



CITY OF ORMOND BEACH CITY COMMISSION MEETING

JULY 21, 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.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father Fred Hovey, St. James Episcopal Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Proclamation honoring students participating in the Campus Outreach Summer Beach project.
 - B) Presentation regarding the Black Bear Byway.
 - C) Florida Power & Light rate increase.
- 5) **ADOPTION OF FY 2009-2010 PROPOSED MILLAGE RATES:** Resolution No. 2009-99 (Option A or B) adopting proposed millage rates for the 2009-2010 fiscal year; establishing the date, time and place for the first public hearing on the proposed millage rates and the tentative budget; directing communication; expressing legislative intent; and setting forth an effective date. **APPROVED OPTION B – OVERALL PROPOSED RATE OF 3.80968**
 - A) Resolution No. 2009-99(A) – 3.56900 for General Fund Operations, Facilities Renewal and Replacement, Capital Improvements and Transportation Improvements; 0.09600 for the 2002 Refunded General Obligation Bond Issue and 0.03950 for the 2003 General Obligation Bond Issue, for an overall proposed rate of 3.7045. **N/A**
 - B) Resolution No. 2009-99(B) - 3.67418 for General Fund Operations, Facilities Renewal and replacement, Capital Improvements and Transportation Improvements; 0.09600 for the 2002 Refunded General Obligation Bond Issue and 0.03950 for the 2003 General Obligation Bond Issue, for an overall proposed rate of 3.80968. **APPROVED**

6) **AUDIENCE REMARKS:**

7) **APPROVAL OF THE MINUTES** of the July 7, 2009, meeting.

8) **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. 2009-100 appointing a member to serve on the Leisure Services Advisory Board; setting forth term and conditions of service. (Tim Moore) (Leisure Services Director) **APPROVED**

B) Resolution No. 2009-101 appointing a member to serve on the Aircraft Noise Abatement Task Force; setting forth term and conditions of service. (Terry Perkins) (Airport Manager) **APPROVED**

C) Resolution No. 2009-102 approving and consenting to the award of a bid and the execution of a contract between the County of Volusia and Halifax Paving, Inc., regarding the provision of construction services regarding utility installation and road construction on Airport Road from Ocean Pines Drive to the FEC railroad; authorizing payment thereunder. (\$86,510) (Acting City Engineer) **APPROVED**

D) Resolution No. 2009-103 accepting a bid from Masci Corporation for construction services regarding the Wilmette Avenue 12-inch Forcemain Replacement project under Bid No. 2000-03; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$53,732.50) (Utilities Manager) **APPROVED**

E) Appointing a delegate to serve at the Florida League of Cities Annual Conference.

DISPOSITION: Approve as recommended in City Manager memorandum dated July 16, 2009.

APPROVED

9) **PUBLIC HEARING:** Ordinance No. 2009-16 authorizing the execution and issuance of the First Amended Development Order for the "RaceTrac Service Station at Southwest I-95 Complex" Planned Business Development by authorizing modifications to the building and canopy elevation, by authorizing modifications to the approved Greenbelt landscaping plan, by authorizing additional monument signage in exchange for increased landscaping along the western driveway area, authorizing canopy signage on the north side of the canopy; authorizing canopy striping around the entire canopy; ratifying and affirming the development order approved by Ordinance No. 2008-16; establishing conditions and expiration of approval. (Second Reading) (Planning Director) **APPROVED ON SECOND READING**

10) **FIRST 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**
- 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**

11) **RESOLUTION** No. 2009-104 authorizing the execution of a Retail Water and Wastewater Service Agreement for the Hunter's Ridge development in Flagler County between the City and Flagler County. (Public Works Director) **APPROVED**

12) **DISCUSSION ITEMS:**

- A) Extension of the Solid Waste Collection and Disposal contract with Waste Management of Florida, Inc.
City Attorney will meet with Waste Management to negotiate a new contract with a rate increase.
- B) Water Authority of Volusia update on regionalization.
Dissolution of Water Authority of Volusia to be discussed at September meeting.

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

14) **CLOSE THE MEETING.**