

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

January 5, 2010

7:00 p.m.

Present were: Mayor Fred Costello, Commissioner Lori Gillooly, Commissioners Ed Kelley, Troy Kent, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, City Attorney Randy Hayes, and City Clerk Veronica Patterson.

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:** Police Department Awards to Officer Michael S. Jarrell, Officer John Borzner, Officer Mina Armanious, Officer Lloyd Cornelius, and Officer Gregory Stokes.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the December 15, 2009, meeting.
- 7) **CONSENT AGENDA:** The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items.
 - A) Resolution No. 2010-01 endorsing employer support for the National Guard and Reserve, authorizing the execution of a Statement of Support; authorizing transmittal of this resolution to the chairman of the National Committee for Employee Support of the Guard and Reserve.
 - B) Resolution No. 2010-02 accepting the bid of Built-Rite Construction of Central Florida, Inc., regarding construction services for the State Road 40 Multi-use Trail, Phase I, project under Bid No. 2009-22; rejecting all other bids; authorizing the execution of an agreement and payment thereunder. (\$372,000 ARRA grant - \$25,000 City funding) (Acting City Engineer)
 - C) Resolution No. 2010-03 accepting a proposal from Zev Cohen and Associates, Inc., to provide engineering services regarding the Hand Avenue Collector Road Upgrade and Drainage Improvements project; authorizing the execution of a Work Authorization thereto. (Including box culvert bridge - Not to exceed \$73,338.89) (Acting City Engineer)

D) Approval of travel by the City Commission and the City Manager to attend conferences.

DISPOSITION: Approve as recommended in City Manager memorandum dated December 31, 2009.

- 8) **SECOND READING OF ORDINANCE** No. 2009-68 amending Division 3, Purchasing, of Article IX, Financial Matters, of Chapter 2, Administration, of the Code of Ordinances, by creating Section 2-304, Local Vendor Preference Program; providing conditions and exemptions therefrom. (Finance Director)
- 9) **FIRST READING OF ORDINANCES:**
- A) Ordinance No. 2009-57 amending Chapter 4, Alcoholic Beverages, Section 4-3, Sale, consumption, possession, etc., prohibited except on licensed premises; exceptions, of the Code of Ordinances. (Leisure Services Director)
- B) Ordinance No. 2010-01 amending Chapter 22, Water and Sewers, of the Code of Ordinances of the City of Ormond Beach, by amending Article I, Section 22-21, Minimum Deposits Required, and Article II, Section 22-70, Deposits Required, Established; to provide for refunds of water and sewer utility deposits held by the City under specific circumstances.
- 10) **DISCUSSION ITEMS:**
- A) Update on a Riverwalk concept.
- B) Disposition of School Board funds for recreation.
- 11) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 12) **CLOSE THE MEETING.**

Item #1 – Meeting Call to Order

The meeting was called to order by Mayor Costello at 7:00 p.m.

Item #2 – Invocation

The invocation was giving by Rev. Charles Melvin, Ormond Beach Union Church.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Costello.

Item #4 – Presentations

Police Chief Michael Longfellow stated he had been with the Police Department for 34 years and heard negative comments regarding the police on a daily basis, but he reported that every day the men and women of the Police Department made a very positive difference in the community. He asked to recognize a few of the outstanding officers, who did some exceptional things during the last year.

Division Chief Andy Ostercamp read Letters of Commendation for Officer Lloyd Cornelius and Officer Gregory Stokes for their efforts in organizing the 2009 National Night Out with no funding, using donations and volunteers to produce a wonderful event. He stated the Chief's Commendation was award to Officer Mina Armanious and Officer John Borzner for their actions on January 31, 2009, when they responded to a domestic disturbance and disarmed a violent suspect. He stated the Medal of Honor Award was given to Officer Michael Jarrell for his actions on April 29, 2009, involving an impaired and reckless driver, fleeing from multiple police units, posing a serious threat and danger to others. H reported that to protect a private citizen who had pulled their vehicle off the road to get out of the way, Officer Jarrell drove his vehicle in front of the fleeing vehicle to prevent it from crashing into the stopped car.

Chief Longfellow thanked the Commission and the citizens. The Chief stated he was very proud of the men and women who serve the City, and was thrilled to be a part of this group.

Item #5 – Audience Remarks

Aircraft Noise Abatement Task Force (ANATF)

Glenn Jaspers, 160 Ocean Terrace, stated the recommendations of the ANATF were an attempt to maintain the status quo, and many residents of Bear Creek had a problem with the noise from the airport. He stated his purpose was to speak against the idea of an alternate or separate airstrip, which was a specific use project better left to the entity intending to use it, not staff.

Mayor Costello explained the idea was brought up at VCOG, but any City involvement would be the Airport Manager and/or City Manager attending meetings with other area municipalities to determine if there was an appropriate location for such an idea.

Fire Department Staffing

Eric Sommerlad, 16 Hernandez Avenue, spoke against any further reduction in fire services or staff, and read a memorandum to Mayor Costello from former Chief Barry Baker, dated January 2008, discouraging any further reductions in fire staff, which would result in increased response times.

Mayor Costello stated former Chief Baker proposed the quint concept, which was working very well. He stated that out of 6,000 plus call a year ago, only 32 were for structural fires; therefore, there were those who thought staffing should be primarily for emergency medical, rather than for fires.

Cumberland/Putnam Flooding

Irene Todora, 340 Cumberland Ave., stated the Commission was going to be asked to make a decision on the Whitley's plan to elevate portions of their property with fill dirt, through the assistance of FEMA funds. She asked the Commission not to approve the plans, because her properties and other were flooding because of drainage from the Whitley's property. She suggested the house could be elevated without bringing in truckloads of fill dirt. She requested the City dredge an existing canal that had been filled, which would allow the excess stormwater to drain.

Mayor Costello stated the City had done an amazing job on this issue and had offered to pay for an independent engineer to evaluate the situation to determine if the Whitley property was causing any negative affect on surrounding properties, but a foundation displaced the same amount of water no matter the elevation of the house, because it was an impervious surface. The Mayor pointed out this was not the best forum to make impassioned petitions; the City Manager was the one to address these types of issues, and was addressing this issue.

H1N1 Swine Flu

Jim Schultz, 117 Harvard Drive, stated Vitamin D was still the best defense against swine flu and spoke regarding the affects of swine flu, including that only 1% of sick people were sick with the swine flu.

Item #6 – Approval of the Minutes

Mayor Costello advised the minutes of the December 15, 2009, regular meeting had been sent to the Commission for review and asked for any corrections, additions, or omissions. The Mayor stated the minutes were approved as printed without objection.

Item #7 – Consent Agenda

Mayor Costello advised 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 item separately.

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

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

Mayor Costello commented that Item #7B was not affected by the local preference ordinance because Halifax Paving was not within the City limits and did not qualify for local preference; but at least, the bid award went to a vendor within the county.

Item #8 – Local Vendor Preference

ORDINANCE NO. 2009-68

AN ORDINANCE AMENDING DIVISION 3, PURCHASING, OF ARTICLE IX, FINANCIAL MATTERS, OR CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES BY CREATING SECTION 2-304, LOCAL VENDOR PREFERENCE PROGRAM; PROVIDING CONDITIONS AND EXEMPTIONS THEREFROM; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2009-68, on second reading, as read by title only.

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

Item #9A – Alcoholic Beverages

ORDINANCE NO. 2009-57

AN ORDINANCE AMENDING CHAPTER 4, ALCOHOLIC BEVERAGES, SECTION 4-3, SALE, CONSUMPTION, POSSESSION, ETC., PROHIBITED EXCEPT ON LICENSED PREMISES; EXCEPTIONS, OF THE CODE OF ORDINANCES.

Mayor Costello stated City Attorney Randy Hayes requested Item #9A be pulled and heard on the January 19, 2010 meeting agenda.

Item #9B – Refund of Customer Utility Deposits

ORDINANCE NO. 2010-01

AN ORDINANCE AMENDING CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, BY AMENDING ARTICLE I, SECTION 22-21, MINIMUM DEPOSITS REQUIRED, AND ARTICLE II, SECTION 22-70, DEPOSITS REQUIRED, ESTABLISHED TO PROVIDE FOR REFUNDS OF WATER AND SEWER UTILITY DEPOSITS HELD BY THE CITY UNDER SPECIFIC CIRCUMSTANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2010-01, on first reading, as read by title only.

Commissioner Gillooly stated the suggestion was from Mr. Dean Sweetwood, and credited him with the idea. She pointed out this would not be a financial loss to the City, and confirmed an explanation of the ordinance would be included in the water bill.

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

Item #10A – Riverwalk Discussion

Mayor Costello stated when the Commission first discussed the Riverwalk concept, it was determined to send the issue to various appropriate advisory sources. He stated the Quality of Life Board responded that it merited a feasibility study; the Main Street subcommittee responded the restaurant and other items had no merit, but would agree with a feasibility study, if necessary; while the Main Street board said there was no merit to a feasibility study; the Economic Prosperity Committee of the Chamber of Commerce was agreeable to a feasibility

study to determine the merits of the proposed concept; the Leisure Services Advisory Board would consider a feasibility study to determine the merit; and the Historic Landmark Preservation Board emphatically rejected any commercial development at the park and would not agree to a feasibility study. He stated the Commission relied on the boards' recommendations in making their decisions and listened to their opinions. The Mayor stated he had received an overwhelmingly negative response to the concept, and did not foresee any development in the foreseeable future. He stated he did not want any commercial development on the north side of the bridge at Bailey Riverbridge Park, but possibly, an ice cream shop or hamburger stand at the bait shop, and a walkway to the old yacht club. He stated there was no support for moving the Pilgrims' Rest Church. He commented on the large audience turnout as an example of the system working at its best.

Commissioner Gillooly agreed with the Mayor that this was the way the process worked best, by citizens letting the Commission know their opinions. She stated ideas such as this needed to be discussed because the Commission needed to understand what the citizenry wanted. She stated it was important to go through the process. She stated a couple of people she spoke with expressed interest in a non-commercial use, such as a boardwalk going north, which could be explored. She clarified the proposed funds were restricted for use in the downtown area and explained the difference between the value of a property at the time it was declared a CRA project and the ensuing value was the Tax Increment Financing Fund (TIFF), which translated into tax dollars designated for community redevelopment in downtown. She stated she only favored the idea of a boardwalk to the north of the park.

Commissioner Kent stated as the Commissioner for the zone that would be affected, he was excited so many citizens came to the meeting to express their views. He reported that when the issue first arose, Sue Parkerson had pointed out to him the issue had not come before the Historic Landmark Preservation Board; the board had since reviewed the concept and did not support any of the changes proposed. He stated all in attendance at his regular monthly coffee meeting were 100% opposed to the Riverwalk concept; therefore, he could not support the idea.

Commissioner Kelley stated some of the concerns laid out by Commissioner Gillooly would have been answered by a study. He stated the members of the Commission were elected to listen to their constituents, and they listened. He stated he thought the proposed concept would have synergized the downtown area, but had decided the citizens did not want a lot of activities downtown, preferring a low-key, quiet downtown area, so he did not support the concept.

Commissioner Partington stated he appreciated everyone coming to the meeting, and the ideas he had heard expressed regarding what could be done to bring that corner up to the standards of the other three corners of the bridge. He stated he had received several suggestions, including trimming the landscaping to provide better traffic safety and to discourage the homeless from settling into the park. Commissioner Partington stated that he had always been opposed to spending money on studies; if the consensus did not support an idea, you did not move forward with it; but if a concept was agreed upon, you moved forward with plans; therefore, a study was not necessary. He stated another idea proposed to him was for the City to provide a boat house for a rowing club; and he would like to consider the suggestion.

Mayor Costello stated he had reported in emails that none of the members would support a \$75,000 feasibility study. The Mayor explained the reason for staff suggesting a feasibility study was to receive professional support on projects, an alternative to hiring additional staff. He polled the audience regarding consideration of various ideas, such as a boathouse for a rowing club, to which the majority was opposed; the idea of non-motorized boat rentals resulted in rejection of the idea, as well as dock rentals for boats, or a sandwich shop.

Commissioner Kent asked the audience how many would like to see it stay the same, with a response of three to one in favor of no changes.

Mayor Costello stated he favored a boardwalk between the park and the yacht club, resulting in the majority of the audience expressing support for the idea. The Mayor stated he would call on each individual who had requested to speak, to allow them the opportunity to add anything they wanted.

Sean O'Sullivan, 27 Acanthus Circle, a member of the Historic Landmark Preservation Board (HLPB), stated the review process needed to be revised, because the HLPB should have been the first entity to consider anything relative to any historic site.

Rita Press, 875 Wilmette Avenue, stated the City Manager had expressed that the people in Ormond Beach could disagree without being disagreeable. She stated Ormond Beach was a unique community where people responded when they feel strongly about issues, and the

Commission listened. She stated the park should remain as it was because it was a wonderful, passive asset in the City. Ms. Press stated she had an incident in her home which required a response from the Fire Department, and she wanted to say that they were wonderful.

Norman Lane, 1314 Northside Drive, stated the concept should be finally put to bed with no changes to the park. He stated all four corners of the bridge contained four unique parks; and the Comprehensive Plan Policy 1.215, Coastal Management, required only single-family residential or passive public parks providing access to the waterway for shoreline uses along the Halifax River. He suggested a volunteer workgroup could remove the invasive Brazilian pepper trees that block the view and interfere with the natural vegetation.

Charles Dutoit, 40 Longfellow Circle, a recently retired biologist from Tomoka State Park and friend of the Bailey Riverbridge Park, stated the park was not compatible for the Riverwalk Concept, based on the size and location of the park and its ecological importance to the Halifax River estuary. He stated the proposed restaurant/retail space of 23,000 square feet, plus parking on a .9 acre riparian tract in a FEMA flood hazard zone was not feasible under City building codes and state regulations for flood water storage and retention treatment. He detailed many biological benefits to the current arrangement, including the marsh grasses and mangroves that protect the shoreline from erosion and provide a vital nursery area for fish, shrimp and blue crab. He stated the only change to the park should be the removal of the exotic Brazilian pepper trees, which were creating a tall hedge at the river edge. He reported a marina would disturb important aquatic habitats in the shallow water cove, a fishing hot spot for drum, sea trout and other estuarine species; and bottom dredging and boat traffic would damage and possibly destroy one of the largest living oyster reefs in the north Halifax River. He stated the shallows at the park provide a safe haven for manatees in the river, designated a federal manatee refuge by special rule of the U.S. Fish and Wildlife Service in 2003. He stated the best use of Bailey Riverbridge Gardens was to maintain it as a multi-use site for historic preservation, public recreation, stormwater retention and protection of habitat for fish and wildlife.

Commissioner Gillooly acknowledged Nancy Partridge as the person responsible for the preservation of Pilgrims Rest Church at the Bailey Riverbridge Park.

Nancy Partridge, 3616 Jack Pine, stated the church was 150 years old, the oldest wooden structure in Ormond Beach, and was from the old Tomoka settlement from the 1800s. She stated it was a Civil War church and must be preserved.

Alice Jaeger, 34 Sandra Drive, stated she was representing the Volusia/Flagler Sierra Club, and thanked the Commission for their decision. She stated the local Sierra Club was in accordance with the national Sierra Club's position to preserve urban parks, in order to engage people in outside activities, and for appreciation of the habitat for all creatures. She suggested the Commission could use any available funds for the park to support the downtown businesses.

Mayor Costello explained that any funds considered for the park were not available to assist private businesses.

Joe Jaynes, 116 Wilmans Boulevard, Chairman of Ormond Scenic Loop and Trail, expressed appreciation for what the Commission had done.

W. G. Churchill, 39 Coquina Point Drive, stated the one point that had not been discussed was the extreme impracticality of dredging for a marina in that area, dredging that would require repeated dredging every two or three years. He thanked the Commission for the time devoted to this issue and management of the City.

Dr. Kurtland Davies, 113 Green Forest Drive, related his experience of seeing various people enjoying the park with an historic church, which was used for many social functions. He stated he had experienced the park as a living, breathing being; and decisions were not always about money.

Alan Burton, 915 Ocean Shore Boulevard, suggested the ideas discussed should be organized into a policy statement that could be referenced in the future, but cautioned the Commission to consider the size required for a boathouse in relationship to the size of the land.

Dr. Charleen Evans-Thomas, 8 Pine Shadows Trail, stated her spiritual moment was as she passed the park on her way to church every Sunday, and requested it be left as it was.

William Kushin, 83 Sounders Trail, President of Ormond Beach Union Church, stated his church owned a portion of the property on the river between the yacht club and the park. He stated the

church would be opposed to any concrete or wood walk, but would favor removal of the Brazilian peppers and any beautification of their property.

Mayor Costello acknowledged the following people who had withdrawn their request to speak:

Marvin Miller, 40 Riverside Drive
Barbara Perrotti, 1411 North Beach Street
Eugene Heany, 111 Dianne Drive
Sharon Frountauria, 104 Ormond Parkway
David W. Smith, 63 Hernandez Avenue
Linda Lampman, One John Anderson Drive
Dorian Burt, 203 Pine Cone Trail
Jimmy Hull, 111 West Granada Boulevard
Patrick Daugherty, 30 Dix Avenue
Tom Massfeller, 161 Country Club Drive
Ron DeFilippo, 1081 Ocean Shore Boulevard
Terry Mercer, 31 Dix Avenue
Lee Dunkel, 94 Ormond Parkway
Helen Belmant, 140 Lincoln Avenue, #106
Audrey Durrua, 180A Cardinal Drive
Jim Lopko, 206 Cardinal Drive
Marianne DiFiore, 206 Cardinal Drive
J.S. Thomas, 8 Pine Shadows Trail
Roger L. Patterson, 4 Robin Court
Paula Wehr, 1229 Londonderry Circle
Jeff Moore, 238 North Beach Street
Nancy Moore, 33 Dix Avenue
Charles Murray, 29 Rosewood Avenue
Kathleen Hanson, 535 Lakebridge Drive
Jean Ellis, 140 Lincoln Avenue, #308
Lou Lumaghi, 1 Cliffside Drive
Kim Meyer, 261 Amberwood Court
Sue Penland, 140 Lincoln Avenue, #210
Paul Flint, 909 Northbrook Drive
Carol Chillemi, 14 Concord Drive
Judge Joe Will, address not listed
Joyce Benedict, 2 Sunny Road
Dorothy Mann, 110 Orchard Lane

Mayor Costello stated the record should reflect that not one of the 46 people, who came to speak, spoke to changing Bailey Riverbridge Gardens; and the polls were done before Charles Dutoit spoke regarding the detrimental effect of a boardwalk; but the idea of a boardwalk would be considered. He requested an addendum be added to the file on the Riverwalk concept, so future consideration would include the consensus of the meeting.

Mayor Costello recessed the meeting for three minutes to allow those who wanted to leave to do so.

Item #10B – Sports Complex Contribution

Finance Director Kelly McGuire stated staff was looking for direction regarding the \$600,000 and suggested that half of the funds be set aside for ongoing field maintenance, due to the current financial shortfalls and the anticipated shortfalls for the next several years.

Leisure Services Director Robert Carolin stated he was in agreement with Ms. McGuire. He stated it was the responsible thing to do in this case, and he pointed out that it was part of the negotiations with the Volusia County School system for use of the fields.

Doug Thomas, 132 River Bluff Drive, stated he appreciated the positions of the Finance Director and the Leisure Services Director, but he and the Leisure Services Advisory Board requested the entire amount be set aside with the City paying for field maintenance. He stated fifteen years had been spent negotiating for the funds, some of which had been reimbursement for maintenance costs the City had already spent on the fields. He stated the request was to use the full \$600,000 in obtaining matching fund sources. He requested the maintenance costs be covered by the City, as in the past; and later the City could be reimbursed for the money spent on maintenance, after the attempt to get matching funds was concluded.

Commissioner Kelley stated the \$300,000 figure was a number used in negotiations to estimate the cost of maintaining the fields for ten years, but the agreement did not specify that \$300,000

had to go to maintenance. He supported setting all the money aside to be used for obtaining matching funds, which would accomplish more by maximizing the funds to the benefit to everyone. He stated the \$600,000 could earn interest, and at 5%, it would generate \$30,000 annually, which was the cost of maintenance. Commissioner Kelley stated as much of the principal as possible should be maintained, and matching funds could be obtained for capital improvements.

Commissioner Gillooly expressed appreciation for the volunteers who made so much possible for the area youth. She stated she agreed with the concept that a portion of the money be kept for seed money for matching funds, but the City would still pay out funds as the match to grant money. She stated since she had been involved, the discussions included setting aside \$300,000 for maintenance. She stated the contract with the School Board specifically stated maintenance would be performed and paid for by the City; therefore, she supported the staff recommendation to set aside \$300,000 for maintenance and use \$300,000, in the best way possible, for capital improvements.

Commissioner Partington stated he supported the staff recommendation.

Commissioner Kent stated he supported the staff recommendation, except for the Leisure Services Advisory Board recommendation to spend \$50,000 for a sign.

Mayor Costello stated he did not support spending \$50,000 of this money for this sign. He asked staff to suggest grant opportunities for using \$300,000 as matching funds, while using necessary funds for maintenance.

City Manager Joyce Shanahan stated most matching grant opportunities now were 75/25 matches, with the City providing 75% of the funds. She requested clarification from the Commission on the issue of setting aside \$300,000, but bringing each grant opportunity to the Commission for approval.

Mayor Costello clarified that \$300,000 would be set aside, and for items on the priority list, staff was to seek grant funds; and for amounts over \$300,000, staff should let the Commission make a determination.

Commissioner Kelley stated from a financial standpoint, it made no sense to spend capital for maintenance when the funds were available from another account, and the capital could be invested to earn money that would cover the cost of maintenance. He agreed a sign was necessary, but he did not agree with spending \$50,000. He stated in the past, Seabreeze had requested to utilize one of the Wendelstedt fields, and Harry Wendelstedt would be proud to have Seabreeze use them.

Leisure Services Director Carolin stated, that with the improvements to the Kiwanis field, Seabreeze requested they be allowed to use that field.

Commissioner Gillooly stated the current fields were maintained in such a way professional sports teams would envy the condition of the playing fields, but the concern was that future financial constraints could require scaling back maintenance on those fields. She stated the funds in reserve for maintenance would be available to continue the excellent condition of the fields, which was a sound financial decision.

Commissioner Kelley stated the City had a contract that required the three Wendelstedt fields be maintained at that level, which did not include the Kiwanis field. He stated if Seabreeze was using the Kiwanis field, it may not be as manicured as the Wendelstedt fields, and did not play as well, but would have to be maintained to the level of the Wendelstedt fields, regardless of the cost. He suggested the funds were allocated in the operating budget; therefore, the \$300,000 could be used to earn interest or as matching funds for capital improvements to the fields.

Commissioner Gillooly stated the operating budget may need to be cut in the future; and without the maintenance reserve, there might not be funds available to maintain the fields at the current level.

Mayor Costello stated the negotiations had included setting aside \$300,000 for maintenance and \$300,000 for matching grant funds; and he expressed support for that arrangement since that was what had been discussed during negotiations with the School Board.

Item #11 – Reports, Suggestions, Requests

Ormond Yacht Club Annual Banquet and Silent Auction

Commissioner Partington reported the Ormond Yacht Club Annual Banquet and Silent Auction were being held January 16, including live music. He stated it was a great event and was very enjoyable in the past.

Police Awards

Commissioner Gillooly thanked the Police Chief for presenting the awards to the police officers and remarked that the community appreciated the great officers of the Police Department. She stated the Citizens' Police Academy was a great group of volunteers that worked hard to support the Police Department.

Mayor Costello thanked Chief Longfellow for the awards presentation and for the Chief's 34 years of service, and he expressed appreciation to the members of the Police Department.

Commissioner Gillooly Personal Thanks

Commissioner Gillooly explained she was absent from the December 15 City Commission meeting due to her father's hospitalization and subsequent passing. She expressed her appreciation for the support and concern shown to her by the community.

Derelict Properties

Commissioner Kent stated it was brought up at his monthly coffee meeting that the gas station on Granada was still closed, and suggested maybe the City needed an ordinance to prevent property from remaining derelict.

Commissioner Kelley added his support to the idea of resolving derelict properties, especially in a CRA district.

City Pensions

Commissioner Kelley stated a fund manager of a \$250 billion fund reported there was an estimated \$2 trillion in unfunded public retirement benefits in the country, and the solution for this was twofold; benefits might need to be reduced and/or taxes might need to be raised. He stated the City would be faced with this issue; and at some point, it would require tax dollars to pay for the unfunded liability.

Metropolitan Planning Organization

The City Manager reported that on January 11, the Metropolitan Planning Organization was holding a meeting, "Make Your Mark", at the Performing Art Center at 6:00 p.m. She invited everyone to come out and let their priorities be known.

Shade Meetings

City Attorney Randy Hayes stated he wanted to schedule two shade meetings to discuss litigation matters; a lawsuit by Malagic and another lawsuit involving Riverbend. He reported, barring any objections by the Commission, a Complaint in the lawsuit against Surfside Hotel property would be filed January 6, requiring the property to be renovated or torn down.

Mayor Costello stated he heard no objections from the Commission.

Item #12 – Close the Meeting

The meeting was adjourned at 9:20 p.m.

APPROVED: January 19, 2010

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk