



ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
Tuesday, October 18, 2011
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

CITY COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, Florida 32174

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1. CALL TO ORDER

2. INVOCATION – Father Zamborsky
Prince of Peace Catholic Church

3. PLEDGE OF ALLEGIANCE

4. AUDIENCE REMARKS – Regarding items not on the agenda.

5. APPROVAL OF MINUTES

A. Minutes from the City Commission & CRA meeting – October 4, 2011
APPROVED

6. 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. 2011-158 – A resolution accepting proposals and authorizing the execution of contracts with four companies for towing related services, under RFP 2011-20; rejecting all other proposals; and setting forth an effective date. (*Chief of Police*) **APPROVED**

B. Resolution No. 2011-159 – A resolution authorizing the execution of a third amended transfer station lease agreement between the City of Ormond Beach and Waste Management, Inc. of Florida; and setting forth an effective date. (*Public Works Director*) **APPROVED**

- C. **Resolution No. 2011-160** – A resolution amending the Pay and Classification Plan; and setting forth an effective date. (*Human Resource Director*) **APPROVED**
- D. **Resolution No. 2011-161** – A resolution rescinding and terminating modification number three to subgrant agreement between the Division of Emergency Management and the City as approved by Resolution 2011-115; authorizing the acceptance of a revised modification (number two) to subgrant agreement with the Division of Emergency Management regarding the Hazard Mitigation Grant Program; and setting forth an effective date. (*City Engineer*) **APPROVED**
- E. **Resolution No. 2011-164** – A resolution authorizing the execution of an Interlocal Agreement between the City and the State Attorney of the Seventh Judicial Circuit; and setting forth an effective date. **APPROVED**
- F. **Sludge Disposal Services Class AA Treatment and Disposal Contract Price in Effect** (*Public Works Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 13, 2011.

- G. **Autorenew Contracts** (*Finance Director*) **TABLED UNTIL NOVEMBER 1, 2011**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 13, 2011.

7. PUBLIC HEARING

- A. **Resolution No. 2011-162** – A resolution authorizing the transmittal of amendments to the transportation element to the City of Ormond Beach Comprehensive Plan; and setting forth an effective date. (*Planning Director*) **APPROVED**

8. SECOND READING OF ORDINANCES

- A. **Ordinance No. 2011-38** – An ordinance of the City of Ormond Beach, Florida, amending Article I, General Employees' Pension Plan, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-1, Definitions, by amending the Definition of Actuarial Equivalent; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. (*Finance Director*) **APPROVED ON SECOND READING**
- B. **Ordinance No. 2011-39** – An ordinance of the City of Ormond Beach, Florida, amending Article IV, Police Officers' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-71, Definitions, by amending the Definition of Actuarial Equivalent; providing for codification; providing for severability of provisions; repealing

all ordinances in conflict herewith and providing an effective date. (*Finance Director*) **APPROVED ON SECOND READING**

- C. Ordinance No. 2011-40** – An Ordinance of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-40, Definitions, by amending the Definition of Actuarial Equivalent; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. (*Finance Director*) **APPROVED ON SECOND READING**

9. FIRST READING OF ORDINANCES

- A. Ordinance No. 2011-41** – An ordinance of the City of Ormond Beach prohibiting commercial gaming devices and regulating automatic amusement centers/game rooms and automatic amusement devices, by amending chapter 12, article v automatic amusement devices, of the code of ordinances of the City of Ormond beach by providing a revised title to include commercial gaming devices; amending section 12-141 by adding new definitions; repealing section 12-142, purposes and objectives and adding a new section 12-142 titled legislative findings and purpose; amending section 12-144 to include additional regulations for automatic amusement devices and centers; repealing section 12-146, number of machines and adding a new section 12-146 titled prohibition of commercial gaming devices; adding a new section 12-147 to include remedies and penalties; adding a new section 12-148 establishing exemptions; adding a new section 12-149, conflict with state law; providing for the repeal of ordinances or parts of ordinances in conflict herewith; providing for a separability clause; and providing for an effective date. (*City Attorney*) **APPROVED ON FIRST READING**

- B. Ordinance No. 2011-42** – An ordinance amending Section 4-6, regulation of conduct in establishments licensed to sell alcoholic beverages, of chapter 4, alcoholic beverages, of the code of ordinances of the City of Ormond Beach, Florida; by adding Section (G), providing penalties for violations; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. (*City Attorney*) **APPROVED ON FIRST READING**

10. RESOLUTIONS

- A. Request for Painting Approval at 505 South Atlantic Avenue** (*Planning Director*)

Resolution No. 2011-163A – A resolution approving a color scheme that is directly inherent to a uniquely recognized architectural style on the building located at 505 South Atlantic Avenue; and setting forth an effective date. **APPROVED**

or

Resolution No. 2011-163B – A resolution denying a request for painted stripes on the building located at 505 South Atlantic Avenue; and setting forth an effective date. **FAILED**

11. STAFF ACTION ITEMS

A. Memorial Art Museum Veterans Plaque Placement (*Leisure Services Director*) **TABLED UNTIL NOVEMBER 1, 2011**

B. Community Engagement Plan Update – Ormond Beach’s Andy Romano Beachfront Park (*City Engineer*)

~~**C. Ormond Beach Sports Complex Football Fields**~~ (*Leisure Services Director*) **PULLED FROM THE AGENDA**

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

13. ADJOURNMENT