



**CITY OF ORMOND BEACH  
CITY COMMISSION MEETING**

NOVEMBER 3, 2009

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 Rabbi Pinchas Ezagui, Chabad Lubavitch of Greater Daytona.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the October 19, 2009, special meeting and the October 20, 2009, regular meeting.
- 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. 2009-179 establishing dates and times for regular meetings of the City Commission of the City of Ormond Beach, Florida, during calendar year 2010; providing for exceptions thereto. (City Clerk) **APPROVED**
  - B) Resolution No. 2009-180 appointing Hildegard Hill as a member to serve as a Commissioner of the Ormond Beach Housing Authority; setting forth term and conditions of service. (City Clerk) **APPROVED**
  - C) Resolution No. 2009-181 authorizing the execution of an agreement between the City and Council on Aging of Volusia County, Inc., for the use of a site at the Senior Center for a nutrition program. (\$2,400 annually) (Leisure Services Director) **APPROVED**
  - D) Resolution No. 2009-182 authorizing the execution of a lease agreement between the City and Sunrise Aviation, Inc. (Airport Manager) **APPROVED**

E) Resolution No. 2009-186 approving and authorizing the execution of a revised Interlocal Retail Water and Wastewater Service Agreement for the Hunter's Ridge development in Flagler County between the City of Ormond Beach and Flagler County. **APPROVED**

F) Garage sale permits. **TABLED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 29, 2009.

G) Support for legislative action by Volusia County legislative delegation. **APPROVED**  
**SUPPORT OF ALL ITEMS EXCEPT HOUSE BILL 0239**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 29, 2009.

7) **PUBLIC HEARINGS:**

A) Resolution No. 2009-183 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing an additional 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**

B) Resolution No. 2009-184 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing an additional 180-day extension of a Property Improvement Grant Agreement between the Agency and the Highlander Corporation. (29 and 31 West Granada Boulevard - \$50,000) (Planning Director) **APPROVED**

C) Resolution No. 2009-185 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing a 180-day extension of a Property Improvement Grant Agreement between the Agency and the Highlander Corporation. (43 West Granada Boulevard - \$50,000) (Planning Director) **APPROVED**

D) Ordinance No. 2009-37 authorizing the execution and issuance of the Fifth Amended Development Order for the "Wal-Mart Supercenter" Planned Business Development to allow a waiver of 89 parking spaces for internal parking lot improvements; establishing conditions and expiration of approval. (Second Reading) (Planning Director) **APPROVED**

8) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2009-38 deleting Section 2-216, Development Review Board, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration; of the Code of Ordinances; amending Section 2-217 Historic Landmark Preservation Boards, of Article VI, Boards, Commissions, Committees and Other

Agencies, of Chapter 2, Administration, of the Code of Ordinances by deleting current provisions and adding a reference to the Land Development Code. **APPROVED**

B) Advisory board terms of office:

- 1) Ordinance No. 2009-39 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-214, Human Resources Board, by amending terms of office of members. **APPROVED**
- 2) Ordinance No. 2009-40 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-218, Neighborhood Improvement Advisory Board, by amending terms of office of members. **APPROVED**
- 3) Ordinance No. 2009-41 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-220, Aviation Advisory Board, by amending terms of office of members. **APPROVED**
- 4) Ordinance No. 2009-42 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-221, Leisure Services Advisory Board, by amending terms of office of members. **APPROVED**
- 5) Ordinance No. 2009-43 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-223, Citizens' Law Enforcement Advisory Board, by amending terms of office of members. **APPROVED**
- 6) Ordinance No. 2009-44 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-224, Quality of Life Advisory Board, by amending terms of office of members. **APPROVED**
- 7) Ordinance No. 2009-45 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-225, Environmental Advisory Board, by amending terms of office of members. **APPROVED**
- 8) Ordinance No. 2009-46 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-226, Budget Advisory Board, by amending terms of office of members. **APPROVED**
- 9) Ordinance No. 2009-47 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and Other Agencies, of the Code of Ordinances, Section 2-227, Goodwill Ambassador Program, by amending terms of office of members. **APPROVED**

10) Ordinance No. 2009-48 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-15, Planning Board, by amending terms of office of members. **APPROVED**

11) Ordinance No. 2009-49 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-16, Board of Adjustment and Appeals, by amending terms of office of members. **APPROVED**

12) Ordinance No. 2009-50 amending Chapter 1, General Administration, Article II, Administration and Enforcement, of the Land Development Code, Section 1-17, Historic Landmark Preservation Board, by amending terms of office of members. **APPROVED**

C) Ordinance No. 2009-51 repealing Section 2-209, Sunset Review of Boards and Committees, of Division 1, Generally, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration, of the Code of Ordinances of the City of Ormond Beach. **APPROVED**

D) Ordinance No. 2009-52 amending of the City of Ormond Beach, Florida, amending Article V, Stormwater Drainage Utility, of Chapter 22, Water and Sewers, of the Code of Ordinances; amending Section 22-153, Definitions; amending Section 22-158, Utility Fee Established; changing title to Section 22-159, to "Stormwater Pollution Prevention," and amending Section 22-159; Amending Section 22-160, Stormwater Management Fund; amending Section 22-161, Stormwater Drainage Utility Fee Collection; adopting provisions providing for administration and establishing terms and conditions thereof; providing for enforcement; providing for severability; providing for conflicting ordinances; and providing for an effective date. **APPROVED**

9) **DISCUSSION ITEMS:**

A) Volusia County Emergency Medical Services ordinance.

**Commission accepted as presented.**

B) House Bill 0239 – Certificate of Public Convenience and Necessity (COPCN).

**Commission agreed not to support.**

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

11) **CLOSE THE MEETING.**