

**ORMOND BEACH CITY COMMISSION MEETING  
HELD AT CITY HALL COMMISSION CHAMBERS  
January 19, 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 by Reverend Willie Branch, New Bethel AME Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
  - A) Employee-of-the-Quarter award to Steve Stershic, Facilities Maintenance Supervisor.
  - B) Presentation of "HOMe for the HOLIDAYS" parade awards.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the January 5, 2010, 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. 2010-04 authorizing the execution of a Local Agency Program Supplemental Agreement between the City and the Florida Department of Transportation regarding Phase I sidewalk improvements on West Granada Boulevard. (Decrease from \$372,000 to \$179,056.75) (Acting City Engineer)
  - B) Resolution No. 2010-05 accepting the bid of Traffic Control Devices, Inc., regarding the rehabilitation of two traffic signals (Bid No. 2010-05); rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$75,935.30) (Acting City Engineer)
  - C) Resolution No. 2010-06 accepting the proposal of Don Bell Signs, LLC, regarding design and installation services for the replacement of a marquee at the Performing Arts Center; authorizing the execution of an agreement and payment therefor; rejecting all other proposals. (\$42,160) (Leisure Services Director)
  - D) Resolution No. 2010-07 authorizing the execution of a Lease Agreement between the City and Joseph Wright and Charles Kristman. (Parcel 2, SE Quad of Airport) (Economic Development Director)

- E) Resolution No. 2010-08 authorizing the execution of Amendment No. 3 to the Agreement for Petroleum Participation Cleanup Program between the City and the Florida Department of Environmental Protection regarding the rehabilitation of contaminated sites caused by petroleum discharges and the sharing of costs relative thereto; ratifying Amendments No. 1 and 2. (Acting City Engineer)
- F) Resolution No. 2010-09 accepting a grant from the State of Florida Division of Emergency Management (FEMA) relative to the repetitive flooding of property located at 350 Cumberland Avenue; authorizing the execution of a federally funded subgrant agreement; authorizing administration of the grant funds. (\$216,510 total project; \$162,382.50 FEMA funding; \$54,127.50 homeowner funding) (Planning Director)
- G) Request for authorization for temporary use of the City Transfer Station by Waste Management, Inc., of Florida.

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- H) Preliminary budget results for FY 2008-09 General Fund and Water/Wastewater Fund. (Budget Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- I) Acceptance of a public art donation from the Cobb family for placement in the Rockefeller Gardens pond. (Leisure Services Director)

DISPOSITION: Approve as recommended in City Manager memorandum dated January 14, 2010.

- 8) **SECOND READING OF 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.

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 by providing an application process for persons desiring to use City property for social events; providing conditions for the use thereof; restricting the use, sale or consumption of alcoholic beverages at such events to beer, wine or champagne. (Leisure Services Director)
- B) Ordinance No. 2010-02 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 147 unit building located at 205 South Atlantic Avenue, known as Best Western Castillo Del Sol, granting certain vested rights relative thereto. (Planning Director)
- C) Ordinance No. 2010-03 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing 98 unit building located at 711 South Atlantic Avenue, known as the Coral Beach Motel, granting certain vested rights relative thereto. (Planning Director)
- D) Ordinance No. 2010-04 of the City of Ormond Beach, Florida, making determinations regarding the height of an existing building and the proposed building located at 915 Ocean Shore Boulevard, known as Shoreham Condominium apartments; granting certain vested rights relative thereto. (Planning Director)
- E) Ordinance No. 2010-05 amending Chapter 2, Administration, Article VI, Boards, Commissions, Committees and other agencies, Division 2, Enumerated, of the Code of Ordinances, by adding a new section to be numbered and entitled Section 2-228, Public Works Advisory Board; creating a Public Works Advisory Board; establishing terms and conditions of membership; establishing powers and duties. (Assistant City Manager)

- 10) **RESOLUTION** No. 2010-10 of the City of Ormond Beach supporting the intercity rail component of the FEC Corridor Project (in the form of Amtrak service) from Jacksonville to Miami and requesting the assistance of Governor Crist and Florida Department of Transportation Secretary Kopelousos to prioritize the project as part of the Federal economic stimulus package for the State of Florida and as part of Florida's statewide transportation network.
- 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 given by Rev. Willie Branch, New Bethel AME Church.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Costello.

Item #4 – Presentations

Martin Luther King, Jr. Breakfast

At the request of Mayor Costello, John Watson, a 19 year old, repeated a recitation he had done before the Commission when he was 12 years old, by reciting a portion of Martin Luther King, Jr. "I Have a Dream" speech to honor Dr. King's memory.

Employee-of-the-Quarter

City Manager Joyce Shanahan announced the Employee-of-the-Quarter was Steve Stershic. She stated he was a native of Kingsville, Maryland, before coming to the City in 2006; prior to coming to the City, Steve began his career in parks and recreation in 1986 in Maryland, and now oversaw all City owned buildings, parks and athletic fields with the help of 17 employees he supervised. She reported Steve and his wife, Susan, have two children, two grandsons and have fostered over 30 children.

Mayor Costello presented Steve Stershic with a plaque and a City seal watch. He thanked Steve for all he did for the City of Ormond Beach.

HOMe for the HOLIDAY Awards

Brian Daly, Chairman of the HOMe for the HOLIDAY Christmas Parade committee, who had been involved with the parade for 16 years, stated the parade consisted of about 2,000 people and 34 floats. He thanked the sponsors and recognized the City employees involved in the production of the parade. He introduced the Pathways Penguins who came in costume and sang for the meeting. He announced the winners of the parade:

Vehicles	St. James Episcopal School, Third Place Yard Trainer, Second Place Aloha Marina, First Place
Float	Holly Hill PTA, Third Place Pathways Extended Day, Second Place Cub Scout Pack 54, First Place
Walkers	Amanda's Dance Center, Third Place Tomoka Elementary, Second Place Pathways Penguins, First Place
Best Overall	Yacht Brokers of Daytona

Tony Capozzi, Ormond Beach Chamber of Commerce President, announced the winner of the Chamber's President Cup for a Business was Sparkle & Shine for the second year in a row.

Item #7B – Rehabilitation of Two Traffic Signals

Mayor Costello stated Item #7B on the Consent Agenda was pulled and would possibly be on the next meeting agenda.

Mayor Costello stated he had received a number of requests to adjust the procedure for audience remarks; if a speaker had spoken about a specific item at a previous meeting, and wanted to speak again, they would speak at the end of the meeting. He asked Commissioner Gillooly to discuss a suggestion she had received.

Commissioner Gillooly stated she received a request to delay any Audience Remarks that had been presented at prior meetings until the end of the meeting before the Commissioners made their remarks. She advised she would present the idea for discussion at the Goals Workshop on January 20, 2010.

Mayor Costello stated the issue would be discussed at the Goals Workshop, but for this meeting, the procedure would be the same.

Item #5 – Audience Remarks

Firefighters

Eric Summerlad, 22 South Beach Street, Vice President of IAFF Local 3499 of the Ormond Beach Fire Department, stated he would like to make some corrections from the last Commission meeting. He had commented the Mayor had stated the firefighters had “stacked the house” at the Town Hall meetings. He admitted he was incorrect, and the Mayor never said “stacked the house”, but did infer it by saying, the vote came from “firefighters and their families.” Mr. Summerlad pointed out that only three representatives from the Fire Department attended the meetings, and their three votes were in the zones where they live. He stated another misstatement of the Mayor was that the Quint concept came about when Ladder Truck #93 was replaced with a Quint. He explained that at the beginning of 2009, the Fire Department had five apparatus, all with advanced lifesaving capabilities. He stated that when Ladder Truck #93 was taken offline, Squirt #92 was renamed Quint #92, leaving only four apparatus with advanced lifesaving capability. He stated if the Commission wanted an improved response time, they should not take equipment offline. He stated the Fire Department welcomed changes that would improve response times.

Mayor Costello stated he disagreed with most of what Mr. Summerlad said but did not have the time to respond, but he noted the former Chief had recommended the Quint concept and the level of service was the same.

Young Professionals Group

Damien Richards, 5 Sherrington Drive, stated he represented the Daytona Beach Young Professionals Group (YPG) that was committed to increase the number of young professionals in the area involved in local government and offered the services of YPG to the City. He reported on January 20, 2010, YPG was hosting a discussion of the Amtrak proposal, which YPG supported.

Vitamin D

Jim Schultz, 117 Harvard Drive, stated Vitamin D reduced falls and fractures in the elderly and cardiac deaths in blacks; and in Florida, it was possible to get enough Vitamin D from sun exposure. He stated Tufts University in Boston did a study that showed 2,000 international units of Vitamin D reduced complications by 60%, infections by 90%, and reduced by 40% of the number of senior patients with broken hips that had to be readmitted. He reported a Charleston study of pre-mature births compared 4,000 international units to 400 international units showed a 50% reduction of pre-mature births in the group receiving 4,000 international units of Vitamin D.

Consolidated Tomoka 3,000 Acre Parcel

Rita Press, 875 Wilmette Avenue, stated there were two future developments that would have an enormous effect on the City’s residents; Ormond Crossings, which is under the City’s control and the development of nearly 3,000 acres west of the City by Consolidated Tomoka under the control of Daytona Beach. She reported the proposed large scale comprehensive plan amendment was before the Daytona Beach Planning Board meeting on January 28, 2010, and

suggested the City be represented at the meeting. She stated the proposed amendment would allow five times as many residential homes and three times the commercial area as currently allowed. She stated the massive development would affect the City's schools, roads and quality of life. She suggested the City schedule a meeting for the citizenry to be better informed the issues relative to this development.

Item #6 – Approval of the Minutes

Mayor Costello advised the minutes of the January 5, 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.

Mayor Costello stated Item #7B was removed from the agenda and Item #7I was pulled for discussion.

**Commissioner Partington moved, seconded by Commissioner Kelley, for approval of the Consent Agenda, minus Item #7I.**

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

Item #7I – Cobb Family Memorial Public Art Donation

Mayor Costello requested Tracy Cobb Paull and Susan Cobb Clayton speak regarding this memorial.

Tracy Cobb Paull, 10 Mill Run Court, stated her parents, Carter and Tom Cobb, came to the area as very young children and grew up here. She stated her father died five years ago, and her mother followed last year. She stated her father started practicing law with his father in 1939, and formed the law firm, Cobb & Cole, in 1950. She discussed her parents' lives and their many contributions to the area.

Susan Cobb Clayton, 4230 Mayfair Lane, Port Orange, explained the site of the memorial was significant because their home was across the street from Rockefeller Gardens Park for many years. She stated they contacted Leisure Services Director Robert Carolin regarding a donation of art, and he referred them to Paul Baliker, who created the wonderful sculpture of a tarpon jumping out of the water to be placed in the pond.

**Commissioner Kelley moved, seconded by Commissioner Kent, for acceptance of the donation from the Cobb family of the tarpon sculpture for Rockefeller Gardens Park.**

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

Consent Agenda Items

Commissioner Kent stated Item #7C was approval of \$42,000 for a new marquee at the Performing Arts Center. He stated he supported the purchase because it was a reader sign. Commissioner Kent stated he wanted to thank Sandy Upchurch for her involvement in the neighborhood mediation regarding the FEMA grant for 350 Cumberland Avenue. He reported had met with the Whitleys, and thanked them for explaining their plans to him.

Commissioner Gillooly stated Item #7C provided a lot of opportunities, but she requested the Birthplace of Speed logo be incorporated into the sign. She acknowledged Sandy Upchurch and the City Manager for their involvement in facilitating discussions in the neighborhood regarding

Item #7F, the FEMA grant. She acknowledged Mr. Whitley for all of his research and his efforts to resolve his flooding issue.

Mayor Costello thanked Planning Director Ric Goss for his idea to hire an independent engineer to assist in resolution.

Item #8 – 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 Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2010-01, on second reading, as read by title only.**

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	Yes
	Commissioner Kent	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 BY PROVIDING AN APPLICATION PROCESS FOR PERSONS DESIRING TO USE CITY PROPERTY FOR SOCIAL EVENTS; PROVIDING CONDITIONS FOR THE USE THEREOF; RESTRICTING THE USE, SALE OR CONSUMPTION OF ALCOHOLIC BEVERAGES AT SUCH EVENTS TO BEER, WINE OR CHAMPAGNE; 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. 2009-57, on first reading, as read by title only.**

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

Item #9B – Height Determinations at 205 South Atlantic Avenue

ORDINANCE NO. 2010-02

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, MAKING DETERMINATIONS REGARDING THE HEIGHT OF AN EXISTING 147 UNIT BUILDING LOCATED AT 205 SOUTH ATLANTIC AVENUE, KNOWN AS BEST WESTERN CASTILLO DEL SOL; GRANTING CERTAIN VESTED RIGHTS RELATIVE THERETO; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2010-02, on first reading, as read by title only.**

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

Item #9C – Height Determinations at 711 South Atlantic Avenue

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, MAKING DETERMINATIONS REGARDING THE HEIGHT OF AN EXISTING 98 UNIT BUILDING LOCATED AT 711 SOUTH ATLANTIC AVENUE, KNOWN AS CORAL BEACH MOTEL; GRANTING CERTAIN VESTED RIGHTS RELATIVE THERETO; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Ordinance No. 2010-03, on first 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 #9D – Height Determinations at 915 South Atlantic Avenue

ORDINANCE NO. 2010-04

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, MAKING DETERMINATIONS REGARDING THE HEIGHT OF AN EXISTING BUILDING AND THE PROPOSED BUILDING LOCATED AT 915 OCEAN SHORE BOULEVARD, KNOWN AS SHOREHAM CONDOMINIUM APARTMENTS; GRANTING CERTAIN VESTED RIGHTS RELATIVE THERETO; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2010-04, on first reading, as read by title only.**

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

Item #9E – Public Works Board

ORDINANCE NO. 2010-05

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, DIVISION 2, ENUMERATED, OF THE CODE OF ORDINANCES, BY ADDING A NEW SECTION TO BE NUMBERED AND ENTITLED SECTION 2-228, PUBLIC WORKS ADVISORY BOARD; CREATING A PUBLIC WORKS ADVISORY BOARD; ESTABLISHING TERMS AND CONDITIONS OF MEMBERSHIP; ESTABLISHING POWERS AND DUTIES; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve discussion of Ordinance No. 2010-05, on first reading, as read by title only.**

Commissioner Kelley stated this item had been considered for about a year and a half, and could be a very good asset for the City. He discussed the conflict of interest issue and pointed out, regarding members, the City Manager memo stated, "shall have no relationship with the City while serving." He noted state law allowed members to serve that might have a conflict of interest, as long as they made disclosure; and he outlined the requirements for disclosure. He expressed concern that the Commission wanted the best qualified people to serve on the board, but stated it would be difficult to determine future conflicts of interest.

City Attorney Randy Hayes stated that conflict of interest would be determined on a case-by-case basis. He suggested that at the time of reappointment, someone who was conflicted out repeatedly, should not serve again. He explained that members would have to disclose a conflict of interest before the vote, but could participate in discussion of the subject item.

Commissioner Kelley gave as an example of a problem where a member would be reviewing a future project, but when the bid was issued, the member was working for a firm competing for the bid. He stated it would open the City to potential problems.

The City Attorney stated the conflict would have to be considered on a case-by- case basis and would require a lot of monitoring by his office. He stated the conflict analysis considered, “the foreseeable future.”

Commissioner Gillooly stated the more expensive projects were usually for public works projects, and she suggested members of the board be retired members of the community with expertise in the field. She stated a civil engineer, a structural engineer, stormwater engineer, an architect and a general contractor were suggested, but she suggested an electrical engineer and someone with contract administration experience be added to the board. She stated the liability of the members should be considered. She suggested the Commission receive further professional advice as to the makeup of the board.

Commissioner Kelley stated Commissioner Gillooly’s points were valid, but a board of five members was needed, not additional advice, and the Commission needed to move forward with the idea.

Mayor Costello suggested adding several more categories to the possible qualifications for the board because it could be difficult to find members to serve on the board.

Commissioner Kent agreed with the Mayor but noted a person with plenty of common sense would be an asset.

Mayor Costello stated he was concerned that an individual would not serve on the board to avoid a conflict of interest. He stated he preferred that all engineers in the area be contacted to attend a workshop for each project to review and make suggestions. He stated he would like to discuss options further because he did not want to eliminate good professionals who would not consider serving due to a possible conflict of interest.

City Manager Shanahan pointed out that many active professionals would be reticent to criticize other professionals in their field. She cautioned the Commission regarding opening membership to individuals who were doing business with the City, even if they made that disclosure. She stated there were plenty of qualified individuals in the community to serve and the suggested professional mix allowed flexibility. She stated it worked in other communities in Florida; therefore, staff could make it work.

**Commissioner Gillooly moved, seconded by Commissioner Kelley, to amend Ordinance No. 2010-15 to include in the list of professions, electrical engineering and contract administration.**

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

Mayor Costello called for the vote on the amended ordinance.

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

Item #10 – Support for Intercity Rail Component

RESOLUTION NO. 2010-10

A RESOLUTION OF THE CITY OF ORMOND BEACH SUPPORTING THE INTERCITY RAIL COMPONENT OF THE FEC CORRIDOR PROJECT (IN THE FORM OF AMTRAK SERVICE) FROM JACKSONVILLE TO MIAMI AND REQUESTING THE ASSISTANCE OF GOVERNOR CRIST AND FLORIDA DEPARTMENT OF TRANSPORTATION SECRETARY KOPELOUSOS TO PRIORITIZE THE PROJECT AS PART OF THE FEDERAL ECONOMIC

STIMULUS PACKAGE FOR THE STATE OF FLORIDA AND AS PART OF  
FLORIDA'S STATEWIDE TRANSPORTATION NETWORK.

**Commissioner Gillooly moved, seconded by Commissioner Partington, to approve Resolution No. 2010-10, as read by title only.**

City Manager Shanahan explained the resolution was to support the intent of the state to add eight new Amtrak stations: St. Augustine, Daytona Beach, Titusville, Cocoa Beach, Melbourne, Vero Beach, Fort Pierce and Stewart. She stated the project would add to the economic vitality of the area.

Commissioner Kelley stated he opposed Amtrak as government subsidized transportation, and taxpayers' dollars would pay a subsidy of \$55 per ticket; but he would support this resolution because the City would receive economic benefit.

Commissioner Kent stated the "Cash for Clunkers" was a government subsidized transportation programs; and he expressed support of this resolution because it benefited the City.

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

Item #11 – Reports, Suggestions, Requests

Make Your Mark

Commissioner Gillooly stated the Metropolitan Planning Organization meeting, "Make Your Mark" was an informative presentation of a long range transportation plan where the attendees were varied and discussion groups considered the information presented.

Ormond Yacht Club Annual Dinner

Commissioner Kent stated he attended the Ormond Yacht Club event due to Commissioner Partington's recommendation and learned a lot about the history of the yacht club at a fabulous event.

Commissioner Partington stated the Yacht Club event was a great and successful fundraising event with 150 people attending, with the hope to restore the building for use by the entire community.

Where to Retire Magazine

Commissioner Kent discussed the Where To Retire article which included Ormond Beach as one of the top eight coastal places to retire. He quoted, "With the city's 2007 decision to limit building height to seven stories or less, you'll enjoy ocean views you'd never see in neighboring Daytona Beach, with its oceanfront high-rises."

Mayor Costello stated he had given the copies to the other Commissioners, but he did not think the writer understood that by limiting the height of the buildings, the view was decreased because shorter buildings translated to more building. He stated the residents, however, had expressed they wanted shorter buildings; therefore, that was what they would have.

Kudos

Commissioner Kent cited recent praise for staff members, Leisure Services Director Robert Carolin, Airport Manager Steven Lichlighter, and the Planning Department, and he stated the City was leaner and meaner due to the leadership of City Manager Joyce Shanahan. He stated he did not know of another place where you could call with a problem, and get genuine care and assistance in resolving your problem.

City Manager Shanahan stated she was part of a great team, starting with a leadership of the Commission, as well as a great set of employees, and she was happy to be part of the team.

Commissioner Kelley stated the changes the new Holly Hill City Manager had proposed, were an indication that Ormond Beach was ahead of the curve, and other cities were going to have to follow the example of our City in the way government services were delivered.

#### Clarification

Commissioner Kelley explained that the newspaper article regarding Bailey's River Bridge Park reported he supported commercialization of all four parks on the corners of the bridge. He clarified he had said, "Fortunato Park," not, "four parks."

#### Mayor's Seat

Commissioner Kelley announced he was not a candidate for commissioner of Zone 3 in the upcoming election; however he was a candidate for Mayor of the City.

#### Martin Luther King, Jr. Prayer Breakfast

Commissioner Gillooly stated the breakfast was a well attended, well presented event, and she appreciated the involvement of the youth in the event.

Commissioner Partington stated the breakfast was a wonderful event, and he complimented Rev. Branch for a wonderful, inspiring speech.

Mayor Costello thanked Rev. Branch for his participation in community events over the preceding weekend, and he recognized John Watson for his contribution.

#### Volusia League of Cities Award

Commissioner Partington requested the Commission consider nominations for the various annual awards by the Volusia League of Cities.

#### Native American Festival

City Manager Shanahan reminded the Commission of the Native American Festival on Saturday, January 22, Sunday, January 23, and Monday, January 24. She informed the Commissioner there would be reserved parking for the Commissioners on Saturday.

#### Firefighters

Mayor Costello apologized if he offended any firefighters and explained that former Fire Chief Baker recommended the Quint concept to provide better coverage and save money. He stated the "new normal" was anything that would maintain the service level to the residents.

#### Consolidated Tomoka Development

Mayor Costello stated years ago he predicted that land was going to be developed according to St. Johns River Water Management District wetland standards, whether in the City's jurisdiction or another jurisdiction. He stated a former Commission decided it would be to someone else's standards; and the City gained nothing by having the land developed in Daytona Beach. He stated the City would get all of the impacts with none of the direction or money. He clarified that Daytona Beach did not seek the development, and made many attempts to get the landowner to work with the City. Mayor Costello requested the City Manager and Planning Director Ric Goss provide the Commission with the history regarding the prior discussions between the landowner and the City. He stated previously the City had informed the landowner they would have to wait for annexation and development in the City due to the lack of road capacity; therefore, the City was going to have to stand up to prevent someone outside the City dictating what the City did.

#### North Peninsula Annexation

Commissioner Partington stated his grandmother shared a report with him from 1974 done by Briley Wild & Associates regarding annexation of the north peninsula. He requested a copy be sent to each of the Commission members.

Mayor Costello stated the City would not seek annexation from anyone, but he was receptive to discuss a request from anyone. He stated he was surprised more people did not want to annex into the City, due to less taxes and better services.

City Commission – January 19, 2010

Item #12 – Close the Meeting

The meeting was adjourned at 8:42 p.m.

APPROVED: February 2, 2010

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk