

**ORMOND BEACH CITY COMMISSION MEETING
HELD AT CITY HALL COMMISSION CHAMBERS**

January 15, 2008 7:00 p.m.

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, City Manager Isaac Turner, Assistant City Manager Ted MacLeod, City Attorney Randal Hayes, and City Clerk Veronica Patterson.

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) **PRESENTATIONS:**
 - A) Recognition of Fire Department team.
 - B) Presentation of plaque to Doris Katz for service on the Cultural and Civic Affairs Advisory Board and the Quality of Life Advisory Board.
 - C) Proclamation honoring Gregory Berry, State Police Athletic League "Boy of the Year."
 - D) Presentation of "HOMe for the HOLIDAYS" awards.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the December 18, 2007, and January 8, 2008, meetings.
- 7) **INTERGOVERNMENTAL REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Water Authority of Volusia
- 8) **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. 2008-24 authorizing the execution of a Quitclaim Deed in favor of Rachelle Kramer releasing a portion of a ten-foot drainage and utility easement located along the rear of Lot 36, Hickory Village Subdivision (3 Trina Street).

- B) Resolution No. 2008-25 authorizing the execution of a Quitclaim Deed in favor of Michael S. Becker and Rebecca M. Becker releasing a portion of a five-foot utility easement located on Lot 10, Mez Subdivision (57 Nicholas Court).
- C) Resolution No. 2008-26 authorizing the execution of a release and satisfaction of Special Master administrative fine/lien for code violations on property located at 241 North US1.
- D) Resolution No. 2008-27 authorizing the execution of a release and satisfaction of Special Master administrative fine/lien for code violations on property located at 19 Nottingham Drive.
- E) Resolution No. 2008-28 accepting a public sidewalk easement deed from Lesbeth H. Cartledge, as trustee of the Lesbeth H. Cartledge Revocable Trust of 2000, satisfying a condition in Arby's restaurant Special Exception Development Order for property located along South Orchard Street.
- F) Resolution No. 2008-29 accepting a public utility and access easement deed from Lesbeth H. Cartledge, as trustee of the Lesbeth H. Cartledge Revocable Trust of 2000, for property located at the intersection of State Road 40 and South Orchard Street.
- G) Resolution No. 2008-30 authorizing the execution of a contract for the sale and purchase of Lots 3 and 4, Tower Circle Extension, Phase II, Airport Business Park. (\$741,000 – Ormond Airport Industrial LLC, affiliate of NAI Realvest, Inc.)
- H) Resolution No. 2008-31 authorizing the execution of Change Order Number One (1) to that contract awarded to McMahan Construction Co., Inc., regarding the Water Treatment Plant Softening Area Modifications project, by increasing the contract price by \$36,786. (\$2,727,786 total contract price)
- I) Resolution No. 2008-32 authorizing the execution of Change Order Number Two (2) to that contract awarded to Halifax Paving, Inc., regarding the construction services for the Ormond Beach Sports Complex Phase I Improvements project, by increasing the contract price by \$12,050. (\$1,777,234.50 total contract price)
- J) Resolution No. 2008-33 accepting a bid from Masci Corporation for construction services regarding the Nova Road and US1 Potable Water Booster Pump Station project under Bid No. 2008-04; authorizing the execution of a contract and payment therefore; rejecting all other bids. (Not-to-exceed \$175,500)
- K) Resolution No. 2008-34 accepting a bid from Ashberry Acquisition Company, d/b/a Ashberry Water Conditioning, for the provision of solar salt to be used at the Water Plant under Bid No. 2008-03; authorizing the execution of a contract and payment therefore; rejecting all other bids. (\$55,424.25)

- L) Resolution No. 2008-35 authorizing the sole source procurement of water meters from Sunstate Meter & Supply, Inc.; authorizing the execution of an agreement with Sunstate Meter & Supply, Inc.
- M) Resolution No. 2008-36 authorizing the approval and execution of a purchase authorization (Requisition 0000004474) for the purchase of two (2) passenger minivans under Florida Sheriff's Association Bid Number 07/15/0827; declaring certain vehicles to be surplus property and authorizing the disposition thereof. (\$16,394 each)
- N) Resolution No. 2008-37 accepting the proposed Major Issues List that will serve as the basis for the Letter of Understanding between the City and the Florida Department of Community Affairs for the preparation of the City's Evaluation and Appraisal Report; authorizing transmittal to the State land planning agency.
- O) Resolution No. 2008-38 authorizing the execution of a Collective Bargaining Agreement between the City and the Ormond Beach Firefighters Association (Local 3499, IAFF, AFL-CIO, CLC).
- P) Approval of travel by the City Commission and City Manager to attend conferences.

DISPOSITION: Approve as recommended in City Manager memorandum dated January 10, 2008.

- Q) FY 2007-08 budget results for the General Fund and the Water/Wastewater Fund.

DISPOSITION: Approve as recommended in City Manager memorandum dated January 10, 2008.

9) **PUBLIC HEARINGS:**

- A) Ordinance No. 2008-01 amending the Comprehensive Plan of the City of Ormond Beach by adding a Public School Facilities Element; amending the Intergovernmental Coordination and Capital Improvement Elements. (First Reading)
- B) Ordinance No. 2008-02 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 6.24 acres located at 1614 North US Highway 1 from Volusia County "Commercial" to Ormond Beach "Commercial." (Best Value Inn) (First and Only Reading)
- C) Ordinance No. 2007-41 amending the zoning map of the City of Ormond Beach by rezoning a 2.73-acre parcel of real property located at 298 & 300 South Nova Road from B-8 (Commercial) with a Planned Business Development Overlay to PBD (Planned Business Development); approving a Development

Order for a Planned Business Development to be known as “Capital Plaza” and establishing conditions therefore. (Second Reading)

- D) Ordinance No. 2007-42 relative to Planned Industrial Development (PID) zoning districts, Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-37, Planned Industrial Development (PID), Subsection C, Dimensional Requirements, of the *Land Development Code* by amending regulations regarding minimum number of business/industrial uses. (Second Reading)
- E) Ordinance No. 2007-43 relative to district and general regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, and Article II, District Regulations, Sections 2-02 and 2-38, of the *Land Development Code* by amending regulations to establish a consistency between the Comprehensive Plan and the list of official zoning districts and by creating a new section to be numbered 2-38, creating and establishing minimum standards and procedures for a Planned Mixed Use Development (PMUD) zoning classification. (Second Reading)
- F) Ordinance No. 2007-44 relative to definitions, Chapter 1, General Administration, Article III, Definitions and Acronyms, Section 1-22, Definition of Terms and Words, of the *Land Development Code* by amending regulations to clarify that submerged land cannot be used to calculate minimum lot area or dimensional requirements established in Chapter 2, Article II, of the *Land Development Code* by adding the terms “Land, Submerged” and “Lot, Area.” (Second Reading)
- G) Ordinance No. 2007-40 amending the official zoning map of the City of Ormond Beach to rezone a 10-acre parcel of real property located to the rear of the existing church at 1687 W. Granada Boulevard (SR40) from Urban Multi-Family Residential (R-6) to Highway Tourist Commercial (B-7). (Calvary Assembly of God Church) (Second Reading)
- H) Calvary Assembly of God of Ormond Beach, Inc., Special Exception:
 - 1) Resolution No. 2008-39 authorizing the execution and issuance of a Development Order for a Special Exception to allow a house of worship on property located at 1687 West Granada Boulevard, said property being within the B-7 (Highway Tourist Commercial) zoning district; establishing conditions and expiration date of approval. (Calvary Assembly of God Church)
 - 2) Resolution No. 2008-40 authorizing the execution of a Water, Sewer and Annexation Agreement between the City of Ormond Beach and Calvary Assembly of God of Ormond Beach, Florida; providing for recordation.
 - 3) Resolution No. 2008-41 authorizing the execution of a Parking Improvement Agreement between the City of Ormond Beach and Calvary Assembly of God of Ormond Beach, Florida, Inc., providing for recordation.

- I) Resolution No. 2008-42 authorizing the execution and issuance of a Development Order for a Special Exception to allow a 20,823 square feet private school, known as the "Daytona College" on property located at 425/427 South Nova Road, within the B-8 (Commercial) zoning district; establishing conditions and expiration date of approval.
- J) Resolution No. 2008-43 approving and authorizing the removal of an historic tree located at 370 Hand Avenue.

10) ***DISCUSSION ITEMS:***

- A) Woodlands Boulevard proposed sidewalk.
- B) City logo.
- C) Redirection of CDBG funds.

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

12) ***CLOSE THE MEETING.***

Item #9(A) – Public School Facilities Element

ORDINANCE NO. 2008-01
AN ORDINANCE AMENDING THE COMPREHENSIVE
PLAN OF THE CITY OF ORMOND BEACH BY ADDING A
PUBLIC SCHOOL FACILITIES ELEMENT; AMENDING
THE INTERGOVERNMENTAL COORDINATION AND
CAPITAL IMPROVEMENT ELEMENTS; REPEALING ALL
INCONSISTENT ORDINANCES OR PARTS THEREOF;
AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello reported this Comprehensive Plan Amendment was approved unanimously by the Planning Board.

Mr. Tom Harowski, 97 North St. Andrews Drive, stated he has been working with the School Board on this Public School Facilities Element. He reported the School District supported the plan that was before the Commission tonight. Mr. Harowski expressed appreciation for the time City staff has put into this element, and he thanked Commissioner Kent for serving on the Stakeholder's Committee.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Ordinance No. 2008-01, on first reading, as read by title only.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Hearing no objection, Mayor Costello closed the public hearing on Item #9(A).

**ORMOND BEACH CITY COMMISSION MEETING
HELD AT CITY HALL COMMISSION CHAMBERS**

February 5, 2008 7:00 p.m.

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, City Manager Isaac Turner, Assistant City Manager Ted MacLeod, City Attorney Randal Hayes, and City Clerk Veronica Patterson.

A G E N D A

- 13) Meeting call to order by Mayor Costello.
- 14) Invocation by Reverend Charles Melvin, Ormond Beach Union Church.
- 15) Pledge of Allegiance.

- 16) **PRESENTATION:** Proclamation in honor of Ann Burt.

- 17) **AUDIENCE REMARKS:**

- 18) **APPROVAL OF THE MINUTES** of the January 15, 2008, meeting.

- 19) **INTERGOVERNMENTAL REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Water Authority of Volusia

- 20) **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.
 - R) Resolution No. 2008-44 authorizing the execution of a release and satisfaction of Special Master administrative fine/lien for code violations on property located at 280 South Center Street. (\$50.00)
 - S) Resolution No. 2008-45 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 454 South Beach Street for costs incurred by the City to terminate or abate a site maintenance violation. (\$180.00)
 - T) Resolution No. 2008-46 urging members of the Florida Legislature to support certain issues during the 2008 legislative session.
 - U) Resolution No. 2008-47 authorizing the execution of an Amendment to Easement Deed for public utility purposes between the City of Ormond Beach and Calvary Assembly of God of Ormond Beach, Florida, Inc.; providing for recordation.

- V) Resolution No. 2008-48 authorizing the execution of a quitclaim deed in favor of Stephen D. Haas and Andrea R. Haas releasing a portion of a ten foot utility and drainage easement located on Lot 44, Ormond Green Phase I Subdivision (5 Praireview Lane).
- W) Resolution No. 2008-49 authorizing the execution of a contract for the sale and purchase of Lot 1, Tower Circle Extension, Airport Business Park, Phase II. (Atlantic Central Enterprise, Inc. - \$435,500)
- X) Approval of FY 2008-09 budget calendar.

DISPOSITION: Approve as recommended in City Manager memorandum dated January 31, 2008.

- H) Request to change the date to close Riverside Drive for the Birthplace of Speed Reception and Car Show.

DISPOSITION: Approve as recommended in City Manager memorandum dated January 31, 2008.

21) **PUBLIC HEARINGS:**

- A) Ormond Beach Downtown Community Redevelopment Area:
 - 1) Review by the Community Redevelopment Agency
 - a) Recess the City Commission meeting and convene as the City of Ormond Beach Community Redevelopment Agency.
 - b) Review Property Improvement Grant application for recommendation to the City Commission.
 - c) Adjourn as the Community Redevelopment Agency and reconvene the City Commission meeting.
 - 2) Resolution No. 2008-50 of the City Commission of the City of Ormond Beach, also acting as the Community Redevelopment Agency of the City of Ormond Beach, authorizing the execution of a Property Improvement Grant Agreement between the City of Ormond Beach Community Redevelopment Agency and Dr. Thomas Cartledge. (Arby's Restaurant – 380 West Granada Boulevard - \$50,000)

- B) Resolution No. 2008-51 authorizing the execution and issuance of a Development Order for a Special Exception to allow a Type "A" restaurant on property located at 600 South Yonge Street (US1), said property being within the B-8 (Commercial) zoning district; establishing conditions and expiration date of approval. (Saigon Bay Restaurant)
 - C) Ordinance No. 2008-01 amending the Comprehensive Plan of the City of Ormond Beach by adding a Public School Facilities Element; amending the Intergovernmental Coordination and Capital Improvement Elements. (Second Reading)
 - D) Ordinance No. 2008-03 amending the zoning map of the City of Ormond Beach by rezoning a 2.8 acre parcel of real property located at 950 North Highway US1 from B-8 (Commercial) with a Planned Business Development Overlay to PBD (Planned Business Development); approving the execution and issuance of the Third Amended Development Order regarding the "River Grille" restaurant; authorizing live performers under specific conditions; ratifying and affirming the previous Development Order and establishing conditions therefore. (First Reading)
 - E) Ordinance No. 2008-04 amending Paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning Districts and Official Zoning Map, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling ±6.24-acres located at 1614 North Highway US1 from Volusia County B-8 (Tourist) to Ormond Beach B-7 (Highway Tourist Commercial); authorizing revision of the official zoning map. (Best Value Inn) (First and Only Reading)
- 22) **FIRST READING OF ORDINANCE** No. 2008-05 granting an economic development ad valorem tax exemption to Atlantic Central Enterprises, Inc.; requiring annual filings.
- 23) **DISCUSSION ITEMS:**
- A) Update on red light camera program.
 - B) Proposed 2009 election schedule.
- 24) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 25) **CLOSE THE MEETING.**

Item #9(C) – Public School Facilities Element

ORDINANCE NO. 2008-01
AN ORDINANCE AMENDING THE COMPREHENSIVE
PLAN OF THE CITY OF ORMOND BEACH BY ADDING A
PUBLIC SCHOOL FACILITIES ELEMENT; AMENDING
THE INTERGOVERNMENTAL COORDINATION AND
CAPITAL IMPROVEMENT ELEMENTS; REPEALING ALL
INCONSISTENT ORDINANCES OR PARTS THEREOF;
AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-01, on second reading, as read by title only.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Hearing no objection, Mayor Costello closed the public hearing on Item #9(C).