



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
January 8, 2013  
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](http://www.ormondbeach.org)**

**1. CALL TO ORDER**

**2. INVOCATION**

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS AND PROCLAMATIONS**

A. Ormond Beach Pride, Inc.

**5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**

**6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – December 4, 2012 **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. 2013-1 : A RESOLUTION APPOINTING MEMBERS OF THE AVIATION ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.**

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

- B. **RESOLUTION NO. 2013-2** : A RESOLUTION APPOINTING MEMBERS AND ALTERNATE MEMBERS OF THE BOARD OF ADJUSTMENT AND APPEALS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2013-3** : A RESOLUTION APPOINTING MEMBERS OF THE BROWNFIELD ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2013-4** : A RESOLUTION APPOINTING MEMBERS OF THE BUDGET ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2013-5** : A RESOLUTION APPOINTING MEMBERS OF THE CITIZENS' LAW ENFORCEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2013-6** : A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE GENERAL EMPLOYEES' PENSION BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2013-7** : A RESOLUTION APPOINTING MEMBERS TO SERVE ON THE HISTORIC LANDMARK PRESERVATION BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2013-8** : A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RESOURCES BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2013-9** : A RESOLUTION APPOINTING MEMBERS OF THE LEISURE SERVICES ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- J. **RESOLUTION NO. 2013-10** : A RESOLUTION APPOINTING TRUSTEES TO SERVE ON THE FIREFIGHTERS' PENSION BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- K. **RESOLUTION NO. 2013-11** : A RESOLUTION APPOINTING MEMBERS OF THE NEIGHBORHOOD IMPROVEMENT ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- L. **RESOLUTION NO. 2013-12** : A RESOLUTION APPOINTING MEMBERS OF THE PLANNING BOARD; APPOINTING AT-LARGE MEMBERS; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- M. **RESOLUTION NO. 2013-13** : A RESOLUTION APPOINTING MEMBERS OF THE PUBLIC WORKS ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- N. **RESOLUTION NO. 2013-14** : A RESOLUTION APPOINTING MEMBERS OF THE QUALITY OF LIFE ADVISORY BOARD; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**
- O. **RESOLUTION NO. 2013-15** : A RESOLUTION APPOINTING MEMBERS OF THE GOODWILL AMBASSADOR PROGRAM; SETTING FORTH TERMS AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact:* Scott McKee, City Clerk (386-676-3340) **APPROVED**

- P. **RESOLUTION NO. 2013-16** : A RESOLUTION APPOINTING A REPRESENTATIVE TO SERVE AS A MEMBER OF THE BOARD OF DIRECTORS OF ORMOND MAIN STREET, INC.; SETTING FORTH TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

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

- Q. **RESOLUTION NO. 2013-17** : A RESOLUTION APPOINTING A REPRESENTATIVE AND ALTERNATE REPRESENTATIVE OF THE CITY OF ORMOND BEACH TO SERVE AS A MEMBER OF THE VOLUSIA COUNCIL OF GOVERNMENTS; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

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

- R. **RESOLUTION NO. 2013-18** : A RESOLUTION APPOINTING A REPRESENTATIVE AND AN ALTERNATE REPRESENTATIVE AS MEMBERS OF THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION; ESTABLISHING TERM AND CONDITIONS OF SERVICE; SETTING FORTH AN EFFECTIVE DATE.

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

- S. **RESOLUTION NO. 2013-19** : A RESOLUTION RESCINDING RESOLUTION 2012-137; APPROVING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VOLUSIA TRANSPORTATION PLANNING ORGANIZATION IN SUPPORT OF PLANNING AND FUNDING OF VOLUSIA COUNTY TRANSPORTATION SYSTEM PROJECTS; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- T. **RESOLUTION NO. 2013-20** : A RESOLUTION ESTABLISHING A DEFINED CONTRIBUTION 401 GOVERNMENT MONEY PURCHASE PLAN WITH ICMA RETIREMENT CORPORATION FOR FULL-TIME GENERAL EMPLOYEES HIRED ON OR AFTER DECEMBER 19, AN ADOPTION AGREEMENT AND ALL DOCUMENTS INCIDENTAL TO THE ADMINISTRATION OF THE PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

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

- U. **RESOLUTION NO. 2013-21** : A RESOLUTION AUTHORIZING THE EXECUTION OF A MODIFICATION (NUMBER TWO) TO SUBGRANT AGREEMENT BETWEEN THE DIVISION OF EMERGENCY MANAGEMENT AND THE CITY REGARDING THE HAZARD MITIGATION GRANT PROGRAM FOR THE CENTRAL PARK DRAINAGE IMPROVEMENTS PROJECT; AND SETTING FORTH AN EFFECTIVE DATE.

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

- V. **RESOLUTION NO. 2013-22** : 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 ARLAN BARTLING AND BARBARA BARTLING LOCATED AT 3 WILD CREEK WAY, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4126-05- 00-1100) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **APPROVED**

- W. **RESOLUTION NO. 2013-23** : 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 EILEEN D. MCGINN LOCATED AT 31 BELLEWOOD CIRCLE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4210-03-00-0070) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **APPROVED**

- X. **RESOLUTION NO. 2013-24** : 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 BRENT DOUGLAS HANNON AND ANNA BARRERA HANNON, LOCATED AT 39 DEEP WOODS WAY, ORMOND BEACH, VOLUSIA COUNTY, (PARCEL ID NO. 4123-03-00-0100), FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **APPROVED**

- Y. **RESOLUTION NO. 2013-25** : 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 ALUMNI PARTNERS II, LLC, LOCATED AT 245 OLEANDER PLACE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4241-09-00-0010) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- Z. **RESOLUTION NO. 2013-26** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MAGISTRATE ADMINISTRATIVE FINE/LIENS FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 260 PINE STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4242-01-05-0050); AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- AA. **RESOLUTION NO. 2013-27** : 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.

**Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

- AB. **RESOLUTION NO. 2013-28** : 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 MARIO S. DATTILO LOCATED AT 794 HAND AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4242-03-04-0105) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

AC. **RESOLUTION NO. 2013-29** : 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 MICHAEL JOHNSON LOCATED AT 926 SOUTH BEACH STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4242-20-20-0150) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)* **APPROVED**

AD. **RESOLUTION NO. 2013-30** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND WEEKI WACHEE LEASE, LLC FOR THE USE OF OFFICE SPACE AS A POLICE DEPARTMENT SUBSTATION; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Andy Osterkamp, Police Chief (386-677-0731)* **APPROVED**

AE. **RESOLUTION NO. 2013-31** : A RESOLUTION ACCEPTING A PROPOSAL FROM CDM SMITH, INC., FOR ENGINEERING SERVICES REGARDING THE PREPARATION OF A HAZARD MITIGATION GRANT APPLICATION; 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**

AF. **RESOLUTION NO. 2013-32** : A RESOLUTION AMENDING SECTION 8.02, PERSONAL LEAVE, OF THE HUMAN RESOURCES POLICY, BY ESTABLISHING A CAP ON PERSONAL LEAVE BALANCES; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** *Shelly Arzola, Human Resources Director (386-676-3202)* **APPROVED**

AG. **RESOLUTION NO. 2013-33** : A RESOLUTION ACCEPTING A BID FROM MCMAHAN CONSTRUCTION CO., INC. FOR CONSTRUCTION SERVICES REGARDING THE CONCENTRATE MONITORING AND DISINFECTION UPGRADES PROJECT, UNDER BID NO. 2012-26; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

AH. **Contract Documents for the South Peninsula 2” Water Main Replacement Project**

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



**Disposition:** Approve as recommended in the City Manager memorandum dated January 8, 2013. **APPROVED**

**AI. Notice Automatic Renewal Contracts - Utilities**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated January 8, 2013. **APPROVED**

**AJ. Approval of Travel by the City Commission/City Manager/City Attorney**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated January 8, 2013. **APPROVED**

**8. PUBLIC HEARINGS**

**A. ORDINANCE NO. 2012-40 : AN ORDINANCE AMENDING PARAGRAPH C, OFFICIAL ZONING MAP, OF SECTION 2-01, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF ARTICLE 1, 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 5.842 ACRES LOCATED AT 146 NORTH ORCHARD STREET, FROM PROFESSIONAL OFFICE/HOSPITAL (B-1) TO LIGHT INDUSTRIAL (I-1), AUTHORIZING REVISION OF OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.**

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



- B. **ORDINANCE NO. 2013-1** : AN ORDINANCE AMENDING SUBSECTION A, MAP AMENDMENT, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-03, OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY REZONING THREE PARCELS OF REAL PROPERTY TOTALING 37.9± ACRES LOCATED AT THE NORTHWEST INTERSECTION OF AIRPORT ROAD AND TYMBER CREEK ROAD FROM VOLUSIA COUNTY A-2 (RURAL AGRICULTURE) AND VOLUSIA COUNTY RC (RESOURCE CORRIDOR) TO ORMOND BEACH PLANNED RESIDENTIAL DEVELOPMENT (PRD); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; AND APPROVING A FIRST AMENDED DEVELOPMENT ORDER FOR THE “MARSHSIDE VILLAGE” PLANNED RESIDENTIAL DEVELOPMENT; AUTHORIZING A PHASED PROJECT CONSISTING OF 163 SINGLE-FAMILY LOTS; AUTHORIZING A WAIVER OF THE PERIMETER SUBDIVISION SETBACK REQUIREMENTS AND A WAIVER OF THE INDOOR RECREATION REQUIREMENTS; ESTABLISHING CONDITIONS THEREFORE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE

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

**APPROVED ON FIRST READING**

- C. **ORDINANCE NO. 2013-2** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, OF CITY OF ORMOND BEACH THE LAND DEVELOPMENT CODE BY ADDING SECTION 1-26, MOBILITY FEE; AMENDING; ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1- 32 F, TRAFFIC CIRCULATION BY ADDING SUBSECTION (12); AMENDING SECTION 1-32 G, PROPORTIONATE FAIR SHARE PROGRAM FOR TRANSPORTATION AND PUBLIC SCHOOL FACILITIES, BY AMENDING SUBSECTIONS (1), (3) AND DELETING SUBSECTION (13), 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**

- D. **ORDINANCE NO. 2013-3** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATION; BY AMENDING SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBSECTIONS R 5, RESTAURANT, TYPE "A"; R 6, RESTAURANT TYPE "B"; R 7, RESTAURANT TYPE "C"; AND R 8. RESTAURANT TYPE "D ARE DELETED IN THEIR ENTIRETY; BY ADDING SECTION 2-57 R 5, RESTAURANT TYPES BY PROVIDING A TABLE THAT CATEGORIZES THE REGULATIONS BY RESTAURANT TYPES AND A FLORIDA STATUTE 509.233 DOG DINING EXEMPTION FOR RESTAURANTS; PROVIDING FOR THE IMPLEMENTATION OF FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

**APPROVED ON FIRST READING**

- E. **ORDINANCE NO. 2013-4** : AN ORDINANCE AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL, SECTION 8-10, APPLICATION PROCESSING FEES, PARAGRAPH (G) MISCELLANEOUS OF THE CODE OF ORDINANCES, BY CREATING A NEW SUBSECTION 11 ESTABLISHING A FEE SCHEDULE FOR REVIEW AND INSPECTION OF DOGGIE DINING LICENSES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; 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. 2012-41** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1, SOUTH OF THE SOUTHBOUND ENTRANCE TO INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1608 NORTH U.S. HIGHWAY 1; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED ON SECOND READING**

- B. **ORDINANCE NO. 2012-42** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1, APPROXIMATELY 425 LINEAR FEET NORTH OF INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1622 NORTH U.S. HIGHWAY 1; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2012-43** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 APPROXIMATELY 693 LINEAR FEET WEST OF INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1626 NORTH U.S. HIGHWAY 1; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 1 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING PRIVILEGES; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **ORDINANCE NO. 2012-44** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING DIVISION 2, RATES AND CHARGES, OF ARTICLE I, WATER, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES BY CREATING SECTION 22-34, BILLING ADJUSTMENTS FOR COMMERCIAL (INDUSTRIAL) ACCOUNTS; 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:** Kelly McGuire, Finance Director (386-676-3226)  
**APPROVED ON SECOND READING**

- E. **ORDINANCE NO. 2012-45** : AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IX, FINANCIAL MATTERS, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 2-300, METHODS OF SOURCE SELECTION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Kelly McGuire, Finance Director (386-676-3226)  
**APPROVED ON SECOND READING**

- F. **ORDINANCE NO. 2012-46** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, RELATIVE TO THE GENERAL EMPLOYEES' PENSION PLAN, AMENDING ARTICLE I, IN GENERAL, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-1, DEFINITIONS BY AMENDING THE DEFINITION OF MEMBER; AMENDING SECTION 16-2, MEMBERSHIP; AMENDING SECTION 16-21.8, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

**APPROVED ON SECOND READING**

## 10. DISCUSSION ITEMS

- A. **Request for Rescission or Reduction of Four Special Magistrate Liens**

**Staff Contact:** Joanne Naumann, Neighborhood Improvement Manager (386-615-7069) **STAFF WITHDREW ITEM AND MOVED IT TO JANUARY 15, 2013 MEETING**

- B. **Nova Community Park Preliminary Conceptual Long Range Plan**

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

## 11. REPORTS, SUGGESTIONS, REQUESTS

## 12. ADJOURNMENT

Website Address – [www.ormondbeach.org](http://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.