



CITY OF ORMOND BEACH CITY COMMISSION MEETING

AUGUST 5, 2009

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 Brenda Edge, New Bethel AME Church.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the July 21, 2009, meeting.
- 6) **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. 2009-105 accepting the proposal of Brown & Brown of Florida, Inc., for the renewal of commercial property insurance; authorizing the execution of an agreement and payment therefor. (\$278,611 annual premium; \$22,410 brokerage fee) (Risk Manager) **APPROVED**
  - B) Resolution No. 2009-106 authorizing the renewal of a Right-of-Way Maintenance Agreement between the City of Ormond Beach and the Florida Department of Transportation; authorizing the execution of a renewal agreement therefore. (Payment of \$132,000) (Public Works Director) ) **APPROVED**
  - C) Resolution No. 2009-107 authorizing the execution of Change Order Number One (1) to that contract awarded to P&S Paving, Inc., regarding the 2009 Roadway Resurfacing project and emergency procurement for repairs to John Anderson Drive, Marvin Road, St. Andrews Drive and Ann-Rustin Drive, by increasing the contract

price by \$196,338.45; by increasing the contract time by 90 days. (\$675,762.48 total contract price; 180 total contract days) (Acting City Engineer) ) **APPROVED**

D) Resolution No. 2009-108 authorizing a six percent increase in compensation to be paid to the Volusia County Sheriff's Office for the provision of police dispatch services provided pursuant to an agreement between the City of Ormond Beach, Volusia County Sheriff's Office, and the County of Volusia; authorizing the execution of the agreement. (\$525,002) (Police Chief) ) **APPROVED.**

E) Resolution No. 2009-109 reinstating the Aircraft Noise Abatement Task Force for a term of ninety (90) days; reappointing members serving on the Task Force. (Airport Manager) ) **APPROVED**

F) Reduction in maximum incentive pay for building inspectors/plans examiners.

DISPOSITION: Approve as recommended in City Manager memorandum dated July 30, 2009. ) **APPROVED**

7) **PUBLIC HEARINGS:**

A) Resolution No. 2009-110 of the City Commission, also acting as the Community Redevelopment Agency of the City of Ormond Beach, Florida, authorizing the execution of a Property Improvement Grant Agreement between the Agency and Miss Priss, LLC. (Planning Director) ) **APPROVED**

B) Ordinance No. 2009-27 annexing certain real property into the City of Ormond Beach, said property consisting of approximately 4.4195± acres and being generally located along the west side of North US1 approximately 900 feet north of the US1 and Interstate 95 ramp; setting forth zoning, privileges, and obligations regarding the property; redefining the territorial boundaries of the City of Ormond Beach to include the property; re-designating the boundaries of Zone 3 of the City of Ormond Beach to include the property; providing for transmission; providing for severability; and setting forth an effective date. (Terratran Development) (First Reading) (Planning Director) ) **APPROVED ON FIRST READING**

8) **SECOND READING OF ORDINANCES:**

A) Ordinance No. 2009-25 amending Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses, of the *Land Development Code* by amending Subsection U, Outdoor Activities, to establish procedures for outdoor sales and activities. (Planning Director) **APPROVED ON SECOND READING**

B) Ordinance No. 2009-26 amending Chapter 2, District and General Regulations, of Article IV, Conditional and Special Exception Regulations, Section 2-57, Criteria for Review of Special Conditional and Special Exception, Subsection F, Farmers' Markets, of the City of Ormond Beach *Land Development Code* to broaden the products permitted to be sold at a farmers' market. (Planning Director) **APPROVED ON SECOND READING**

9) **DISCUSSION ITEMS:**

A) Outdoor sales fee adjustment

**Staff will bring an ordinance to the Commission for approval of a \$25.00 fee.**

B) Ormond Beach Sports Complex playground.

**Staff will bring a resolution to the Commission to accelerate the procurement of the boundless playground at the sports complex.**

C) Water / sewer rates.

**The Commission directed staff to bring back an ordinance to increase the water/sewer rate by 4% to all tiers over 2,000 gallons of usage.**

D) Waste Management contract status update.

**Discussions are continuing.**

E) Request by Commissioner Partington to discuss a Fire Department 3.53% benefit accrual rate and possible early retirement incentive.

**The Fire Department is to bring a proposal to the Commission regarding the issues of the benefit accrual rate, early retirement incentive and staff reductions.**

F) Request by Commissioner Kelley to discuss the proposed resolutions to be voted upon at the Florida League of Cities Annual Conference.

**The Commission agreed to abstain from supporting any of the Florida League of Cities' resolutions relative to constitutional amendments.**

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

11) **CLOSE THE MEETING.**