



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
April 19, 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. Mayor's Health and Fitness Challenge 1st Place Award Winners
 - B. Legislative Update - Doug Bell
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – April 5, 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. 2016-64** : A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. FOR ENGINEERING DESIGN SERVICES REGARDING THE REHABILITATION OF LIFT STATIONS 10M & 12M; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- B. **RESOLUTION NO. 2016-65** : A RESOLUTION ACKNOWLEDGING THE ACQUISITION OF CORPORATE ASSETS BY HAWKINS, INC., INCLUDING THE CONTRACTUAL RIGHT TO PROVIDE SPECIFIED CHEMICALS UNDER BID 2014-25, FOR USE AT THE CITY'S WATER TREATMENT PLANT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- C. **RESOLUTION NO. 2016-66** : 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

- D. **RESOLUTION NO. 2016-67** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT BETWEEN THE CITY AND AMERICAN PERSIAN ENGINEERS AND CONSTRUCTORS, INC.; AUTHORIZING THE EXECUTION OF ALL PAPERS NECESSARY AND INCIDENTAL THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

- E. **RESOLUTION NO. 2016-63** : A RESOLUTION ACCEPTING THE PROPOSAL OF TYLER TECHNOLOGIES, INC. REGARDING AN ENTERPRISE RESOURCE SYSTEM DOCUMENT MANAGEMENT PROGRAM, INCLUDING IMPLEMENTATION, HOSTING AND MAINTENANCE SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

F. **RFP 2016-24 Project Management for Enterprise Resource Planning System Implementation**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 19, 2016. **APPROVED**

G. **Shadow Crossings Force Main Improvements**

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

Disposition: Approve as recommended in the City Manager memorandum dated April 19, 2016. **APPROVED**

H. **SAN Storage Expansion Intent to Bid**

Staff Contact: Ned Huhta, IT Manager (386-615-7031)

Disposition: Approve as recommended in the City Manager memorandum dated April 19, 2016. **APPROVED**

8. **PUBLIC HEARINGS**

A. **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. (SECOND READING)**

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

B. **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. (SECOND READING)**

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

- C. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- D. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- E. **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. **(SECOND READING)**

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

APPROVED ON SECOND READING

- F. **ORDINANCE NO. 2016-16** : AN ORDINANCE APPROVING THE FINAL PLAT OF "DEER CREEK, PHASE FOUR UNIT C" 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 ON FIRST READING

- G. **ORDINANCE NO. 2016-17** : AN ORDINANCE AMENDING A DEVELOPMENT ORDER FOR "CHELSEA PLACE" PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED AND RESTATED PLANNED RESIDENTIAL DEVELOPMENT-DEVELOPMENT ORDER TO INCREASE THE MAXIMUM LOT COVERAGE PERCENTAGE FOR PRINCIPAL AND ACCESSORY STRUCTURES TO 45% AND TO PROVIDE FOR A FRONT YARD SETBACK OF 20' ON FRONT PORCHES FOR CERTAIN VACANT PARCELS OF REAL PROPERTY LOCATED WITHIN "CHELSEA PLACE" PLANNED RESIDENTIAL DEVELOPMENT, INCLUDING LOT NUMBERS 15, 21, 22, 54, 60, 62, 67, 68, 69, 71, 72, 90, 91, 94, 95, 96 AND 114 WITHIN PHASE I, LOT NUMBERS 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 133, 134, 135, 138, 144, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, AND 249 WITHIN PHASE II, AND LOT NUMBERS 151-215 WITHIN PHASE III; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER; ESTABLISHING CONDITIONS AND EXPIRATION OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- H. **ORDINANCE NO. 2016-18** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF AN AMENDED AND RESTATED DEVELOPMENT ORDER FOR "LOVE'S/HAVING FUN" PLANNED BUSINESS DEVELOPMNT LOCATED WEST OF INTERSTATE 95, NORTH OF U.S. HIGHWAY 1, SOUTH OF THE STRASSER MPUD, ALSO KNOWN AS DESTINATION DAYTONA, PHASE 2, AND EAST OF DESTINATION USA CIRCLE FOR PROPERTY LOCATED AT 280 DESTINATION DAYTONA LANE, BY ALLOWING AN ELECTRONIC CHANGEABLE COPY SIGNAGE; RATIFYING AND AFFIRMING THE DEVELOPMENT AGREEMENT APPROVED BY VOLUSIA COUNTY RESOLUTION 2004-100 AND ADOPTED BY THE CITY OF ORMOND BEACH AS A PLANNED BUSINESS DEVELOPMENT ZONING DISTRICT BY ORDINACE 2015-14; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

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

APPROVED ON FIRST READING

- I. **ORDINANCE NO. 2016-19** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22 DEFINITION OF TERMS AND WORDS AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION OF THE LAND DEVELOPMENT CODE TO ALLOW THE USE OF A 2COP ALCOHOL LICENSE IN ASSOCIATION WITH A RESTAURANT TYPE "D" USE; 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. SECOND 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. **(SECOND READING)**

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

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

10. STAFF ACTION ITEMS

- A. **Environmental Discovery Center Logo Selection**

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

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.

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.