



ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
Tuesday, September 6, 2011
7:00 PM

Mayor Ed Kelley

Zone 1 – Commissioner James Stowers

Zone 3 – Commissioner Rick Boehm

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Bill Partington

CITY COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, Florida 32174

City Clerk's Office: (386) 676-3297

Fax: (386) 676-3330

- 1. CALL TO ORDER**
- 2. INVOCATION –** Father Comforted Keen
Church of the Holy Child Episcopal Church
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2011-2012 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
 - A. Resolution No. 2011-119 –** A resolution adopting proposed millage rates for the 2011-2012 Fiscal Year; establishing a date time and place for a public hearing to adopt final millage rates and final budget; and setting forth an effective date. *(Finance Director)* **APPROVED MILLAGE RATE OF 3.8933 MILLS; DEBT SERVICE MILLAGE FOR THE GENERAL OBLIGATION BOND ISSUE OF 0.1157 FOR 2002; 0.0475 MILLS FOR 2003; AND .01449 FOR 2010.**
 - B. First Reading of Ordinance No. 2011- 34 –** An ordinance adopting the Annual Budget for the 2011-2012 Fiscal Year beginning October 1, 2011 and ending September 30, 2012; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. *(Finance Director)* **APPROVED**
- 5. AUDIENCE REMARKS –** Regarding items not on the agenda.
- 6. APPROVAL OF MINUTES**
 - A. Minutes from the City Commission meeting –** August 16, 2011 **APPROVED**
- 7. COMMUNITY REDEVELOPMENT AGENCY**

- A. Resolution No. 2011-129** – A resolution 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; and setting forth an effective date. (*Planning Director*) **(See Item # 12A)**
- 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. **APPROVED**
- A. Resolution No. 2011-120** – A resolution authorizing execution of a service agreement between the City and the Ormond Memorial Art Museum; authorizing the expenditure of funding; and setting forth an effective date. (*Leisure Services Director*) **APPROVED WITH REQUEST TO RETURN VETERANS PLAQUE TO ITS ORIGINAL LOCATION BY ENTRANCE**
- B. Resolution No. 2011-121** – A resolution authorizing the execution of a first amendment to the Interlocal Agreement for Fire and/or Rescue Service Mutual Aid within Volusia County; and setting forth an effective date. (*Interim Fire Chief*) **APPROVED**
- C. Resolution No. 2011-122** – A resolution authorizing the execution of a service contract between the City and the Ormond Beach Chamber of Commerce; setting forth an effective date. (*Economic Development Director*) **APPROVED**
- D. Resolution No. 2011-123** – A resolution authorizing the submittal of a grant application to the Florida Department of Environmental Protection under the Florida Recreation Development Assistance Program for funding assistance relative to Nova Community Park improvements; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award; and setting forth an effective date. (*Finance Director*) **APPROVED**
- E. Resolution No. 2011-124** – A resolution authorizing the execution of change order number one (1) to that contract awarded to JD Weber Construction Co. regarding the Coolidge Avenue road and drainage improvements project, by increasing the contract price by \$25,647.00; and setting forth an effective date. (*Acting City Engineer*) **APPROVED**
- F. Resolution No. 2011-125** – A resolution accepting a proposal from Florida Health Care Plans, Inc. for the provision of employee health/medical benefits services; authorizing the execution of a contract and payment therefor; and setting forth an effective date. (*Human Resource Director*) **APPROVED**
- G. Resolution No. 2011-126** – A resolution accepting a proposal from Standard Insurance Company for the provision of employee dental benefits services; authorizing the execution of a contract and payment therefor; and setting forth an effective date. (*Human Resource Director*) **APPROVED**

H. Resolution No. 2011-127 – A resolution accepting a proposal from Standard Insurance Company for the provision of employee life insurance benefits services; authorizing the execution of a contract and payment therefor; and setting forth an effective date. (*Human Resource Director*) **APPROVED**

I. Resolution No. 2011-128 – A resolution accepting a proposal from Standard Insurance Company for the provision of employee long term disability benefits services; authorizing the execution of a contract and payment therefor; and setting forth an effective date. (*Human Resource Director*) **APPROVED**

J. Request to adopt “Wellness Cove”, an employee wellness program, effective October 1, 2011 (*Human Resource Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

K. FY 2011-2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Approval of the Funding Distribution (*Finance Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

L. Requesting approval to waive an application for a variance based upon the City issuing a permit in error (*Planning Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

M. RFP for Tomoka State Park Multiuse Trail from Beach Street to Inglesa Avenue, Bid No. 2011-27 (*Acting City Engineer*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

N. RFP for SR40 Sidewalk Phase 3 from Old Tomoka Rd to Airport Road, Bid No. 2011-05 (*Acting City Engineer*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

O. RFQ for SR5A Nova Road Audible Pedestrian Signals and ADA Improvements at Granada Blvd, Woodland Boulevard and Division Avenue, RFQ No. 2011-28 (*Acting City Engineer*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

P. Ormond Crossing 1st Annual Report (*Planning Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

Q. Budget Status Report (*Finance Director*) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

R. Paperless Agenda Automation System (City Clerk) APPROVED

DISPOSITION: Approve as recommended in City Manager memorandum dated September 1, 2011.

9. PUBLIC HEARINGS

- A. Second Reading of Ordinance No. 2011-31** – An ordinance amending Paragraph C, Official Zoning Map, of Section 2-01, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, Article I, Establishment of Zoning Districts and Official Zoning Map, of the *Land Development Code*, by rezoning a 2.53-acre parcel of real property located at 1287 West Granada Boulevard, from SR (Suburban Residential) to PBD (Planned Business Development), authorizing revision of the Official Zoning Map; and approving a development order for a Planned Business Development to be known as “Brown/Thompson Commercial Site”; establishing conditions; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON SECOND READING**
- B. First Reading of Ordinance No. 2011- 35** – An ordinance 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 City of Ormond Beach *Land Development Code*, by amending the Official Zoning Map to rezone certain real property totaling 0.86-acres located at 1142 north us highway 1, from Volusia County I-1 (Light Industrial) to Ormond Beach I-1 (Light Industrial), authorizing revision of Official Zoning Map; repealing all inconsistent ordinances or parts thereof; and setting forth an effective date. (*Planning Director*) **APPROVED ON FIRST READING**

10. SECOND READING OF ORDINANCES

A. Repeal of local ordinances regulating firearms:

- 1. Ordinance No. 2011- 32** – An ordinance amending Chapter 15, Parks and Recreation, Article I, Operation of city parks and recreation and cultural areas and facilities, Section 15-6, Recreation activities of the Code of Ordinances of the City of Ormond Beach, Florida; by repealing local provisions relating to hunting and firearms within city parks; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. (*Chief of Police*) **APPROVED ON SECOND READING**
- 2. Ordinance No. 2011- 33** – An ordinance amending Chapter 14, Offenses —Miscellaneous, Article I, In General, Section 14-7, Firearms; Discharging, of the Code of Ordinances of the City of Ormond Beach, Florida; by repealing local provisions relating to discharging firearms within the city limits; repealing all inconsistent ordinances or parts thereof; providing severability; and setting forth an effective date. (*Chief of Police*) **APPROVED ON SECOND READING**

11. FIRST READING OF ORDINANCES

- A. Ordinance No. 2011- 36** – An ordinance amending Chapter 14 of the Code of Ordinances of the City of Ormond Beach, Florida, by establishing Article XI, Use of Temporary Cover for the Temporary Protection of Structures, including Section 14-104, Purpose; Section 14-105, Definitions; and Section 14-106, Use of Temporary Cover Authorized; providing a regulatory purpose, definitions, and conditions for the use of temporary cover to protect structures during storm and catastrophic events; providing for enforcement; providing for severability; providing for conflicting ordinances; and setting forth an effective date. **APPROVED ON FIRST READING**
- B. Ordinance No. 2011- 37** – An ordinance of the City of Ormond Beach, Florida, extending by 90 days a temporary moratorium imposed by Ordinance 2011-08 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 approval of regulations pertaining thereto; providing legislative findings; providing the duration; providing severability; repealing all ordinances or parts of ordinances in conflict herewith; and providing for an effective date. *(City Attorney)* **APPROVED ON FIRST READING**

12. RESOLUTIONS

- A. Resolution No. 2011-129** – A resolution 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; and setting forth an effective date. *(Planning Director)*

13. STAFF ACTION ITEMS

- A. Community Engagement Plan Update for Ormond Beach's Andy Romano Beachfront Park** *(Acting City Engineer)* **APPROVED WITH A CONSENSUS FOR ARCHITECTURAL CONCEPT A; SPLASH PARK; PLAYGROUND; SHADING FOR PLAYGROUND AND INDIVIDUAL RESTROOMS.**

- 14. REPORTS, SUGGESTIONS, REQUESTS** (Mayor, City Commission, City Manager, City Attorney)

15. ADJOURNMENT

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the 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.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: (386) 676-3297



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In accordance with the Americans with Disabilities Act (ADA), 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's Office in writing, or may call (386) 676-3297 for information regarding available aids and services.