



## CITY OF ORMOND BEACH CITY COMMISSION MEETING

MAY 18, 2010

7:00 PM

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PURSUANT TO SECTION 286.0105, 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.

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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 IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES. LISTENING DEVICE AVAILABLE FOR HEARING IMPAIRED.  
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### A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Pastor Doug Hautz, Ormond Beach Alliance Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:** Proclamation in honor of Blaine O'Neal.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the May 4, 2010, meeting.
- 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. 2010-55 appointing Damien Richards as a member to serve as a Commissioner of the Ormond Beach Housing Authority; setting forth term and conditions of service. (Mayor) **APPROVED**
  - B) Resolution No. 2010-56 authorizing the execution of a lease agreement between the City and the Casements Guild. (Leisure Services Director) **APPROVED**
  - C) Resolution No. 2010-57 authorizing the execution of a quitclaim deed in favor of Patrick F. Gavin, Jr., and Virginia Gavin, releasing a portion of a 20-foot drainage and utility easement located on Lot 42, Hammock Trace Subdivision, on property located at 559 Sandy Oaks Boulevard. (Planning Director) **APPROVED**

- D) Resolution No. 2010-58 authorizing the execution of a Joint Participation Agreement between the City and the Florida Department of Transportation regarding the design of parallel Taxiway "A" to Runway 8-26 at the Ormond Beach Municipal Airport. (\$130,550 total project; 95% FAA funding; 2.5% FDOT funding; 2.5% City funding) (Airport Manager) **APPROVED**
- E) Resolution No. 2010-59 authorizing the execution of a Joint Participation Agreement between the City and the Florida Department of Transportation regarding the design and construction for the rehabilitation of Taxiway "C" at the Ormond Beach Municipal Airport. (\$210,555 total project; 80% FDOT funding; 20% City and tenant cost share agreements) (Airport Manager) **APPROVED**
- F) Resolution No. 2010-60 authorizing the execution of a Joint Participation Agreement between the City and the Florida Department of Transportation regarding the construction of a public use heliport at the Ormond Beach Municipal Airport. (\$101,470 total project; 80% FDOT funding; 20% City funding with possible 95% FAA funding, 2.5% FDOT funding and 2.5% City funding) (Airport Manager) **APPROVED**
- G) Resolution No. 2010-61 authorizing the execution of Addendum #1 to Amendment No. 29 to the Professional Services Agreement between the City and Hoyle, Tanner & Associates, Inc., regarding construction engineering services for the rehabilitation of Runway 17/35 lighting systems, replacement of the rotation beacon, installation of lights on Taxiway E, and installation of runway end identifier lights on Runways 8, 26 and 35 at the Ormond Beach Municipal Airport. (\$40,550 total project; 95% FAA funding; 2.5% FDOT funding; 2.5% City funding) **APPROVED**
- H) Resolution No. 2010-62 authorizing the execution of a Subrecipient Grant Agreement between the City and the Florida Department of Transportation regarding a Wayfinding and Interpretation Assessment Plan for the Ormond Scenic Loop & Trail; authorizing the expenditure of funding. (\$110,000 grant award; \$22,000 in-kind City contribution) (Acting City Engineer) **APPROVED**
- I) Resolution No. 2010-63 authorizing the execution of a Local Agency Program Supplemental Agreement between the City and the Florida Department of Transportation regarding Phase II sidewalk improvements on West Granada Boulevard; rescinding approval of the Supplemental Agreement approved by Resolution No. 2010-32. (Reducing project from \$388,952 to \$196,059) (Acting City Engineer) **APPROVED**
- J) Resolution No. 2010-64 authorizing the execution of a Locally Funded Agreement between the City and the Florida Department of Transportation regarding the upgrade of steel mast arms and pedestrian poles at the intersection of US1 and SR40. (\$19,860) (Acting City Engineer) **APPROVED**
- K) Resolution No. 2010-65 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding the South Ormond Neighborhood Center Improvement project. (Not-to-exceed \$243,371) (Acting City Engineer) **APPROVED**

- L) Resolution No. 2010-66 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding the installation of an insulated ceiling at the Nova Road Gymnastics Center. (Not-to-exceed \$46,629) (Acting City Engineer) **APPROVED**
- M) Resolution No. 2010-67 authorizing the submittal of an on-line grant application to the U.S. Department of Homeland Security, Office of Domestic Preparedness, under the Assistance to Firefighters Grant program for funding assistance to purchase fire equipment; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Fire Chief) **APPROVED**
- N) Resolution No. 2010-73 authorizing the execution of Change Order Number One (1) to that contract award to Worsham Underground Utilities, Inc., regarding the 2008 Lift Station Replacement project, by increasing the contract price by \$215,043.57; increasing the contract time by 240 days. (\$1,100,641.61 total project; 540 total days) (Utilities Manager) **APPROVED**
- O) Budget results for the FY 2008-09 General Fund and Water/Wastewater Fund.
- DISPOSITION: Approve as recommended in City Manager memorandum dated May 13, 2010. **APPROVED**

8) **PUBLIC HEARINGS:**

- A) Resolution No. 2010-68 declaring the intention of the City Commission to consider vacating a portion of West Street, a platted public right-of-way lying west of 350 Cumberland Avenue; establishing a time certain for a public hearing. (Planning Director) **APPROVED**
- B) Resolution No. 2010-69 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing a second 180-day extension of a Property Improvement Grant Agreement between the Agency and the Highlander Corporation. (11-23 West Granada Boulevard - \$50,000) (Planning Director) **APPROVED**
- C) Resolution No. 2010-70 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing a second 180-day extension of a Property Improvement Grant Agreement between the Agency and the Highlander Corporation. (29 & 31 West Granada Boulevard - \$50,000) (Planning Director) **APPROVED**
- D) Resolution No. 2010-71 authorizing the execution and issuance of a Development Order for a Special Exception regarding "Miro Medical Center" located at 150 Sage Brush Trail within the B-10 (Suburban Boulevard) zoning district, by authorizing a waiver of the wall requirements and requiring additional landscape plantings; establishing conditions and expiration date of approval. (Planning Director) **APPROVED**

- E) Resolution No. 2010-72 authorizing the execution and issuance of a Development Order for a Special Exception regarding the “Prince of Peace Social Services Building” on a site along the Hand Avenue frontage of the Prince of Peace Church property located at 600 South Nova Road and being situated within the R-5 (Multi-Family Medium Density) zoning district to allow the construction of a 12,387 +/- square foot building and associated site improvements to contain the Church’s thrift shop, social services ministry, chapel, and a general meeting area; establishing conditions and expiration date of approval. (Planning Director) **APPROVED**
- F) Ordinance No. 2010-31 adopting certain amendments to the Future Land Use Element, Future Land Use Directive text for the location of future land uses, Transportation Element, Utilities Element, Conservation Element, Coastal Management Element, Housing Element, Recreation and Open Space Element, Capital Improvements Element, Intergovernmental Coordination Element, Cultural Affairs Element, and Public Schools Facilities Element of the City of Ormond Beach Comprehensive Plan; adopting separately from the Comprehensive Plan a multi-modal Strategy Comprehensive Plan herein; providing when such amendments shall take effect. (1<sup>st</sup> Cycle 2010) (First Reading) (Planning Director) **APPROVED ON FIRST READING**

9) **SECOND READING OF ORDINANCES:**

- A) Ordinance No. 2010-29 amending Section 12-36, Taxes Imposed, of Article I, In General, of Chapter 12, Business Regulations, of the City of Ormond Beach *Code of Ordinances*, by deleting the schedule of business taxes and creating a classification of business types to be consistent with permitted, conditional and special exception uses contained in the City’s Land Development Code; repealing Article XV, Special Provisions for Incidental Seating within the Granada/Bovard Streetscape Overlay District, in its entirety and reserving said article for future use. (Planning Director) **APPROVED ON SECOND READING**
- B) Ordinance No. 2010-30 amending Chapter 3, Advertising, of the Code of Ordinances of the City of Ormond Beach, Florida, by establishing Section 3-5, Delivery of Unsolicited Papers and Materials to Residential, Commercial, or Public Real Property Prohibited after Notice of Objection; establishing Section 3-6, Delivery of Papers and Material Prohibited to Vacant Real Property; establishing Section 3-7, Enforcement Procedure, by prohibiting the unsolicited distribution of papers and other material to real property after notice by the owner or occupant thereof to stop such distribution; prohibiting the delivery of papers and other material to vacant real property; providing enforcement procedures. (Neighborhood Improvement Manager) **APPROVED ON SECOND READING**

- 10) **FIRST READING OF ORDINANCE** No. 2010-32 authorizing the issuance of up to \$5,000,000 of general obligation bonds of the City to finance all or a portion of the cost of the acquisition and development of lands on the east side of A1A/Atlantic Avenue for a public beachfront park, including preservation of natural areas, dunes, and ocean views, and providing off-beach parking and beach access; providing for consideration of the issuance of such general obligation bonds at an election of the qualified electors residing

within the City to be held on August 24, 2010. (Finance Director) **APPROVED ON FIRST READING**

11) **DISCUSSION ITEMS:**

A) Proposal for a joint permitting counter. (Planning Director) **APPROVED**

B) Electronic sign display. (Planning Director)

**Approved for a Land Development Code change to be processed to allow electronic changeable signs with text only; automatic dimmers required; LED area limited to 50% of square footage of sign; no more than twice daily text change for commercial signs; one hour changes for houses of worship; not in the Downtown Community Redevelopment area, within 200' of a residential area or office corridors, except houses of worship on Granada Boulevard (allowable for businesses on A1A, Nova Road and US1).**

C) City Manager evaluation. (City Manager)

12) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.

13) **CLOSE THE MEETING.**