



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

SEPTEMBER 8, 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 Father Bill Zamborsky, Prince of Peace Catholic Church.
- 3) Pledge of Allegiance.
- 4) **FIRST PUBLIC HEARING - FY 2009-2010 PROPOSED MILLAGE RATES AND BUDGET:**
  - A) Resolution No. 2009-124 adopting proposed millage rates for the 2009-2010 fiscal year; establishing a date, time and place for a public hearing to adopt final millage rates and final budget. (3.67418 operating millage rate; debt service millage rates of 0.09600 and 0.03950) **APPROVED**
  - B) First Reading of Ordinance No. 2009-31 adopting the Annual Budget for the 2009-2010 Fiscal Year beginning October 1, 2009, and ending September 30, 2010; repealing all inconsistent ordinances or parts thereof. (\$99,139,922) **APPROVED ON FIRST READING**
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the August 18, 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. 2009-125 amending the dates and times for the holding of regular meetings of the City Commission of the City of Ormond Beach, Florida, for the month of October 2009; providing for exceptions thereto. (Wednesday, October 7, 2009, to Tuesday, October 6, 2009) (City Clerk) **APPROVED**

- B) Resolution No. 2009-126 appointing a member of the Leisure Services Advisory Board; setting forth term and conditions of service. (John Scotti) **APPROVED**
- C) Resolution No. 2009-127 authorizing the creation of a Real Estate Brokerage Commission Program and approving the payment of commissions to licensed real estate brokers for inducing the sale of designated City owned property for economic development use and to encourage new capital investment and creation of jobs at the Airport Business Park. (Economic Development Director) **APPROVED**
- D) Resolution No. 2009-128 authorizing execution of an agreement between the City and the Volusia County Metropolitan Planning Organization in support of planning and funding of Volusia County transportation system projects; authorizing the expenditure of funding. (\$3,683) (Planning Director) **APPROVED**
- E) Resolution No. 2009-129 accepting a quotation from Kathy Harper Painting, LLC, for miscellaneous painting services under RFQ No. 2009-17; authorizing the execution of a contract and payment therefor; rejecting all other bids. (Leisure Services Director) **APPROVED**
- F) Debris removal and disposal agreements:
- 1) Resolution No. 2009-130 renewing an agreement between the City of Ormond Beach and DRC Emergency Services, LLC, regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
  - 2) Resolution No. 2009-131 renewing an agreement between the City of Ormond Beach and Phillips & Jordan, Inc., regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
  - 3) Resolution No. 2009-132 renewing an agreement between the City of Ormond Beach and Storm Reconstruction Services, Inc., regarding emergency debris removal, reduction and disposal services. (Public Works Operations Manager) **APPROVED**
- G) Resolution No. 2009-133 authorizing the execution of Change Order Number One (1) to that contract awarded to Big Value Garden Center regarding the CDBG Beachside Palm Tree Planting and Irrigation project, by increasing the contract price by \$2,877. (\$42,605 total contract price) (Acting City Engineer/Grants Coordinator) **APPROVED**
- H) Resolution No. 2009-134 terminating a Fourth Amended and Restated Interlocal Agreement between the City of Ormond Beach and the Water Authority of Volusia; authorizing the transmittal of the City's intent to terminate said agreement. **APPROVED**
- I) Resolution No. 2009-142 appointing a member to serve on the Aircraft Noise Abatement Task Force; setting forth term and conditions of service. (Ken Byrnes) (Airport Manager) **APPROVED**

J) Noise Abatement Task Force recommendation.

DISPOSITION: Approve as recommended in City Manager memorandum dated September 3, 2009. **APPROVED**

8) **PUBLIC HEARINGS:**

A) Resolution No. 2009-135 of the City Commission, individually and acting as the Community Redevelopment Agency for the Central Business District and adjacent areas, authorizing the execution of a service agreement between the City/Agency and Ormond Beach Main Street, Inc., for the promotion of economic, physical and aesthetic redevelopment and maintenance of the Ormond Beach Main Street District. (\$52,000) (Planning Director) **APPROVED**

B) Ordinance No. 2009-28 of the City of Ormond Beach, Florida, amending the Future Land Use Element of the Comprehensive Plan by amending the Future Land Use Map to change the designation of one (1) parcel of real property totaling 4.28 acres located at 1291 West Granada Boulevard, from "Suburban Low Density Residential" to "Office/Professional." (Second Reading) (Planning Director) **APPROVED ON SECOND READING**

C) Ordinance No. 2009-29 amending Subsection A, Zoning Map, of Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, Section 2-03, Official Zoning Map and Zoning Districts, of the City of Ormond Beach *Land Development Code*, by rezoning two parcels of real property totaling 8.28 acres located at 570 and 592 Sterthaus Drive, from B-1 (Professional Office/Hospital) to PBD (Planned Business Development); authorizing revision of the Official Zoning Map; approving a Development Order for a Planned Business Development to be known as "Madison Glen Apartments"; establishing conditions therefore; and approving and authorizing the removal of one historic tree located on the property. (Second Reading) (Planning Director) **APPROVED ON SECOND READING**

9) **SECOND READING OF ORDINANCE** No. 2009-30 amending Chapter 2, District and General Regulations, Article V, Non-conformance, Section 2-68, Application for a Determination of the Status of Non-conformity, of the *Land Development Code* by deleting the reference to the Development Review Team and adding a reference to the Determination Application Fee. (Planning Director) **APPROVED ON SECOND READING**

10) **FIRST READING OF ORDINANCES:**

A) Ordinance No. 2009-32 amending Sections 22-23, 22-24, and 22-71 of Chapter 22, Water and Sewers, of the Code of Ordinances, by increasing the minimum water and sewer rates. (Finance Director) **APPROVED ON FIRST READING**

B) Ordinance No. 2009-33 amending Chapter 10, Solid Waste, Yard Waste and Recyclables, Section 10-16, Fees for Collection and Disposal Established, of the Code of Ordinances, by increasing fees for the collection and disposal of solid waste. (Finance Director) **APPROVED ON FIRST READING**

11) **DISCUSSION ITEMS:**

A) Volusia County revisions to regulations relating to Community Redevelopment Areas.  
(Economic Development Director)

**City and County staff to meet and discuss the issues.**

B) Regulations regarding vehicle parking at residential properties. (Neighborhood Improvement Manager)

**Residential parking codes will be amended.**

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

13) **CLOSE THE MEETING.**