



City of Deltona

2345 Providence Blvd.
Deltona, FL 32725

Special Commission Meeting

City Commission

Mayor John C. Masiarczyk Sr.
Vice Mayor Chris Nabicht
Commissioner Heidi Herzberg
Commissioner Gary Mitch Honaker
Commissioner Nancy Schleicher
Commissioner Diane J. Smith
Commissioner Brian Soukup

Tuesday, July 26, 2016

6:30 PM

Deltona Commission Chambers

1. CALL TO ORDER:

2. ROLL CALL – CITY CLERK:

3. PLEDGE TO THE FLAG:

4. PUBLIC FORUM: - Citizen comments limited to items not on the agenda and comments on items listed on the agenda will take place after discussion of each item.

Citizen comments for any items. (4 minute maximum length per speaker)

5. BUSINESS:

- A.** [Special Commission meeting to discuss and take any necessary action to modify the trash rules that went into effect on June 1, 2016. Jane K. Shang, City Manager \(386\) 878-8850](#)

Background:

The Commission conducted a public forum on Thursday, June 30, 2016 to listen to citizen concerns/questions regarding the trash rules that went into effect on June 1, 2016. The following is the primary list of concerns that were raised for Commission consideration and that will be discussed at the July 26, 2016 Special Commission meeting:

1. Schedule pick-up: no cost
2. Volume of special [scheduled] request
3. Spillages, statistics on dumping, small appliances
4. Contract, fines, lids open
5. Phone calls after hours
6. Replace trash bins at no cost
7. 24 hr. posting/rental ordinance

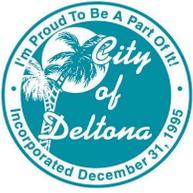
8. Not in the bin [appliances, garbage bags]
9. Extra help on trucks during summer
10. Recycle bagged and not in bins
11. More than one (1) pick-up a week
12. Not speaking with customer service [leave message and not speaking with customer service]
13. Use bins [trash] for recycling
14. Going through recycling and choosing and leaving items on the ground
15. Appliances [vacuum]

Attachments: [Questions submitted at Public Forum on Trash](#)
[Bulk Items](#)
[Flier - Considering a second bin](#)
[SOLID WASTE CITY SURVEY 2016](#)

6. ADJOURNMENT:

NOTE: If any person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105).

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk, Joyce Raftery 48 hours in advance of the meeting date and time at (386) 878-8500.



Agenda Memo

AGENDA ITEM: A.

TO: Mayor and Commission

AGENDA DATE: 7/26/2016

FROM: Jane K. Shang, City Manager

AGENDA ITEM: 4 - A

SUBJECT:

Special Commission meeting to discuss and take any necessary action to modify the trash rules that went into effect on June 1, 2016. Jane K. Shang, City Manager (386) 878-8850

LOCATION:

City-wide

BACKGROUND:

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1. Schedule pick-up: no cost
2. Volume of special [scheduled] request
3. Spillages, statistics on dumping, small appliances
4. Contract, fines, lids open
5. Phone calls after hours
6. Replace trash bins at no cost
7. 24 hr. posting/rental ordinance
8. Not in the bin [appliances, garbage bags]
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10. Recycle bagged and not in bins
11. More than one (1) pick-up a week
12. Not speaking with customer service [leave message and not speaking with customer service]
13. Use bins [trash] for recycling

AGENDA ITEM: A.

14. Going through recycling and choosing and leaving items on the ground

15. Appliances [vacuum]

COST:

To be determined.

SOURCE OF FUNDS:

To be determined.

ORIGINATING DEPARTMENT:

City Manager's Office (386) 878-8850, Jane K. Shang, City Manager

STAFF RECOMMENDATION PRESENTED BY:

Staff is requesting direction.

POTENTIAL MOTION:

To be determined.

June 30, 2016 Forum questions: Responses are based upon current trash rules and may change upon future Commission action and direction.

Scheduled pickups

- How many are permitted per year? *Once per week.*
- Is there a charge? *No, unless there is an excessive amount of bulk waste. See guidelines.*
- Is there a plan for after Christmas, other holidays when residents have more trash? *Excess garbage placed on the curb (rather than in the garbage bin) is allowed the collection day after Christmas Day, New Year's Day and any other amnesty day(s) determined by the City of Deltona.*
- Why is the process for scheduling a pickup so hard? *The process is not hard. You may schedule a bulk waste pick-up either by calling Waste Pro at 386-574-0723 or going to the City of Deltona's website, www.deltonafl.gov.*
- Can we publicize non-profits that provide free pickup for furniture or other items that can be re-used? *If you wish to donate your furniture to a non-profit agency you should call the non-profit agency and coordinate the pick-up date. On the scheduled pick-up date you should leave a note identifying that the furniture will be picked up by the non-profit and that the furniture is not being left on the curb as bulk waste.*
- Is the City/WP adequately staffed to handle scheduled pickups? *Yes, according to Waste Pro. The scheduling of a bulk waste pick-up is done by Waste Pro.*
- Is a vacuum cleaner an appliance that would have to be scheduled? *Non-hazardous materials, furniture and appliances that fit in the garbage bin can be placed in the garbage bin. In this case, no scheduled pick-up is necessary. The City of Deltona and Waste Pro do not pick-up commercial/construction/demolition debris under the residential trash contract. Residents may call Waste Pro directly to obtain a fee for non-residential trash pick-up.*

When are bins supposed to be at the curb?

- What can be done when residents don't comply? *You should call the City of Deltona's Solid Waste Division, 386-878-8723, or you may go to the City of Deltona's website, www.deltonafl.gov, to file a notice/complaint.*
- Who should we report it to? *Same answer as above.*

The actual BINS

- If a bin purchased by an owner is broken by WP who replaces it? *Waste Pro will replace a damaged Waste Pro bin at no cost if damaged by Waste Pro. Waste Pro will not take responsibility for non-Waste Pro containers.*
- If a WP bin is broken by WP will they replace it? *Yes.*

- What happens if my BIN is stolen? *Neither the City nor Waste Pro will take responsibility for a stolen bin. You, the individual, will take responsibility for the replacement.*
- How is BIN replacement handled by WP (paying for, receipt, delivery, etc.)? *If you are requesting a replacement bin due to Waste Pro damaging the bin, you may call 386-574-0778 to schedule a delivery date. There is no charge. If you require an additional garbage bin, you may contact and make arrangements with Waste Pro at 386-574-0778. Finally, "Waste Pro" style square bins are available at Home Depot, Lowe's, Walmart and on line through Amazon. Attached is a photograph of an acceptable square style bin.*
- Why should residents have to pay for a second BIN? *If you require an additional garbage bin, you may either lease the bin from Waste Pro or purchase your own from a local or on-line source. Waste Pro will pick up two 64 or 96 gallon garbage bins per collection day. You may call Waste Pro at 386-574-0778 for information. Resident-purchased bins must be: • 64/65 or 95/96 gallon in size, • a square style, • durable, • have a hinged lid, and • have a lift bar. Neither the City nor Waste Pro is responsible for damage to resident-purchased bin(s). For further clarification, please call Waste Pro, 386-574-0778. To alleviate the need for a second garbage bin, you should consider recycling which is unlimited. Recycling bins will be provided by Waste Pro by calling 386-574-0778.*
- What about disabled or elderly who can't clean out their bins? *If the question is what about the disabled or elderly who can't take the garbage bin to the curb, Waste Pro provides rear door collection at no cost. Contact the City of Deltona's Solid Waste Division, 386-878-8723, to complete the necessary paperwork.*
- What was wrong with our old secondary bins? *The old secondary bins (non-Waste Pro square style bin) cannot be picked up by the automated trucks.*
- Are smaller trash cans available? *Only the 96 gallon and 64 gallon square style garbage bins may be used for trash pick-up.*

The Contract

- Why do the new ordinances not reflect the contract? *The new ordinance does reflect the contract. Ambiguous language has been clarified. For example, you were allowed to place eight cubic yards of bulk waste in an eight week period. The quantity limitations were hard to track. For clarification, you are now allowed to place a reasonable amount of bulk waste per week. Refer to the bulk waste guidelines. The new guidelines, assuming bulk waste is scheduled every week, can greatly exceed eight cubic yards in an eight week period.*
- Section 14 of the contract. *This section relates to liquidated damages.*
- Was the contract amended? *No.*
- Are we not getting less service for the same amount of money? *No. If everyone complies with the new trash rules, every will receive better service. Also, the City of Deltona will visually look more attractive. An attractive community encourages a sense*

of community pride, increases property values and also encourages economic development/job creation.

- Are we getting our money's worth out of the contract? *Yes.*
- Can we go to twice a week pickup? *Yes, if approved by the City Commission and at a higher annual cost.*

The goal of beautification

- Have these new ordinances improved the problem we were facing of too much trash in the streets? *Yes, the streets are looking cleaner and neater. Residents are still producing the same amount of trash. However, the placement of the trash is more visually appealing by having trash in the garbage bin. Recycling has increased also which in turn reduces the City's dumping fees at the landfill. By scheduling the bulk waste pick-up, trash is no longer sitting on the curb for days/weeks.*
- Who wanted these new ordinances? *The need to beautify Deltona came from a Vision Session with residents asking that the City address trash on the streets. The dominant themes were more code enforcement, changing the City's image and addressing the vast amounts of trash on the curb.*
- Is this creating more illegal dumping? *No. The Sherriff's Department has not noticed an increase in illegal dumping.*
- How many complaints is WP and the City receiving compared to June 2015? *Complaints have increased. There were 295 complaints.*
- Have you heard any suggestions from residents that would make things work better? *Suggestions received to date are: increase the garbage fee to allow for unlimited pick-up(s); assess a higher garbage fee for those who produce more trash than can be put in one garbage bin; rather than scheduling a bulk waste pick-up just allow bulk waste to be left on the curb on a set day; create a central drop-off area for aluminum cans; continue to educate; create a trash hot line; create a list of where trash bins can be purchased.*
- How do you feel about residents burning trash? *This is not allowed.*

Enforcement

- If the City Commission chooses to levy fines will they be handled through the Volusia County Court system? *The fines are a civil penalty and will be levied by the Special Magistrate.*
- Is there a fine scale for these City ordinances? *The amount of the fine is determined by the Special Magistrate. The trash ordinance adopted the current penalty provisions for other code violations. The fine is up to \$250 for the first offense and up to \$500 for the second offense.*
- How are the door hangers related to fines/violations? *The door hangers were courtesy notices letting the public know that the manner in which garbage is being brought to the curb is not following the trash rules.*

- When will fines begin and what violations will constitute a fine? *Staff is proposing that fines begin on August 1, 2016. The violations are identified on the door hanger.*
- Will there be fine for a bin lid being open? *No.*
- Will there be a fine for trash that is outside the bin? *Yes.*
- Is charging the property owner for a renter's move-out pile fair? *Yes. The landlord needs to take responsibility for his/her tenant. The landlord has a security deposit to address violations and trash is no different. And if so should notification be given to the property owner as well as the renter? Health and safety violations require a 24 hour posting. Other violations have a longer notice period and both the tenant and landlord will be notified.*

Waste Pro

- Do we ever fine them when service is not provided properly? *The contract contains a liquidated damages provision for non-performance.*
- What recourse do residents have for questionable non-pickups? *You can call either the City of Deltona's Solid Waste Division, 386-878-8723, or call Waste Pro to file a complaint, 386-574-0778. Complaints can also be filed electronically on the City of Deltona's website, www.deltonafl.gov.*
- Why do I have to file a complaint in order to get good service? *The City of Deltona is committed to providing good service. Sometimes we need your help and input so that we can improve.*
- Can WP add an after-hours number? *This request will be discussed with Waste Pro.*

Recycling

- What was our revenue for recycling in 2015 how has that changed in 2016? *The City of Deltona did not receive any revenue in either 2015 or 2016 to date. Currently, there is no revenue market for recyclables due to the downturn in the global market. The City of Deltona does receive a savings from recyclables because there is no dumping/tipping fee. The City of Deltona pays a dumping/tipping fee for recyclables comingled with garbage.*
- What about our elderly residents who cannot break down boxes? *Waste Pro offers rear door collection service. The senior citizen can call the City of Deltona's Solid Waste Division, 386-878-8723, to complete the appropriate paperwork.*
- Why is some recycling being removed from our bins and put on the ground? *Without knowing the specifics the recyclables might have been contaminated with food. The recyclables need to be clean. Recyclables must not be placed in a plastic bag because plastic bags are not recyclable.*
- Can we get larger recycling bins (roll/lids)? *Larger sizes are not available. You may call Waste Pro, 386-574-0778, to request addition recyclable containers. You may also make this request on-line by going to the City of Deltona's website, www.deltonafl.gov.*
- Why can't I put my recycling in a bag? *Plastic bags are not recyclable.*

Public Works

- Why don't City employees pick up roadside trash immediately after collection day? *Citizens are responsible for maintaining the section of the street in front of his/her property.*
- Can we clean up around the school bus stops? *The City of Deltona welcomes help from citizens and encourages a partnership to beautify Deltona.*

Yard Trash

- Can you explain what is acceptable on yard trash day? *Each residential improved real property shall be entitled to place up to 16 bags of yard waste or piles of limbs, bundled (tied) or a combination thereof, and each not to exceed 60 pounds. Limbs shall not exceed four feet in length or six inches in diameter.*
- Can WP staff handle the extra yard trash during the summer months? *The allowable quantities are year round.*

INtheBIN

- Why won't WP pick up a single bag of trash from the roadside? *Trash must be in the garbage bin for pick-up. The arms on automated trucks cannot pick up garbage bags.*
- Why does the bin lid have to be closed? *The City is requesting that the lid be closed so that animals do not get into the trash and scatter the trash/garbage onto the street.*
- Why do I have to bag what's in the BIN? *Light loose items should be bagged so that the items do not scatter when the bin is emptied. Wet garbage should also be bagged so that the garbage does not stick to the garbage bin. Other items do not need to be bagged so long as the trash fits in the garbage bin.*

Drafted: July 19, 2016

Bulk Item Collection Only if it does not fit in the Bin

Residents with any item that is too big to go IN THE BIN on collection day should go on line at www.deltonafl.gov or call Waste Pro to schedule a pickup, (386) 574-0723. Waste Pro will pickup one bulk unit per scheduled pickup. Examples of "one" unit include all the components of a bed (mattress, box spring, headboard and rails), a kitchen table and up to eight chairs, a three-piece sectional sofa, a dresser with a mirror. Each of these are counted as only one item. If the item is re-usable, please consider calling a charitable organization. Residents that throw huge piles of household goods in the right-of-way are in violation of City ordinances and may be subjected to solid waste fines.

Below are some examples/guidelines of bulk units (not all inclusive):

Example/guidelines:

- Mattress, box spring, headboard and rails, would be considered 1 bulk unit.
- Kitchen table and chairs (up to 8) 1 bulk unit
- 3 Piece sofa sectional, 1 bulk unit
- Sofa and loveseat/recliner, 1 bulk unit
- Dresser with a mirror, 1 bulk unit
- Dresser with a mirror and armoire, 1 bulk unit
- Dresser with a mirror and up to two (2) night stands, 1 bulk unit
- Up to three (3) bookcases
- Hutch, 1 bulk unit
- Washer and dryer, 1 bulk unit
- Freezer, 1 bulk unit
- Refrigerator, 1 bulk unit
- Television and tv stand
- Car seat and stroller

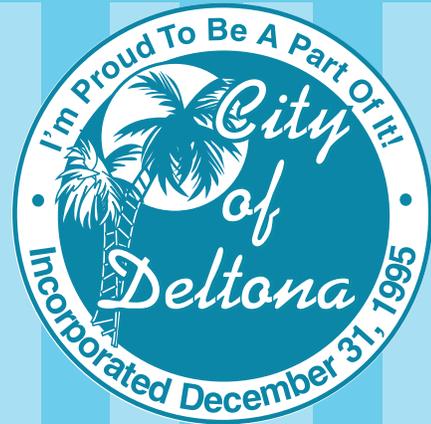
Please remember that these examples are guidelines and reasonableness will be used for other requests that are not listed above.

Hazardous Materials -Items such as used motor oil, lead acid batteries, household batteries, pesticides, gasoline, paint thinners/solvents, florescent light bulbs and pool chemicals. These items must be brought to the West Volusia Transfer Station located at 3151 East New York Ave., DeLand, The station is open from 7 a.m. to 5 p.m., Monday through Friday, and from 8 a.m. to 3 p.m., Saturdays.

Construction Materials - Commercial, construction or demolition debris, such as fencing, floor tiles, pallets, etc. are not included in the City's solid waste collection services. However, residents may contract directly with Waste Pro for an additional pick up per month, additional fees may apply.

considering a second bin?

Waste Pro will pick up two 64 or 96 gallon garbage bins per collection day. Residents may contact Waste Pro (call (386) 574-0778 for details) or go to a local or on-line merchant for a second bin.



Resident-purchased bins must be:

- 64/65 or 95/96 gallon in size,
- of square style,
- durable,
- have a hinged lid, and
- have a lift bar.

Neither the City nor Waste Pro are responsible for damage to resident-purchased bin(s) or any bins acquired from any source other than Waste Pro. For further clarification, please call Waste Pro, (386) 574-0778.



beautify
deltona

do your part
to keep
deltona
clean!

	A	B	C	D	E	F	G	H	I	J	K
1	Solid Waste Survey	Deland	Debary	Orange	City		New	Ormond	Daytona	Port	
2				City	of Deltona		Smyrna	Beach	Beach	Orange	
3											
4	Name of Hauler	WCA	Waste Pro	WCA	Waste Pro		Waste Pro	Waste Pro	Waste Pro	Waste Pro	
5	Total residential units	9,500	8,246	11,483	33,969		12,047	16,576	17,104	23,498	
6											
7	Annual rate per resident	\$118.32	\$174.00	\$166.20	\$174.00		\$230.64	\$220.92	\$252.24	\$224.04	
8	dumping fee	included	included	included	plus		plus	included	plus	plus	
9											
10	Is contract residential only	no	Yes	no	Yes		no	no	no	no	
11											
12	trash pick-up	Auto	Manual	Auto	Auto		Manual	Manual	Manual	Manual	
13	carts	yes	no	yes	yes		no	no	yes	no	
14	in the cart	yes	n/a	yes	yes		n/a	n/a	yes	n/a	
15	quantity limitation	1 cart	4, 32 gal	2 carts	2 bins		no	no	no	no	
16	Garbage P/U times per week	1x1x1	1x1x1x	1x1x1	1x1x1		2x1x1	2x1x1	2x1x1x	2x1x1x	
17											
18	bulk waste limit	2x per year otherwise charged per pickup	4 pieces or 8 yds in 8 weeks	4 cu yds.	yes		no	yes, charges apply for large pickups	yes, charges apply for large pickups	no	
19	schedule bulk waste	yes	yes, for large piles	yes, for large piles	yes		yes, for large piles	yes, for large piles	yes, for large piles	yes, for large piles	
20											
21	yard waste	3 cubic yds	4, 32 gal	4 cu. Yds. Or 10 bags	16 bags		unlimited	unlimited	limited	unlimited	
22											
23											
24	Renewal Date	2017	12/31/2018	12/31/2018	12/31/2018		9/30/2016	9/30/2019	9/30/2022	9/30/2019	
25	Note: W. Volusia cities are comparable										
26	E. Volusia cities have 2x per week for trash and cost are higher										
27	Estimated additional cost for unlimited trash, bulk waste and yard debris \$120 per year (Waste Pro and tipping fees, no escalation)										18-Jul-16