



**CITY OF ORMOND BEACH  
CITY COMMISSION MEETING**

JANUARY 19, 2010

7:00 PM

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PURSUANT TO SECTION 286.0105, 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.  
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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 IN WRITING, OR MAY CALL 677-0311 FOR INFORMATION REGARDING AVAILABLE AIDS AND SERVICES. LISTENING DEVICE AVAILABLE FOR HEARING IMPAIRED.  
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**A G E N D A**

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Reverend Willie Branch, New Bethel AME Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
  - A) Employee-of-the-Quarter award to Steve Stershic, Facilities Maintenance Supervisor.
  - B) Presentation of "HOMe for the HOLIDAYS" parade awards.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the January 5, 2010, meeting.
- 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. 2010-04 authorizing the execution of a Local Agency Program Supplemental Agreement between the City and the Florida Department of Transportation regarding Phase I sidewalk improvements on West Granada Boulevard. (Decrease from \$372,000 to \$179,056.75) (Acting City Engineer) **APPROVED.**
  - B) Resolution No. 2010-05 accepting the bid of Traffic Control Devices, Inc., regarding the rehabilitation of two traffic signals (Bid No. 2010-05); rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$75,935.30) (Acting City Engineer) **PULLED FROM AGENDA.**

- C) Resolution No. 2010-06 accepting the proposal of Don Bell Signs, LLC, regarding design and installation services for the replacement of a marquee at the Performing Arts Center; authorizing the execution of an agreement and payment therefor; rejecting all other proposals. (\$42,160) (Leisure Services Director) **APPROVED.**
- D) Resolution No. 2010-07 authorizing the execution of a Lease Agreement between the City and Joseph Wright and Charles Kristman. (Parcel 2, SE Quad of Airport) (Economic Development Director) **APPROVED.**
- E) Resolution No. 2010-08 authorizing the execution of Amendment No. 3 to the Agreement for Petroleum Participation Cleanup Program between the City and the Florida Department of Environmental Protection regarding the rehabilitation of contaminated sites caused by petroleum discharges and the sharing of costs relative thereto; ratifying Amendments No. 1 and 2. (Acting City Engineer) **APPROVED.**
- F) Resolution No. 2010-09 accepting a grant from the State of Florida Division of Emergency Management (FEMA) relative to the repetitive flooding of property located at 350 Cumberland Avenue; authorizing the execution of a federally funded subgrant agreement; authorizing administration of the grant funds. (\$216,510 total project; \$162,382.50 FEMA funding; \$54,127.50 homeowner funding) (Planning Director) **APPROVED.**
- G) Request for authorization for temporary use of the City Transfer Station by Waste Management, Inc., of Florida. **APPROVED.**

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- H) Preliminary budget results for FY 2008-09 General Fund and Water/Wastewater Fund. (Budget Director) **APPROVED.**

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- I) Acceptance of a public art donation from the Cobb family for placement in the Rockefeller Gardens pond. (Leisure Services Director) **APPROVED.**

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- 8) **SECOND READING OF ORDINANCE** No. 2010-01 amending Chapter 22, Water and Sewers, of the Code of Ordinances of the City of Ormond Beach, by amending Article I, Section 22-21, Minimum Deposits Required, and Article II, Section 22-70, Deposits Required, Established; to provide for refunds of water and sewer utility deposits held by the City under specific circumstances. **APPROVED ON SECOND READING.**

9) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2009-57 amending Chapter 4, Alcoholic Beverages, Section 4-3, Sale, consumption, possession, etc., prohibited except on licensed premises; exceptions, of the Code of Ordinances by providing an application process for persons desiring to use City property for social events; providing conditions for the use thereof; restricting the use, sale or consumption of alcoholic beverages at such events to beer, wine or champagne. (Leisure Services Director) **APPROVED ON FIRST READING.**
- B) Ordinance No. 2010-02 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 147 unit building located at 205 South Atlantic Avenue, known as Best Western Castillo Del Sol, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON FIRST READING.**
- C) Ordinance No. 2010-03 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 98 unit building located at 711 South Atlantic Avenue, known as the Coral Beach Motel, granting certain vested rights relative thereto. (Planning Director) **APPROVED ON FIRST READING.**
- D) Ordinance No. 2010-04 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building and the proposed building located at 915 Ocean Shore Boulevard, known as Shoreham Condominium apartments; granting certain vested rights relative thereto. (Planning Director) **APPROVED ON FIRST READING.**
- E) Ordinance No. 2010-05 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 2-228, Public Works Advisory Board; creating a Public Works Advisory Board; establishing terms and conditions of membership; establishing powers and duties. (Assistant City Manager) **APPROVED ON FIRST READING.**

10) **RESOLUTION** No. 2010-10 of the City of Ormond Beach supporting the intercity rail component of the FEC Corridor Project (in the form of Amtrak service) from Jacksonville to Miami and requesting the assistance of Governor Crist and Florida Department of Transportation Secretary Kopelousos to prioritize the project as part of the Federal economic stimulus package for the State of Florida and as part of Florida's statewide transportation network. **APPROVED.**

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

12) **CLOSE THE MEETING.**