

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

October 7, 2014

7:00 p.m.

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners James Stowers, 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. Ormond Beach PAL Bruins 7th Grade Basketball Team - 2014 USSSA National Champions
- B. National PAL Male Youth of the Year - Marcus Edwards
- C. Breast Cancer Awareness Month

5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA

6. APPROVAL OF MINUTES

- A. The Minutes from the September 29, 2014 City Commission Meeting will be available for approval at the October 21, 2014 City Commission Meeting.

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. 2014-164** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND LANDAU ENTERPRISES, INC. D/B/A FRYER'S TOWING SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Andy Osterkamp, Police Chief (386-677-0731)

- ~~B. **RESOLUTION NO. 2014-165** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND UNIVERSAL TOWING, INC.; AND SETTING FORTH AN EFFECTIVE DATE.~~

~~*Staff Contact:* Andy Osterkamp, Police Chief (386-677-0731)~~

- ~~C. **RESOLUTION NO. 2014-166** : A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT RENEWAL OF A TOWING RELATED SERVICES CONTRACT BETWEEN THE CITY OF ORMOND BEACH AND J&A BALBOA ENTERPRISES, INC. D/B/A ARROW SERVICE & TOWING; AND SETTING FORTH AN EFFECTIVE DATE.~~

~~*Staff Contact:* Andy Osterkamp, Police Chief (386-677-0731)~~

- D. **RESOLUTION NO. 2014-167** : A RESOLUTION ACCEPTING A BID FROM BACKFLOW SOLUTIONS, INC. REGARDING CROSS CONNECTION CONTROL PROGRAM MANAGEMENT SERVICES; AUTHORIZING THE EXECUTION OF AN AGREEMENT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)

- E. **RESOLUTION NO. 2014-168** : A RESOLUTION AUTHORIZING THE SOLE SOURCE PROCUREMENT OF ADDITIONAL PARTS FROM GEA MECHANICAL EQUIPMENT US, INC. REGARDING CENTRIFUGE REPAIRS AT THE WASTEWATER TREATMENT PLANT; AUTHORIZING THE APPROVAL OF A REQUISITION AND PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)

- F. **RESOLUTION NO. 2014-169** : A RESOLUTION AUTHORIZING THE EXECUTION OF A SOFTWARE FINANCING AGREEMENT AND ESCROW AGREEMENT WITH GOVERNMENT CAPITAL CORPORATION AND ALL OTHER PAPERS NECESSARY AND INCIDENTAL THERETO, REGARDING ENTERPRISE RESOURCE SYSTEM ELECTRONIC PLAN REVIEW SOFTWARE LICENSES AND RELATED SERVICES; AND SETTING FORTH AN EFFECTIVE DATE.

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

- G. **Streetscape Landscaping - SR40 from Orchard St. to A1A**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 7, 2014.

- H. **Utilities Infrastructure for Restroom, Concession at OBSC Multi-use Fields 11 & 12**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 7, 2014.

- I. **Auto Renew Contracts - National Metering Service**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 7, 2014.

- J. **City of Ormond Beach Wastewater Treatment Facility - FDEP Consent Order OGD File No. 14-0501**

Staff Contact: Dave Ponitz, Utilities Manager (386-676-3305)

Disposition: Approve as recommended in the City Manager memorandum dated October 7, 2014.

8. REPORTS, SUGGESTIONS, REQUESTS

9. ADJOURNMENT

Item #1 – Meeting Call to Order

Mayor Kelley called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Father Ogonwa, Prince of Peace Catholic Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Ormond Beach PAL Bruins 7th Grade Basketball Team – 2014 USSSA National Champions

Mayor Kelley invited the Ormond Beach Police Athletic League (PAL) Bruins 7th Grade Basketball Team (“team”), and its coaches, Mr. Avery Randolph, Officer Gregory Stokes, and Mr. Winston Lightburn, to accept the proclamation.

Mayor Kelley stated that the team competed in Florida’s USSSA State Championship in Fort Myers, Florida, two weeks before attending the Nationals, and finished in 12th place overall. He stated that the team worked hard before the Nationals tournament and that hard work paid off when the team won the 2014 USSSA Division 2 National Championship, which was held on June 29, 2014, in Gainesville, Florida. He explained that the team won the game by one point and that one player dribbled the entire length of the court during the last seven seconds of the game.

Mayor Kelley stated that the team’s sportsmanship and long hard practice sessions made them winners. He proclaimed October 7, 2014, as a day to recognize the Ormond Beach PAL Bruins 7th Grade Basketball Team in the City of Ormond Beach and urged all residents to join with him to pay tribute to the team as outstanding representatives of the youth of Ormond Beach.

Item 4B – National PAL Male Youth of the Year – Marcus Edwards

Mayor Kelley noted that Marcus Edwards was away at college in South Florida and would not be able to attend a meeting to receive his proclamation. He invited Ms. Belinda Legut, PAL Recreation Leader, and Officer Gregory Stokes to accept the proclamation on behalf of Marcus Edwards.

Mayor Kelley stated that Ormond Beach PAL had become an academic, athletic, and achievement organization with a goal of providing programs that give youth participants every chance to become successful individuals, educated and equipped with leadership skills, and athletic opportunities. He stated that Marcus Edwards had been part of Ormond Beach PAL since he was eight years old. He noted that Marcus had played on the PAL basketball team, was involved in the PAL Youth Directors’ Program, served on the State of Florida PAL Youth Advisory Council and Youth Conference Committee; where he still held a seat as an alumnus. He stated that Marcus also attended the 2012 National PAL Leadership Academy and worked with Crime Prevention Officers during National Night Out, as well as serving the community through church service projects, a coastal and river cleanup, and collecting clothes to donate to the Domestic Abuse Council.

Mayor Kelley stated that Marcus was a member of Mainland High School’s basketball, football, and track teams, and served on the Homecoming Court as well as being a member of the Voice Ensemble, Link Crew, and Men of Tomorrow. He stated that Marcus graduated from Mainland High School with a grade point average of 4.0 and accomplished all he did while working 18 hours a week at a retirement home serving the elderly and attending college credit classes at Daytona State College. He explained that Marcus was continuing his education at Florida Atlantic University studying Physical Therapy and had a goal of becoming a physical therapist and one day having his own rehabilitation center.

Mayor Kelley stated that Marcus exemplified the mission of PAL and was a young man with great potential and a future filled with opportunities. He stated that the city was very proud of Marcus and proclaimed October 7, 2014, as Marcus Edwards Day in the City of Ormond Beach and urged all residents to join him in celebrating Marcus Edwards’ status as National PAL Male Youth of the Year for 2013 and for his service to the community.

Officer Gregory Stokes thanked the Commission on behalf of Marcus. He stated that Marcus’ father, Mr. Livingston “Stretch” Edwards wanted him to say that it took a village to raise a child.

Ms. Belinda Legut, PAL Recreation Leader, stated that it was a great reward seeing the children in PAL grow up. She explained that Marcus was unable to attend a meeting on a Tuesday because of his class schedule. She thanked the Commission and City Manager for their support.

Mayor Kelley noted that PAL was a volunteer program, which held fundraisers such as the PAL Golf Tournament in order to receive contributions and keep the program going. He invited those who wanted to donate to do so and noted that PAL was a 501(c)3 organization so donations would be deductible.

Item #4C – Breast Cancer Awareness Month

Mayor Kelley stated that over the past two decades the nation had made strides in the fight against breast cancer. He explained that if breast cancer was caught early, treatments worked best and survival rates increased. He further explained that was why all women and men should be familiar with the risk factors and symptoms of the disease. He saluted the women and men who dedicated themselves to the prevention, detection, and treatment of breast cancer. He stated that the city supported every individual and every family struggling with the disease and paused to remember those that had been lost. He explained that in observance of Breast Cancer Awareness Month, the city encouraged all employees to wear pink every Friday during the month of October. He proclaimed October 17, 2014 as Breast Cancer Awareness Day in the city and urged all residents to join with him to increase breast cancer awareness in the community.

Mayor Kelley noted that each member of the Commission, and the staff members at the dais and some in the audience, were all wearing the pink breast cancer awareness shirts created and sold by the Ormond Beach Police Department. He also noted that the fountain outside the Commission Chambers currently had pink water flowing through it.

Item #5A – Audience Remarks

Mr. Bret Schmitz, President of Hudson Technologies, stated that Hudson Technologies employed approximately 260 local residents in their organization. He explained that Hudson Technologies made precision formed enclosures. He stated that October was declared Manufacturing Month by Florida Governor Rick Scott. He stated that Hudson Technologies was a member of the Volusia Manufacturing Association (VMA), which served manufacturers in Volusia, Flagler, and surrounding counties. He stated that Manufacturing Month was in place to celebrate manufacturing and its impact on Florida and on jobs. He stated that one of the slogans was “we make it here” and provided the following examples of recognizable products made locally, such as carbon dioxide centers and meters, disposable medical devices, suntan lotion and personal care products, hub caps and trim rings, biological cabinets, foam and insulation for the roofing industry, metal hose and braided metallic expansion joints, and electrical connectors.

Mr. Schmitz stated that based on employment, the manufacturing sector represented about 7% of the market in Volusia County. He stated that over 450 manufacturers were in Volusia County. He stated that the local average manufacturer employed 21 people, noting that there was a broad range of employers that employed hundreds, as well as employers with one or two employees. He stated that Hudson Technologies had products on the moon and the Mars rover. He stated that the average wage in the manufacturing section was \$48,000 a year, resulting in a total manufacturing payroll of close to \$400 million per year. He stated that employee pay rates averaged \$20 an hour, which was up from the previous year. He explained that 49 Florida counties had lower average manufacturing wages than Volusia County. He noted that Volusia County ranked tenth out of 67 Florida counties in total number of manufacturing jobs.

Mayor Kelley noted that Mr. Schmitz was speaking during audience remarks and stated that his comments probably should have been arranged to be made in the form of a presentation during that portion of the agenda. He explained that any comments made during audience remarks had to be limited to three minutes per the Commission’s adopted rules of procedure. He apologized and noted that he knew that this subject would be spoken about during audience remarks but he assumed they were aware of the time limit. He noted that if this was under presentations and proclamations on the agenda, then more time could have been provided. He apologized again and explained that his policy had been to not grant exceptions because then they would be requested by everyone. He stated that if Mr. Schmitz could briefly complete his remarks he would allow him to do so. He stated that he appreciated Mr. Schmitz being a part of the community.

Mr. Schmitz stated that VMA was asking for the Commission’s support of manufacturing in the area. He thanked Mayor Kelley.

Mayor Kelley thanked Mr. Schmitz and congratulated him on his success with Hudson Technologies. He encouraged any member of the Commission who had not yet visited their facility to do so. He explained that he had previously visited Hudson Technologies during a chili cook-off.

Commissioner Kent stated that the Commission was always talking about “jobs, jobs, jobs.” He thanked Mr. Schmitz on behalf of himself and the Commission. He stated that it was great to have a business like Hudson Technologies in Ormond Beach, with 260 local jobs. He thanked Mr. Schmitz for sharing that information with the Commission.

Mayor Kelley lamented that he had not gotten with Economic Development Director Joe Mannarino earlier to set up the item as a presentation and not during audience remarks. He stated that he hoped Mr. Schmitz understood his predicament.

Items #6– Approval of Minutes

Mayor Kelley advised that due to the short time between the last City Commission meeting, on September 29, 2014, and this City Commission meeting, the minutes from the September 29, 2014, City Commission meeting would be available for approval at the October 21, 2014, City Commission meeting.

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.

Mayor Kelley stated that staff had requested to remove items 7B and 7C from the agenda.

Commissioner Kent moved, seconded by Commissioner Stowers, for approval of the Consent Agenda, absent items 7B and 7C.

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

Item #7H – Utilities Infrastructure for Restrooms, Concession at the Ormond Beach Sports Complex Multiuse Fields 11 and 12

Commissioner Kent stated that it was a big deal that Ormond Beach Pride obtained a \$197,289 grant. He stated that the Commission approved this item to spend a little over \$80,000 on utilities infrastructure for restroom and concession. He noted that he was acutely aware that it brought the balance in what was essentially the city’s saving account below the 15% threshold that the Commission adamantly set. He explained that this contribution was so important to make the project work. He stated that he was sure that with the new budget year he was confident that the city could more than make up for that \$80,000.

Commissioner Boehm stated that this was yet another example of a public private partnership with the city. He explained that Ormond Beach Pride was a private organization that obtained a grant to build a facility that they will use for about three months of the year which can be used by others during the remainder of the year. He stated that Ormond Beach Pride requested \$80,000 from the city, but they were spending much more. He stated that private individuals and organizations often stepped up to help make the city a better place.

Ms. Joyce Shanahan, City Manager, noted that the Commission was getting more than 2.5 to 1.0 on every dollar they spent on this project. She stated that it was a good investment and the city would do their best to try and save some money during the year so that they did not have a deficit in the general fund.

Item #8 – Reports, Suggestions, Requests

Ms. Joyce Shanahan, City Manager, stated that the City Attorney had a meeting to schedule.

Mr. Randy Hayes, City Attorney, stated that he needed to hold a litigation shade meeting with the City Commission on October 21, 2014, at 6:00 p.m., prior to their regular City Commission meeting.

Ms. Shanahan stated that staff was also looking at scheduling a workshop prior to the City Commission meeting on November 5, 2014. She stated that the workshop would include Lean Six Sigma, which needed to be rescheduled from a May workshop where they ran out of time, and also property maintenance codes.

Mayor Kelley stated that he would not be present on November 5, 2014.

Ms. Shanahan stated that they would hold off on scheduling that workshop then. She stated that on December 2, 2014, they would have an Advisory Board appointment workshop prior to the regular City Commission meeting. She noted that if they could squeeze in another topic with that workshop they would do so.

Ms. Shanahan stated that staff was working on an after action report for the Commission regarding the recent heavy rainfall and flooding event. She explained that the report would detail what went right and highlight areas for improvement, as well as ideas for additional steps to be taken in the future. She noted that the city had no structures flooded but explained that the goal was to reduce flooding as it would never be eliminated completely. She stated that the primary objective was to reduce flooding inside homes. She noted that FEMA did not consider garages or porches as the home.

Mayor Kelley stated that he was proud of how well Ormond Beach handled the issue while reading about the perils of Port Orange's flooding in the newspaper.

Ms. Shanahan stated that the city was fortunate to have many long-term employees who were very knowledgeable about how to remedy flooding issues. She stated that the city was also grateful to have a Commission which had a vision for the community and had the decision-making power to move ahead with the grant to correct the flooding issues after the flooding in 2009. She stated that the Commission's strength and leadership helped city staff and they were grateful for that.

Commissioner Kent stated that since Mayor Kelley had been the Mayor, the City Commission meetings had been run very efficiently. He stated that he had told someone that and the individual had said that Mayor Kelley rivaled former Mayor Dave Hood in that aspect. He noted that Mayor Kelley may have felt badly for having to interrupt Mr. Schmitz earlier, but it was the right thing to do to follow their established procedures. He applauded Mayor Kelley for that and noted that the best compliment to have was someone mimicking you. He noted that if and when he ever had the opportunity, he would mimic what he learned from Mayor Kelley. He thanked him for his consistency.

Commissioner Boehm stated that he had supported PAL and the proof of the organization's merits was in the accomplishments of both their athletic teams and their individuals. He stated that Marcus Edwards was the third individual to win a state and national award. He noted that there may be someone else in the pipeline for similar awards. He stated that it was remarkable in a city of Ormond Beach's size to have that many youths already recognized in a state as large as Florida, or in the nation. He stated that it demonstrated how great the leadership of the PAL organization was and how worthy of support the program was. He noted that his wife was currently the treasurer of PAL and asked him to mention that November 8, 2014, would be the PAL Golf Tournament. He stated that they needed sponsors and individuals to play. He asked for support for the PAL organization.

Commissioner Boehm stated that there was an article in the Ormond Beach Observer mentioning that the city's firefighters, in honor of Breast Cancer Awareness Month, had a t-shirt created and were selling those t-shirts in exchange for a donation of \$15. He noted that the entire Commission was wearing the shirt, as well as several staff members. He strongly recommended everyone to buy those shirts to support breast cancer awareness.

Commissioner Boehm stated that on October 15, 2014, at 12:00 p.m. at the Oceanside Country Club, Mayor Kelley would be giving the annual State of the City address. He stated that it was a very well attended annual event, and Mayor Kelley did an outstanding job.

Commissioner Boehm stated that Ormond Beach Main Street was having their annual meeting starting at October 20, 2014, at 5:30 p.m. at the Ormond Beach Art Museum. He stated that Ormond Beach Main Street was an integral organization that supported the Commission and the city. He noted that the annual meeting was more of a cocktail party get together than a regular meeting. He stated that he was the Commission's designee to the Ormond Beach Main Street Board, but he was certain that Ormond Beach Main Street would like the entire Commission to attend, if possible. He noted that there would also be a silent auction fundraiser.

Commissioner Stowers noted that there had been some presentations in the past few weeks in the county regarding homeless issues. He asked staff to begin, if they had not already done so, looking into what the costs might look like for Ormond Beach to participate. He stated that he was interested in knowing whether it would be an annual reoccurring cost or a onetime contribution.

Mayor Kelley stated that staff was already working on preliminary figures and preliminary schedule. He noted that Commissioner Partington and Ms. Shanahan attended one of the presentation meetings last week. He stated that he was to attend one but had a conflict, but he had read the report. He explained that in Pinellas County they did a similar project, and initially had all but one city out of 14 cities sign up to participate. He further explained that now only three of their cities were involved because no one made a commitment because of a five-year funding agreement. He stated that the issue would be committing to continuing funding. He noted that he believed the costs to be over what was initially expected.

Mayor Kelley stated that he went to the Ormond Beach Civil Air Patrol (CAP) Open House the previous weekend. He stated that it was a great group. He stated that the CAP spotted the plane that was downed in Flagler County.

Mayor Kelley stated that the State of the City address would be on Wednesday, October 15, 2014, and he explained that none of it would be possible without the help of the Commission. He stated that none of the presentation would be done with the support from Ms. Shanahan and her staff. He stated that great strides had been made in the city and he wanted to share that with the community. He noted that the address would also be available on the website after it was given.

Item #13 – Adjournment

The meeting was adjourned at 7:46 p.m.

APPROVED: October 21, 2014

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk