



**ACTION REPORT**  
**CITY OF ORMOND BEACH, FLORIDA**  
**CITY COMMISSION MEETING**  
**Tuesday, January 17, 2012**  
**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**  
**Phone: (386) 677-0311**      **Fax: (386) 676-3330**

**1. CALL TO ORDER**

**2. INVOCATION** - Rev. Willie Branch, New Bethel AME Church

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS**

**A.** 2011 Holiday Parade Award

**B.** ACE Awards (Ormond Beach Chamber of Commerce)

- o Amberlyn Foote from Ormond Beach Middle School
- o Wesley Wright from Hinson Middle School

**C.** Employee of the Quarter - Paul McDonald, Landscape Architect

**5. AUDIENCE REMARKS** - Regarding items not on the agenda.

**6. APPROVAL OF MINUTES**

**A.** Minutes from the City Commission & CRA meeting - January 3, 2012  
**APPROVED**

**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. 2012-03** - A RESOLUTION ACCEPTING THE BID OF WEST CONSTRUCTION, INC. REGARDING CONSTRUCTION SERVICES FOR THE TOMOKA STATE PARK MULTI-USE TRAIL PROJECT UNDER BID NO. 2011-27; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT

THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**

**B. RESOLUTION NO. 2012-04** - A RESOLUTION ACCEPTING THE BID OF L-J CONSTRUCTION CO. OF CENTRAL FLORIDA REGARDING CONSTRUCTION SERVICES FOR THE SR40 MULTI-USE TRAIL (PHASE III) PROJECT UNDER BID NO. 2011-05; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**

**C. RESOLUTION NO. 2012-05** - A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION #0000008702) FOR THE PURCHASE OF SEVEN (7) PATROL VEHICLES UNDER FLORIDA SHERIFFS ASSOCIATION BID NUMBER 11-19-0907; DECLARING CERTAIN PATROL VEHICLES TO BE SURPLUS PROPERTY, AND AUTHORIZING THE DISPOSITION THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (Public Works Director) **APPROVED**

**D. RESOLUTION NO. 2012-06** - A RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY AND ZEV COHEN & ASSOCIATES, INC. REGARDING THE DEVELOPMENT OF PARKING AND PARK FACILITIES FOR ORMOND BEACH'S ANDY ROMANO BEACHFRONT PARK PROJECT BY AUTHORIZING ADDITIONAL WORK FOR THE DESIGN OF A SPLASH PARK AND PAYMENT THEREFORE; AUTHORIZING PAYMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE. (City Engineer) **APPROVED**

**E. Auto Renew Contract for Ormond Beach Sports Officials** (*Finance Director*)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 12, 2011. **APPROVED**

**F. Approving a Votran Trolley Service Subsidy** (*Planning Director*)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 12, 2011. **APPROVED**

**G. Approval of Travel by the City Commission, City Manager, City Attorney** (*City Clerk*)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 12, 2011. **APPROVED**

**H. Appeal of the Preliminary Digital Flood Insurance Rate Maps (DFIRMs) to the Federal Emergency Management Agency** (*Planning Director*)

DISPOSITION: Approve as recommended in City Manager

**I. Budget Calendar for FY 2012-13** (*Finance Director*)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 12, 2011. **APPROVED**

**8. PUBLIC HEARINGS**

**A. FIRST READING OF ORDINANCE NO. 2012-02** - AN ORDINANCE AMENDING THE TRANSPORTATION ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; BY AMENDING POLICY 2.1.5 PERTAINING TO CONSTRAINED ROADS; PROVIDING WHEN SUCH AMENDMENTS SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**

**B. FIRST READING OF ORDINANCE NO. 2012-03** - AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-07.F, ZONING DISTRICT DESIGNATIONS BY AMENDING THE TITLES OF THE R-2.5 AND T-1 ZONING DISTRICTS; SECTION 2-12, R-1, RURAL ESTATE ZONING DISTRICT, BY AMENDING THE ZONING DISTRICT TITLE FROM "RURAL ESTATE" TO "RESIDENTIAL ESTATE"; SECTION 2-17, R-4, SINGLEFAMILY MEDIUM RESIDENTIAL ZONING DENSITY BY AMENDING THE ZONING DISTRICT TITLE FROM "SINGLE-FAMILY MEDIUM RESIDENTIAL" TO "SINGLEFAMILY CLUSTER & TOWNHOUSE"; AMEND SUBSECTION C, PERMITTED USES OF SECTION 2-25, B-4, CENTRAL BUSINESS ZONING DISTRICT; SECTION 2-26, B- 5, SERVICE COMMERCIAL ZONING DISTRICT; SECTION 2- 28, B-7, HIGHWAY TOURIST COMMERCIAL ZONING DISTRICT; SECTION 2 -29, B-8, COMMERCIAL ZONING DISTRICT; SECTION 2-30, B-9, BOULEVARD ZONING DISTRICT; AND SECTION 2-31, B-10, SUBURBAN BOULEVARD ZONING DISTRICT, BY CHANGING THE USE OF "BUSINESS / PROFESSIONAL SERVICES" TO "BUSINESS / PROFESSIONAL OFFICE"; AND SECTION 2-26, B-6, OCEANFRONT TOURIST COMMERCIAL ZONING DISTRICT BY ADDING A CATEGORY UNDER TYPE SUBSECTION TO BE NAMED PARK & RECREATIONAL FACILITIES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**

**9. SECOND READING OF ORDINANCES**

**A. SECOND READING OF ORDINANCE NO. 2011-58** - AN ORDINANCE ADOPTING CERTAIN UPDATED SCHEDULES TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH UPDATES SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON SECOND READING**

- B. SECOND READING OF ORDINANCE NO. 2012-01** - AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, DIVISION 2, ENUMERATED, OF THE CODE OF ORDINANCES, BY ADDING A NEW SECTION TO BE NUMBERED AND ENTITLED SECTION 2-229, BROWNFIELD ADVISORY BOARD; CREATING A BROWNFIELD ADVISORY BOARD; ESTABLISHING TERMS AND CONDITIONS OF MEMBERSHIP; ESTABLISHING POWERS AND DUTIES; AND SETTING FORTH AN EFFECTIVE DATE. (*City Attorney*) **ITEM TABLED BY COMMISSION**

## **10. FIRST READING OF ORDINANCES**

- A. FIRST READING OF ORDINANCE NO. 2012-04** - AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE III, DEFINITIONS, SECTION 1-22, DEFINITION OF TERMS AND WORDS OF THE CITY OF ORMOND BEACH *LAND DEVELOPMENT CODE*; AMENDING CERTAIN DEFINITIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**
- B. FIRST READING OF ORDINANCE NO. 2012-05** - AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES AMENDING SUBSECTION E, DOCKS, BOATHOUSES AND BOAT LIFTS; AMENDING SUBSECTION G, COMMERCIAL VEHICLE STORAGE/PARKING; AMENDING SUBSECTION N, FENCES AND WALLS; AMENDING SUBSECTION R, GREENHOUSES; AMENDING SUBSECTION V, OUTDOOR STORAGE, PARKING, OR USE OF PERSONAL PROPERTY; AMENDING SUBSECTION BB, SHEDS, UTILITY STRUCTURES, PLAYHOUSES AND GAZEBOS; AND CREATING A NEW SUBSECTION TITLED PLAY STRUCTURES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**
- C. FIRST READING OF ORDINANCE NO. 2012-06** - AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE BY AMENDING SECTION 1-22, DEFINITION OF TERMS AND WORDS; OF ARTICLE III, DEFINITIONS AND ACRONYMS; OF CHAPTER 1, GENERAL ADMINISTRATION; BY AMENDING PARAGRAPH A7, AUTOMATIC AMUSEMENT CENTERS/GAME ROOMS; OF SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION; OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS; OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**

**D. FIRST READING OF ORDINANCE NO. 2012-07** - AN ORDINANCE AMENDING SECTION 12-144, REGULATIONS PERTAINING TO AUTOMATIC AMUSEMENT DEVICES AND CENTERS; OF ARTICLE V, AUTOMATIC AMUSEMENT DEVICES; OF CHAPTER 12, BUSINESS REGULATIONS OF THE CODE OF ORDINANCES, REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE. (*Planning Director*) **APPROVED ON FIRST READING**

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

**12. ADJOURNMENT**

Website Address - [www.ormondbeach.org](http://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) 677-0311



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