



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
April 7, 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](http://www.ormondbeach.org)**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
  - A. American Cancer Society Relay for Life
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – March 17, 2015 **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. 2015-80** : A RESOLUTION AUTHORIZING THE ACQUISITION OF THE PROPERTY AT 64 LINCOLN AVENUE AND ACCEPTANCE OF A DRAINAGE, ACCESS, AND MAINTENANCE EASEMENT DEED FOR THE PROPERTY LOCATED AT 65 NEW BRITAIN AVENUE, IN EXCHANGE FOR THE CITY OWNED PROPERTY LOCATED AT 164 WEST GRANADA BLVD. IN CONJUNCTION WITH DRAINAGE IMPROVEMENTS FOR THE DOWNTOWN COMMUNITY REDEVELOPMENT AREA; AND SETTING FORTH AN EFFECTIVE DATE.

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

**CONTINUED UNTIL NEXT MEETING (4/21)**

- B. **RESOLUTION NO. 2015-81** : A RESOLUTION ACCEPTING A PROPOSAL FROM QUENTIN L. HAMPTON ASSOCIATES, INC. TO PROVIDE ENGINEERING SERVICES REGARDING THE WASTEWATER TREATMENT PLANT SLUDGE DIGESTER AERATION SYSTEM IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- C. **RESOLUTION NO. 2015-82** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY AND ANGELINA LOIUSE MASINI FOR PROPERTY LOCATED AT 140 VIA MADRID DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- D. **RESOLUTION NO. 2015-83** : A RESOLUTION APPOINTING REAR ADMIRAL (RETIRED) WILLIAM MASTERS AS A MEMBER TO SERVE ON THE NEIGHBORHOOD IMPROVEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2015-84** : A RESOLUTION APPOINTING A REPRESENTATIVE AS A MEMBER OF THE RIVER TO SEA CITIZENS ADVISORY COMMITTEE; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- F. **RESOLUTION NO. 2015-85** : A RESOLUTION AMENDING THE DATES AND TIMES FOR THE HOLDING OF REGULAR MEETINGS OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA, FOR THE MONTH OF JUNE 2015; PROVIDING FOR EXCEPTIONS THERETO; SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- G. **RESOLUTION NO. 2015-86** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY AND THE CASEMENTS GUILD FOR THE CITY OF ORMOND BEACH, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

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

*3279)* **APPROVED**

- H. **RESOLUTION NO. 2015-87** : A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDED LEASE AGREEMENT BETWEEN THE CITY AND ORMOND BEACH PRIDE, INC. REGARDING THE USE OF CERTAIN CITY FACILITIES FOR THE PROVISION AND OPERATION OF A YOUTH FOOTBALL AND CHEERLEADING PROGRAM; AND SETTING FORTH AN EFFECTIVE DATE.

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

*3279)* **APPROVED**

- I. **RESOLUTION NO. 2015-88** : A RESOLUTION ACCEPTING A BID FROM WOLEN, LLC FOR CONSTRUCTION SERVICES REGARDING THE AIR TRAFFIC CONTROL TOWER NAVCOM EQUIPMENT REHABILITATION PROJECT, UNDER BID NO. 2015-14; 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)* **APPROVED**

- J. **RESOLUTION NO. 2015-89** : A RESOLUTION ACCEPTING A BID FROM J.D. WEBER CONSTRUCTION CO. FOR CONSTRUCTION SERVICES REGARDING THE DIVISION AVENUE RAW WATER TRANSMISSION MAIN PROJECT, UNDER BID NO. 2015-15; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

- K. **RESOLUTION NO. 2015-90** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF SERVICE AND MISCELLANEOUS PARTS FROM ANDRITZ SEPARATION, INC. REGARDING CENTRIFUGE REPAIRS AT THE WATER TREATMENT PLANT; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION (REQUISITION #0000012761) AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED**

## 8. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2015-11** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD TO DELETE SCHOOL OF ARTS DEFINITION AND ADD DEFINITIONS FOR INSTRUCTIONAL ARTISTIC ACTIVITY AND INSTRUCTIONAL PHYSICAL ACTIVITY; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-22(C), B-1, PROFESSIONAL OFFICE/HOSPITAL, 2-25(C), B-4, CENTRAL BUSINESS, 2-26(C), B-5, SERVICE COMMERCIAL, SECTION 2-28(C), B-7, HIGHWAY TOURIST COMMERCIAL, SECTION 2-29(C), B-8, COMMERCIAL, AND SECTION 2-32(C), I-1, LIGHT INDUSTRIAL TO DELETE SCHOOL OF ARTS AS A PERMITTED USE AND ADD INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; AMENDING SECTION 2-25(D), B-4, CENTRAL BUSINESS TO ADD INSTRUCTIONAL ARTISTIC ACTIVITY AS A CONDITIONAL USE; AND AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA FOR INSTRUCTIONAL ARTISTIC ACTIVITY, OF THE LAND DEVELOPMENT CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

**APPROVED ON SECOND READING**

- B. **ORDINANCE NO. 2015-12** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, SUBSECTIONS (X) POOLS AND (AA) SCREEN PORCHES/ENCLOSURES, OF THE LAND DEVELOPMENT CODE TO ALLOW EXISTING NON-CONFORMING SCREEN ENCLOSURES TO BE REPLACED AS THEY CURRENTLY EXIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; 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. 2015-13** : 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 PROPERTIES LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA ("MSA") AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT ("ISBA") BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; 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**

- D. **ORDINANCE NO. 2015-14** : 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 LOCATED WITHIN THE NORTH US HIGHWAY 1 MUNICIPAL SERVICE AREA AS A RESULT OF THE COMPREHENSIVE PLAN AMENDMENTS THAT IMPLEMENTED THE PROVISIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; ADOPTING PLANNED DEVELOPMENT ORDERS BY REFERENCE PREVIOUSLY ISSUED BY VOLUSIA COUNTY; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; 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**

- E. **ORDINANCE NO. 2015-15** : 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 1.91±-ACRES LOCATED AT 240 WILLIAMSON BOULEVARD, FROM VOLUSIA COUNTY B-4 (GENERAL COMMERCIAL) TO ORMOND BEACH B-7 (HIGHWAY TOURIST COMMERCIAL), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; 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**

- F. **ORDINANCE NO. 2015-16** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORD BY DELETING THE RETAIL SALES AND SERVICE, SPECIALTY USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS BY DELETING THE PROFESSIONAL OFFICE/HOSPITAL LAND USE TITLE AND BY ADDING ROR, RESIDENTIAL, OFFICE, RETAIL LAND USE TITLE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE II, DISTRICT REGULATIONS, SECTION 2-22, B-1, PROFESSIONAL OFFICE/HOSPITAL, BY DELETING RETAIL SALES, AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT, TYPE A, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-30, B-9, BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING INSTRUCTIONAL PHYSICAL ACTIVITY AS A PERMITTED USE; BY ADDING PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-31, B-10, SUBURBAN BOULEVARD ZONING DISTRICT BY DELETING RETAIL SALES AND SERVICE, SPECIALTY AS A PERMITTED USE; BY ADDING FINANCIAL INSTITUTION AND INSTRUCTIONAL PHYSICAL ACTIVITY AS PERMITTED USES; BY ADDING CHILD CARE FACILITIES, PERSONAL SERVICES, RESTAURANT TYPE B, AND RETAIL SALES AND SERVICE AS CONDITIONAL USES; AND BY ADDING RESTAURANT, TYPE C AS AN ALLOWED SPECIAL EXCEPTION USE; AND AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS OF ARTICLE IV CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, BY ESTABLISHING CRITERIA BY DELETING THE CONDITIONS OF THE RETAIL SALES AND SERVICE, SPECIALTY AND BY ADDING CONDITIONS FOR RETAIL SALES AND SERVICE OF THE LAND DEVELOPMENT CODE; 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**

**9. DISCUSSION ITEMS**

**A. City Manager Evaluation**

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

**10. REPORTS, SUGGESTIONS, REQUESTS**

**11. 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



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.