



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

MARCH 17, 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 Charles Melvin, Ormond Beach Union Church~~ Reverend John Gill, Tomoka United Methodist Church.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the March 3, 2009, 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. 2009-23 authorizing the execution of a lease agreement between the City and Halifax Urban Ministries, Inc., for the "Old Housing Authority Building" located at 164 West Granada Boulevard. (City Clerk) **(APPROVED)**
  - B) Resolution No. 2009-24 authorizing the submittal of a request to the County of Volusia for an amendment to the Community Development Block Grant Subrecipient Agreement for Fiscal Year 2008-2009 between the City of Ormond Beach and the County of Volusia; authorizing the execution of an amendment. (\$20,000 from sewer work at Ormond Parkway to pavers on Orlen Way) (Grants Coordinator) **(APPROVED)**

- C) Resolution No. 2009-25 authorizing the execution of a Collective Bargaining Agreement between the City of Ormond Beach and the International Association of Firefighters (I.A.F.F.), Local 3499. (Acting Fire Chief) **(TABLED UNTIL APRIL 7)**
- D) Resolution No. 2009-26 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 C. Ciccone and Donald A. Ciccone, Sr., and located at 67 Lakebluff Drive, Ormond Beach, Volusia County, Florida (Parcel ID No. 3240-11-00-0160), for costs incurred by the City to terminate or abate a site maintenance violation. (\$142.50) (Neighborhood Improvement) **(APPROVED)**
- E) Resolution No. 2009-27 approving a settlement proposal regarding the Worker's Compensation claim of Amanda Joy King; authorizing the execution of a settlement agreement and any and all documents incidental thereto; authorizing payment relative thereto. (\$42,000) (City Attorney) **(APPROVED)**
- F) FPL easements at the Water Treatment Plant:
- 1) Resolution No. 2009-28 authorizing the execution of an easement in favor of Florida Power & Light Company granting a one hundred fifty-one foot (150') long easement beginning at the proposed switchover device located near the process building to the rear southwest property line of the Water Treatment Plant. (Acting City Engineer) **(APPROVED)**
  - 2) Resolution No. 2009-29 authorizing the execution of an easement in favor of Florida Power & Light Company granting a six hundred nine foot (609') long easement that includes the extents of the newly installed conduit between the on-site transformer located near the process building and the on-site transformer located near the emergency generator building. (Acting City Engineer) **(APPROVED)**
- G) FPL easements at Hangar Way:
- 1) Resolution No. 2009-30 authorizing the execution of an easement in favor of Florida Power & Light Company granting a one thousand two hundred twenty-six foot (1,226') long easement beginning at an existing power pole on the west side of the Hangar Way entrance to a transformer located at 55 Hangar Way. (Acting City Engineer) **(APPROVED)**
  - 2) Resolution No. 2009-31 authorizing the execution of an easement in favor of Florida Power & Light Company granting a one hundred forty-six foot (146') long easement beginning at a proposed transformer at 55 Hangar Way West to a tie in with a second FP&L easement. (Acting City Engineer) **(APPROVED)**
- H) Resolution No. 2009-32 authorizing the execution of a deductive Change Order Number One (1) to that contract awarded to Bean Construction, Inc., regarding the Nova Community Park Ballfield #5 Improvements project, by decreasing the contract price by \$12,075.18. (\$447,724.82 total contract price) (Acting City Engineer) **(APPROVED)**

I) Resolution No. 2009-33 amending the rules of parliamentary procedure. (City Clerk) **(APPROVED)**

J) Request to continue allowing the East Volusia Mosquito Control District to perform low-level flights over the City of Ormond Beach to apply insecticides for the control of mosquitoes. (City Clerk)

DISPOSITION: Approve as recommended in City Manager memorandum dated March 12, 2009. **(APPROVED)**

K) Methodology Letter of Understanding (MLOU) related the Interchange Justification/Modification Report for I-95 at US1. (Planning Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated March 12, 2009. **(APPROVED)**

L) FY 2008-2009 budget results for the General Fund and the Water/Wastewater Fund. (Finance Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 15, 2009. **(APPROVED)**

7) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2009-03 dedicating the entranceway at the Ormond Beach Sports Complex to be known as "Doug Thomas Way," said entrance is located at Harmony Lane and runs to the Harry Wendelsted, Jr., Baseball Fields within the Ormond Beach Sports Complex; repealing all inconsistent ordinances or parts thereof; providing for transmittal and recording in the public records of Volusia County; and setting forth an effective date. (Leisure Services Director) **(APPROVED on second reading)**

B) Ordinance No. 2009-04 changing the name of "Cotten Seed Trail" to "Cotton Seed Trail," said street being located in the Trails South Forty, Phase II, subdivision; repealing all inconsistent ordinances or parts thereof; providing for transmittal and recording in the public records of Volusia County; and setting forth an effective date. (Planning Director) **(APPROVED on second reading)**

8) **DISCUSSION ITEM:** Proposal by the Motor Racing Heritage Association for an Ormond Garage Replica to be located at the Birthplace of Speed Park. **(REFERRED TO THE LEISURE SERVICES ADVISORY BOARD AND THE QUALITY OF LIFE BOARD FOR THEIR CONSIDERATION.)**

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

10) **CLOSE THE MEETING.**