

**MINUTES
ORMOND BEACH CITY COMMISSION
HELD AT CITY HALL COMMISSION CHAMBERS**

October 21, 2014

7:00 p.m.

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners Troy Kent, Rick Boehm, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager and Public Works Director Ted MacLeod, City Attorney Randy Hayes, and City Clerk Scott McKee.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**

A. National Bullying Prevention Month

- 6. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – September 29, 2014

B. Minutes from City Commission meeting – October 7, 2014

- 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. 2014-170** : A RESOLUTION 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 OWNED BY PAUL SAROUKHAN LOCATED AT 16 CARRINGTON LANE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4239-05-00-0570) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- B. RESOLUTION NO. 2014-171** : A RESOLUTION 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 OWNED BY SCOTT T. VOGES LOCATED AT 448 S. RIDGEWOOD AVENUE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4242-05-00-0010) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- C. RESOLUTION NO. 2014-172** : A RESOLUTION 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 OWNED BY MARK EDWARD DAVISON LOCATED AT 1284 BUCKEYE ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-03-05-0030) FOR COSTS INCURRED BY THE CITY TO TERMINATE OR ABATE A SITE MAINTENANCE VIOLATION; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- D. **RESOLUTION NO. 2014-173** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MASTER ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 194 S. NOVA ROAD, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4220-00- 00-0226); AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- E. **RESOLUTION NO. 2014-174** : A RESOLUTION AUTHORIZING THE EXECUTION OF A RELEASE OF SPECIAL MASTER ADMINISTRATIVE FINE/LIEN FOR CODE VIOLATIONS ON PROPERTY LOCATED AT 70 IVANHOE DRIVE, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA (PARCEL ID NO. 4223-14- 10-0040); AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joanne Naumann, Neighborhood Improvement Manager (386-615-7069)*

- F. **RESOLUTION NO. 2014-175** : A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT AMENDMENT NUMBER 2 BETWEEN THE CITY AND FLORIDA DEPARTMENT OF TRANSPORTATION, REGARDING LANDSCAPING IMPROVEMENTS WITHIN THE GRANADA MEDIANS WEST OF I95; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **RESOLUTION NO. 2014-176** : A RESOLUTION AUTHORIZING THE EXECUTION OF A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2014-177** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF SELF CONTAINED BREATHING APPARATUS EQUIPMENT FROM TEN-8 FIRE EQUIPMENT, INC.; AUTHORIZING THE APPROVAL OF A REQUISITION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Mandarino, Fire Chief (386-676-3333)*

- I. **RESOLUTION NO. 2014-178** : A RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A PURCHASE AUTHORIZATION (REQUISITION 12112) FOR THE PURCHASE OF A PIERCE SABER PUMPER FIRE APPARATUS UNDER FLORIDA SHERIFFS ASSOCIATION BID NO. 11-10-1202; DECLARING CERTAIN EQUIPMENT TO BE SURPLUS PROPERTY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Mandarino, Fire Chief (386-676-3333)*

- J. **RESOLUTION NO. 2014-179** : A RESOLUTION AUTHORIZING THE EXECUTION OF A GOVERNMENTAL EQUIPMENT LEASE-PURCHASE AGREEMENT WITH OSHKOSH CAPITAL AND ALL OTHER PAPERS NECESSARY AND INCIDENTAL THERETO, REGARDING THE PURCHASE OF A PIERCE SABER PUMPER; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Bob Mandarino, Fire Chief (386-676-3333)*

- K. **RESOLUTION NO. 2014-180** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FOR FUNDING ASSISTANCE REGARDING THE INSTALLATION OF NEW LIGHTING FOR THE TENNIS COURTS AT NOVA COMMUNITY PARK; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

- L. **RESOLUTION NO. 2014-181** : A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION UNDER THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM FOR FUNDING ASSISTANCE REGARDING THE INSTALLATION OF LIGHTING AT BASEBALL FIELD #3 AT THE ORMOND BEACH SPORTS COMPLEX; AUTHORIZING THE EXECUTION OF ALL DOCUMENTS INCIDENTAL THERETO, INCLUDING ANY CONTRACT NECESSARY FOR THE CITY TO ACCEPT THE GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Loretta Moisiso, Grants Coordinator/PIO (386-676-3315)

- M. **Bid Specifications for Riverside Drive Drainage Improvements**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

- N. **South Peninsula Reclaimed Water Main Extension**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

- O. **RFP 2015-08 - Debt Collection Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

- P. **RFP 2015-12 Arbitrage Calculation Services**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

- Q. **Professional Janitorial Services for City Facilities**

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

- R. **2015 Tomoka Marathon Sponsorship Proposal**

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated October 21, 2014.

8. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2014-36** : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2013-2014 BY AMENDING THE GENERAL FUND; THE DOWNTOWN DEVELOPMENT FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER VEHICLE FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER DEBT SERVICE FUND; THE WATER & WASTEWATER CAPITAL PROJECTS FUND (440); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (442); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (444); THE SOLID WASTE FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **ORDINANCE NO. 2014-37** : AN ORDINANCE AMENDING SECTION 22-21, MINIMUM DEPOSITS REQUIRED; ADDING SECTION 22-35, SINGLE FAMILY RESIDENTIAL DIRECT READ WATER METER POLICY, OF DIVISION 2, RATES AND CHARGES OF ARTICLE 1, WATER, OF CHAPTER 22, WATER AND SEWERS; AND BY AMENDING SECTION 22-70, DEPOSIT REQUIRED, ESTABLISHED, OF DIVISION 1, GENERALLY, OF ARTICLE II, SEWERS, OF CHAPTER 22, WATER AND SEWERS; AND BY ADDING ARTICLE VIII, DELINQUENT ACCOUNTS, SECTION 22-189, PROVISIONS FOR DELINQUENT ACCOUNTS; CREATION OF LIENS IN THE EVENT OF NONPAYMENT; SUBMISSION TO COLLECTION AGENCY; ADMINISTRATIVE FEE; OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

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

- C. **ORDINANCE NO. 2014-38** : AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, PEDDLERS AND SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING TITLE OF ARTICLE IX TO "SOLICITORS"; AMENDING SECTION 12-249, DEFINITIONS; AMENDING SECTION 12-250, PERMITS REQUIRED; AMENDING SECTION 12-251, APPLICATION FOR AND ISSUANCE OF PERMIT; AMENDING SECTION 12-252, PERMIT FEES; AMENDING SECTION 12-253, PERMIT TO BE WORN; BY REPEALING SECTION 12-255, TIMES AND LOCATIONS OF SOLICITATION; SIGNS PROHIBITING; REPEALING SECTION 12-256, SOLICITATION BY LOUD OR UNUSUAL NOISES; REPEALING SECTION 12-257, REQUEST TO CEASE PRESENTATION; REPEALING SECTION 12-258, INTERFERENCE WITH TRAFFIC; CREATING SECTION 12-259, UNLAWFUL SOLICITATION AND PANHANDLING; CREATING SECTION 12-260, ENFORCEMENT; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

9. DISCUSSION ITEMS

- A. **Volusia County Water Quality Resolution**

Staff Contact: Scott McKee, City Clerk (386-676-3340)

10. REPORTS, SUGGESTIONS, REQUESTS

11. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Kelley called the meeting to order at 7:01 p.m.

Item #2 – Invocation

Pastor Gary Giovanni, River Bend Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – National Bullying Prevention Month

Mayor Kelley stated that bullying was physical, verbal, sexual, or emotion harm or intimidation intentionally directed at a person or group of people. He explained that researchers had concluded that bullying was the most common form of violence affecting millions of American children and adolescents annually. He stated that the targets of bullying were more likely to acquire physical, emotional and learning problems, and that students who were repeatedly bullied often feared such activities as riding the bus and going to school. He explained that children who bully were at greater risk of engaging in more serious violent behaviors and children who witnessed bullying often felt less secure, more fearful, and intimidated.

Mayor Kelley declared October 2014 as National Bullying Prevention Month in the City of Ormond Beach and urged students, parents and citizens to be encouraged to connect, empower, and transform schools, recreation programs, religious institutions, and community organizations to engage in a variety of bullying awareness and prevention activities. He stated that Ms. Jacqueline Waters was promoting anti-bullying awareness and had requested the proclamation be given; he presented her with the proclamation. He noted that the city had planned to recognize National Bullying Prevention Month also but thanked Ms. Waters for her support. He also noted that bullying prevention was a topic that the city's police officers had added to their D.A.R.E. program.

Item #5A – Audience Remarks

Mr. Jim Schultz, 117 Harvard Drive, stated that October was Breast Cancer Awareness Month and that one of the slogans of that campaign was "think pink." He stated that there had been letters written to the editor of the local newspaper regarding the concept of focusing on pink awareness. He noted that he also had mixed emotions on the subject. He explained that awareness was wonderful but asked what people were being made aware of. He stated that if anyone read the research about mammograms they would see that there was no difference in survivability outcome no matter how many mammograms one received. He stated that some of the focus of the awareness groups had been to increase the number of mammograms or other radiologic procedures. He noted that the Food and Drug Administration (FDA) had just let go of six whistleblowers who wanted to report data that showed that new equipment the FDA wanted to approve was more hazardous than beneficial. He stated that he thought that awareness should be for proven effective treatments such as vitamin D.

Items #6– Approval of Minutes

Mayor Kelley advised that the minutes of the September 29, 2014, and October 7, 2014, regular meetings have been sent to the Commission for review and were posted on the city's website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Item #7– Consent Agenda

Mayor Kelley advised that the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Mayor Kelley mentioned he was pleased about the passing of a few items and provided examples such as items 7L and 7O.

Item #7R – 2015 Tomoka Marathon Sponsorship Proposal

Commissioner Kent thanked the Tomoka Marathon owners for being in attendance. He stated that he was happy he could approve the sponsorship request this year since it involved no financial contribution from the city.

Mayor Kelley noted how successful the event was last year and wished it even more success this year.

Item #8A – Budget Amendments FY 2013-14

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-36

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2013-2014 BY AMENDING THE GENERAL FUND; THE DOWNTOWN DEVELOPMENT FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE WATER & WASTEWATER OPERATING FUND; THE WATER & WASTEWATER VEHICLE FUND; THE WATER & WASTEWATER RENEWAL & REPLACEMENT FUND; THE WATER & WASTEWATER DEBT SERVICE FUND; THE WATER & WASTEWATER CAPITAL PROJECTS FUND (440); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (442); THE WATER & WASTEWATER CAPITAL PROJECTS FUND (444); THE SOLID WASTE FUND; THE WORKERS COMPENSATION FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-36, on first reading, as read by title only.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Kent	Yes
Carried.	Mayor Kelley	Yes

Item #8B – Amendment to Water and Sewer

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-37

AN ORDINANCE AMENDING SECTION 22-21, MINIMUM DEPOSITS REQUIRED; ADDING SECTION 22-35, SINGLE FAMILY RESIDENTIAL DIRECT READ WATER METER POLICY, OF DIVISION 2, RATES AND CHARGES OF ARTICLE 1, WATER, OF CHAPTER 22, WATER AND SEWERS; AND BY AMENDING SECTION 22-70, DEPOSIT REQUIRED, ESTABLISHED, OF DIVISION 1, GENERALLY, OF ARTICLE II, SEWERS, OF CHAPTER 22, WATER AND SEWERS; AND BY ADDING ARTICLE VIII, DELINQUENT ACCOUNTS, SECTION 22-189, PROVISIONS FOR DELINQUENT ACCOUNTS; CREATION OF LIENS IN THE EVENT OF NONPAYMENT; SUBMISSION TO COLLECTION AGENCY; ADMINISTRATIVE FEE; OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2014-37, on first reading, as read by title only.

Call Vote:	Commissioner Partington	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Kelley	Yes

Item #8C – Panhandling and Soliciting Activities

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2014-38

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING CHAPTER 12, BUSINESS REGULATIONS, ARTICLE IX, PEDDLERS AND SOLICITORS, OF THE CODE OF ORDINANCES, BY AMENDING TITLE OF ARTICLE IX TO “SOLICITORS”; AMENDING SECTION 12-249, DEFINITIONS; AMENDING SECTION 12-250, PERMITS REQUIRED; AMENDING SECTION 12-251, APPLICATION FOR AND ISSUANCE OF PERMIT; AMENDING SECTION 12-252, PERMIT FEES; AMENDING SECTION 12-253, PERMIT TO BE WORN; BY REPEALING SECTION 12-255, TIMES AND LOCATIONS OF SOLICITATION; SIGNS PROHIBITING; REPEALING SECTION 12-256, SOLICITATION BY LOUD OR UNUSUAL NOISES; REPEALING SECTION 12-257, REQUEST TO CEASE PRESENTATION; REPEALING SECTION 12-258, INTERFERENCE WITH TRAFFIC; CREATING SECTION 12- 259, UNLAWFUL SOLICITATION AND PANHANDLING; CREATING SECTION 12-260, ENFORCEMENT; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Kent, for approval of Ordinance No. 2014-38, on first reading, as read by title only.

Commissioner Boehm stated that this ordinance was long since needed. He explained that the last two times he drove through the intersections at Williamson Boulevard and Granada Boulevard there had been solicitors. He stated that he hoped the police were effective in utilizing this ordinance to eliminate the ongoing solicitation.

Commissioner Partington stated that he agreed with Commissioner Boehm. He noted that he had received complaints about the issue. He explained that this ordinance did not prohibit the activity itself but was restrictive as to the time and place in which it could occur. He stated that the city needed to better educate its populace as to the monies that were given to those soliciting. He noted that homeless issue consultant Dr. Robert Marbut’s presentation on the homeless a few weeks ago did a good job highlighting the need for education. He stated that 93 cents out of every dollar given to a homeless person went towards alcohol, drugs, or other illicit activities and did not help the individual get out of their situation. He stated that he did not think most people realized that. He asked Ms. Shanahan if a quote could be drawn from Dr. Marbut’s report and added to the city’s water bills or posted on the website so that residents were aware. He stated that the quote was as follows, *“good intentioned individuals think that they are helping and actually they are making the situation worse by enabling bad situations to occur.”*

Mayor Kelley stated that he thought education would be important in handling the homeless issue going forward. He stated that a shelter type situation may give them a hand up instead of a hand out.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Item #9A – Volusia County Water Quality Resolution

Ms. Joyce Shanahan, City Manager, stated that the Volusia County Council was requesting that cities pass a resolution in support of their water quality resolution. She stated that city staff and Mayor Kelley attended the county’s water quality workshop that

was held in June. She requested the Commission to advise whether they would like city staff to bring forward a resolution for their consideration.

Commissioner Partington stated that he reviewed the materials in the agenda packet. He stated that he was impressed by Ormond Beach's water quality initiatives, noting the improvement of the water quality in the Central Park lakes specifically. He stated that he thought that Ormond Beach could be a great partner in those efforts, and that Ormond Beach had already done a lot more than other communities. He stated that as long as there were fair funding formulas he thought there was an opportunity for success in partnership with the county.

Mayor Kelley stated that the septic tank issue stood out to him with regards to water quality. He stated that the city had requested grants to remove them from the Hidden Hills neighborhood for many years. He stated that the city had more septic tanks on the peninsula, some of which would be taken care of with efforts from the county and private organizations. He noted that he could not find proof that anything could be done with regards to the springs. He stated that Daytona Beach did a study which proved that their pumping did not affect the springs.

Commissioner Kent stated that there was so much water under the springs that it pumped out and into the St. John's River and then ended up in the Atlantic Ocean. He stated that he also heard a state senator speak previously about how the state was going to become seriously involved this year in helping to fund projects to remove septic tanks from communities.

Commissioner Partington requested that the resolution prepared for their approval explicitly state that Ormond Beach had made great strides in the area of improving water quality, and list all of those accomplishments, as well as say that Ormond Beach continued to look for partnerships to advance any opportunity to create a cleaner, safer water supply. He stated that over the last 10 years he, Commissioner Kent, and Mayor Kelley had lobbied on septic tank issues. He noted that he worried about funding. He explained that Ormond Beach had already spent and done so much and he had seen them be punished for that before in a number of ways, by being expected to come up with much more. He noted that was a delicate issue for a resolution.

Mayor Kelley stated that an example of that was what was spent for the additional three million gallons of storage for reuse.

Item #10 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Shanahan stated that the next City Commission Meeting would be on Wednesday, November 5, 2014, instead of Tuesday, November 4, 2014, due to the election. She noted that there was not a workshop that day.

Ms. Shanahan stated that November 18, 2014, would be the new City Commission's organizational meeting with a reception at 5:30 p.m. and the meeting at 6:00 p.m.

Ms. Shanahan stated that the Commission would receive their new calendar at the organizational meeting. She stated that there was not presently a second meeting scheduled for December.

John Anderson Drive

Ms. Shanahan stated that the John Anderson Drive Project was nearly complete. She stated that the city was working on the final punch list items and working to correct any issues.

Medians West of I-95

Ms. Shanahan stated that the contractor had completed about 80% of the irrigation for the medians west of Interstate 95 (I-95) and had begun installing the palms and crepe myrtle trees. She noted that there had been some calls about the sight line visibility. She explained that there was a requirement by the Florida Department of Transportation (FDOT) that had to be maintained. She stated that when the crepe myrtles were first installed they were limbed up to the sight line.

Fiber Optic Network

Ms. Shanahan stated that the fiber optic network expansion contractor has started work on the return path from Fire Station 93 to City Hall.

Riverside Drive

Ms. Shanahan stated that in 2009 Riverside Drive experienced flooding. She stated that engineering secured a grant for that and the project was moving forward.

Fleming Avenue

Ms. Shanahan stated that Fleming Avenue had some low level areas flood. She stated that staff would look at that drainage basin for improvements. She stated that Zev Cohen & Associates would perform a water modeling to analyze.

Hazard Mitigation Grant

Ms. Shanahan stated that the city had been notified that the hazard mitigation grant program had opened up again. She stated that phase two of the Hand Avenue project would be \$6 million and the hazard mitigation grant would fund 75% of that. She stated that staff would apply for the grant, and the Commission could decide whether to accept it.

Main Street Meeting

Commissioner Boehm stated that he, Mayor Kelley, and Commissioner Partington attended the Ormond Beach Main Street ("Main Street") annual meeting event. He stated that it was held at the Ormond Beach Art Museum and noted that he had not been there for some time. He stated that the museum was a beautiful jewel of the city. He noted the adjacent gardens, as well.

State of the City

Commissioner Boehm stated that he attended the State of the City Address and Mayor Kelley dazzled all of those in attendance.

Election – Support for Commissioner Kent

Commissioner Boehm stated that before the Commission would meet again the election would be held. He noted that voting was a privilege of living in a democracy. He stated that early voting started on Saturday, October 25, 2014. He noted that he did not have the opportunity to vote in the city's election, which was for Zone 2 Commissioner. He explained that he had been involved with the city for 11 years, both serving on advisory boards and then in his capacity as a Commissioner. He stated that he had known Commissioner Kent during that time and observed his unrelenting passion towards the city and his love of Ormond Beach. He noted that he did not know Commissioner Kent's opponent. He explained that he questioned how well qualified that individual was to serve as a Commissioner, if he did not know who he was during his 11 years of involvement with the city. He stated that he strongly believed in Commissioner Kent. He noted that perhaps he should not speak from his seat on the dais about this, but he urged everyone to vote for Commissioner Kent in the upcoming election.

Mayor Kelley and Commissioner Partington both expressed their agreement with Commissioner Boehm's statements.

State of the City

Commissioner Partington stated that Mayor Kelley did a great job with the State of the City and he received a number of positive comments about the event praising the food, timing, and video presentation.

Vacant Food Lion Property

Commissioner Partington stated that he knew that Commissioner Kent and Mayor Kelley had brought up the abandoned former Food Lion property before. He noted that he heard about it very often from those in the community. He noted that he knew that was a privately held building. He explained that he heard the fate of the building brought up many, many times by residents throughout the city. He stated that he thought they needed to take a strong interest in making sure that a quality grocer went into the building, because that was what he heard that residents wanted there.

Election

Commissioner Kent thanked Commissioner Boehm for his statement and for speaking from the heart. He explained that he had not had to participate in an election in ten years. He stated that there were lots of good emotions involved for him. He stated that he was excited to run and to knock on doors and talk to his constituents. He recommended that all citizens vote, and do the research on their candidates to decide who they thought could best represent them.

Coffee with Commissioner

Commissioner Kent stated that Coffee with Commissioner Kent would be on Monday, November 3, 2014, from 4:30 p.m. to 5:30 p.m. and everyone was invited to attend. He noted that he may start having celebrity guests, such as the Chief of Police.

City Attorney Randy Hayes

Commissioner Kent thanked City Attorney Randy Hayes for serving the city for over 20 years. He stated that Mr. Hayes was dedicated and cared about the community. He stated that Mr. Hayes' work on the solicitors' ordinance was great. He stated that Mr. Hayes' work on the US1 Interlocal Agreement was impressive. He stated that the city had Mr. Hayes employed for a bargain and hoped that Mr. Hayes stayed with the city as long as he wanted.

Mayor Kelley echoed Commissioner Kent's comments.

US1 Interlocal Agreement

Mayor Kelley stated that he believed the rest of the Commission received the same email that he did regarding activities on US1. He stated that it had been disgusting and he was hopeful that when the Interlocal Agreement moved forward they could prevent those types of activities from taking place.

State of the City

Mayor Kelley thanked city staff for the preparation of the State of the City. He stated that another Mayor had called him regarding the pamphlet and video presented during the address as he wanted to emulate it for their city. He stated that it was a great, well-organized presentation. He noted that he was complimented on it and told that it was good that there was not a lot of "political speak."

Election – Support for Commissioner Kent

Mayor Kelley stated that he looked forward to Commissioner Kent being back on the Commission. He noted that he could not vote in that race either but really wanted Commissioner Kent to be back.

Vacant Food Lion Property

Mayor Kelley stated that he and Economic Director Joe Mannarino had worked over the last few years diligently regarding the Food Lion property. He stated that the best solution would be for someone else to purchase it. He stated that they had solicited many grocery chains and sent out letters. He suggested that Mr. Mannarino could do that again since the economy was improving.

Coffee with a Cop

Mayor Kelley stated that he attended one of the Coffee with a Cop events. He stated that the restaurant was packed. He stated that the police officers did a great job speaking to and relating with the citizens. He suggested some of the firefighters also drop in.

Volusia Council of Governments

Mayor Kelley stated that the Volusia Council of Governments (VCOG) would effectively cease its organization on October 31, 2014. He stated that a three-person committee had been appointed to finalize that.

Item #11 – Adjournment

The meeting was adjourned at 7:45 p.m.

APPROVED: November 5, 2014

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk