



CITY OF ORMOND BEACH CITY COMMISSION MEETING

MARCH 8, 2011

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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### ***ACTION REPORT***

- 1) Meeting call to order by Mayor Kelley.
- 2) Invocation by Reverend Polly Deppen, Christ Presbyterian Church.
- 3) Pledge of Allegiance.
- 4) ***PRESENTATIONS:***
  - A) Police Department Valor Awards to Officers Rhett Summerlot, Christopher Davis, Richard Rubin, Gregory Stokes and Sgt. Tony Corn.
  - B) Proclamation in honor of the Ormond Beach Soccer Club.
- 5) ***AUDIENCE REMARKS:***
- 6) ***APPROVAL OF THE MINUTES*** of the February 15, 2011, meeting.
- 7) ***COMMUNITY REDEVELOPMENT AGENCY MEETING:***
  - A) Consideration of a bid from Tomoka Construction Service, Inc., regarding the Downtown Parking Improvements – Bovard Avenue, Coquina and Vining Court project under Bid No. 2011-03. (\$366,386) (Acting City Engineer) **Item #9A**
  - B) Approval of a conceptual plan for the Florida Department of Transportation SR40 resurfacing project from Beach Street to Washington Avenue. (Acting City Engineer) **Item #9B**

- 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. 2011-37 appointing members of the Public Works Advisory Board; setting forth terms and conditions of service; and setting forth an effective date. (Joe Lipscomb, Robert Boggs, George D. (Sandy) Dunn, Steve Buswell, and Eugene Miller)(City Clerk) **APPROVED**
  - B) Resolution No. 2011-38 authorizing the execution of a Community Development Subrecipient Agreement between the City and Great Kids Explorer Club, Inc., regarding tutoring services for at-risk students. (Grants Coordinator). **APPROVED**
  - C) Resolution No. 2011-39 authorizing the execution of an agreement with Shelley's Environmental Systems regarding sludge disposal services under a cooperative bid solicited by the City of Daytona Beach; authorizing payment therefor; rejecting all other bids. (Utilities Manager) **APPROVED**
  - D) Budget calendar for the FY 2011-12 budget. (Finance Director)  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**
  - E) Federal lobbyist contract with Marlowe & Company. (Assistant City Manager)  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**
  - F) TPO Enhancement Project Application for Thompson Creek Trail Feasibility Study. (Planning Director)  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**
  - G) Development of parking and park facilities for Ormond Beach's Andy Romano Beachfront Park. (Acting City Engineer)  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**
  - H) Letter of support of the feasibility study for a sidewalk on Calle Grande Street.  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**
  - I) Follow up regarding the City Commission Goals Workshop.  
DISPOSITION: Approve as recommended in City Manager memorandum dated March 3, 2011. **APPROVED**

9) **PUBLIC HEARINGS:**

- A) Resolution No. 2011-40 of the City Commission, also acting as the Community Redevelopment Agency, of the City of Ormond Beach, Florida, accepting the bid of Tomoka Construction Services, Inc., regarding the Downtown Parking Improvements Project (Bid No. 2011-03); rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$366,386) (Acting City Engineer) **APPROVED**
- B) Resolution No. 2011-41 of the City Commission, also acting as the Community Redevelopment Agency of the City of Ormond Beach, Florida, approving a conceptual plan as submitted by Florida Department of Transportation for the SR40 Resurfacing Project. (Acting City Engineer) **APPROVED**
- C) Ordinance No. 2011-07 amending Chapter 1, General Administration, of Article III, Definitions and Acronyms, Section 1-22, Definition of Terms and Words, Chapter 2, District and General Regulations of Article II, District Regulations, Section 2-32, Light Industrial (I-1), and Chapter 2, District and General Regulations of Article IV, Conditional and Special Exception, Subsection N, of the City of Ormond Beach *Land Development Code*, to add a definition of non-emergency medical transport services; to add a non-emergency medical transport services conditional use to the I-1 zoning district and certain conditions/criteria to the conditional use. (Second Reading) **APPROVED ON SECOND READING**
- D) Ordinance No. 2011-08 of the City of Ormond Beach, Florida, imposing a temporary moratorium for 180 days on the receipt, consideration or issuance of any business tax receipt, building permit, special exception, site plan approval or any other official action of the City of Ormond Beach having the effect of permitting or allowing the operation of internet cafes, internet sweepstakes redemption centers, or adult arcade amusement centers pending the study of the legalities of such operations and whether the regulation of such activities and facilities is required; providing legislative findings; providing the duration; severability; repealing all ordinances or parts of ordinances in conflict herewith. (Planning Director/City Attorney) (First Reading) **APPROVED ON FIRST READING**
- E) Ordinance No. 2011-09 annexing certain real property into the City of Ormond Beach, said property being generally located along the east side of North U.S. Highway 1 adjacent to the northbound entrance to Interstate 95 and being commonly located at 1561 North U.S. Highway 1, including a portion of Rosemary Street and Atlantic Road; redefining the territorial boundaries of the City of Ormond Beach to include the property; redesignating the boundaries of Zone 1 of the City of Ormond Beach to include the property; providing for transmission; providing for severability; and setting forth an effective date. (First Reading) (Planning Director) **APPROVED ON FIRST READING**
- F) Ordinance No. 2011-10 annexing certain real property into the City of Ormond Beach, said property being generally located along the east side of North U.S. Highway 1 approximately 1,125 linear feet south of Interstate 95 and being commonly located at 1521 North U.S. Highway 1, including that portion of Benton Street and Broadway Avenue abutting the property; redefining the territorial boundaries of the City of

Ormond Beach to include the property; redesignating the boundaries of Zone 1 of the City of Ormond Beach to include the property; providing for transmission; providing for severability; and setting forth an effective date. (First Reading) (Planning Director)

**APPROVED ON FIRST READING**

- 10) **SECOND READING OF ORDINANCE** No. 2011-06 amending Subsection E, Docks, Boathouses and Boat Lifts of Chapter 2, District and General Regulations, of Article III, General Regulations, Section 2-50, Accessory Uses, of the *Land Development Code*, by increasing the highest point of the roof of any boathouse or similar structure above the water level at mean high tide from 12 feet to 18 feet; and by adding an exception to the permit requirements that are eligible for "Consent by Rule" from the Florida Department of Environmental Protection for single family dock projects not in an aquatic preserve. (Planning Director) **APPROVED ON SECOND READING**
- 11) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 12) **CLOSE THE MEETING.**