



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
October 16, 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**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Employee Appreciation Day
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – October 2, 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. 2012-145** : A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE TAXIWAY ALPHA RELOCATION AND GENERAL AIRFIELD IMPROVEMENTS PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2011-25; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2012-149** : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA, OPPOSING PROPOSED AMENDMENT 4 TO THE FLORIDA CONSTITUTION THAT WOULD REDUCE THE CURRENT REASSESSMENT LIMITATION ON NON-HOMESTEAD RESIDENTIAL PROPERTY AND CERTAIN RESIDENTIAL AND NON-RESIDENTIAL PROPERTY AND WOULD PROVIDE AN ADDITIONAL HOMESTEAD EXEMPTION FOR FIRST-TIME FLORIDA HOMESTEADERS; PROVIDING DIRECTIONS TO THE CITY CLERK; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2012-150** : A RESOLUTION URGING AND ENCOURAGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION BANNING THE MARKETING, POSSESSION, TRAFFICKING AND FURNISHING OF "BATH SALTS" CONTAINING DANGEROUS SYNTHETIC DRUGS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **Riverside Drive Closures**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 16, 2012. **APPROVED**

8. PUBLIC HEARINGS

- A. **RESOLUTION NO. 2012-146** : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF THE SIXTH AMENDED DEVELOPMENT ORDER FOR THE "WAL-MART SUPERCENTER" PLANNED BUSINESS DEVELOPMENT APPROVING A SPECIAL EXCEPTION TO ALLOW TEN SEASONAL STORAGE TRAILERS ANNUALLY FROM NOVEMBER 1ST THROUGH JANUARY 7TH; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

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

APPROVED

- B. **RESOLUTION NO. 2012-147** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC ACCESS AND UTILITY EASEMENT DEED FROM TRIEBEL FAMILY ENTERPRISES, INC., D/B/A "JIMMY JOHN'S GOURMET SANDWICHES" ON PROPERTY LOCATED AT 300 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED

9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2012-35** : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2011-2012 BY AMENDING THE GENERAL FUND; THE DOWNTOWN REDEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION PASS THROUGH FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE BEACHFRONT PARK FUND; THE WATER/WASTEWATER VEHICLES FUND; THE WATER/WASTEWATER CAPITAL PROJECT FUND; THE WATER SYSTEM CONSTRUCTION FUND; THE WATER PLANT CONSTRUCTION FUND; THE SOLID WASTE FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- B. **ORDINANCE NO. 2012-36** : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS; SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBPARAGRAPH T, TELECOMMUNICATIONS TOWERS AND ANTENNAE; SUBSECTIONS 2 AND 3; BY DELETING REDUNDANT LANGUAGE, DELETING REFERENCE TO THE TERM "GRANADA/BOVARD STREETScape" AND SUBSTITUTING THE TERM "DOWNTOWN," ESTABLISHING SETBACKS FOR TELECOMMUNICATION TOWERS WITHIN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; AND ADDING A NEW SUBSECTION 16 TO BE TITLED OUTSIDE CONSULTANT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEPARABILITY; PROVIDING FOR AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

- C. **ORDINANCE NO. 2012-37** : 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 +4.6-ACRES LOCATED AT 1634 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0021), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

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

APPROVED ON FIRST READING

10. STAFF ACTION ITEMS

- A. **RESOLUTION NO. 2012-148** : A RESOLUTION NAMING THE T-BALL FIELDS LOCATED AT THE ORMOND BEACH SPORTS COMPLEX THE "DOUG WIGLEY T-BALL FIELDS"; AND SETTING FORTH AN EFFECTIVE DATE.

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

11. DISCUSSION ITEMS

- A. **Harcros Chemical Letter**

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

- B. **Water Additive Accountability Ordinance**

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

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.