



ACTION REPORT  
**CITY OF ORMOND BEACH, FLORIDA**  
**CITY COMMISSION MEETING**  
**Tuesday, November 15, 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**

City Clerk's Office: ( **386**) 677-0311

Fax: (**386**) 676-3330

**1. CALL TO ORDER**

**2. INVOCATION -** Father Stephen Ogonwa  
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 meeting - November 1, 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. 2011-168 -** A resolution accepting the proposal of Aerial Hydraulics, Inc., regarding vehicle and equipment mobile repair and preventive maintenance services; authorizing the execution of an agreement and payment therefor; rejecting all other proposals; and setting forth an effective date. (Fleet Manager) **APPROVED**

**B. Resolution No. 2011-169 -** A resolution authorizing the execution of a nonexclusive franchise agreement between the city and sunshine recycling, inc., regarding the collection of construction and demolition debris; and setting forth an effective date. (*Public Works Director*) **APPROVED**

**C. Resolution No. 2011-171 -** A resolution authorizing execution of an Amendment No. 1 to agreement between the City and Ghyabi & Associates, Inc. regarding the John Anderson Drive roadway improvements project; authorizing payment therefore; and setting forth an effective date. (*City Engineer*) **APPROVED AS AMENDED; FOR THE ALTERNATIVE DESIGN ANALYSIS FEE FOR TASK 1 ONLY**

**D. Resolution No. 2011-170 -** A resolution accepting a proposal from Zev Cohen & Associates, Inc., for professional services regarding the public information and coordination

services portion of the John Anderson Drive Roadway Improvements Project; authorizing the execution of a work authorization and payment therefor; and setting forth an effective date. (City Engineer) **APPROVED**

- E. **Resolution No. 2011-172** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Patricia A. Hyatt, located at 7 Charleston Square Ormond Beach, Volusia county, (Parcel ID No. 4242-94-00-0460), for costs incurred by the city to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- F. **Resolution No. 2011-173** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Kymberlee M. Nguyen, located at 10 Pine Trail, Ormond beach, Volusia county, Florida (Parcel ID No. 4242-68-02-0450) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- G. **Resolution No. 2011-174** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Lonnie Robert Christopher, located at 163 Fairway Drive, Ormond Beach, Volusia County, Florida (Parcel ID No. 4211-06-01-0140) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- H. **Resolution No. 2011-175** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Resource Properties, Inc., located at 190 Live Oak Avenue, Ormond Beach, Volusia County, Florida (Parcel ID No. 4222-02-01-0090) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- I. **Resolution No. 2011-176** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Phillip G. Arenas, located at 205 Putnam Avenue, Ormond Beach, Volusia County, Florida (Parcel ID No. 4240-01-28-0090) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **AGENDA ITEM PULLED BY STAFF**
- J. **Resolution No. 2011-177** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by George C. Clark, Jr., and Robert Clark, located at 420 Idlewood Drive, Ormond Beach, Volusia County, Florida (Parcel ID No. 4211-04- 00-0220) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- K. **Resolution No. 2011-178** - A resolution pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property owned by Raul M. Duarte, located at 712 Montana Terrace, Ormond beach, Volusia County, Florida (Parcel ID No. 4242-65-00-0070) for costs incurred by the City to terminate or abate a site maintenance violation; and setting forth an effective date. (Neighborhood Improvement Manager) **APPROVED**
- L. **Resolution No. 2011-179** - A resolution authorizing the execution of a second amendment to lease agreement between the City and BETNR Industrial Development Corporation; and setting forth an effective date. (Economic Development Director) **APPROVED**
- M. **Resolution No. 2011-180** - A resolution authorizing the submittal of an online grant application in the amount of \$10,000.00 to the Florida Department of Law Enforcement, the United States Department of Justice, under the Edward Byrne Justice Assistance Grant Program; 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. (Finance Director) **APPROVED**

- N. Resolution No. 2011-181** - A resolution authorizing the submittal of a grant application to the County of Volusia under the ECHO Grants-In-Aid Program for funding assistance regarding the Skate Park Renovation Project; 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. (Finance Director) **APPROVED**

- O. SR5A Nova Road Audible Pedestrian Signals and ADA Improvements at Granada Blvd, Woodland Boulevard, and Division Avenue, RFQ No. 2011-28** (City Engineer) **APPROVED**

DISPOSITION: Approve as recommended in City Manager  
memorandum dated November 10, 2011.

- P. Specifications for Federal Legislative Lobbying Services - Request for Proposals, RFP No. 2012-05** (Economic Development Director) **AGENDA ITEM PULLED BY STAFF**

DISPOSITION: Approve as recommended in City Manager  
memorandum dated November 10, 2011.

- Q. Specifications for Miscellaneous Crafts and Trades Services (As Needed) - Request for Proposals, RFP No. 2012-06** (Leisure Services Director) **APPROVED**

DISPOSITION: Approve as recommended in City Manager  
memorandum dated November 10, 2011.

- R. Proposed Banners for Downtown District** (Leisure Services Director)  
**AGENDA ITEM PULLED BY STAFF**

DISPOSITION: Approve as recommended in City Manager  
memorandum dated November 10, 2011.

## 7. PUBLIC HEARINGS

- A. Second Reading of Ordinance No. 2011-43** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 1.31-acres located at 1520 North US highway 1, from Volusia County B-6 (Highway Interchange 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. (Planning Director) **APPROVED ON SECOND READING**

- B. Second Reading of Ordinance No. 2011-44** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 2.16-acres located at 1521 North US Highway 1, from Volusia County B-6 (Highway Interchange 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. (Planning Director) **APPROVED ON SECOND READING**

- C. Second Reading of Ordinance No. 2011-45** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 2.58-acres located at 1530 North US Highway 1, from Volusia County B-6 (Highway Interchange 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. *(Planning Director)* **APPROVED ON SECOND READING**

- D. Second Reading of Ordinance No. 2011-46** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 1.42-acres located at 1545 North US Highway 1, from Volusia County B-6 (highway interchange 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. *(Planning Director)* **APPROVED ON SECOND READING**
- E. Second Reading of Ordinance No. 2011-47** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 2.74-acres located at 1560 North US Highway 1, from Volusia County B-6 (Highway Interchange 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. *(Planning Director)* **APPROVED ON SECOND READING**
- F. Second Reading of Ordinance No. 2011-48-** An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 2.19-acres located at 1561 North US Highway 1, from Volusia County b-6 (Highway interchange commercial) to Ormond Beach B-7 (Highway Tourist Commercial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or part thereof; and setting forth an effective date. *(Planning Director)* **APPROVED ON SECOND READING**
- G. Second Reading of Ordinance No. 2011-49** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, 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 2.46-acres located at 1567 North US Highway 1, from Volusia County B-6 (Highway Interchange 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. *(Planning Director)* **APPROVED ON SECOND READING**
- H. Second Reading of Ordinance No. 2011-50** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, 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 0.36-acres located at 1570 North US Highway 1, from Volusia County B-6 (Highway Interchange 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. *(Planning Director)* **APPROVED ON SECOND READING**
- I. Second Reading of Ordinance No. 2011-51** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and Official Zoning Map, of Article I, 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 7.07-acres located at 1571 North US Highway 1, from Volusia County B-6 (highway interchange 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. (*Planning Director*) **APPROVED ON SECOND READING**

- J. Second Reading of Ordinance No. 2011-52** - An ordinance amending paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning districts and official zoning map, of Article I, 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 0.76-acres located at 1576 North US highway 1, from Volusia County B-6 (Highway Interchange 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. (*Planning Director*) **APPROVED ON SECOND READING**

## **8. SECOND READING OF ORDINANCES**

- A. Second Reading of Ordinance No. 2011-53** - An ordinance amending the annual budget for Fiscal Year 2010-2011 by amending the General Fund; the Downtown Redevelopment Fund; the Ormond Crossings Fund; the Stormwater Fund; the Economic Development Fund; the Facility Fee Fund; the Grant Fund; the Facilities Renewal & Replacement Fund; the Ormond beach Redevelopment Fund; the Lease Financing Fund; the 2003 GOB Debt Fire Station #92 Fund; the 2004 Revenue Bonds Fire Station #91 Fund; the 2010 GOB Beachfront Park Fund; the General Capital Improvements Fund; the General Vehicle Replacement Fund; the Ormond Beach Redevelopment Fund; the Transportation Fund; the Recreation Impact Fee Fund; the Local Road Impact Fee Fund; the Stormwater Impact Fee Fund; the Fire Station #92 Construction Fund; the Fire Station #91 Construction Fund; the Beachfront Park Fund; the Water/Wastewater Fund; the Water/Wastewater Capital Project Fund; the Water Impact Fee Fund; the Water System Construction Fund; the Water Plant Construction Fund; the Workers Compensation Fund; and the General Liability Fund; and setting forth an effective date. (*Finance Director*) **APPROVED ON SECOND READING**

## **9. FIRST READING OF ORDINANCES**

- A. Ordinance No. 2011-54** - An ordinance amending the boundaries of City Commission zones in accordance with the reapportionment plan accepted by Resolution 2011-157; describing the reapportionment boundaries; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**
- B. Ordinance No. 2011-55** - An ordinance amending Chapter 2, Administration, Article VII, Code Enforcement, of the Code of Ordinances, by amending sections 2-251, definitions; 2-254, special masters; 2-255, enforcement procedure; 2-256, notice of violations; form and content of citations; 2-257, conduct of hearing; 2-258, administrative fines and liens; 2-262, schedule of civil fines; 2-265, notices; 2-266, appeals; and 2-267, duration of lien; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. (*Neighborhood Improvement Manager*) **APPROVED ON FIRST READING**
- C. Ordinance No. 2011-56** - An ordinance amending Chapter 14, Offenses Miscellaneous, Article VIII, Site Maintenance/Nuisances, of the Code of Ordinances, by amending Section 14-98, Liens; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. (*Neighborhood Improvement Manager*) **APPROVED ON FIRST READING**

## **10. REPORTS, SUGGESTIONS, REQUESTS** (Mayor, City Commission, City Manager, City Attorney)

## **11. ADJOURNMENT**