



**CITY OF ORMOND BEACH
CITY COMMISSION MEETING**

JUNE 2, 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 Cantor Zev Sonnenstein, Temple Beth-El.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the May 19, 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. 2009-72 amending the dates and times for the holding of regular meetings of the City Commission of the City of Ormond Beach, Florida, for the month of September 2009; providing for exceptions thereto. (Tuesday, September 8, 2009, and Monday, September 14, 2009) (City Clerk) **APPROVED**
 - B) Resolution No. 2009-73 authorizing the execution of a release and satisfaction of Special Master administrative fine/lien for code violations on property located at 11 Birchwood Trail (Parcel ID 4217-07-00-0370), Ormond Beach, Volusia County, Florida. (\$100 fine) (Neighborhood Improvement Manager) **APPROVED**
 - C) Resolution No. 2009-74 authorizing the submittal of an on-line grant application in the amount of \$166,800 to the U.S. Department of Energy under the American Recovery and Reinvestment Act of 2009; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (Technical support to develop Florida Green Building Coalition registration) (Planning Director / Grants Coordinator) **APPROVED**

- D) Resolution No. 2009-75 approving the Community Development Block Grant Annual Plan for the 2009-10 Fiscal Year. (\$107,250) (Grants Coordinator) **APPROVED**
- E) Resolution No. 2009-76 accepting the bid of R.J. Landscape Contractors, Inc., regarding the I-95 & SR40 Bridge Landscaping and Irrigation project; authorizing the execution of an agreement and payment therefor; rejecting all other bids. (\$347,870) (Acting City Engineer) **APPROVED**
- F) Resolution No. 2009-78 authorizing the execution of a First Amendment to Lease Agreement between the City and Betnr Industrial Development Corporation. (Economic Development Director) **APPROVED**

7) **PUBLIC HEARINGS:**

- A) Resolution No. 2009-79 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 Bart A. Beninati. (73 W. Granada - \$3,175) (Planning Director) **CONTINUED TO JUNE 16, 2009 MEETING**
- B) Ordinance No. 2009-17 authorizing the execution and issuance of a Development Order for "The Courtyards at Ormond" Planned Business Development (PBD) and Planned Residential Development (PRD) allowing 21,014 square feet of retail and 16 residential units located at 135 North Yonge Street (US1); establishing conditions and expiration of approval. (Second Reading) (Planning Director) **APPROVED ON SECOND READING**
- C) Ordinance No. 2009-20 adopting certain amendments to the Conservation Element, Coastal Management Element, Cultural Affairs Element, Recreation and Open Space Element, and Intergovernmental Coordination Element of the City of Ormond Beach Comprehensive Plan; providing when such amendments shall take effect. (1st Cycle 2009) (First Reading) (Planning Director) **APPROVED ON FIRST READING**
- D) Ordinance No. 2009-21 enacting temporary emergency administrative procedures to provide for the expeditious and coordinated management of building permit applications and fees; waiving permit fees; reestablishing the commitment of the City to mitigate the illegal performance of services by unlicensed contractors related to flood damage occurring during the week of May 17, 2009. (1st and Only Reading) (Planning Director) **APPROVED**

8) **SECOND READING OF ORDINANCES:**

- A) Ordinance No. 2009-18 of the City Commission of the City of Ormond Beach, Florida, amending Section 5-84 of the Code of Ordinances, by amending the title from "Violations" to "Mandatory Spay and Neuter," and by establishing terms and conditions thereof for mandatory spay and neutering of dogs and cats harbored within the City;

providing for unaltered permits; providing for exceptions; creating Section 5-85, "Enforcement Procedure." (Police Chief) **APPROVED**

B) Ordinance No. 2009-19 amending Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses, of the Land Development Code by amending accessory structure regulations and to add certain uses. (Planning Director) **APPROVED**

9) **RESOLUTION** No. 2009-80 appointing an alternate representative of the City of Ormond Beach to serve as member of the Volusia Council of Governments; establishing term and conditions of service. (City Clerk) **Commissioner Gillooly was selected as an alternate representative.**

10) **DISCUSSION ITEM:** Proposed public art project. (Leisure Services Director)

The Commission determined the project would have to be reviewed by the Historic Landmark Preservation Board, Leisure Services Advisory Board and the Quality of Life Board before the Commission would consider the proposal; it was determined the City would not contribute any funding and did not have any City-owned property to house the project.

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

12) **CLOSE THE MEETING.**