

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

December 3, 2007

7:00 p.m.

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, City Manager Isaac Turner, Assistant City Manager Ted MacLeod, Deputy City Attorney Sandy Upchurch, and City Clerk Veronica Patterson.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father Comforted Keen, Church of the Holy Child.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the November 20, 2007, meeting.
- 6) **PRESENTATION:** Employee-of-the-Year Award to Ann Clinton.
- 7) **INTERGOVERNMENTAL REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Water Authority of Volusia
- 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. 2007-214 amending the rules of parliamentary procedure.
 - B) Resolution No. 2007-215 pursuant to Section 14-98, Liens, of the City of Ormond Beach *Code of Ordinances* authorizing the imposition of a lien against the real property located at 37 Marvin Drive for costs incurred by the City to terminate or abate a site maintenance violation. (\$270.00)
 - C) Resolution No. 2007-216 authorizing the execution of a corrected version of the Third Modification of Lease Agreement between the City and Ormond Airport Hangars, Inc.
 - D) Resolution No. 2007-217 authorizing the purchase of liquid sodium hypochlorite from Allied Universal Corporation for the City's wastewater treatment plant under a cooperative bid solicited by several local cities; authorizing payment therefor.
 - E) Resolution No. 2007-218 accepting a proposal from Camp Dresser & McKee, Inc., to provide engineering services regarding the Water Treatment Plant Expansion project; authorizing the execution of a work authorization thereto. (\$170,838)
 - F) Resolution No. 2007-219 amending the Retirement Health Savings Plan to remove "elective" components; authorizing execution of an amended agreement between the City and ICMA Retirement Corporation.
 - G) Requirement for the City of Ormond Beach Housing Authority to file financial disclosure information with the Commission on Ethics.

DISPOSITION: Approve as recommended in City Manager memorandum dated November 29, 2007.
 - H) Approval of travel by the City Manager and a City Commissioner to Tallahassee.

DISPOSITION: Approve as recommended in City Manager memorandum dated November 29, 2007.

- 9) **PUBLIC HEARING:** Resolution No. 2007-220 authorizing the execution and issuance of a Development Order for a Special Exception to allow a restaurant Type “D” (with a drive thru) on property located at 380 West Granada Boulevard,” said property being within the B-4 (Commercial) zoning district; establishing conditions and expiration date of approval. (Arby’s restaurant at the former Friendly’s restaurant location)
- 10) **SECOND READING OF ORDINANCE** No. 2007-35 amending the annual budget for fiscal year 2007-2008 by amending the General Fund and Transportation Improvement Fund. (\$72,000 from the General Fund to the Transportation Fund – Clyde Morris / Hand Avenue Mast Arms)
- 11) **FIRST READING OF ORDINANCES:**
 - A) Ordinance No. 2007-36 vacating a portion of Flagler Road right-of-way lying west of US1, running east from Magnolia Street, and vacating an unopened public alley lying north of Flagler Road, running east from Magnolia Street.
 - B) Ordinance No. 2007-37 relative to development orders and concurrency certificate expiration dates and the administrative extension approval thereof, by amending Chapter 1, General Administration, Article II, Administration and Enforcement, Subparagraphs C, Expiration of a Development Order, D, Extension of Expiration Date, and E, Modification of a Development Order, of Section 1-14, Development Orders and Building Permits; amending Chapter 1, General Administration, Article V, Concurrency Management, Section 1-37, Expiration.
 - C) Ordinance No. 2007-38 amending Sections 22-23, 22-24, and 22-71 of Chapter 22, Water and Sewers, of the Code of Ordinances, by increasing the minimum water and sewer rates; repealing all inconsistent ordinances or parts thereof.
- 12) **RESOLUTION** No. 2007-221 authorizing the execution of a First Amendment to Joint Project Agreement with the County of Volusia regarding utility installation and road construction on Clyde Morris Boulevard from Aberdeen to Falls Way Boulevard. (\$72,000)
- 13) **DISCUSSION ITEMS:**
 - A) Water Master Plan update.
 - B) Advisory board nominations.
- 14) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 15) **CLOSE THE MEETING.**

Item #1 - Call to Order

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

Item #2 - Invocation

Father Comforted Keen, Church of the Holy Child, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Item #4 - Audience Remarks

Procedure Change

Mayor Costello reported Ms. Lorenda Volker, Human Resources Director, was greeting members of the audience as they came into the Chambers this evening, and he hoped everyone felt welcomed. Mayor Costello stated that, as of the next meeting, there would be a procedural change where the presentations would be placed on the agenda prior to the audience remarks.

Walking on Public Land

Mr. Dan Zurla, 3751 Long Grove Lane, Port Orange, complained that not allowing individuals to walk on the golf course was unconstitutional and mandating carts was only to make money. He stated federal rulings mandate that outside agents are bound by the same rules as governments when operating public facilities.

Mayor Costello requested Ms. Patterson prepare a summation of his comments so he could have them available the next time this issue comes up. He responded that Ormond Beach was not violating the constitution in that the courts have deemed what the City was doing was legal. Mayor Costello stated the City leases the land to an entity to run a municipal golf course so anyone can have access to the course. He advised hundreds of thousands did not die in vain; Ormond Beach does secure liberty; Ormond Beach does comply with the constitution; and it was not a disgrace for the City to have an opportunity to use lands from which many in the community could benefit. Mayor Costello pointed out many people would not have had the opportunity to see some of this magnificent land if there was no golf course, and the lessee can operate that course in whatever manner helps him to be profitable so that the residents can enjoy the land.

Item #5 - Approval of Minutes

Mayor Costello advised the minutes of the November 20, 2007, meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello stated that the minutes were approved as submitted.

Item #6 - Employee-of-the-Year Award

Mr. Isaac Turner, City Manager, reported Ms. Ann Clinton had been selected as the Employee-of-the-Year. He stated that Ms. Clinton has worked for the Building Inspection Department since 1988, and she has been a permanent employee in the City since 1990. Mr. Turner noted Ms. Clinton goes above and beyond to help the residents and the employees. He stated during the transition, Ms. Clinton made certain services were provided and customers were treated well. Mr. Turner advised Ms. Clinton will retire next year after 18 years of service to the City.

Mayor Costello congratulated Ms. Clinton and presented her with two plaques to be placed on display at City Hall honoring her as the Employee-of-the-Year. He also presented a gift certificate to a local restaurant and advised she would receive a day off. Mayor Costello thanked Ms. Clinton for all she has done for Ormond Beach.

Item #7(A) - Metropolitan Planning Organizations

Mayor Costello advised the Metropolitan Planning Organization (MPO) had a workshop regarding integrating land planning and growth planning with transportation.

Item #7(B) - Volusia Council of Governments

Mayor Costello advised the Smart Growth Committee of the Volusia Council of Governments (VCOG) met today to discuss tools to come up with transfer of development rights to protect the core in the center of Volusia County. He noted communities will have to decide how much the communities care about saving the environmental jewels and what they would be willing to do to accomplish that task.

Item #7(C) - Water Authority of Volusia

Commissioner Kelley reported he forwarded the minutes of the last Water Authority of Volusia (WAV) meeting. He stated a subcommittee had been formed, and he was elected Chairman of the Technical Advisory Committee (TAC) with the first meeting to be held on Thursday. Commissioner Kelley advised a great deal of emphasis was being placed on conservation and education. He noted WAV would try to create a baseline per capita consumption for Volusia County to determine how effective the programs are. Commissioner Kelley advised he would keep the Commission informed.

Mayor Costello congratulated WAV for selecting the right person as Chairman of the Technical Advisory Committee.

Item #8 - Consent Agenda

Mayor Costello advised that the action proposed for each item on the Consent Agenda was so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any one or more of the items separately.

Commissioner Kelley moved, seconded by Commissioner Gillooly, for approval of the Consent Agenda, as presented.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #9 – Arby’s Restaurant

RESOLUTION NO. 2007-220

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW A RESTAURANT TYPE “D” (WITH A DRIVE THRU) ON PROPERTY LOCATED AT 380 WEST GRANADA BOULEVARD,” SAID PROPERTY BEING WITHIN THE B-4 (COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello advised the Development Review Board unanimously approved this application.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2007-220, as read by title only.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Hearing no objection, Mayor Costello closed the public hearing on Item #9.

Item #10 – Clyde Morris/Hand Avenue Mast Arms

ORDINANCE NO. 2007-35

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2007-2008 BY AMENDING THE GENERAL FUND AND TRANSPORTATION IMPROVEMENT FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kelley, to approve Ordinance No. 2007-35, on second reading, as read by title only.

Call Vote:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	no
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #11(A) – Vacating a Portion of Flagler Road

ORDINANCE NO. 2007-36

AN ORDINANCE VACATING A PORTION OF FLAGLER ROAD RIGHT-OF-WAY LYING WEST OF US1, RUNNING EAST FROM MAGNOLIA STREET, AND VACATING AN UNOPENED PUBLIC ALLEY LYING NORTH OF FLAGLER ROAD, RUNNING EAST FROM MAGNOLIA STREET; REPEALING ALL INCONSISTENT ORDINANCES AND PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Ordinance No. 2007-36, on first reading, as read by title only.

Ms. Susan Canales, 1460 North US1, expressed opposition to the vacation of five feet on either side of undeveloped Flagler Road. She stated she did not believe there was adequate space on even a 60-foot road for proper water drainage in that this was already a low-lying area with water problems in the past. Ms. Canales urged examining parcel numbers 313, 601, 720, and 1,140 which were also owned by Mr. Vanacore. She stated while she understood certain standards must be met for development, those provisions may be inadequate. Ms. Canales reported this development may lead to further development of Magnolia Road, and she requested being notified of any possible development in this area in the early planning stages.

Mayor Costello stated any parcel must maintain the water on site. He noted the development would not be allowed to impact the neighbors.

Ms. Sharon Trescott, 689 Pineland Trail, asked if the map and additional information Mr. Ervin advised he would provide at the last meeting were available.

Mayor Costello stated the information was in the packet, which was available on line, in the back of the chambers, and in the library.

Ms. Trescott reiterated her objection to any vacation of Flagler Road at this time. She requested DOT be involved relative to the impact this would have on US1 before any final decision was made by the Commission.

Mayor Costello advised DOT has already examined this proposal.

Ms. Trescott read a letter from FDOT which was addressed to her dated May 9, 2001, regarding US1 drainage that indicated DOT was working on an improved maintenance plan for the drainage ditches on US1 between Airport Road and I-95. She noted the letter stated the ditches were maintained by Ormond Beach under a memorandum of agreement with DOT. Ms. Trescott stated the letter indicated DOT was working on having a drainage map developed for the runoff from US1, which was to be provided to Ormond Beach in order to restore the ditches to allow adequate drainage. She questioned if that had occurred. Ms. Trescott expressed objection to the vacation when that land may be needed for drainage and recommended further considerations and studies be done by DOT and St. Johns River Water Management District.

Mr. Edwin Canales, 1460 North US1, reported DOT gave approval when Mr. Vanacore constructed the building on the front parcel, and it took up half of the frontage on his lawn. He questioned why the footage was needed at this time or if it was needed for future plans.

Mr. Ric Goss, Planning Director, reported the vacation was for five feet rather than ten feet and it was only on the east side. He advised the vacation was to accommodate development. Mr. Goss pointed out the lots are substandard, and the additional five feet would accommodate the proposed development. He stated DOT believed it would be better for traffic to go to a signal rather than to US1 at uncontrolled intersections. Mr. Goss advised the idea was not to vacate the road because it was understood that the road would provide interior access to Broadway which would go to a signal so truck movements could be made going northwest on US1. He pointed out currently traffic would have to go to either an uncontrolled median opening making a left against traffic or a U-turn on US1. Mr. Goss noted staff discussed with DOT vacating the right-of-way and putting in new right-of-way running parallel to the new road crossing, Ormond Crossings Road, which would tie into US1. He stated there were currently low-lying areas that retain water, but the stormwater requirements were that water cannot run off after development more than if the land were not developed at all. Mr. Goss reported water must be accommodated on site; and any if water currently runs on to the site, that additional water must also be accommodated on site.

Mr. Goss indicated he was not aware of any memorandum of understanding with DOT, and he was informed by the Public Works Director that DOT was taking care of the cleaning and maintaining of the ditches.

Mr. Goss advised a nonresidential site analysis was run for the entire area, and approximately 20 acres could be developed. He stated with a planned industrial development of 20% floor area, minus the parking requirements and the impervious surface that would be added, they looked at the 15% that would be allotted for open space, and the drainage was calculated at 30% of the site. Mr. Goss reported there could probably be approximately 174,000 square feet of floor area in the back that would be accessing off Flagler Avenue. He noted this would

require about 300 parking spaces or 1,200 to 1,300 daily trips. Mr. Goss stated comparing this to the type of road classification in the development code and Comprehensive Plan, it would allow the 60-foot right-of-way to be reduced to a 50-foot right-of-way. He noted this was a balancing of interests as there was sufficient right-of-way to handle the drainage and movement of anticipated vehicles while accommodating redevelopment on substandard lots. Mr. Goss displayed a map of the lots and explained the proposal was for five feet on the east side.

Commissioner Gillooly reported she understood the vacation would be for five feet on the northern and southern portions of the parcel.

Mr. Goss advised originally the proposal was for five feet on each side, but the applicant requested only five feet on the east side.

Mayor Costello noted he would not be surprised if there were a request to vacate the western five feet in the future.

Commissioner Gillooly advised the report indicated the request also included the northern and southern five feet of Flagler Road.

Mr. Goss stated the applicant could not provide all of the data to support the vacation of both sides, and this vacation was for five feet on the east side only.

Mayor Costello stated the memo indicated two sides and the ordinance indicated one side.

Commissioner Gillooly asked if it would be legally sufficient to specify in the motion this vacation was only for five feet on the east side.

Mr. Turner reported the wording on the memo was incorrect; however, the ordinance specified only one side.

Ms. Sandy Upchurch, Deputy City Attorney, stated the resolution referred to the exhibit, and the exhibit indicated only one side being vacated. She explained the exhibit would be the controlling document.

Commissioner Gillooly asked for clarification that nothing in this would impact the drainage.

Mr. Goss stated drainage was not the issue. He explained the issue was if the five feet were vacated, could maximum buildup of the area be handled with a 50 or 55-foot right-of-way, and the determination was that it could.

Commissioner Gillooly noted there would still be a 55-foot right-of-way. She stated many Ormond Lakes residents wish there had been some planning to consider a traffic light with that development. Commissioner Gillooly reported it was vital to discuss the light in terms with the development so the City was on board with FDOT regarding the light. She requested Mr. Goss clarify what would happen with the water.

Mr. Goss stated any water running on the site today and any future water would be required to be controlled on the site.

Commissioner Partington asked who owned the street.

Mr. Goss stated the road was a public right-of-way and in the City of Ormond Beach; therefore, the City Commission has the right to vacate the right-of-way. He noted if the right-of-way were vacated, certain issues must be determined such as whether it would be needed in the future. Mr. Goss reported if the right-of-way would not be needed, it would typically be split in half and given to the adjacent property owners on both sides. He stated it would be important to insure the curb radius at Broadway and Magnolia would meet Ormond Beach standards to accommodate the truck turns.

Mayor Costello asked if land generally went to the landowners on either side when a parcel was vacated; whereby, Ms. Upchurch stated it would generally go to the landowner in that there would be no deed.

Call Vote:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Item #11(B) – Development Orders and Concurrency Certificate Expiration Dates

ORDINANCE NO. 2007-37

AN ORDINANCE RELATIVE TO DEVELOPMENT ORDERS AND CONCURRENCY CERTIFICATE EXPIRATION DATES AND THE ADMINISTRATIVE EXTENSION APPROVAL THEREOF, BY AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, SUBPARAGRAPHS C, EXPIRATION OF A DEVELOPMENT ORDER, D, EXTENSION OF EXPIRATION DATE, AND E, MODIFICATION OF A DEVELOPMENT ORDER, OF SECTION 1-14, DEVELOPMENT ORDERS AND BUILDING PERMITS; AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE V, CONCURRENCY MANAGEMENT, SECTION 1-37, EXPIRATION; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2007-37, on first reading, as read by title only.

Mayor Costello noted the Planning Board recommended approval.

Commissioner Gillooly stated this was an efficient manner of handling the process. She expressed appreciation for the staff report and the Planning Board’s involvement.

Call Vote:	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
Carried.	Mayor Costello	yes

Item #11(C) – Increasing the Minimum Water and Sewer Rates

ORDINANCE NO. 2007-38

AN ORDINANCE AMENDING SECTIONS 22-23, 22-24, AND 22-71 OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello explained Option A was for an across-the-board increase of 5.75%; Option B was for a 2.75% increase up to 6,000 gallons, 15% over 6,000 gallons, and 5.75% for sewer; and Option C was for 0% increase up to 6,000 gallons, 20% over 6,000 gallons, and 5.75% for the sewer. He noted all options would generate the \$650,000 total annual additional dollars.

Commissioner Gillooly reported she explained to her constituents why an increase was necessary. She noted she originally considered Option C to reward conservation. Commissioner Gillooly questioned if families would be affected the most with Option C.

Mr. Paul Lane, Finance Director, stated Option C would affect industrial customers the most, such as Florida Hospital who consumed 2.7% of all water consumed, but it would impact residential customers as well in that 14% of the households use over 10,000 gallons. He advised the City already had a conservation rate structure in place. Mr. Lane explained the last increase was an across-the-board increase. He read the report which indicated the residential minimum of 2,000 gallons were used by 5,500 customers, a high of 10,000 gallons or more were used by 1,800 customers, and the remaining 11,700 customers were average uses who used between 3,000 to 9,000 gallons per month. Mr. Lane stated there were 266 commercial customers who use 21,000 gallons or more; and there was no figure for those high users of over 100,000 gallons or more, but those users would include the hospital, motels, and restaurants. He advised 40% of the commercial customers use 2,000 gallons or less.

Commissioner Gillooly noted she was considering Option B.

Commissioner Kent stated residential customers would have an increase for anything over 6,000 gallons.

Mr. Lane clarified the increase would come when the consumers reached 7,000 gallons.

Commissioner Kent stated residents would be impacted on Option B and Option C. He advised he would prefer no increase, but that was not reasonable; therefore, he would prefer Option A.

Mayor Costello explained he favored Option B or Option C because conservation pricing does work.

Commissioner Kent asked how much water the average person used per month. He reported he was not comfortable giving businesses an increase as outlined in Option B or Option C. Commissioner Kent stated Option A was the fairest.

Commissioner Kelley stated it was difficult to calculate a true per capita. He advised he had asked Mr. Lane for per residence usage, and he was informed that September was 4,600 and February was 3,900 per household on average. Commissioner Kelley reported 45% of the households were above 6,000 gallons.

Mr. Lane stated assuming two and one-half people per household on average, a low irrigation month would be approximately 4,000 to 4,800 per residential meter average.

Commissioner Kent noted he agreed with the need for conservation, but the increase itself encouraged conservation.

Mayor Costello stated the rationale for conservation pricing was to make the higher usage more expensive to encourage conservation.

Commissioner Kelley stated conservation was very important, but conservation pricing was already in the City's formula. He noted the additional requirements benefit everyone so everyone should pay something; therefore, he would support an across-the-board increase. Commissioner Kelley reported he did not favor punishing commercial and industrial users in that they cannot use less. He advised he believed there would be more conservation with Option A. Commissioner Kelley pointed out the City will regain the 2.6% from the hospital when they leave.

Commissioner Partington reported he would prefer it if the rate increase was not needed, but since it was needed, he would support Option A. He stated using the minimum 2,000 gallons the increase would be \$.59 more for water and \$.77 more for wastewater per month and with the average 5,000 gallons the increase would be \$1.04 more for water and \$.77 more for wastewater.

Commissioner Gillooly pointed out there was \$.43 difference between Option A and Option B for high users. She stated the bulk of the customers were in the average group using from 3,000 to 9,000 gallons, and those were the consumers who could conserve, while some businesses can not use less water. Commissioner Gillooly requested, in the future, that people be informed when the first and second hearing would be held so people would be aware.

Mayor Costello advised that Commissioner Kelley had changed his opinion regarding the conversation. He requested to be informed by the next meeting how Ormond Beach's conservation pricing compared to other cities' conservation pricing. Mayor Costello noted in that Ormond Beach already has conservation pricing, he would change his opinion and support Option A.

Commissioner Kent moved, seconded by Commissioner Partington, to approve Option A in Ordinance No. 2007-38, on first reading, as read by title only.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	no
Carried.	Mayor Costello	yes

Item #12 – Utility Installation and Road Construction on Clyde Morris Boulevard

RESOLUTION NO. 2007-220
A RESOLUTION AUTHORIZING THE EXECUTION OF A FIRST
AMENDMENT TO JOINT PROJECT AGREEMENT WITH THE
COUNTY OF VOLUSIA REGARDING UTILITY INSTALLATION

AND ROAD CONSTRUCTION ON CLYDE MORRIS
BOULEVARD FROM ABERDEEN TO FALLS WAY BOULEVARD;
AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent stated he favored the widening on Clyde Morris Boulevard, but he was not in favor of the City paying for the widening.

Commissioner Partington moved, seconded by Commissioner Kent, to approve Resolution No. 2007-220, as read by title only.

Call Vote:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #13(A) – Water Master Plan Update

Mr. Brad Blais, Quentin Hampton and Associates, displayed a presentation regarding the Utility Master Plan Update. He stated the service area has a population of approximately 55,000 with 21,018 customers as of March 2007. Mr. Blais noted the City operated a single water plant of eight mgd to be expanded to a total capacity of 12 mgd. He noted the four mgd expansion was a reverse osmosis system, and the water plant was served by six well fields with 30 water supply wells serving that system. Mr. Blais explained the primary constraint that limits the groundwater withdrawal was the Consumptive Use Permit (CUP) which was issued by the St. Johns River Water Management District. He noted the total limit in 2024 was 8.96 mgd, and the current withdrawals were 6.25 to 6.3 mgd. Mr. Blais stated the CUP steps up incrementally to track growth and expansion needed. He advised the allocation was currently adequate; but when the City begins operating the reverse osmosis system, there was a question as to what the additional concentrate demand would do to the allocation. Mr. Blais explained when using reverse osmosis there was approximately 20% of the water withdrawn lost to the sewer system as brine. He noted the four mgd equates to approximately 800,000 gallons per day of waste concentrate. Mr. Blais stated the City should be in good condition to 2010, but there was a probability a modification would be needed, which would be considered an interim modification increase.

Mayor Costello stated absent the conversion to the reverse osmosis this would not be needed. He noted in that St. Johns gave the City a grant for this, the City could be fairly confident this should not be an issue.

Mr. Blais stated the City would not be above the total allocation given, and this would be a fairly minor adjustment. He noted this assumes that the recommendation to extend reclaimed water to Breakaway Trails and Hunter's Ridge would be constructed in the next few years and that water used for irrigation can be reallocated to potable supply. Mr. Blais pointed out that one of the projects that was very important to move forward was well field construction, but the City must run its wells more than 18-20 hours a day to keep up; therefore, it was recommended to move forward with four new replacement wells in the Division Avenue wellfield and the three wells in the Rima Ridge. He noted these wells were in the CUP, and they have been planned.

Mr. Blais stated the City was committed toward utilizing groundwater. He noted staying on top of the minimum flows and levels will become very important in that there were discussions regarding decreasing allocations through this process from one to five or six mgd. Mr. Blais recommended moving forward with the brackish brown water sources and maintaining that as the City's primary raw water source through the duration of the study period. He explained there has been a great deal of work at the water treatment plant and what was left to be done was minor, such as covering the filters. Mr. Blais noted the covers were in the original bid package, but backed out through value engineering; however, it will increase the life longevity and water quality making it cost effective. He reported other issues were groundwater rule compliance, sludge handling, and demolition of some of the older structures.

Mr. Blais explained a large portion of the study went into hydraulic modeling of the system, and the age of much of the piping in the City was over 30 years old. He noted a 40 to 50 year design life for new types of piping materials was reasonable, but a great deal of this old pipe was galvanized iron, two inch diameter, asbestos cement pipe, and does not meet current standards; therefore, it will need to be replaced. Mr. Blais stated the inside diameter clogs causing higher energy costs to move the water through the system, and the estimated cost to remove and replace a vast majority of the old pipe was \$11,250,000 over the next 10 to 15 years and needed to be budgeted on an annual basis preferably constructed with other

stormwater and paving projects. He noted there were pressure problems in the southeast and southwest areas, and changes at the water plant were anticipated relative to how high service pumping was done so the City would have the ability to adjust the pressures, which was a fairly cost-effective solution. Mr. Blais stated other improvements were to place additional hydraulic capacity coming out of the plant. He pointed to the immediate, intermediate, and long-term projects. Mr. Blais advised a problem area was the northwest corridor toward Destination Daytona where there was a booster pump system, which was out for bid to increase fire flow; however, the report concludes the booster pump was for a fire flow pressure increasing system which not the long-term solution. He reported the City would need a one million gallon ground storage tank and pumping station in the area; and should the project be delayed, the City had property at the recreation complex that could be tied in with pipeline. Mr. Blais stated if Ormond Crossings does not come to fruition within two to three years, the City should consider constructing this project in that the fire flows and water demands in the area are critical. He stated the north peninsula had significant fire flow problems, and a small storage tank and pump station was less costly.

Mr. Blais stated the short-term project was to retrofit the high service pumps, inline booster pump, additional outlet from water plant, Hand Avenue water main extension, South Peninsula water system improvements, North US1 ground storage tank and pump station, and replacement of deteriorated and inferior material water mains. He noted the intermediate projects were North Peninsula storage tank and pump station, additional storage at the water plant, North Peninsula distribution system improvements, Hunter's Ridge/Breakaway Trails water system reinforcements, Airport Road water main extension, and SR40 water main extension. Mr. Blais reported the longer term projects were North Beach Street area, Tymber Creek Road water main extension, Pine Tree Drive water main, and various others.

Mr. Blais stated the report includes more details regarding cost estimates and preliminary designs for areas not currently served by water, but he reviewed the higher priced items the City would be faced with funding over the next five to ten years.

Commissioner Kent thanked Mr. Blais for the report. He asked where the 20% that was lost with the reverse osmosis system would go.

Mr. Blais replied the 20% would go into the sewer system and hopefully be reclaimed with the extension of the water reclamation system for irrigation and non-potable; therefore, it was not totally lost.

Commissioner Kent stated the City spent time, effort, and money to make certain Ormond Beach had a great product at the water plant, and it was being pushed through 40-year-old galvanized pipes.

Commissioner Kelley asked how the increase in pressure would affect galvanized pipes with minor leaks from the meter to the house and within the houses.

Mayor Costello asked how Ormond Beach compared with other communities regarding the age of the pipes and the replacing of pipes.

Mr. Blais stated there are older areas in Ormond Beach, and newer cities have fewer old pipes to contend with.

Commissioner Kent noted he was amazed at the condition of the pipes when he witnessed a pipe at his home being replaced.

Mayor Costello asked what type of plan would be needed to replace the pipes. He noted years ago a Commission had the foresight to have a separate millage for transportation projects, and he wanted to make certain Ormond Beach replaced its pipes on a prioritized basis. Mayor Costello stated he did not wish to put this off, but to have a plan to handle the issue within the next couple of years.

Commissioner Kelley stated WAV had a meeting on December 19 with the Technical Advisory Committee and St. Johns River Water Management District based on St. Johns modeling on minimum flows and levels. He advise WAV was not as concerned with models as they were with the data inserted into the model.

Mr. Blais concurred that the assumptions with respect to the biological indicators were overly conservative in many cases.

Commissioner Kelley stated a major issue was to find a way to use the additional recharge.

Mayor Costello stated the recharge could be used at Breakaway Trails and Hunter's Ridge where the potable water that was being used for irrigation could be eliminated.

Commissioner Kelley stated in that St. Johns gave the City money for the low pressure reverse osmosis system, they should know the City would use additional water, and they should not penalize the City. He noted St. Johns would not accept the fact the area has five or six year cycles at which time there was rain raising the wells. Commissioner Kelley stated WAV should have worked as it was meant to work, as one water supplier with control. He urged making better use of interconnects. Commissioner Kelley recommended working more with Daytona Beach for interconnects to satisfy the needs and for cost-sharing measures. He stated the new residents have the new pipes, and they help the older areas. Commissioner Kelley pointed out every system had a life expectancy and had to eventually be replaced.

Commissioner Partington concurred with Mayor Costello regarding phasing this in as the City phased in the street paving program and to look to underground utilities or in conjunction with other paving projects to obtain a better value for the dollar. He advised it was important to take care of the City's infrastructure.

Commissioner Gillooly also concurred with Mayor Costello's recommendation to address the issue of the pipes, and stated she would favor considering a plan to implement this program.

Mayor Costello stated he believed the City would have arbitrary reductions or caps on fees, revenues, and services from Tallahassee and/or from the residents, and he wanted to institute a pipe replacement plan, which was a separate line item, where the funds could only be used for the replacement of aging pipes. He pointed out the rate increase does not cover the pipes.

Item #13(B) – Advisory Board Nominations

Ms. Veronica Patterson, City Clerk, advised there would be issues such as duplications and at-large appointments that will have to be discussed at the next meeting. She requested the Commission provide her with their appointments by December 11 so the information could be provided to the Commission for the December 18 meeting and to have adequate time to have the resolutions available for the organizational meeting.

Commissioner Kelley reported he spoke to a Certified Public Accountant, Mr. Bill Jennings, working in private practice as a corporate controller, who indicated he was willing to serve on the Budget Advisory Board. He noted Mr. Jennings was not connected to a business within Ormond Beach, and he had practical experience.

Commissioner Gillooly stated she contacted a number of people who did not respond to staff, and Mr. Bill Chapin on the Affordable/Attainable Housing Task Force indicated he would not be able to continue to serve due to his busy schedule. She asked if the other Commission members had anyone in mind who could serve on this board.

Mayor Costello reported he would not make any appointments until he could see the Commission members' appointments, since he can appoint from any zone. He noted he understood he could not do this until the next meeting.

Commissioner Gillooly asked if the appointments could be discussed at the next meeting; whereby, Ms. Patterson advised the Commission would have to discuss the appointments at that time.

Mayor Costello clarified he wanted to receive copies of the Commission's appointments, but he would not provide any nominees to the Commission until the meeting.

Item #14 – Reports, Suggestions, Requests

Joyce Ebbets Fishing Pier

Commissioner Gillooly thanked Ms. Joyce Ebbets for her passion for the City and for Central Park. She noted the dedication ceremony was extremely well attended this Saturday.

Holiday Events

Commissioner Gillooly stated she looked forward to the many holiday events in Ormond Beach.

Joyce Ebbets Fishing Pier

Commissioner Kent reported he was unable to attend the pier dedication. He thanked Mayor Costello for his comments. Commissioner Kent noted his wife and two children were sick

on Saturday, and he decided to forgo the dedication to stay home with them. He stated Ms. Ebbets informed him she would have been disappointed in him, under the circumstances, had he attended, which showed her character. He stated he was pleased the City made the decision to dedicate the pier to Ms. Ebbets.

Tractor Trailer Parking on A1A

Commissioner Kent stated Mr. Clark Rohmer spoke at the last meeting regarding concerns relative to tractor trailer parking on A1A. He noted this was a serious problem that needed to be addressed due to aesthetics as well as safety issues. Commissioner Kent advised he was pleased Mayor Costello favored there being no overnight parking or that there be four-hour parking. He stated what has been occurring was that since the drivers of the tractor trailers were made aware of the issue, they were now either driving around the block or moving five feet to be in compliance with codes. Commissioner Kent noted this was wrong, and he requested a solution to resolve this issue.

Mayor Costello asked if an ordinance could be passed to allow parking for only four hours per week for all vehicles with 12 or 18 wheels, but he did not want signs posted.

Ms. Upchurch noted this was a state road, and she must investigate if the City could place such regulations on a state road.

Mayor Costello offered to speak to a DOT member through the MPO if it would be helpful. He noted he did not wish to stop an 18-wheel driver from stopping to eat a meal on A1A, but he did not want these spaces to be used for any extended period of time.

Commissioner Kelley recommended allowing parking for automobiles and motorcycles only.

Ms. Upchurch stated that may be difficult to define.

Commissioner Kelley suggested using the gross vehicle weight in the definition. He noted another recommendation would be to line off the spots that would be too small for a rig.

Joyce Ebbets Fishing Pier

Commissioner Kelley stated the dedication at Central Park was great. He noted Commissioner Kent made the right decision to stay home with his family.

Planning and Permitting Process

Commissioner Kelley stated the Arby's drive through that was approved tonight was an example of the deficiency in the City's planning and permitting process. He pointed out a previous business at that location already had a drive through, yet it took six months and cost thousands of dollars for this approval, which did not make sense.

"Seattle Mariner" Logo

Commissioner Kelley requested the "Seattle Mariner" logo be removed anywhere it existed within Ormond Beach. He noted if this needed to be placed on an agenda for discussion, he requested that be done.

Throwing Candy at the Parade

Commissioner Kelley stated he planned on throwing candy at the parade, but was informed this may not be a good idea. He noted unless there were a problem he would like to do so.

Commissioner Partington stated he would like to throw candy as well, particularly when other cities throw candy in their parades. He noted children expect candy. Commissioner Partington urged a method be found so this could be done.

Commissioner Kent stated he would also like to throw candy if it could be done safely.

Mr. Turner stated there may be some method staff could recommend.

Joyce Ebbets Fishing Pier

Commissioner Partington stated the dedication of the Ebbets pier was a great event, and Ms. Ebbets was very appreciative.

Ambassadors

Commissioner Partington stated no Commission member needed to explain their absence from any City function to him because Commission members have personal lives and they are able to attend some functions and not others. He noted this Commission did a good job attending as

many functions as possible, and no one can attend every function. Commissioner Partington recommended utilizing the ambassadors to a greater extent.

Tree Lighting Ceremony/Parade

Mr. Turner stated the tree lighting ceremony begins at 4:30 p.m. with the parade beginning at 6:00 p.m. on Saturday.

Honors

Mayor Costello thanked the Commission for their comments regarding Ms. Joyce Ebbets. He stated this was an example of honors he liked to bestow. Mayor Costello reported he wanted to honor Mr. Harry Wendelstedt, possibly in January or February, when his umpire school was in town. He stated if this needed to be placed on an agenda for discussion, he asked that it be done.

Central Park

Mayor Costello stated he would like the City to apply for an ECHO grant or another type of grant to fund the construction of a canal to connect the ponds in Central Park to make it more of a destination for families. He requested cost estimates be provided.

Item #15 - Close the Meeting

The meeting was adjourned at 9:02 p.m.

APPROVED: December 18, 2007

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk