



**ACTION REPORT  
CITY OF ORMOND BEACH, FLORIDA  
CITY COMMISSION MEETING  
August 21, 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](http://www.ormondbeach.org)**

**1. CALL TO ORDER**

**2. INVOCATION**

A. Pastor Joseph Kim, Riverview United Methodist Church

**3. PLEDGE OF ALLEGIANCE**

**4. PRESENTATIONS AND PROCLAMATIONS**

A. Bruins Basketball Team - AAU Champions 10th grade boys

B. Introduction of Julie Davidson Truilo (Ryck Hundredmark)

**5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**

**6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – July 31, 2012 **APPROVED**

B. Minutes from City Commission meeting – August 8, 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. 2012-116** : A RESOLUTION AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA STATE FRATERNAL ORDER OF POLICE, INC. (“FOP”); SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Shelly Arzola, Human Resources Director (386-676-3202) **APPROVED**

- B. **RESOLUTION NO. 2012-117** : A RESOLUTION ACCEPTING A BID FROM TOMOKA CONSTRUCTION SERVICES, INC., FOR CONSTRUCTION SERVICES REGARDING THE CENTRAL PARK PAVING PROJECT, UNDER BID NO. 2012-20; 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**

- C. **RESOLUTION NO. 2012-118** : A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY AND THE ORMOND MEMORIAL ART MUSEUM, INC.; AUTHORIZING THE EXPENDITURE OF FUNDING; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2012-119** : A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE COUNTY OF VOLUSIA REGARDING THE ANDY ROMANO BEACHFRONT PARK; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **Riverside Drive Closure**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated August 21, 2012.  
**APPROVED**

- F. **African American Heritage Project Proposal**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated August 21, 2012.  
**APPROVED**

**G. Replica of Ormond Garage at Birthplace of Speed Park**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated August 21, 2012.

**APPROVED**

**H. CPI Rate Adjustment Request - Waste Management of Florida, Inc.**

**Staff Contact:** Theodore MacLeod, Assistant City Manager (386-676-3200)

**Disposition:** Approve as recommended in the City Manager memorandum dated August 21, 2012.

**APPROVED**

**8. PUBLIC HEARINGS**

**A. ORDINANCE NO. 2012-25 :** AN ORDINANCE AMENDING CHAPTER 3, PERFORMANCE STANDARDS, OF ARTICLE VI, ARCHITECTURAL DESIGN STANDARDS, SECTION 3-66, PURPOSE AND INTENT; SECTION 3-67, IN GENERAL; SECTION 3-68, GENERAL DESIGN CRITERIA; SECTION 3-69, ARCHITECTURAL STYLE; AND SECTION 3-71, INDUSTRIAL DISTRICT EXEMPTIONS; AND CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-42, DESIGN STANDARDS BY AMENDING ARCHITECTURAL DESIGN STANDARDS; BY REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**APPROVED AS AMENDED**

**B. ORDINANCE NO. 2012-30 :** 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 2,935 LINEAR FEET SOUTH OF INTERSECTION OF INTERSTATE 95 AND NORTH U.S. HIGHWAY 1 INTERCHANGE AND BEING COMMONLY LOCATED AT 1444 NORTH U.S. HIGHWAY 1; 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; SETTING FORTH ZONING, PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

**9. FIRST READING OF ORDINANCES**

- A. **ORDINANCE NO. 2012-32** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-71, DEFINITIONS BY AMENDING THE DEFINITION OF SALARY; AMENDING SECTION 16-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-80, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16-98, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2012-33** : AN ORDINANCE 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 APPROXIMATELY 0.46 ACRES LOCATED AT 115 NORTH NOVA ROAD (PARCEL ID NO. 4221-00-01-0013), FROM "OPEN SPACE/CONSERVATION" TO "OFFICE PROFESSIONAL", REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

**10. SECOND READING OF ORDINANCES**

- A. **ORDINANCE NO. 2012-29** : AN ORDINANCE AMENDING CHAPTER 22, ARTICLE II, DIVISION 2, SECTIONS 22-85 THROUGH 110, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA, BY ADOPTING PROVISIONS REGARDING UNIFORM REQUIREMENTS FOR DIRECT AND INDIRECT CONTRIBUTIONS TO THE WASTEWATER COLLECTION AND TREATMENT SYSTEM; PROVIDING FOR ADMINISTRATION, PERMITS, AND ENFORCEMENT, PENALTIES; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**Staff Contact:** Dave Ponitz, Utilities Manager (386-676-3305) **APPROVED**

- B. **ORDINANCE NO. 2012-31** : AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF THE CODE OF ORDINANCES, BY AMENDING SECTION 2-219, ART MUSEUM ADVISORY BOARD; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

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

## 11. REPORTS, SUGGESTIONS, REQUESTS

## 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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