



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

DECEMBER 1, 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 Pastor Ronald Todd, Harbor Baptist Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
  - A) Employee-of-the-Year award to Chris Mason, Neighborhood Improvement Officer.
  - B) Certificate for "Achievement of Civic Excellence" presented to Katie Giacobbe, Hinson Middle School.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the November 17, 2009, 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. 2009-196 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 located at 100 West Granada Boulevard for costs incurred by the City to terminate or abate a site maintenance violation. (\$100) (Neighborhood Improvement)  
**APPROVED**
  - B) Resolution No. 2009-197 accepting a proposal submitted by Brown & Brown of Florida, Inc., for the purchase of Commercial General Liability (CGL) insurance

coverage underwritten by Star Insurance Company; authorizing payment therefor. (\$59,028) (Risk Manager) **APPROVED**

C) Courtyards at Ormond Planned Development sidewalk easements:

1) Resolution No. 2009-198 authorizing the acceptance of a public sidewalk easement deed from Ormond DG, LLC, a Florida Limited Liability company, on property located at 145 North Yonge Street within the Courtyards at Ormond Planned Development. (Planning Director) **APPROVED**

2) Resolution No. 2009-199 authorizing the acceptance of a public sidewalk easement deed from Ormond Central Marketplace, LLC, a Florida Limited Liability company, on property located at 135 North Yonge Street within the Courtyards at Ormond Planned Development. (Planning Director) **APPROVED**

D) Resolution No. 2009-200 authorizing the execution of a Local Agency Program Agreement between the City and Florida Department of Transportation regarding Phase II sidewalk improvements on West Granada Boulevard. (\$372,000) (Acting City Engineer / Planning Director) **APPROVED**

E) Resolution No. 2009-201 authorizing the execution of an addendum with Shelley's Septic Tank, Inc., regarding a price increase in the rate paid for the treatment and disposal of liquid wastewater residuals. (\$0.10 per gallon) (Utilities Manager) **APPROVED**

8) **PUBLIC HEARING:** Resolution No. 2009-202 of the City Commission, also acting as the Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing the execution of a Property Improvement Grant Agreement between the Agency and D. Richard Depew, President of Florida Sunset Cabinetry, Inc. (Planning Director) **APPROVED**

9) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2009-53 approving the final plat for "Deer Creek," Phase Four, Unit A, of "Hunter's Ridge" Subdivision, a Development of Regional Impact; establishing conditions and expiration dates of approval. (Planning Director) **APPROVED ON SECOND READING**

B) Ordinance No. 2009-54 repealing Section 1-25, General, and Section 1-26, Application processing fees, of Article IV, Schedule of Development Review and Impact Fees, of Chapter 1, General Administration, of the Land Development Code of the City of Ormond Beach. (Planning Director) **APPROVED ON SECOND READING**

C)

D) Ordinance No. 2009-55 amending Chapter 8, Buildings and Construction Regulations, Article I, In General, of the Code of Ordinances of the City of Ormond Beach; by creating a Section 8-10, Application Processing Fees. (Planning Director) **APPROVED ON SECOND READING**

- E) Ordinance No. 2009-56 amending Chapter 14, Offenses-Miscellaneous, of the Code of Ordinances, by adding Article X, Vehicle Parking/Nuisances, and Sections 14-103, Front Yard and Street-Side Yard Parking, thereunder; by establishing terms and conditions relative thereto. (Neighborhood Improvement Manager) **TABLED UNTIL THE MARCH 2, 2010, CITY COMMISSION MEETING**

10) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2009-57 amending Chapter 4, Alcoholic Beverages, Section 4-3, Sale, consumption, possession, etc., prohibited except on licensed premises; exceptions, of the Code of Ordinances. (Leisure Services Director) **TABLED**
- B) Ordinance No. 2009-58 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building and the proposed building located at 51 South Atlantic Avenue, known as the Royal Floridian Condominium, and 53 South Atlantic Avenue, known as the Royal Floridian South Condominium, granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- C) Ordinance No. 2009-59 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 95 unit building located at 89 South Atlantic Avenue, known as 89 Oceanfront Condominiums, granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- D) Ordinance No. 2009-60 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 21 unit building located at 99 South Atlantic Avenue (Parcel No. 4214-28-00-2500), known as Oceanside 99 Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- E) Ordinance No. 2009-61 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 53 unit building located at 111 South Atlantic Avenue, known as Atlantis Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- F) Ordinance No. 2009-62 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 56 unit building located at 395 South Atlantic Avenue, known as Tidesfall Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- G) Ordinance No. 2009-63 of the City of Ormond Beach, Florida, making determinations regarding the height of two existing buildings containing 42 units located at 591 South Atlantic Avenue, known as Tropic Sun Towers Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- H) Ordinance No. 2009-64 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 104 unit building located at 759 South Atlantic Avenue, known as Georgian Inn Beach Club; granting certain vested rights relative thereto. (Planning Director) **APPROVED**

- I) Ordinance No. 2009-65 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 27 unit building located at 901 South Atlantic Avenue, known as Aliki Atrium Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- J) Ordinance No. 2009-66 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 156 unit building located at One John Anderson Drive, known as the Ormond Heritage Condominium; granting certain vested rights relative thereto. (Planning Director) **APPROVED**
- K) Ordinance No. 2009-67 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building located at 875 Sterthaus Drive (Parcel No. 4241-01-05-0070), and formerly known as the Ormond Memorial Hospital; granting certain vested rights relative thereto. **APPROVED**

11) **RESOLUTIONS:**

- A) Resolution No. 2009-203 approving and authorizing severance compensation for firefighters meeting the eligibility requirements for normal retirement on or before May 1, 2010; establishing conditions of entitlement; making legislative findings. **APPROVED**
- B) Resolution No. 2009-204 relative to Volusia County Community Redevelopment Area resolutions. (Resolution, including title, to be provided prior to City Commission meeting.) **APPROVED**

12) **DISCUSSION ITEMS:**

- A) Modification of the existing purchasing ordinance to include a local preference component. (Finance Director)  
**Staff will bring an ordinance to the Commission for review.**
- B) Hand Avenue bridge options.  
**The Commission was in favor of Option 2 which was a 14' x 7' box culvert and lake interconnect for an estimated cost of \$500,000.**

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

14) **CLOSE THE MEETING.**