



**ACTION REPORT
CITY OF ORMOND BEACH, FLORIDA
CITY COMMISSION MEETING
September 19, 2018
7:00 PM**

Mayor Bill Partington

Zone 1 – Commissioner Dwight Selby

Zone 3 – Commissioner Rick Boehm

Zone 2 – Commissioner Troy Kent

Zone 4 – Commissioner Rob Littleton

COMMISSION CHAMBERS

22 South Beach Street, Ormond Beach, FL 32174

Phone: 386-677-0311

Web: www.ormondbeach.org

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2018-2019 MILLAGE RATES AND BUDGET**
 - A. RESOLUTION NO. 2018-118:** A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2018-2019; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.
Staff Contact: Kelly McGuire, Finance Director (386-676-3226)
APPROVED
 - B. ORDINANCE NO. 2018-20:** AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2018-2019 FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**
Staff Contact: Chris Byle, Assistant Finance Director (386-676-3206) **APPROVED ON SECOND READING**
- 5. PRESENTATIONS AND PROCLAMATIONS**

- A. DAR Proclamation
- B. Childhood Cancer Awareness Proclamation

6. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

7. APPROVAL OF MINUTES

- A. Minutes from City Commission meeting – September 5, 2018 **APPROVED**

8. COMMUNITY REDEVELOPMENT AGENCY

- A. RESOLUTION NO. 2018-119:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND GRANADA PLAZA GROUP, LLC; AUTHORIZING A WAIVER OF THE SHARED PARKING REQUIREMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)
APPROVED

9. 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. 2018-119:** A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE EXECUTION OF A BUILDING IMPROVEMENT GRANT AGREEMENT BETWEEN THE AGENCY AND GRANADA PLAZA GROUP, LLC; AUTHORIZING A WAIVER OF THE SHARED PARKING REQUIREMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)
APPROVED

- B. RESOLUTION NO. 2018-120:** A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND THE ORMOND BEACH CHAMBER OF COMMERCE; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Brian Rademacher, Economic Development Director (386-676-3266) **APPROVED**

- C. RESOLUTION NO. 2018-121:** A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE COUNTY OF VOLUSIA FOR THE PROVISION OF MUNICIPAL SERVICES AND TRAFFIC SIGNAL MAINTENANCE WITHIN THE CITY OF ORMOND BEACH; SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

APPROVED

- D. **RESOLUTION NO. 2018-122:** A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED, INC. FOR ADDITIONAL DESIGN SERVICES REGARDING THE WATER TREATMENT PLANT LIME SLUDGE DEWATERING IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

APPROVED

- E. **RESOLUTION NO. 2018-123:** A RESOLUTION ACCEPTING THE PROPOSAL OF MEAD AND HUNT, INC. REGARDING DESIGN SERVICES FOR THE BREAKAWAY TRAILS STORAGE AND PUMPING IMPROVEMENTS PROJECT; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER PROPOSALS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: John Noble, City Engineer (386-676-3269)

APPROVED

- F. **RESOLUTION NO. 2018-124:** A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY, ACCESS AND MAINTENANCE EASEMENT DEED FROM TOBALI, LLC, FOR PROPERTY LOCATED AT 240 SOUTH NOVA ROAD IN CONJUNCTION WITH THE PET STREET DEVELOPMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

APPROVED

- G. **RESOLUTION NO. 2018-125:** A RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, REGARDING CONSTRUCTION AND CONSTRUCTION ENGINEERING OF THE REHABILITATION OF RUNWAY 8/26, AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager (386-615-7019)

APPROVED

- H. **RESOLUTION NO. 2018-126:** A RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC TRANSPORTATION GRANT AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, REGARDING DESIGN ENGINEERING SERVICES FOR THE EXTENSION OF RUNWAY 8/26 AND TAXIWAY ALPHA, AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager (386-615-7019)

APPROVED

- I. **RESOLUTION NO. 2018-127:** A RESOLUTION AUTHORIZING THE EXECUTION OF A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION REGARDING THE CONSTRUCTION OF HELIPORT SITE IMPROVEMENTS AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager (386-615-7019)

APPROVED

- J. **RESOLUTION NO. 2018-128:** A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE REHABILITATION OF RUNWAY 8/26 AND CONSTRUCTION OF THE HELIPORT SITE IMPROVEMENTS AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2018-28; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Lichliter, Airport Manager (386-615-7019)

APPROVED

- K. **RESOLUTION NO. 2018-129:** A RESOLUTION ACCEPTING A BID FROM L & S ENTERPRISES, LLC FOR SERVICES REGARDING THE BREAKAWAY TRAILS FACILITY AND LIFT STATION ELECTRICAL UPGRADES PROJECT, UNDER BID NO. 2018-29; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Gabe Menendez, Public Works Director (386-676-3292)

APPROVED

- L. **RESOLUTION NO. 2018-130:** A RESOLUTION APPROVING A SETTLEMENT PROPOSAL REGARDING THE WORKERS' COMPENSATION CLAIM OF DANIEL PICCOLA; AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS INCIDENTAL THERETO; AUTHORIZING PAYMENT RELATIVE THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

APPROVED

- M. **RESOLUTION NO. 2018-131:** A RESOLUTION AUTHORIZING A COST OF LIVING INCREASE BASED ON THE CONSUMER PRICE INDEX PURSUANT TO THE SOLID WASTE, YARD WASTE, RECYCLING AND ROLL-OFF COLLECTION AND DISPOSAL SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND WASTE PRO OF FLORIDA, INC.; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522) **APPROVED**

N. Tank Inspection and Cleaning Services

Staff Contact: Gabe Menendez, Public Works Director (386-676-3292)

Disposition: Approve as recommended in the City Manager memorandum dated September 19, 2018.
APPROVED

O. Fleming Avenue Stormwater Pump Station

Staff Contact: John Noble, City Engineer (386-676-3269)

Disposition: Approve as recommended in the City Manager memorandum dated September 19, 2018.
APPROVED

P. C&D Non-Exclusive Franchise Renewal - Waste Management of Florida

Staff Contact: Kevin Gray, Public Works Operations Manager (386-676-3522)

Disposition: Approve as recommended in the City Manager memorandum dated September 19, 2018.
APPROVED

Q. Ormond Beach State Legislative Service Contract, Disposition

Staff Contact: Brian Rademacher, Economic Development Director (386-676-3266)

Disposition: Approve as recommended in the City Manager memorandum dated September 19, 2018.
APPROVED

10. PUBLIC HEARINGS

A. ORDINANCE NO. 2018-23: AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBSECTION (43), MALTED BEVERAGE PRODUCER, TO ALLOW MOBILE FOOD DISPENSING VEHICLES (MFDV) UNDER CERTAIN CONDITIONS AS PART OF THE CONDITIONAL CRITERIA FOR THE MALTED BEVERAGE PRODUCER USE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)
APPROVED ON FIRST READING

- B. **RESOLUTION NO. 2018-132:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW OUTDOOR ACTIVITY FOR OUTDOOR STORAGE, DISPLAY AND SALES OF MERCHANDISE, AND LIVE OUTDOOR MUSIC AT “WOODSTOCK SOUTH” RETAIL STORE LOCATED AT 344 SOUTH YONGE STREET, IN THE B-5 (SERVICE COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

FAILED

- C. **RESOLUTION NO. 2018-133:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION REGARDING “THE PUMPHOUSE” TO BE LOCATED AT 100 WEST GRANADA BOULEVARD, SITUATED IN THE B-4 (CENTRAL BUSINESS) ZONING DISTRICT; AUTHORIZING THE REDEVELOPMENT OF A FORMER GAS STATION TO A RESTAURANT; AUTHORIZING CERTAIN WAIVERS WITHIN SECTION 2-70 OF THE LAND DEVELOPMENT CODE BASED ON THE EXISTING NON-CONFORMING LOT OF RECORD; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

APPROVED

- D. **RESOLUTION NO. 2018-134:** A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER TO ALLOW OUTDOOR LIVE MUSIC ASSOCIATED WITH THE “ORMOND BREWERY” LOCATED AT 301 DIVISION AVENUE, UNIT #15, WHICH IS IN THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Steven Spraker, Planning Director (386-676-3341)

APPROVED

11. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2018-21:** AN ORDINANCE RELATIVE TO STORMWATER MANAGEMENT; AMENDING SECTION 22-158, UTILITY FEE ESTABLISHED, OF ARTICLE V, STORMWATER DRAINAGE UTILITY, OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, BY REDUCING THE STORMWATER UTILITY FEE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

APPROVED ON SECOND READING

- B. **ORDINANCE NO. 2018-22:** AN ORDINANCE AMENDING SECTION 22-115, FEE IMPOSED; SCHEDULE; OF CHAPTER 22, WATER AND SEWERS, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, BY INCREASING THE WATER AND SEWER SERVICE IMPACT FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

APPROVED ON SECOND READING

12. DISCUSSION ITEMS

A. City Manager Evaluation

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

B. City Attorney Evaluation

Staff Contact: Randal Hayes, City Attorney (386-676-3217)

13. REPORTS, SUGGESTIONS, REQUESTS

14. ADJOURNMENT

Website Address – www.ormondbeach.org

NOTICE – Pursuant to Section 286.0105 of the 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.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.
Phone: 386-677-0311



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), 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's Office in writing, or may call 386-677-0311 for information regarding available aids and services.