



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
April 5, 2016
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. Employee of the Quarter - Liviston "Stretch" Edwards

B. Civil Air Patrol Awards:

1. Cadet Color Guard Team: 1st Runner-Up at National Cadet Competition
2. Presentation of American Flag to the Casements
3. Billy Mitchell Award - Devon W. Giles

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting – March 15, 2016 **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. 2016-52** : 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**

- B. **RESOLUTION NO. 2016-53** : A RESOLUTION ACCEPTING THE PROPOSAL OF FIREWORKS BY SANTORE, INC. REGARDING A FIREWORKS DISPLAY; ACCEPTING A CERTIFICATE OF GENERAL LIABILITY INSURANCE; AUTHORIZING THE EXECUTION OF A CONTRACT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2016-54** : A RESOLUTION AUTHORIZING THE EXECUTION OF A WATER, SEWER AND ANNEXATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND MICHAEL S. ROTH AND TINA M. ROTH FOR PROPERTY LOCATED AT 153 CAPRI 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. 2016-55** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF TWO SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 44 BROADRIVER ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4219-07-00-0430); AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Chris Mason, Neighborhood Improvement Manager (386-676-3352) **APPROVED**

- E. **RESOLUTION NO. 2016-56** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED FOR ENGINEERING DESIGN SERVICES REGARDING THE WATER TREATMENT PLANT SOLIDS HANDLING FACILITY UPGRADES PROJECT; 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) **APPROVED**

- F. **RESOLUTION NO. 2016-57** : A RESOLUTION ACCEPTING A BID FROM AIR MECHANICAL & SERVICE CORP. FOR HVAC SERVICES REGARDING THE CITY HALL HVAC PUMP AND CONTROLS REPLACEMENT PROJECT, UNDER BID NO. 2016-12; 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

- G. **RESOLUTION NO. 2016-58** : A RESOLUTION ACCEPTING A PROPOSAL FROM OM ENGINEERING SERVICES, INC. TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE BREAKAWAY TRAILS ELEVATED RECLAIMED WATER STORAGE TANK REHABILITATION PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- H. **RESOLUTION NO. 2016-59** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. TO PROVIDE ENGINEERING DESIGN SERVICES REGARDING THE SCADA ENGINEERING AND STANDARDS DEVELOPMENT PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- I. **RESOLUTION NO. 2016-60** : 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 2016; PROVIDING FOR EXCEPTIONS THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- J. **Laurel Creek Pump Station Additions and Improvements - Bid No. 2016-21**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2016. **APPROVED**

- K. **Remediation of Airport Obstructions**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2016. **APPROVED**

L. Budget Status Report for October 2015 - December 2015

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

Disposition: Approve as recommended in the City Manager memorandum dated April 5, 2016. **APPROVED**

~~**M. Environmental Discovery Center Logo**~~

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

~~**Disposition:** Approve as recommended in the City Manager memorandum dated April 5, 2016.~~

8. PUBLIC HEARINGS

A. ORDINANCE NO. 2016-06 : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF TWO (2) PARCELS OF REAL PROPERTY TOTALING 8.60±-ACRES LOCATED AT 101 BENNETT LANE AND A PORTION OF 634 TOMOKA AVENUE, FROM "LOW DENSITY RESIDENTIAL" TO "OPEN SPACE/CONSERVATION" AND "RESIDENTIAL, OFFICE, RETAIL"; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

B. ORDINANCE NO. 2016-07 : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF ORMOND BEACH BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 9.60±-ACRES LOCATED AT 500 NORTH TYMBER CREEK ROAD, FROM VOLUSIA COUNTY "ENVIRONMENTAL SYSTEMS CORRIDOR" (ESC) TO ORMOND BEACH "OPEN SPACE/CONSERVATION" (OS/C) FOR 1.10±-ACRES AND FROM VOLUSIA COUNTY "RURAL" (R) TO ORMOND BEACH "RURAL ESTATE/AGRICULTURAL" (REA) FOR 8.50±-ACRES; PROVIDING FOR CONFLICT; AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

- C. **ORDINANCE NO. 2016-08** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED AT 1662 NORTH U.S. HIGHWAY 1 ALONG THE WEST SIDE OF SAID HIGHWAY AND APPROXIMATELY 895 LINEAR FEET NORTH OF THE INTERSTATE 95 SOUTHBOUND RAMP; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 TO INCLUDE THE 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. 2016-09** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-18(B)(2), SPECIAL EXCEPTIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO ALLOW REGULAR MAIL NOTICE FOR SPECIAL EXCEPTIONS BEFORE THE CITY COMMISSION; 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

- E. **ORDINANCE NO. 2016-10** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITIONS OF TERMS AND WORDS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY AMENDING THE DEFINITIONS OF THE FOLLOWING TERMS (1) COMMUNITY RESIDENTIAL HOME, (2) FARMER'S MARKET, (3) LOT SPLIT, (4) PRINCIPAL USE, (5) RESTAURANTS, TYPE "B", (6) RESTAURANTS TYPE "C", AND (7) SCREEN ENCLOSURE, 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

- F. **ORDINANCE NO. 2016-11** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1-31 CONCURRENCY ASSESSMENT, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE; BY DELETING REFERENCE TO THE DEVELOPMENT REVIEW BOARD AND INSERTING THE PLANNING BOARD; 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. 2016-12** : AN ORDINANCE 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 OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE TO AMEND THE FOLLOWING CONDITIONAL USE REGULATIONS: (1) MANUFACTURED HOME COMMUNITY, (2) MOBILE HOME COMMUNITY, AND (3) GARDEN CENTER/NURSERY; 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

- H. **ORDINANCE NO. 2016-13** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71(C)(1)(A), HISTORIC DISTRICTS AND LANDMARKS OF THE LAND DEVELOPMENT CODE TO CLARIFY THERE IS NO COST TO THE APPLICANT FOR DESIGNATION OF A HISTORIC LANDMARK OR ARCHAEOLOGICAL SITE; 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

- I. **RESOLUTION NO. 2016-61** : A RESOLUTION APPROVING THE PRELIMINARY PLAT FOR THE "DEER CREEK PHASE FOUR UNIT C" PORTION OF THE "HUNTER'S RIDGE" DEVELOPMENT OF REGIONAL IMPACT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- J. **RESOLUTION NO. 2016-62** : A RESOLUTION AUTHORIZING THE RELEASE OF A CITY OF ORMOND BEACH DEED OF CONSERVATION EASEMENT ON PROPERTY LOCATED AT 555 AND 875 STERTHAUS DRIVE IN FAVOR OF A ST. JOHNS RIVER WATER MANAGEMENT CONSERVATION EASEMENT; PROVIDING FOR RECORDATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2016-14** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 12-255, UNLAWFUL SOLICITATION AND PANHANDLING; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Ann-Margret Emery, Deputy City Attorney ((386) 676-3218) **APPROVED ON FIRST READING**

- B. **ORDINANCE NO. 2016-15** : AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 8, 2016, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING FOR SERVICES AND MATERIALS WITH THE COUNTY OF VOLUSIA; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Scott McKee, City Clerk (386-676-3340)
APPROVED ON FIRST READING

10. DISCUSSION ITEMS

- A. **Volusia League of Cities (VLOC) Distinguished Service Awards 2016**

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

11. REPORTS, SUGGESTIONS, REQUESTS

12. 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.

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