



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

OCTOBER 6, 2009

7:00 PM

~~~~~  
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.

~~~~~  
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.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Employee-of-the-Quarter award to Chris Mason, Neighborhood Improvement Officer.
 - B) Proclamation honoring Tymber Creek Car Wash "green" efforts.
 - C) Presentation by Bernadette Britz-Parker regarding the Volusia Honor Air program.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the September 8 and September 14, 2009, regular meetings and the September 22, 2009, special 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. 2009-154 amending the rules of parliamentary procedure. (City Clerk)
APPROVED
 - B) Resolution No. 2009-155 pursuant to Section 14-98, Liens, of the City of Ormond Beach Code of Ordinances, authorizing the imposition of a lien against the real property located at 863 Riverside Drive for costs incurred by the City to terminate or

abate a site maintenance violation. (\$300.00) (Neighborhood Improvement)
APPROVED

- C) Resolution No. 2009-156 authorizing the execution of a quitclaim deed in favor of Ashford Lakes Estates, LLC releasing a portion of well site #39 easement located in the "Ashford Lakes Estate Subdivision," a portion of the Hunter's Ridge Development of Regional Impact located in Flagler County. (Planning Director) **APPROVED**
- D) Resolution No. 2009-157 authorizing the execution of an Amended Agreement for Solid Waste, Yard Waste, Recycling and Roll-off Collection and Disposal Services between the City and Waste Management, Inc., of Florida. (Public Works Director) **APPROVED**
- E) Resolution No. 2009-158 authorizing the submittal of a grant application to the County of Volusia under the ECHO Grants-In-Aid-Program for funding assistance relative to the purchase of the Surfside Hotel property located at 251 South Atlantic Avenue and for development of a park. (\$600,000 ECHO funding; approximately \$4 million total project cost) **PULLED FROM AGENDA**
- F) Resolution No. 2009-159 authorizing the submittal of a grant application to the County of Volusia under the ECHO Grants-In-Aid-Program for funding assistance relative to the Hand Avenue Bridge and Central Park Lakes Interconnect project. (\$362,400 ECHO funding; approximately \$994,000 total project cost) **PULLED FROM AGENDA**
- G) EPA rule adoption deadline for FDEP establishment of numeric nutrient criteria. (Utilities Manager) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 1, 2009.

- H) Update on Consolidated Tomoka Land Holding property status. (Planning Director) **APPROVED**

DISPOSITION: Accept report provided by City Manager memorandum dated October 1, 2009.

- I) Daytona State College letter of support for an engineering technology program. (Economic Development Director) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 1, 2009.

- J) Closing of Riverside Drive for various events. (Leisure Services Director) **APPROVED**

DISPOSITION: Approve as recommended in City Manager memorandum dated October 1, 2009.

8) **PUBLIC HEARINGS:**

- A) Resolution No. 2009-160 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing a 60-day extension of a Property Improvement Grant Agreement between the Agency and Granada Arts, Inc. (150 Tomoka Avenue - \$50,000) (Planning Director) **APPROVED**
- B) Resolution No. 2009-161 of the City Commission, also acting as the Central Business District Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing the execution of a Property Improvement Grant Agreement between the Agency and Charles S. Lichtigman Trustee. (125 East Granada Boulevard - \$50,000) (Planning Director) **APPROVED**
- C) Ormond Crossings Plat Vacations and Deed Conveyance:
- 1) Resolution No. 2009-162 accepting a right-of-way deed from Tomoka Holdings LLC, a Florida Limited Liability Company, for property located on the west side of Highway US1 and east of the Florida East Coast Railroad within the Revised Plat of National Gardens, recorded in Map Book 10 at Pages 250-253 of the public records of Volusia County, Florida. **APPROVED**
 - 2) Resolution No. 2009-163 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat for the Revised Plat of National Gardens as recorded in Plat Book 10, at Pages 250-253 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
 - 3) Resolution No. 2009-164 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the Unit Plat of National Gardens as recorded in Plat Book 11, at Pages 1-5 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
 - 4) Resolution No. 2009-165 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of National Gardens as recorded in Plat Book 22, at Pages 171-172 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
 - 5) Resolution No. 2009-166 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of National Gardens Park No. 1 as recorded in Plat Book 10, at Page 46 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
 - 6) Resolution No. 2009-167 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of Daytona National Gardens Park No. 1 as recorded in Plat Book 10, at Page 219 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**

- 7) Resolution No. 2009-168 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of National Gardens Park No. 2 as recorded in Plat Book 10, at Page 47 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
- 8) Resolution No. 2009-169 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of National Gardens Park No. 3 as recorded in Plat Book 10, at Page 48 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
- 9) Resolution No. 2009-170 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the subdivision plat of National Gardens Park No. 4 as recorded in Plat Book 10, at Page 49 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
- 10) Resolution No. 2009-171 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the revised plat of South ¾ of Section 26 Township 13 South Range 31 East as recorded in Plat Book 11, at Page 92 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**
- 11) Resolution No. 2009-172 of the City of Ormond Beach, Florida, City Commission, vacating all or that portion of the revised plat of West ½ of Section 35 Township 13 South Range 31 East as recorded in Plat Book 11, at Page 93 of the public records of Volusia County, Florida; providing for vacation of plat; providing for implementing actions. **APPROVED**

9) **SECOND READING OF ORDINANCES:**

- A) Ordinance No. 2009-34 amending Chapter 2, District and General Regulations, Article VI, Overlay Districts, Section 2-71, Historic Districts and Landmarks, of the Land Development Code, by amending Paragraph C, Designation Procedures, and Paragraph D, Certificates of Appropriateness, by changing the requirement for notice for public hearings from certified mail to regular mail; by amending paragraph K, Ormond Beach Historic Landmarks List, by adding one (1) property to the Ormond Beach Historic Landmarks list. (Three Chimneys site – 715 West Granada Boulevard) (Planning Director) **APPROVED ON SECOND READING**
- B) Ordinance No. 2009-35 amending Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses, of the Land Development Code, by amending Subparagraph F, Carport, to clarify the requirement for a permanent garage or carport with an improved driveway when converting an existing garage or carport into additional living space. (Planning Director) **APPROVED ON SECOND READING**

10) ***DISCUSSION ITEMS:***

A) Fire Department staffing. (Fire Chief)

The City Commission agreed to allow a six month evaluation of the new County protocol for priority dispatch staffing and to offer the same early retirement package to the firefighters as offered to the general employees.

B) Fire Department demotions. (Fire Chief)

Process for demotions of seven personnel approved.

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

12) ***CLOSE THE MEETING.***