

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

October 1, 2013

7:00 PM

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 Theodore 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. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 5. APPROVAL OF MINUTES**

A. Minutes from City Commission meeting – September 17, 2013

6. CONSENT AGENDA

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.

- A. **RESOLUTION NO. 2013-178** : A RESOLUTION REJECTING ALL PROPOSALS IN RESPONSE TO RFP 2012-08 FOR AN ENTERPRISE RESOURCE SYSTEM; AND SETTING FORTH AN EFFECTIVE DATE.

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

- B. **RESOLUTION NO. 2013-179** : A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS CHEMICALS FOR THE CITY'S WATER AND WASTEWATER TREATMENT PLANTS UNDER A COOPERATIVE BID SOLICITED BY SEVERAL LOCAL CITIES; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

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

- C. **RESOLUTION NO. 2013-180** : A RESOLUTION AUTHORIZING AND DIRECTING THE SUBMITTAL AND EXECUTION OF AMENDMENTS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENTS FOR FISCAL YEARS FY2011-2012 AND FY2012-2013 BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING THE EXECUTION OF AMENDMENTS; AND SETTING FORTH AN EFFECTIVE DATE.

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

- D. **RESOLUTION NO. 2013-181** : A RESOLUTION GRANTING A LIMITED WAIVER FROM THE CITY'S MINIMUM INSURANCE REQUIRMENTS WITH RESPECT TO PLUMBING SERVICES PERFORMED BY MASTER CRAFT PLUMBING CONTRACTORS, INC. FOR THE NORTH PENINSULA WATER METER RELOCATION PROJECT; AUTHORIZING THE ACCEPTANCE OF A CERTIFICATE OF INSURANCE; AND SETTING FORTH AN EFFECTIVE DATE.

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

- E. **RESOLUTION NO. 2013-182** : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC UTILITY EASEMENT DEED FROM CYNTHIA B. FREDERICK ON PROPERTY LOCATED AT 560 SOUTH BEACH STREET, ORMOND BEACH, VOLUSIA COUNTY, FLORIDA; AND SETTING FORTH AN EFFECTIVE DATE.

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

- F. **Automatic Meter Reading Installation Project**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 1, 2013.

- G. **Budget Status Report for April 2013 - June 2013**

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

Disposition: Approve as recommended in the City Manager memorandum dated October 1, 2013.

7. PUBLIC HEARINGS

- A. **ORDINANCE NO. 2013-60** : AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A SECOND AMENDED DEVELOPMENT ORDER FOR "NOVA SHOPPES" PLANNED BUSINESS DEVELOPMENT LOCATED AT 175 SOUTH NOVA ROAD, BY ALLOWING AS A CONDITIONAL USE A PERMANENT COSMETICS USE, DEFINED AS A TATTOO PARLOR BY THE ORMOND BEACH LAND DEVELOPMENT CODE, UNDER CERTAIN CONDITIONS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2004-121 AND AMENDED BY RESOLUTION 2008-54; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- B. **ORDINANCE NO. 2013-61** : AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTING OF APPROXIMATELY 167.47± ACRES AND BEING GENERALLY LOCATED ALONG THE SOUTH SIDE OF STATE ROAD 40 APPROXIMATELY 5,102 LINEAR FEET EAST OF STATE ROAD 40 AND INTERSTATE 95 RAMP BEING COMMONLY LOCATED AT 104-513 CHELSEA PLACE AVENUE, 300-396 CHESHAM STREET, 1200-1225 DRAYCOTT STREET, AND 1201-1234 REGENTS STREET; INCLUDING THAT CERTAIN PORTION OF STATE ROAD 40 RIGHT-OF-WAY ABUTTING THE PROPERTY; REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- C. **ORDINANCE NO. 2013-62** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SECTION 1-20, CODES AND STANDARDS ADOPTED BY REFERENCE, BY ADOPTING BY REFERENCE THE "LOW IMPACT DEVELOPMENT MANUAL FOR THE CITY OF ORMOND BEACH", THE "ORMOND BEACH DOWNTOWN DESIGN GUIDELINES", AND THE "ORMOND BEACH MULTI-MODAL STRATEGY"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- D. **ORDINANCE NO. 2013-63** : AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORDS, BY ADDING THE DEFINITION OF INTEGRATED MANAGEMENT PRACTICE AND LOW IMPACT DEVELOPMENT; BY AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS, SECTION 3-18, SURFACE WATER RUNOFF CONTROL, TO ADD SUBSECTION "L" TITLED "LOW IMPACT DEVELOPMENT (LID) PRACTICES"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

8. SECOND READING OF ORDINANCES

- A. **ORDINANCE NO. 2013-55** : AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE. **(SECOND READING)**

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

9. REPORTS, SUGGESTIONS, REQUESTS

10. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Doug Hautz, Ormond Beach Alliance Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4 – Audience Remarks

Mayor Kelley stated that he had no cards from audience members who wished to speak.

Item #5A – Approval of Minutes

Mayor Kelley advised that the minutes of the September 17, 2013, regular meeting had been sent to the Commission for review, and were 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 #6– 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 requested that Item 6B be pulled from the Consent Agenda.

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

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

Item #6B – Award of Chemicals for Water and Wastewater Treatment Facilities

City Clerk Scott McKee read by title only:

RESOLUTION NO. 2013-179

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS CHEMICALS FOR THE CITY'S WATER AND WASTEWATER TREATMENT PLANTS UNDER A COOPERATIVE BID SOLICITED BY SEVERAL LOCAL CITIES; AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Resolution No. 2013-179, as read by title only.

Commissioner Kent explained that he had pulled the item so that he could have the opportunity to vote "no." He stated that he wholeheartedly disagreed with the city purchasing and implementing hydrofluorosilicic acid into the water supply; citing the many reasons he had provided over the past year.

Call Vote:	Commissioner Kent	No
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
Carried.	Mayor Kelley	Yes

Item #7 – Public Hearings

Mayor Kelley opened the public hearing.

Item #7A – Nova Shoppes 2nd PBD Amendment, Permanent Cosmetics

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-60

AN ORDINANCE AUTHORIZING THE EXECUTION AND ISSUANCE OF A SECOND AMENDED DEVELOPMENT ORDER FOR "NOVA SHOPPES" PLANNED BUSINESS DEVELOPMENT LOCATED AT 175 SOUTH NOVA ROAD, BY ALLOWING AS A CONDITIONAL USE A PERMANENT COSMETICS USE, DEFINED AS A TATTOO PARLOR BY THE ORMOND BEACH LAND DEVELOPMENT CODE, UNDER CERTAIN CONDITIONS; RATIFYING AND AFFIRMING THE DEVELOPMENT ORDER APPROVED BY RESOLUTION 2004-121 AND AMENDED BY RESOLUTION 2008-54; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2013-60, on second reading, as read by title only.

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

Item #7B – Chelsea Place Subdivision Annexation

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-61

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH, SAID PROPERTY CONSISTING OF APPROXIMATELY 167.47± ACRES AND BEING GENERALLY LOCATED ALONG THE SOUTH SIDE OF STATE ROAD 40 APPROXIMATELY 5,102 LINEAR FEET EAST OF STATE ROAD 40 AND INTERSTATE 95 RAMP BEING COMMONLY LOCATED AT 104-513 CHELSEA PLACE AVENUE, 300-396 CHESHAM STREET, 1200-1225 DRAYCOTT STREET, AND 1201-1234 REGENTS STREET; INCLUDING THAT CERTAIN PORTION OF STATE ROAD 40 RIGHT-OF-WAY ABUTTING THE PROPERTY;

REDEFINING THE TERRITORIAL BOUNDARIES OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; REDESIGNATING THE BOUNDARIES OF ZONE 4 OF THE CITY OF ORMOND BEACH TO INCLUDE THE PROPERTY; SETTING FORTH ZONING, PRIVILEGES AND OBLIGATIONS REGARDING THE PROPERTY; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2013-61, on repeated first reading, as read by title only.

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

Item #7D – Low Impact Development Stormwater Management, LDC Amendment

Mayor Kelley explained that Item 7D needed to be read before Item 7C; as Item 7C adopted Item 7D by reference.

Mr. Ric Goss, Planning Director, stated that the low impact development (LID) ordinance constituted a different technique regarding how stormwater was treated. He explained that typically stormwater was moved off pavements and roofs into a hole that ran off to another location. He noted that LID worked well in large sites and some small sites, depending on the permeability of the soil. He stated that many developers would use LID on difficult sites, as well as traditional stormwater. He noted that LID required less infrastructure and was cheaper in some cases. He stated that the ordinance and manual was the result of a seven-year effort on staff's part, dating back to when they came to the Commission in November 2007 and spoke about streamlining regulations. He noted that the ordinance was voluntary and elective for developers. He explained that it had been reviewed by the Volusia County Association for Responsible Development (VCARD), St. John's River Water Management District, and a peer engineering group. He noted that staff integrated comments provided by those reviewers into the ordinance and manual.

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-63
 AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE III, DEFINITIONS AND ACRONYMS, SECTION 1-22, DEFINITION OF TERMS AND WORDS, BY ADDING THE DEFINITION OF INTEGRATED MANAGEMENT PRACTICE AND LOW IMPACT DEVELOPMENT; BY AMENDING CHAPTER 3, PERFORMANCE STANDARDS, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS, SECTION 3-18, SURFACE WATER RUNOFF CONTROL, TO ADD SUBSECTION "L" TITLED "LOW IMPACT DEVELOPMENT (LID) PRACTICES"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Ordinance No. 2013-63, on first reading, as read by title only.

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

Item #7C – Section 1-20, Codes and standards adopted by reference, LDC Amendment

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-62
 AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, OF ARTICLE II, ADMINISTRATION AND

ENFORCEMENT, SECTION 1-20, CODES AND STANDARDS ADOPTED BY REFERENCE, BY ADOPTING BY REFERENCE THE "LOW IMPACT DEVELOPMENT MANUAL FOR THE CITY OF ORMOND BEACH", THE "ORMOND BEACH DOWNTOWN DESIGN GUIDELINES", AND THE "ORMOND BEACH MULTI-MODAL STRATEGY"; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Goss stated that this was a housekeeping item adopting the LID manual by reference in the *Land Development Code* (LDC).

Commissioner Kent moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-62, on first reading, as read by title only.

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

Mayor Kelley closed the public hearing without objection.

Item #8A – Amendments to Solid Waste Rates

City Clerk Scott McKee read by title only:

ORDINANCE NO. 2013-55

AN ORDINANCE AMENDING CHAPTER 10, SOLID WASTE, YARD WASTE AND RECYCLABLES, SECTION 10-16, FEES FOR COLLECTION AND DISPOSAL ESTABLISHED, OF THE CODE OF ORDINANCES, BY INCREASING FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2013-55, on second reading, as read by title only.

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

Item #9 – Reports, Suggestions, Requests

Movies on the Halifax

Ms. Joyce Shanahan, City Manager, stated that Movies on the Halifax would be held on Friday, October 4, 2013, and that the movie being shown would be *Frankenweenie*.

State of the City

Ms. Shanahan stated that the State of the City would be held at 11:45 p.m. on Tuesday, October 8, 2013, at the Oceanside Country Club, partnering with the Chamber of Commerce.

Business Beautification Award

Commissioner Boehm noted that the Casements Guild and the city won the Chamber of Commerce Business Beautification Award in September for the Casements Gazebo. He stated that project was a great public private partnership.

Low Impact Development Manual

Commissioner Boehm stated that Commissioner Stowers was a land use attorney and joked that if he ever needed to read his baby daughter to sleep at night he could read her the low impact development manual. He explained that the manual was written in a manner best comprehended by graduate students and those in the planning profession. He noted that a lot of cities had to use outside consultants and pay a great deal of money to have those kinds of manuals and papers developed and delivered to them. He

stated that the city was very fortunate that they had a talented and professional staff that was capable of producing such materials on their own.

Value Engineering Savings

Commissioner Boehm recognized Assistant City Manager and Public Works Director Ted MacLeod and City Engineer John Noble. He noted that those individuals did not openly and publicly seek recognition for the quality of work that they did. He stated that the airport force main and reclaimed water main improvements project was completed that week for \$108,361.87 under the budgeted contract amount. He explained that the reduction was reflective of the scrutiny staff placed on making sure that projects were brought in for a great price. He noted the savings for the wastewater treatment plant expansion was more significant to him. He explained that there was originally a contract awarded contract for \$18,940,000, which was then value engineered to a reduced contract price of \$12,827,772.34 and closed out with an additional \$48,622.43 deduction. He stated that project was literally brought in for under \$6 million of the original contract. He stated that it was remarkable how staff worked to make sure that the city received the best value. He noted that a lot of people thought that governments threw money away and budgeted and spent without caring. He explained that was not true of the city's staff. He stated that Mr. MacLeod and Mr. Noble richly deserved kudos for their work on those two projects.

911 Dispatch Issues

Commissioner Partington stated that 911 dispatch services had caused him some concern over the last few weeks. He stated that three or four weeks ago there had been a death. He stated that firefighters and paramedics did not reach the call location for 15 or 20 minutes, when it should have taken them 2 or 3 minutes to arrive. He stated that he had listened to the 911 call and all the confusion that went on during those 15 minutes, which made him sick to his stomach. He stated that the most disturbing part of the situation was that within the first 15 seconds of the call, the caller clearly identified their location to the dispatcher. He stated that he knew that Ms. Shanahan and Fire Chief Bob Mandarino had spoken to the Sheriff's Department regarding the incident and explained the city's frustrations. He noted that there had been other incidents as well, some of which they were aware of and some that they may not be aware of. He stated that he had deep concerns when someone passed away that could possibly have been saved.

Commissioner Partington stated that he was not sure what to do about the issue but wanted to raise it to the Commission's attention. He explained that 911 dispatch service was contracted to the Volusia County Sheriff's Department. He noted that the service was a critical service element and government function that needed to be performed well. He noted that the dispatch service could be having staffing issues and a lot of employee turnover. He stated that as a contract partner with the Sheriff's Department, the city should urge the Sheriff or the County Council to provide more funding so that the function worked smoothly and efficiently. He noted that he had tried to accept the responses he had been given when he asked questions about the situation but that ultimately it left him concerned enough that he felt like he needed to bring it up that evening. He stated that from what he heard presently he did not feel that the dispatch was properly staffed and managed. He stated that he felt like the citizens of Ormond Beach were at risk as long as that continued to be the case.

Ms. Shanahan stated that she and Chief Mandarino met with Volusia County Sheriff Ben Johnson and his staff to express their deep concerns over the incident. She stated that in particular was the issue, as Commissioner Partington stated, within 15 seconds of the call the caller had clearly identified their location to the dispatcher. She explained that the dispatcher had sent the response team to the wrong address. She stated that as she understood from Sheriff Johnson, the dispatcher was disciplined and so was his trainer. She noted that the dispatcher was apparently a trainee. She stated that city staff had now developed signage to be placed at all of the city's major recreation facilities providing an address to provide dispatch when calling 911. She stated that Chief Mandarino could speak to the fact that the city had coordinated all of those addresses with dispatch.

Fire Chief Bob Mandarino stated that the city had several recreational facilities and that some of them were known by multiple names. He explained that in order to eliminate future confusion, they provided dispatch with all of the locations and all of the alias names that they could be referred to. He stated that they were trying to do everything they could collectively between the city and the dispatch center to make sure that they

could deliver the best service to the community. He noted that human error would sometimes take place and that it was a shame that it happened.

Commissioner Partington stated that city staff did not do anything wrong but noted that they were still going above and beyond to assist dispatch. He explained that the city's responders just went where they were told by dispatch and that the issue was that they were dispatched to the wrong location. He noted that in this particular incident they were discussing, the caller correctly identified their location within the first 15 seconds of the call. He stated that he felt bad for the dispatcher as he must feel terrible not knowing whether it could have made a difference in saving the individual's life if he had received attention sooner. He noted that the dispatcher also had a trainer with him and the incident still occurred.

Commissioner Partington explained that a year or so prior there had been another incident with responders not arriving at a Pop Warner field for 45 minutes because they had been dispatched to a road that did not go through to the sports complex. He stated that three or four years prior there had been an incident on the loop where dispatch again made an error, response was delayed, and a life was lost. He noted that they did not know whether a faster response time would have made a difference in that case. He stated that he was concerned that the dispatch operation was being run on a shoestring budget and that employees were working too many hours without adequate management ensuring that employees were properly trained and rested before coming back on shift. He noted that Ms. Shanahan and Chief Mandarino had addressed those issues with the Sheriff but requested that they keep addressing them. He stated that when the city gave up control of a critical government function such as 911 dispatch, which the city used to do in-house, it was nerve wracking because they did not have control.

Mayor Kelley stated that he listened to the call and it was a very unfortunate incident. He noted that the caller did provide a correct address within the first 15 seconds. He explained that the caller then went on to call the location "Ormond Rec" and that the actual location was the Nova Recreation Center racquetball courts. He stated that it might have made a difference if the caller had referenced the racquetball courts. He explained that when the dispatch looked up "Ormond Rec" they saw South Ormond Recreation Center, and noted that was where the multiple names came into play. He stated that he was not giving anyone a pass, however, because the address was given first, but noted that it was further complicated by the reference to "Ormond Rec." He stated that he thought that it was the right thing to do to provide the different names and aliases of each location to dispatch as well as have the address to give 911 listed at each location. He hoped that nothing like that ever happened again.

Commissioner Kent thanked Commissioner Partington for always being bullish enough to bring up these types of items, even when they involved the larger county government. He stated that this was unfortunately why he voted against the contract giving dispatch to the county when it came up years prior. He stated that he remembered locals in Ormond Beach attending the meetings and holding up signs asking the Commission to save 911. He stated that one of the things those people kept saying was that no one knew the community better than them and that they knew where locations were when calls came in. He noted that for years he thought he might have been wrong because the city saved significant dollars with the county. He referenced that Commissioner Partington had brought up several incidents with the 911 service. He stated that he wanted to also mention that during the past week people were calling 911 dispatch and receiving a voicemail, and the TV news stations were giving a phone number to call instead. He stated that he felt like he was in the Twilight Zone to hear that 911 was calling into a voicemail. He hoped that no more issues occurred. He noted that Ms. Shanahan and Chief Mandarino already had a plan in place; but he felt that they should not need to fix it as the caller clearly gave their correct location, and he expected dispatch to send help to the right location.

Review of City Regulations

Commissioner Partington stated that he sent an email yesterday regarding reviewing obsolete laws and regulations, which was triggered by Commissioner Kent bringing up the Sunday alcohol sales law at the previous meeting. He stated that it made him wonder how many other obsolete or ineffective laws the city had in place. He noted that he could not recall a thorough review of the city's laws and ordinances being undertaken in the last ten to 15 years. He stated that such a review could be similar to the repealing project that the state legislature did a few years prior to removal of their obsolete laws. He asked if any of the other members of the Commission were interested in asking staff

to look into methods for reviewing city codes; whereby, Commissioner Kent stated that he was interested.

Commissioner Partington stated that an outside source could perhaps provide the review, noting that it would be a lot of work to put on City Attorney Randy Hayes and his small staff. He stated that he was interested in finding a cost effective way to do a review.

Mayor Kelley asked if they should appoint a citizen's committee to perform an initial review.

Ms. Shanahan stated that a citizen's committee was probably not the best way to identify the regulations that were technically out of date. She stated that all of the ordinances were codified by Municode. She explained that City Clerk Scott McKee had recently spoken with Municode about things that needed to be done and that was something that was discussed as being looked at internally. She stated that they could bring back to the Commission an option for their review.

Mayor Kelley stated that he thought that would be the best way to proceed. He stated that he had thought of a citizen's committee, because they could recognize provisions that did not make sense to an average person. He also noted that there were a lot of attorneys that lived in the city that could serve as reviewers.

City Attorney Randy Hayes noted that the city's area of practice was pretty specialized. He stated that a lot of lawyers were not familiar with it. He stated that he believed the best way to do it would be through Municode or Florida League of Cities. He stated that he thought they could provide a good rate for an initial overview and then city staff could piece it together from there.

New Home

Commissioner Partington stated that he and his family moved to another home in Zone 4 in Ormond Beach. He stated that they had lived in the same location for 16 years and needed more room. He noted that he called Supervisor of Elections Ann McFall to make sure that he moved correctly and was located in the right zone.

King of the Grill

Commissioner Partington stated that he enjoyed the King of the Grill Event, which the Ormond Beach Chamber of Commerce held for the second year in a row. He stated that he thought it was better than the previous year and looked forward to the next year's event being even better.

Review of City Regulations

Commissioner Stowers stated that in 2008 or 2009 Daytona Beach had paid a consultant a couple hundred thousand dollars to go through their Land Development Code and make it more efficient. He explained that VCARD had been working for the better part of six months on going through the revisions suggested by the consultants over the past four years and it was still a ways from being approved. He stated that he thought that the Commissioners and city staff could work through Ormond Beach's code and not have to pay \$200,000 to consultants to review it.

King of the Grill

Commissioner Stowers stated that King of the Grill was a fantastic event.

911 Dispatch Issues

Commissioner Stowers stated that he would look into how the 911 dispatch process worked. He stated that he believed calling police dispatch followed the same format, in which the call went to the county and was then dispatched back to Ormond Beach. He stated that he had called before and got the sense that he was not speaking to someone who knew Ormond Beach. He stated that he would be in favor of looking into the issue more since there continued to be incidents.

Ms. Shanahan stated that the city was not likely to be able to afford to do their own 911 dispatch service. She stated that the county received all of the 911 funding. She noted that the city had been with central dispatch at the county for six or seven years. She explained that the county waived their fee the prior year, noting that the city used to pay the county a fee to provide service. She stated that New Smyrna Beach, Port Orange, and Edgewater had their own dispatch center and wished to keep it. She stated that the county had notified them that they could keep it but made it clear to them that the county

would be receiving all of the 911 funding and they would have to have a separate seven digit number for their 911 service. She noted that the county had made it largely impossible to get the service back. She stated that she heard the Commission loud and clear about their concerns. She noted that Chief Mandarino met regularly with both the dispatch staff and fire chiefs.

Mayor Kelley stated that Sheriff Johnson would welcome members of the Commission to tour their facilities. He noted that he went to the opening of the new center and toured it. He stated that it was a tragic mistake that had been made. He stated that he believed that Ms. Shanahan was right about the city not being able to get back in the dispatch business.

Agenda

Commissioner Kent noted that the items on the meeting agenda were through being discussed at 7:12 p.m. and it was 7:41 p.m. He joked that was what happened when politicians were given a microphone.

Beach Issues

Commissioner Kent stated that when control was given up, like with the 911 dispatch and the beach in 1986, there would be issues. He stated that an example was the beautiful beachfront park, which had an adjacent beach approach at Milsap Road that was never opened for the overflow of parking on weekends. He stated that, if it were opened, then those cars circling for parking at the beachfront park could instead go onto the beach at Milsap Road, pay their toll, turn left, park in front of the Georgian Inn, and walk over to the so-called traffic free beach in front of the park. He stated he felt that would be the common sense approach to fixing the parking problem, but Volusia County refused to open up that approach. He stated that their reasoning was that they would have to pay a toll booth operator there. He explained that they could take the operator from the Granada Boulevard approach, where no one was let onto the beach, and put them at Milsap Road. He also noted that Volusia County had a tractor that pulled the sand away from all the beach approaches, and they paid someone to grade those approaches even though they were not opened.

Commissioner Kent noted that he had called the traffic free beach the “so-called” traffic free beach. He stated that he took his son and mother to the park and went surfing. He stated that he had set up his mother on the beach under a shade canopy so she could watch her son and grandson. He stated that his mother told him that a beach patrol officer had pulled up next to her on his four-wheeler. He noted that she was about eight feet away from the “emergency lane.” He stated that the officer stared at his mother and told her “I guess I’ll let you stay there” and then sped away with sand flying by her. He stated that his mother, a taxpayer at the beach, was irritated by that response. He stated that there did not need to be an “emergency lane” on the traffic free beach. He explained that if there was an emergency, and an emergency vehicle came through with lights and sirens, people would move for it. He stated that he wanted to bring up some of these issues because on Tuesday, October 8, 2013, at 6:00 p.m., County Councilman Doug Daniels would be hosting a meeting about the beach at The Casements. He stated that if anyone had any questions or comments concerning the beach they should attend.

Mayor Kelley

Commissioner Kent recognized Mayor Kelley for making it up on the dais that evening after having knee surgery the day before.

Commissioner Kent apologized to Mayor Kelley and told him that he would not be able to make the State of the City that year.

Alcohol Codes Ordinance

Commissioner Kent stated that he was disappointed that the ordinance regarding alcohol codes was not on the Commission’s agenda that night, noting that there had been a light agenda. He stated that it would be on the agenda for October 15, 2013.

King of the Grill

Mayor Kelley stated that King of the Grill was fantastic.

Value Engineering

Mayor Kelley stated that Commissioner Boehm took the punch out of his State of the City address, where he would recognize the \$6.1 million saved by value engineering. He thanked City Engineer John Noble for his efforts on that and stated that it should be a

headline on the business section. He noted that the City Commission and City Manager had a hand in that success as well, as they directed the approval of that process.

Item #10 – Adjournment

The meeting was adjourned at 7:49 p.m.

APPROVED: October 15, 2013

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk