RESOLUTION NO. 2015-40** : A RESOLUTION ACCEPTING A BID FROM BARRACUDA BUILDING CORPORATION FOR CONSTRUCTION SERVICES REGARDING THE RIVERSIDE DRIVE DRAINAGE IMPROVEMENTS PROJECT, UNDER BID NO. 2014-29; 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

- O. **Bid Specifications for 2" Water Main Replacement North Peninsula - Phase 2**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 20, 2015. **APPROVED**

- P. **Bid Specifications for 2" Water Main Replacement South Peninsula - Phase 2**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 20, 2015. **APPROVED**

- Q. **Saddler's Run Lift Station Refurbishment**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 20, 2015. **APPROVED**

- R. **Advertisement for Bids - Taxiway "G"**

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

Disposition: Approve as recommended in the City Manager memorandum dated January 20, 2015. **APPROVED**

9. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2014-42** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT AND THE INTERGOVERNMENTAL COORDINATION ELEMENT OF THE COMPREHENSIVE PLAN BY INCORPORATING THE PROVISIONS OF THE NORTH US HIGHWAY 1 INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

APPROVED ON SECOND READING

- B. **ORDINANCE NO. 2015-02** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF SOUTH NOVA ROAD AT THE NORTHWEST CORNER OF THE INTERSECTION OF DIVISION AVENUE AND SOUTH NOVA ROAD, LOCATED AT 500 S. NOVA ROAD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING 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

- C. **ORDINANCE NO. 2015-04** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF WILLIAMSON BOULEVARD APPROXIMATELY 1,650 LINEAR FEET SOUTH OF WEST GRANADA BOULEVARD AND BEING COMMONLY LOCATED AT 240 WILLIAMSON BOULEVARD; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 3 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. 2015-05** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP INCORPORATING THE PROVISIONS OF THE NORTH US HIGHWAY 1 INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; PROVIDING FOR TRANSMITTING COPIES OF THE NOTICE AND AMENDMENT TO THE STATE REVIEWING AGENCIES, THE COUNTY OF VOLUSIA, AND ANY OTHER LOCAL GOVERNMENT OR GOVERNMENTAL AGENCY REQUESTING A COPY; PROVIDING FOR PUBLIC HEARINGS; PROVIDING FOR CONFLICTING ORDINANCES; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

APPROVED ON SECOND READING

- E. **RESOLUTION NO. 2015-41** : A RESOLUTION AUTHORIZING THE EXECUTION OF A QUITCLAIM DEED IN FAVOR OF DEMER ORMOND BEACH DEVELOPMENT, INC., RELEASING AN EASEMENT DEED FOR PROPERTY LOCATED AT 1287 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- F. **ORDINANCE NO. 2015-07** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE 1, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS, TABLE 2-2, FUTURE LAND USE MAP DESIGNATIONS AND COMPATIBLE ZONING DISTRICTS OF THE LAND DEVELOPMENT CODE, BY ADDING THE R-6, MULTIFAMILY MEDIUM-HIGH DENSITY ZONING DISTRICT TO THE "MEDIUM DENSITY RESIDENTIAL" COMPREHENSIVE PLAN FUTURE LAND USE MAP DESIGNATION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- G. **ORDINANCE NO. 2015-08** : 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: Ric Goss, Planning Director (386-676-3238)

APPROVED ON FIRST READING

10. FIRST READING OF ORDINANCES

- A. ~~ORDINANCE NO. 2015-09 : AN ORDINANCE AMENDING SECTION 2-224, QUALITY OF LIFE ADVISORY BOARD, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES, AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES BY REDUCING THE SIZE OF THE BOARD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.~~

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

WITHDRAWN BY STAFF

11. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2015-06 : AN ORDINANCE AMENDING SECTION 5-78, DANGEROUS DOGS, AND SECTION 5-81, ACTION TO BE TAKEN BY OWNERS/KEEPERS OF DANGEROUS DOGS, OF CHAPTER 5, ANIMALS AND FOWL, ARTICLE III, DOGS AND CATS; OTHER ANIMALS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE. (SECOND READING)**

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

APPROVED ON SECOND READING

12. RESOLUTIONS

- A. **RESOLUTION NO. 2015-42 : A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE HISTORIC LANDMARK PRESERVATION BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.**

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

APPROVED

13. REPORTS, SUGGESTIONS, REQUESTS

14. ADJOURNMENT

Website Address – 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



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 386-677-0311 for information regarding available aids and services.

