

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

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**September 5, 2018**

**7:00 p.m.**

**Commission Chambers**

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Present were: Mayor Bill Partington, Commissioners Dwight Selby, Troy Kent, Rick Boehm, and Rob Littleton, City Manager Joyce Shanahan, City Attorney Randy Hayes, and City Clerk Lisa Dahme.

**A G E N D A**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. ADOPTION OF FY 2018-2019 PROPOSED MILLAGE RATES AND TENTATIVE BUDGET**
  - 1. RESOLUTION NO. 2018-107** : A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2018-2019 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.  
*Staff Contact: Kelly McGuire, Finance Director (386-676-3226)*
  - 2. 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.  
*Staff Contact: Chris Byle, Assistant Finance Director (386-676-3206)*
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
  - A. Minutes from City Commission meeting – August 21, 2018
- 7. COMMUNITY REDEVELOPMENT AGENCY**
  - A. RESOLUTION NO. 2018-108** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO THE REPAIR OF A PUBLIC FISHING PIER AT CASSEN 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: John Noble, City Engineer (386-676-3269)*
- 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. 2018-108** : A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA,

AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO THE REPAIR OF A PUBLIC FISHING PIER AT CASSEN 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:** John Noble, City Engineer (386-676-3269)

- B. **RESOLUTION NO. 2018-109** : A RESOLUTION REAPPOINTING JAMES PRICE AS A MEMBER TO SERVE AS A COMMISSIONER OF THE ORMOND BEACH HOUSING AUTHORITY; SETTING FORTH TERM AND CONDITIONS OF SERVICE; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Lisa Dahme, City Clerk (386-676-3340)

- C. **RESOLUTION NO. 2018-110** : A RESOLUTION ACCEPTING PROPOSALS FOR THE PROVISION OF VARIOUS FORMS OF INSURANCE COVERAGE, INCLUDING PROPERTY, INLAND MARINE, CRIME, AUTO PHYSICAL DAMAGE, EXCESS WORKERS' COMPENSATION, ACCIDENTAL DEATH AND DISMEMBERMENT (POLICE OFFICERS AND FIREFIGHTERS), NFIP FLOOD, POLLUTION, PROFESSIONAL LIABILITY (EMT'S AND PARAMEDICS), GENERAL LIABILITY (INCLUDING LAW ENFORCEMENT LIABILITY), AND TULIP (SPECIAL EVENTS) INSURANCE COVERAGE; AUTHORIZING THE EXECUTION OF DOCUMENTS RELATIVE THERETO; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Claire Whitley, Acting Assistant City Manager (386-676-3202)

- D. **RESOLUTION NO. 2018-111** : A RESOLUTION RENEWING A BROKER SERVICE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND BROWN & BROWN OF FLORIDA, INC., FOR AN ADDITIONAL ONE YEAR TERM; AUTHORIZING BROWN AND BROWN OF FLORIDA, INC., TO PROVIDE INSURANCE CONSULTING SERVICES AS THE CITY'S AGENT OF RECORD FOR PROPERTY AND CASUALTY INSURANCE; AUTHORIZING PAYMENT FOR THE SERVICES TO BE PERFORMED THEREUNDER; AND SETTING FORTH AN EFFECTIVE DATE.

**Staff Contact:** Claire Whitley, Acting Assistant City Manager (386-676-3202)

- E. **RESOLUTION NO. 2018-112** : A RESOLUTION APPROVING THE APPLICATION OF AIRCRAFT CHARTER & LOGISTICS, LLC, TO PROVIDE SERVICES AS A CATEGORY 2 AND CATEGORY 4 FIXED BASE OPERATOR AT THE ORMOND BEACH MUNICIPAL AIRPORT; ESTABLISHING CONDITIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **RESOLUTION NO. 2018-113** : A RESOLUTION ACCEPTING A PROPOSAL FROM BOMAR CONSTRUCTION, INC. FOR CONSTRUCTION MANAGEMENT SERVICES REGARDING THE MAIN TRAIL BRIDGE REPAIR 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)

- G. **RESOLUTION NO. 2018-114** : A RESOLUTION ACCEPTING A PROPOSAL FROM DRMP, INC. TO PROVIDE CONSTRUCTION ENGINEERING & INSPECTION SERVICES FOR THE FOREST HILLS MULTI USE PATH PROJECT; AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

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

- H. **RESOLUTION NO. 2018-115** : A RESOLUTION AUTHORIZING THE EXECUTION OF A MONTHLY LEASE AGREEMENT BETWEEN THE CITY AND THE ORMOND BEACH RIVERSIDE CHURCH INC., FOR THE BUILDING LOCATED AT 56 NORTH BEACH STREET; AND SETTING FORTH AN EFFECTIVE DATE.

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

- I. **RESOLUTION NO. 2018-116** : A RESOLUTION ACCEPTING A BID FROM HARCROS CHEMICALS, INC. FOR THE PROVISION OF SODIUM BISULFITE TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2018-30; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- J. **RESOLUTION NO. 2018-117** : A RESOLUTION ACCEPTING A BID FROM HAWKINS, INC. FOR THE PROVISION OF HYDROFLUOROSILICIC ACID TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2018-34; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- K. **Cancellation of Bid No. 2018-04 Air Traffic Control Tower Parking Lot Rehabilitation**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 5, 2018.

- L. **Coquina Court Drainage Improvements**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 5, 2018.

- M. **Budget Status Report for April – June 2018**

**Staff Contact:** Chris Byle, Assistant Finance Director (386-676-3206)

**Disposition:** Approve as recommended in the City Manager memorandum dated September 5, 2018.

- N. **Capital Improvement Plan FY 2018-19 to FY 2022-23**

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

**Disposition:** Approve as recommended in the City Manager memorandum dated September 5, 2018.

## 9. FIRST READING OF ORDINANCES

- A. **ORDINANCE NO. 2018-21** : AN ORDINANCE AMENDING SECTION 22-158, FEE IMPOSED; SCHEDULE; OF CHAPTER 22, STORMWATER, OF THE CITY OF ORMOND BEACH CODE OF ORDINANCES, REDUCING THE STORMWATER FEES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

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

- 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.

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

**10. REPORTS, SUGGESTIONS, REQUESTS**

**11. ADJOURNMENT**

Item #1 – Meeting Call to Order

Mayor Partington called the meeting to order at 7:03 p.m.

Item #2 – Invocation

Reverend Neal J. Ganzel Jr., Coquina Presbyterian Church in America, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Partington led the Pledge of Allegiance.

Item #4(1) – Proposed Millage Rates for FY 2018-19

City Clerk Lisa Dahme read by title only:

**RESOLUTION NO. 2018-107**

**A RESOLUTION ADOPTING PROPOSED MILLAGE RATES FOR THE 2018-2019 FISCAL YEAR; ESTABLISHING A DATE TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.**

Mayor Partington stated that per Florida Statute, he was required to state that the proposed millage rate for the City of Ormond Beach necessary to fund the fiscal year 2018-2019 budget was 4.1655 mills. He noted that that rate was 2.87 percent above the rolled back rate of 4.0493 mills. He stated that the tentative debt service millage rates were 0.0840 for the 2002 General Obligation Bond Sinking Fund, 0.0350 for the 2003 General Obligation Bond Sinking Fund, and 0.1050 for the 2010 General Obligation Bond Sinking Fund.

Mayor Partington asked if there were any comments from the Commission regarding the tax rate or budget.

Commissioner Selby stated that he had voted against the millage rate at the prior meeting and would do so again. He noted if they adopted the proposed rate, the city would have \$5,270,000 in reserves which was 16.7 percent of the budget and the policy was 15 percent. He indicated they could adopt the rolled back rate, which would generate \$4,890,000, a difference of \$380,000, and leaving 15.5 percent in the reserves, still exceeding the policy. He noted if they did so it would not impact any proposed programs, and strongly urged the rest of Commission to vote with him to adopt the rolled back rate. He was comfortable keeping the excess money in the bank account of residents, not with the city.

Commissioner Boehm noted the proposed millage rate was the lowest combined rate since FY 2012-2013, and the adjustment was being made for inflation. He listed all the costs that would increase, including a 3 percent raise for city employees, health insurance, and other insurance rates that they would be voting on in the upcoming agenda items. He stated that he received his Truth In Millage Notice (TRIM) notice and the tax bill would go down \$5.51; if the rolled back rate were used, he would save \$1.62 per month and was willing to have that extra go to the city. He indicated that he would be voting in favor of the rate.

Commissioner Kent noted that he would be voting in favor also. He stated that fiscal responsibility had always been at the top of his list, noting the city was in great financial

shape, paid bills on time, and received excellent bond ratings. He indicated that the 15 percent was a minimum set by the Commission, and there had been a few major storms the prior years that needed immediate funding, which the city had on hand. He noted it took years to get reimbursed a portion of the cost from the Federal Emergency Management Agency (FEMA), and he was glad they had been prepared. He stated that if money were not budgeted for a certain item, he would not approve contributing and that item would have to wait until the next fiscal year's budget. He felt the Commission and City Manager Joyce Shanahan had done a great job with the budget, and was comfortable with the numbers.

Commissioner Littleton stated that he would support the proposed millage rate, noting that he received his TRIM notice and the taxes would go down as well. He reiterated Commissioner Kent's statement that 15 percent was the minimum, felt that 15.5 percent was too low, and was comfortable with having 16.7 percent in reserves.

Mayor Partington indicated it would not be unreasonable as a coastal city, during the increased number of hurricanes, to have a 25 or 30 percent reserve in order to be prepared. He thought the 16.7 percent was a good level and figured it would be more than other cities had saved. He noted the amount proposed was the rolled back rate with a slight adjustment for inflation, and felt that the city should account for that like individuals did in their budgets. He indicated the legislature should make that part of the rolled back rate calculation, and would work with the Florida League of Cities to make it happen. He stated that the Budget Advisory Board recommended a higher millage rate and with their recommended rate, city residents would have seen an increase of only one-tenth of a penny per day. He noted that most would see a decrease in their tax bill and that it was one of the lowest tax rates of the 16 municipalities in Volusia County. He stated that he would support the rate and congratulated staff for their hard work.

Mayor Partington stated that the millage rate item was a public hearing. He asked if there were any members of the public who wished to speak or ask questions prior to the adoption of the tentative millage rate and budget.

Mayor Partington invited Mr. Joe Thompson to the front, but Mr. Thompson had already left the Commission Chambers.

Mr. Joe Hannoush, 87 Carriage Creek Way, echoed Commissioner Selby's comments.

**Commissioner Boehm moved, seconded by Commissioner Littleton, for approval of Resolution No. 2018-107, as read by title only.**

Mayor Partington stated that the tentative operating millage of 4.1655 mills was 2.87 percent above the rolled back millage rate. He noted that the resolution also included adoption of the tentative debt service millage rates of 0.0840 for the 2002 General Obligation Bond Sinking Fund, 0.0350 for the 2003 General Obligation Bond Sinking Fund, and 0.1050 for the 2010 General Obligation Bond Sinking Fund.

Call Vote:	Commissioner Selby	No
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
Carried.	Mayor Partington	Yes

Mayor Partington stated that the operating millage rate was set at 4.1655 mills, which was equal to the 2.87 percent above the rolled back millage rate of 4.0493 mills.

Item #4(2) – Final Budget for FY 2018-19

City Clerk Lisa Dahme read by title only:

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.

**Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2018-20, on first reading, as read by title only.**

Mayor Partington asked the City Clerk to call the vote to adopt the budget of \$95,890,781.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	No
Carried.	Mayor Partington	Yes

Mayor Partington asked for any objection to closing the public hearing. He noted that hearing none, the public hearing was closed.

Item #5 – Audience Remarks

Ms. Liz Myers, 135 Banyon Drive and Vice Chair of Citizens for Ormond Beach Inc., announced two upcoming events; the first would be on Wednesday, September 12, 2018, at 5:30 p.m., at the Ormond Beach Library Auditorium. She stated the local League of Women Voters would be at the meeting to discuss the 13 Constitutional Amendments on the November ballot. She noted the second event would be a Candidate Forum on Wednesday, October 10, 2018, at 7:00 p.m. in the Commission Chambers, with a meet and greet at 6:00 p.m. in the Ormond Beach Library Auditorium. She stated that Ormond Beach City Commission candidates, Florida House of Representatives candidates for District 25 and District 26, and U.S. Congressional District 6 candidates were invited to participate.

Item #6 – Approval of Minutes

Mayor Partington advised that the minutes of the August 21, 2018, regular meetings had been sent to the Commission for review and posted on the city's website for public viewing. He asked for any corrections, additions, or omissions.

Commissioner Selby noted that two versions of the minutes had been provided, the original in the agenda packet and an amended by e-mail. He wanted to clarify that the amended minutes would be approved; whereby, Mayor Partington asked if the others understood that as well and hearing no comments, he stated the minutes would stand approved as amended.

Item #7 – Community Redevelopment Agency

Mayor Partington advised that the following items were Community Redevelopment items. He explained that the City Commission served as the Community Redevelopment Agency (CRA) of the city and must review the items and make a recommendation as the CRA.

Mayor Partington recessed the City Commission meeting, called the CRA meeting to order, and opened the public hearings, at 7:23 p.m.

Item #7A – Cassen Park Pier Replacement – Florida Inland Navigation District Grant

City Clerk Lisa Dahme read by title only:

RESOLUTION NO. 2018-108  
A RESOLUTION OF THE CITY COMMISSION, ALSO ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY, OF THE CITY OF ORMOND BEACH, FLORIDA, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE GRANT PROGRAM FOR FUNDING ASSISTANCE RELATIVE TO THE REPAIR OF A PUBLIC FISHING PIER AT CASSEN 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.

**Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Resolution No. 2018-108, as read by title only.**

The motion passed by voice vote unanimously.

Mayor Partington closed the public hearing, adjourned the CRA meeting, and reconvened the City Commission meeting at 7:25 p.m.

Item #8 – Consent Agenda

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

**Commissioner Kent requested that Items 8H and 8J be pulled from the Consent Agenda.**

**Commissioner Kent moved, seconded by Commissioner Boehm, for approval of the Consent Agenda, absent Items 8H and 8J.**

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #8H – 56 North Beach Street Occupancy Agreement

City Clerk Lisa Dahme read by title only:

RESOLUTION NO. 2018-115

A RESOLUTION AUTHORIZING THE EXECUTION OF A MONTHLY LEASE AGREEMENT BETWEEN THE CITY AND THE ORMOND BEACH RIVERSIDE CHURCH INC., FOR THE BUILDING LOCATED AT 56 NORTH BEACH STREET; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Travis Sargent, 406 North Beach Street, had concerns about the lease. He discussed history of the church; started in 1883, hired the 40<sup>th</sup> minister in 2010 to 2011, a Daytona Beach News-Journal article on April 22, 2012 where the congregation was concerned the church would be sold, six years later everything had been sold, members who questioned the leadership received letters of excommunication, police had been called there 31 times but only once for medical issues, and leadership consisted of the minister and his wife.

Mr. Sargent noted the following facts: 30 Lincoln Avenue sold to the city on March 4, 2016, for \$48,000 with those funds going to maintenance, and no maintenance done; on July 6, 2016, a permit was issued for interior remodeling of an existing garage of the house at 21 Lincoln Avenue, personal residence of minister and family that was owned by the church and not on the tax roll; 80 North Beach Street sold on November 11, 2016, for \$185,000 and still no maintenance completed; 56 North Beach Street sold on June 22, 2018, to the city with an agreement that gave the church 60 days to vacate and nothing had been moved; and the church was asking for an extension to continue holding services at that location.

Mr. Sargent stated that a property inspection report on March 5, 2018, by Ormond Beach's Building Department indicated mold was present in classrooms, there were visible water spots on ceilings, and the HVAC system needed repair in the assembly and fellowship halls, which led to the determination that immediate repairs had to be made to the HVAC, roofing, electrical, exterior windows, and doors to prevent further damages. He felt that the building was not fit to continuing holding services, and that it was time to cut ties and move forward.

**Commissioner Kent moved, seconded by Commissioner Boehm, to discuss Item 8H.**

Commissioner Kent noted his continuing concerns about the situation, spoke with Mr. Sargent who shared pertinent information, and felt that leadership had ample time to leave and allow the city to take possession of the building. He indicated they should deny the lease, take possession, and move on.

Commissioner Boehm stated that he initially agreed with the month to month lease, but spoke with Mr. Sargent, and currently had concerns about mold, leaks, asbestos, and lead paint which could be present and dangerous. He noted that he drove by the

property on the way to the meeting, and saw holes and items falling off the back of the building. He noted that even though the Commission had not decided what to do with the property, he was concerned with safety issues and did not want anyone allowed in there. He felt the congregation was small enough to rent a different city facility nearby for services, and was concerned that the money paid for the building was not spent wisely. He agreed with Commissioner Kent and did not want to continue the lease.

Commissioner Littleton echoed Commissioner Boehm's statements in regards to his initial thoughts on the lease, the degradation of the building, and concern for anyone going into it. He did not want to continue the lease.

Commissioner Selby felt they were discussing separate issues; leadership of the church, which had nothing to do with the city owning the facility, and the lease. He felt the lease was acceptable and covered all liability concerns. He did not think the city would incur liability if the tenant decided to come against them for the physical condition of the facility, and asked City Attorney Randy Hayes for his thoughts; whereby, Mr. Randy Hayes, City Attorney, stated that he used specific wording in the agreement, including that the month to month tenancy would be 'as is'. He noted that it was only a piece of paper, that lawsuits did happen, but felt that he had protected the city.

Commissioner Selby noted he was in favor of the lease, there were no plans for the building, the tenant was prepared to pay \$1,500.00 per month plus maintain the grounds, the repairs were mainly cosmetic, and the city had rights to enter at any time to make those repairs.

Commissioner Boehm hated to disagree, but noted the inspection report estimated repairs at \$2,800,000; whereby, Commissioner Selby did not suggest refurbishing the entire building and apologized for the interruption.

Commissioner Boehm listed the issues that needed repair on the building and refused to support the lease, noting he was more concerned with people than the insurance.

Commissioner Kent commented on how things could change given time and information, with good arguments on both sides. He reviewed the article that Mr. Sargent mentioned regarding the number of members and how things had changed so drastically. He gave Commissioner Selby credit for the sale and thought it was great idea. He also wondered if the money received for the sale had been spent wisely, but reiterated that there was an agreement and that agreement expired.

Call Vote:	Commissioner Littleton	No
	Commissioner Selby	Yes
	Commissioner Kent	No
	Commissioner Boehm	No
Failed.	Mayor Partington	No

Item #8J – Award of Hydrofluorosilicic Acid for Water Facility

City Clerk Lisa Dahme read by title only:

RESOLUTION NO. 2018-117  
A RESOLUTION ACCEPTING A BID FROM HAWKINS, INC. FOR THE PROVISION OF HYDROFLUOROSILICIC ACID TO BE USED AT THE WATER TREATMENT FACILITY, UNDER BID NO. 2018-34; AUTHORIZING THE APPROVAL OF A PURCHASE AUTHORIZATION AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Hannoush agreed with Commissioner Kent's views on fluoride.

**Commissioner Selby moved, seconded by Commissioner Boehm, to discuss Item 8J.**

Commissioner Kent indicated that everyone knew how he felt and thanked staff for listing it as a separate item. He described a discussion with a resident involving chlorine amounts added to water, but felt that chlorine treated water, and fluoride treated people. He wondered if the city should medicate everyone with the water supply, felt they could offer fluoride tablets or other possible options, and was not in favor of the item.



Commissioner Boehm asked Mr. Hayes if citizens voted by referendum in the 1950s for the purpose of having fluoride in the water; whereby, Mr. Hayes stated that was the case, a provision had been incorporated into the ordinance as a local regulation, and could be modified if the Commission chose to do so.

Commissioner Boehm asked if they would have to make the change by resolution or ordinance in order to modify that agreement; whereby, Mr. Hayes stated it would be by ordinance, and if the Commission wanted to make a policy decision not to make the purchase, they would need to discuss whether or not to amend the ordinance.

Commissioner Boehm asked for confirmation that Item 8J only agreed to make the purchase and further action would be needed down the road otherwise; whereby, Mr. Hayes stated he was correct, and would be the case if that was the policy direction they wanted to follow. He noted if they chose not to purchase, their actions would not be consistent with the requirements of the ordinance, and a change would have to be made to make the policy and ordinance consistent.

Mayor Partington noted Commissioner Kent's passion on the issue and appreciated his stance. He explained that as long as the American Dental Association (ADA), Centers for Disease Control Prevention (CDC), and other scientific professionals supported fluoridation, he would continue to support it with the understanding that something could change in the future and Commissioner Kent might be correct.

Commissioner Kent discussed the details of his original thoughts on fluoridation and voting to include it in the water for four years, to the situations that brought it to his immediate attention and eventually changed his mind. He noted a resident would speak at the meetings once a month against it, he asked numerous companies and the Health Department if they would take responsibility for the product, and received no answers or refusal to take responsibility. He stated he needed one more vote to change the outcome and would suggest an ordinance change at that time. He thanked Mayor Partington for the latitude and his position.

Call Vote:	Commissioner Selby	Yes
	Commissioner Kent	No
	Commissioner Boehm	Yes
	Commissioner Littleton	No
Carried.	Mayor Partington	Yes

Comments on Consent Agenda Items

Commissioner Boehm congratulated City Manager Joyce Shanahan, Finance Director Kelly McGuire, and all department staff on their budget work. He noted that when doing projects, the pattern was to bring them in underneath the bid or what was budgeted which demonstrated fiscal responsibility by all department heads.

Item #9A – Reduction to Stormwater Fees

City Clerk Lisa Dahme read by title only:

ORDINANCE NO. 2018-21  
AN ORDINANCE AMENDING SECTION 22-158, FEE IMPOSED;  
SCHEDULE; OF CHAPTER 22, STORMWATER, OF THE CITY OF  
ORMOND BEACH CODE OF ORDINANCES, REDUCING THE  
STORMWATER FEES; REPEALING ALL INCONSISTENT ORDINANCES  
OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Littleton moved, seconded by Commissioner Selby, for approval of Ordinance No. 2018-21, on first reading, as read by title only.**

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
Carried.	Mayor Partington	Yes

Item #9B – Amendment to Water and Sewer Impact Fees

City Clerk Lisa Dahme read by title only:

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.

Mr. Hannoush asked for a reduced rate, instead of increasing the impact fees.

**Commissioner Littleton moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2018-22, on first reading, as read by title only.**

Commissioner Selby stated he was in favor of the increase and while he understood the concept, he felt that impact fees should be tied to the value of the structure. He explained that total impact fees in Ormond Beach for a new resident were around \$12,000, including county, city, etc. He noted that homeowners with more expensive homes could easily afford a higher amount, while homeowners of a starter or workforce home would not be able to afford those same amounts. He hoped they could have a future discussion to see about having the city's impact fees tied to the values, in order to make housing more affordable.

Commissioner Littleton echoed Commissioner Selby's comments and was open to a discussion about a policy change in the future.

Mayor Partington understood their positions and indicated they were fair and common sense. He noted the city had great staff who reviewed impact fees in order to stay current and appropriate in the amounts.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Littleton	Yes
	Commissioner Selby	Yes
	Commissioner Kent	Yes
Carried.	Mayor Partington	Yes

Item #10 – Reports, Suggestions, Requests

Upcoming Meetings

Ms. Joyce Shanahan, City Manager, reminded everyone that the next regular Commission meeting would be on Wednesday, September 19, 2018, due to the County Council having their budget hearing on Tuesday, September 18, 2018, and by law, Ormond Beach was not permitted to have theirs on the same day. She noted there would be a Healthcare Workshop on Tuesday, October 2, 2018, and hoped to have the renewal numbers by then for the calendar year.

Ms. Shanahan stated that the November meetings would be different; the first would fall on Monday, November 5, 2018, before Election Day, and the second would be a swearing in ceremony only on November 20, 2018. She noted the latter change was per the Code of Ordinances, which required the ceremony on the third Tuesday in November of an election year. She indicated December would go back to the regular meeting schedule.

Project Update

Ms. Shanahan noted that she sent a detailed report of all projects each week and discussed a few details regarding the North U.S. 1 landscaping, the 2-inch water main replacement, and the outfall to the river.

OB Life Meeting

Commissioner Littleton complimented staff for putting on a great OB Life meeting regarding water quality and the environment.

City Dog Park

Commissioner Selby noted he would attend the dedication of the city dog park the next day, near the Young Men's Christian Association (YMCA), and hoped the weather would cooperate.

Election Financial Reports

Commissioner Selby noted an article in the newspaper about campaign financial reports, and that Ormond Beach was one of two cities that did not use the Volusia County Supervisor of Elections website for those reports. He decided to try the website and found it capable and user friendly. He discussed switching over briefly with Ms. Shanahan and wondered the status.

Ms. Shanahan thought she provided a detailed e-mail, but explained that the Volusia County Supervisor of Elections said Ormond Beach could switch at that stage, but by the time everything necessary would be complete, there would only be a few reports left to submit. She respectfully suggested that the city stay with the current system but consider switching in future years, noting this was the first year it had been offered to candidates. She stated that Ormond Beach had provided great transparency to residents by publishing all candidate information on the website. She noted that the city was accustomed to providing first hand service to the residents and candidates in regards to the forms, and would not be able to provide that level of service if they switched to the website.

Commissioner Selby asked if the City Clerks of the individual municipalities were responsible for that information throughout the reporting process; whereby, Ms. Shanahan stated that was her understanding.

Commissioner Selby asked who would, by policy, be delegating that responsibility; whereby, Ms. Shanahan did not have that information.

Mr. Hayes stated that he would look into the details and the City Clerk was considered the local election supervisor. He agreed with Ms. Shanahan about the level of transparency given and waiting until the next election cycle to institute any changes. He reiterated that he would gather all information so they could make an informed decision.

Ms. Shanahan stated they would need a formal agreement to make changes.

#### City Dog Park

Commissioner Kent regretted that he would not be able to make the grand opening of the dog park, due to his schedule, but would visit in the future with his dogs, Daisy and Dudley.

#### Fishing Tournament

Commissioner Kent noted there would be a free fishing tournament on Saturday, September 8, 2018, for parents and children to enjoy. He stated it would be catch and release in saltwater, with the possible catches varying, and a wholesome time with the family. He noted that it was one of the special things offered by the city, as well as having low tax rates, using dollars wisely, and the lowest water and sewer rates in Volusia County.

#### Quality of Life

Commissioner Boehm noted he had always been a positive person, and wished to point out things in the city and the people involved that contributed to the wonderful quality of life the city provided to residents. He discussed landscaping projects and addition of trees in numerous areas of the city, showing that the Commission had always been concerned with Ormond Beach and wanted to make it the best.

Commissioner Boehm discussed an article he read about the free library at Bailey Riverbridge Park, and how the small library was built to reflect the same shape as the church it sat in front of.

#### Upcoming Events

Commissioner Boehm discussed the Environmental Discovery Center (EDC) as part of Central Park, and mentioned that classes were held there regarding the environment for everyone including children. He stated there would be a class on Saturday, September 8, 2018, from 10 a.m. to 11 a.m., hosted by Ms. Mandy Kinsey and based on a book she wrote, to teach children about becoming Youth Service Heroes and the environment.

Commissioner Boehm heard about a gentleman who moved his art gallery to Ormond Beach, named the Ocean Art Gallery. He noted the gallery would be hosting a We Will Not Forget program on September 11, 2018, at 5:00 p.m., honoring those who lost their lives on September 11, 2001, and featuring the Coastal Florida Police and Fire Pipes and Drums Band. He noted it would be a special event.

Commissioner Boehm noted the city was celebrating its ninth anniversary of Movies on the Halifax, and was amazed that it had lasted so long. He mentioned the recent renewal agreement with the Ormond Memorial Art Museum, a jewel of the city, and an upcoming event there on Friday, September 7, 2018, from 6:00 p.m. to 7:30 p.m. He stated that youngsters and the young at heart could create an original bean art mosaic inspired by a whimsical animal art exhibition. He stated that after the art event, residents could move over to the movie at Rockefeller Gardens for a wonderful, special family evening. He enjoyed pointing out the positive things in Ormond Beach as they were the reason he loved living in the city and serving the city.

#### School Board Member

Mayor Partington recognized Volusia County School Board Member Carl Persis in the audience, and appreciated him being there. He noted he was under the impression it had been the School Board's fault that the city had to switch their meeting to Wednesday night, but Ms. Shanahan corrected him. He noted that School Board Member Persis was involved in recognizing the Teacher of the Quarter program, with the Ormond Beach Chamber of Commerce, where he would drive to each school and recognize a teacher for exemplary performance. He stated that School Board Member Persis was loved in the schools, and teachers were so appreciative of their recognition for service to all the children.

#### Aldi in Ormond Beach

Mayor Partington noted that many residents were excited that an Aldi store would be coming to Ormond Beach in the near future. He stated their products were billed as good quality at a good value, thought it would be across from Zaxby's on Granada Boulevard, and was another positive improvement to that area.

#### Forest Hills Connector Trail

Mayor Partington stated that the Commission had approved the Forest Hills Connector Trail to Tomoka Elementary School that evening. He walked that trail along the creek as a child, and could not wait to see the beautiful, paved sidewalk that would be installed. He indicated there was potential to turn the area into a linear park between Granada Boulevard and Hand Avenue, adding a beautiful park in the heart of the city, with only a few other segments that would need to be paved.

#### Mr. Joe Thompson

Mayor Partington mentioned that Mr. Joe Thompson had filled out a card to speak, but since he did not respond he must have received assistance and left; whereby, Ms. Shanahan believed Ms. McGuire had spoken with him before the meeting.

Mayor Partington noted that Mr. Thompson was a former Commissioner from Zone 4, serving in the 1970s or early 1980s, and wondered if the Thompson rule was named after him; whereby, Mr. Hayes stated that it was.

Mayor Partington noted it was an important rule of procedure, and was hoping that he would speak. He was sorry to have missed Mr. Thompson, who held a great amount of knowledge about the city and loved Ormond Beach dearly.

#### Item #11 – Adjournment

The meeting was adjourned at 8:18 p.m.

APPROVED: September 19, 2018

BY:

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Bill Partington, Mayor

ATTEST:

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Lisa Dahme, City Clerk