



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING**

**April 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

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

1. CALL TO ORDER

2. INVOCATION

A. Chaplin Art Lohman, Oasis Church

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS AND PROCLAMATIONS

A. Proclamation for David LaBrie

B. Proclamation for Richard Petkovsek

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

A. Minutes from City Commission meeting - April 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. 2012-51** : A RESOLUTION TERMINATING THREE CONTINUING CONTRACTS FOR CONSTRUCTION MANAGEMENT AT RISK SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

APPROVED

- B. **Resolution No. 2012-52** : A RESOLUTION ACCEPTING A PROPOSAL FROM BARNES, FERLAND & ASSOCIATES, INC., FOR ENVIRONMENTAL ENGINEERING SERVICES REGARDING THE NOVA ROAD LANDFILL CONTAMINATION ASSESSMENT, SECOND PHASE; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Kelly McGuire, Finance Director (386-676-3226)*

APPROVED

- C. **Resolution No. 2012-53** : A RESOLUTION ACCEPTING A BID FROM HAZEN CONSTRUCTION, LLC, FOR CONSTRUCTION SERVICES REGARDING THE HAND AVENUE COLLECTOR ROAD UPGRADE PROJECT, UNDER BID NO. 2012-07; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

APPROVED

- D. **Resolution No. 2012-54** : A RESOLUTION AUTHORIZING THE EXECUTION OF A LICENSE AGREEMENT BETWEEN THE CITY AND THE FLORIDA EAST COAST RAILWAY, LLC REGARDING IMPROVEMENTS TO THE GRADE CROSSING AT HAND AVENUE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

APPROVED

- E. **Resolution No. 2012-55** : A RESOLUTION ACCEPTING A PROPOSAL FROM ZEV COHEN & ASSOCIATES, INC., FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES REGARDING THE HAND AVENUE COLLECTOR ROAD UPGRADE PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *John Noble, City Engineer (386-676-3269)*

APPROVED

- F. **Approval of Agreement with IQM2 for an Agenda Automation System**

Staff Contact: *Joshua Fruecht, City Clerk (386-676-3340)*

Disposition: Approve as recommended in the City Manager memorandum dated April 17, 2012. **APPROVED**

G. Emergency Communications Services

Staff Contact: Joe Mannarino, Economic Development Director (386-676-3266)

Disposition: Approve as recommended in the City Manager memorandum dated April 17, 2012. **APPROVED**

H. Riverside Drive Road Closure Request for Sunday, May 13, 2012

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated April 17, 2012. **APPROVED**

I. MainStreet Art District Flag Work

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated April 17, 2012. **APPROVED**

J. Commission Goals for 2012

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

Disposition: Approve as recommended in the City Manager memorandum dated April 17, 2012. **APPROVED**

8. RESOLUTIONS

A. Resolution No. 2012-56 : A RESOLUTION AUTHORIZING EXECUTION OF AN AMENDMENT NO. 2 TO THE AGREEMENT BETWEEN THE CITY AND GHYABI & ASSOCIATES, INC. REGARDING THE JOHN ANDERSON DRIVE ROADWAY IMPROVEMENTS\ PROJECT; AUTHORIZING PAYMENT THEREFORE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)
APPROVED (Limited Reconstruction Option)

9. PUBLIC HEARINGS

- A. **Ordinance No. 2012-13 :** AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICTS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY REZONING THREE PARCELS OF REAL PROPERTY TOTALING 4.78± ACRES LOCATED ALONG FLAGLER ROAD AND WEST OF PORTLAND STREET FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; APPROVING A DEVELOPMENT ORDER FOR A PLANNED BUSINESS DEVELOPMENT TO BE KNOWN AS "GARDEN PLAZA STORAGE", INCLUDING THAT 0.334± ACRE OUTPARCEL SITUATED AT NORTH US HIGHWAY 1 AND PORTLAND STREET; ESTABLISHING CONDITIONS THEREFORE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

- B. **Ordinance No. 2012-14 :** AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, SECTION 2-03, OFFICIAL ZONING MAP AND ZONING DISTRICTS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 0.334+ ACRES LOCATED AT THE INTERSECTION OF PORTLAND STREET AND NORTH US HIGHWAY 1 FROM B-7 (HIGHWAY TOURIST COMMERCIAL) TO PBD (PLANNED BUSINESS DEVELOPMENT); AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

- C. **Ordinance No. 2012-17 :** AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY BEING GENERALLY LOCATED ALONG THE WEST SIDE OF NORTH U.S. HIGHWAY 1 APPROXIMATELY 825 LINEAR FEET NORTH OF INTERSTATE 95 AND BEING COMMONLY LOCATED AT 1634 NORTH U.S. HIGHWAY 1, INCLUDING THAT PORTION OF OAK STREET 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.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

10. SECOND READING OF ORDINANCES

- A. **Ordinance No. 2012-12 :** AN ORDINANCE VACATING A PORTION OF THE SOUTHWESTERLY SIDE OF FLAGLER ROAD RIGHT-OF-WAY LYING WEST OF NORTH US1, STARTING ON THE SOUTH SIDE OF MAGNOLIA STREET RUNNING SOUTH ALONG FLAGLER ROAD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

APPROVED

- B. **Ordinance No. 2012-15 :** AN ORDINANCE CALLING AND PROVIDING FOR A REGULAR MUNICIPAL ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH, FLORIDA, TO BE HELD ON NOVEMBER 6, 2012, FOR THE PURPOSE OF ELECTING OFFICERS TO THE OFFICES OF MAYOR AND CITY COMMISSIONER; PROVIDING FOR QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; DESIGNATING THE LOCATION OF POLLING PLACES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Joshua Fruecht, City Clerk (386-676-3340)

APPROVED

- C. **Ordinance No. 2012-16** : AN ORDINANCE AMENDING DIVISION 1, GENERALLY, OF ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, BY ADDING A NEW SECTION TO BE NUMBERED AND ENTITLED SECTION 2-210.2, RIGHT OF GENERAL PUBLIC TO PARTICIPATE IN LOCAL GOVERNMENT PROCESS AND SPEAK AT PUBLIC MEETINGS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Randal Hayes, City Attorney (386-676-3217)*

APPROVED

11. DISCUSSION ITEMS

- A. **875 Sterthaus Drive, Demolition of existing buildings and site improvements at the former Florida Hospital**

Staff Contact: *Ric Goss, Planning Director (386-676-3238)*

12. REPORTS, SUGGESTIONS, REQUESTS

13. 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: 386-677-0311



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

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 386-677-0311 for information regarding available aids and services.