

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

**November 18, 2008                      7:00 p.m.**

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, Acting City Manager Ted MacLeod, City Attorney Randal Hayes, and City Clerk Veronica Patterson.

***A G E N D A***

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Cantor Zev Sonnenstein, Temple Beth El.
- 3) Pledge of Allegiance.
- 4) ***AUDIENCE REMARKS:***
- 5) ***APPROVAL OF THE MINUTES*** of the October 27, 2008, special meeting, and the November 5, 2008, regular meeting.
- 6) ***CITY MANAGER SELECTION:***
- 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. 2008-208 authorizing the execution of an agreement between the City and Council on Aging of Volusia County, Inc., for the use of a site at the Senior Center for a nutrition program. (\$2,400 annually)
  - B) Resolution No. 2008-209 authorizing the execution of a Consent to Assignment of Group Medical Benefits Agreement between the City and Florida Health Care Plans, Inc.
  - C) Resolution No. 2008-210 terminating a lease with Apryl Sims, regarding the residential mobile home at the Airport Sports Complex.
  - D) Resolution No. 2008-211 authorizing the submittal of a request to the County of Volusia for an amendment to the Community Development Block Grant Subrecipient Agreement for Fiscal Year 2006-2007 between the City of Ormond Beach and the County of Volusia; authorizing the execution of amendments. (Transfer of \$50,665 from site improvements at Ellinor Village, ADA improvements at the PAC, and Fire Station 91 park improvements to tree planting and irrigation on Ormond Parkway and Arlington Way and street pavers at Valencia and Magnolia)
  - E) Resolution No. 2008-212 authorizing the submittal of an on-line grant application in the amount of \$3,984 to the Florida Department of Law Enforcement, Office of Criminal Justice Grants; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award.
  - F) Resolution No. 2008-213 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 owned by Aston Building Corporation and located in the Aston Circle common area, Ormond Beach, Volusia County, Florida (Parcel ID No. 4242-0D-00-0001) for costs incurred by the City to terminate or abate a site maintenance violation. (\$190)
  - G) Resolution No. 2008-214 rescinding an award of a contract to Expertech Network Installation, Inc., for construction services regarding the North US1 20" Force Main Extension Phase II Construction project, under Bid No. 2008-08; authorizing and ratifying the execution of a "General Release" with Travelers Casualty and Surety Company of America and Expertech Network Installation (U.S.) Inc., in exchange for payment of the bid bond; accepting a bid from American Persian Engineers & Constructors, Inc.; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$1,163,900 total contract; \$58,161.76 bond payment)
  - H) Resolution No. 2008-215 accepting a bid from Barracuda Building Corporation for construction services regarding the Thompson Creek Road Pedestrian and Parking Improvements project under Bid No. 2008-32; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$130,709)
  - I) Resolution No. 2008-216 accepting the bid of Carter Electric Company, Inc., regarding electrical services for the Ormond Beach Sports Complex Kiwanis Field Lighting project under Bid No. 2008-31; rejecting all other bids; authorizing the execution of a contract and payment thereunder. (\$283,181)
  - J) Resolution No. 2008-217 accepting a bid from Masci Corporation for construction services regarding the Division Avenue Well Rehabilitation (Wells 7A & 18A) project under Bid No. 2008-28; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$467,410)
  - K) Resolution No. 2008-218 accepting a proposal from Barnes Ferland & Associates, Inc., to provide engineering services regarding the Division Avenue Wellfield Rehabilitation (7A and 18A) project; authorizing the execution of a Work Authorization thereto. (\$43,567)
  - L) Update on Stormwater Improvements and Collector Road Capital Improvement Projects.

**DISPOSITION:** Approve as recommended in City Manager memorandum dated November 13, 2008.

M) Installation of a beach volleyball court.

DISPOSITION: Approve as recommended in City Manager memorandum dated November 13, 2008.

N) Reimbursement of \$3,141 in permit fees to M.A.C. Charter, Inc.

DISPOSITION: Approve as recommended in City Manager memorandum dated November 13, 2008.

9) **PUBLIC HEARINGS:**

A) Resolution No. 2008-219 of the City Commission of Ormond Beach, Florida, adopting the Final Evaluation and Appraisal Report for the City of Ormond Beach Comprehensive Plan; stating the intent of the City Commission to amend the Comprehensive Plan based upon recommendations contained in the Final Evaluation and Appraisal Report; authorizing transmittal to the Department of Community Affairs.

B) Ordinance No. 2008-53 adopting certain amendments to the Capital Improvements Element of the City of Ormond Beach Comprehensive Plan; providing when such amendments shall take effect. (Second Reading)

C) Ordinance No. 2008-54 adopting certain amendments to the Future Land Use Element and the Conservation Element of the City of Ormond Beach Comprehensive Plan; providing when such amendments shall take effect. (Second Reading)

D) Ordinance No. 2008-55 amending the Future Land Use Element of the Comprehensive Plan by amending the Future Land Use Map to change the designation of one (1) parcel of real property totaling 1.15 acres located at 211 North Tymber Creek Road from Volusia County "Urban Low Intensity (ULI)" to City of Ormond Beach "Low Density Residential (LDR)." (Second Reading)

10) **SECOND READING OF ORDINANCES:**

A) Firefighter Pension Ordinances:

1) Ordinance No. 2008-56 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-45, Benefit Amounts and Eligibility; amending Section 16-47, Disability. (Benefit multiplier from 2.97% to 3.12%)

2) Ordinance No. 2008-57 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-40, Definitions, by amending the definition of average final compensation; amending Section 16-46, Pre-retirement Death; amending Section 16-49, Optional Forms of Benefits; amending Section 16-67, Deferred Retirement Option Plan.

3) Ordinance No. 2008-58 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-45, Benefit Amounts and Eligibility; amending Section 16-47, Disability. (Benefit multiplier from 3.12% to 3.37%)

B) Ordinance No. 2008-59 amending the annual budget for Fiscal Year 2007-2008 by amending the Pension Contribution Pass Thru Fund and the Workers Compensation Insurance Fund.

11) **RESOLUTIONS:**

A) Resolution No. 2008-220 setting forth policy direction regarding the existing on street parking and FDOT milling and resurfacing project on Granada Boulevard (SR40) from Washington Street to SRA1A.

B) Resolution No. 2008-221 affirming the certification by the Volusia County Canvassing Board of the results of the Special Referendum Election conducted in the City of Ormond Beach, Florida, on Tuesday, November 4, 2008, regarding proposed amendments to the City Charter; declaring the results of the election; providing for transmittal.

12) **DISCUSSION ITEMS:**

- A) Rate adjustment request from Shelley's Environmental Systems.
- B) Construction of a median on Clyde Morris Boulevard.
- C) Off beach parking opportunity.

13) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.

14) **CLOSE THE MEETING.**

Item #1 - Meeting Call to Order

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

Item #2 – Invocation

The invocation was given by Ambassador Joyce Ebbets.

Item #3 - Pledge of Allegiance.

Mayor Costello led the Pledge of Allegiance.

Item #4 – Audience Remarks:

Laura Jones, 59 Amsden Road, spoke about beach property for sale on the east side of A1A at 361 Ocean Shore Boulevard and adjoining 371 Ocean Shore Boulevard; also, 739 and 749 Ocean Shore Boulevard. Ms. Jones stated that she has spoken with either the realtor or owner on these parcels. She said she believes the Commission is aware that 541 Ocean Shore Boulevard is also for sale. She stated that she would like to see some conversation on the east side of A1A for a park.

Jim Schultz, 117 Harvard Drive, reported that studies have shown when ingested, fluoride is either a toxin or a poison. He stated that pharmacologists debate that it should be classified as drug.

Mayor Costello stated that the Harvard study was by a graduate student who was not refereed and this City is on record supporting whatever the Department of Health, Environmental Protection Agency, Food and Drug Administration, American Medical Association and American Dental Association recommends. He stated that when there is science, the City will follow it.

Item #5 – Approval of the Minutes

Mayor Costello advised the minutes of the October 27, 2008, special meeting, and the November 5, 2008, regular meeting had been sent to the Commission for review and asked if there were any corrections, additions, or omissions.

Commissioner Gillooly asked that on the November 5, 2008, City Commission meeting minutes, under the homeless issues, her comments begin with her acknowledging the concern and protection of our residents and business community.

Mayor Costello stated that the minutes would stand approved with that correction.

Item #6 – City Manager Selection:

Mayor Costello recommended that everyone discuss their favorites, staying with the positive aspects of the candidates.

Commissioner Partington stated there were five excellent candidates. He concluded that Scott Morgan and Joyce Shanahan were his choices. He remarked that both are coming from communities where they have done a great job, and the City would be a step up for their careers, giving them an opportunity to grow. He stated that Shanahan comes from a coastal city that has been through hurricanes and understands that situation; she has a financial background and perspective; she has a strong work ethic; she immerses herself into the community; she works with staff in their jobs one day a month; and she seems to have a lot of

attributes that a great City Manager would exemplify. He commented that Scott Morgan seemed like a really solid candidate who was been with Orange County before successfully managing a smaller city for eleven years; therefore, he has seen both sides of the big picture, from the micro to the macro. Commissioner Partington stated that he thinks Scott Morgan would be a good fit for Ormond Beach, where he would really excel and do an exceptional job.

Commissioner Kent thanked staff, Eugene Miller and the Commission for an incredible process that was handled in a very professional way. He agreed with Commissioner Partington's top two choices. He stated that he liked Scott Morgan's comment that residents were citizens, not customers. He listed Mr. Morgan's attributes as his financial background; his evaluations all being sixes and sevens with seven being the highest; and Mr. Morgan asked for three month evaluations to insure that there would never be a problem. When Commissioner Kent asked each candidate if they would be willing to work the first year for the minimum salary with a bonus of up to twenty (20%) percent at the end of that year, Mr. Morgan not only said, yes, but said, "absolutely", which is an indicator that he will get the job done.

Commissioner Gillooly thanked Eugene Miller, Lorenda Volker, and Jackie Burke. She conveyed that each candidate was very impressed with the interview process. She stated that her first choice was Joyce Shanahan. She stated that Ms. Shanahan has a background in management and financial skills. She commented that Ms. Shanahan is fiscally conservative, with the skills to accomplish those goals. Commissioner Gillooly expressed her appreciation for Ms. Shanahan's interagency approach to issues. Commissioner Gillooly stated that she was impressed that Ms. Shanahan created a relationship with a local university to start a program called, Emerging Leadership Institute, that cost the city nothing but was a way to encourage leadership within the city; she turned a brown field issue into a business park; she has economic development credentials with extremely strong redevelopment experience; she believes in customer service; she is very involved in the community; she possesses high ethics; she has been involved in consolidation of services, where appropriate; she is very strong but approachable; she has tangible accomplishments that could be an assets to the City; she was able to take a formal budget and create a simplified budget approach with a spreadsheet that anyone could be comfortable understanding. Commissioner Gillooly stated that her second choice was Ron McLemore, who brings forty years of experience with credentials that include budgeting, downtown redevelopment, and job creation. She expressed appreciation for Mr. McLemore's experience involving programs within the community, that he has met many challenges in his career, and that his references were impressive.

Commissioner Kelley thanked everyone who played a part in developing the process. He explained that he had to think about who could best service Ormond Beach; where does the City want to go and what does the City want to accomplish; what challenges the City was facing; and who had dealt with some of those challenges. He stated that he could only come up with one person and that was Ron McLemore, because he has done everything. Commissioner Kelley stated that Mr. McLemore has worked with airports and downtown redevelopment areas, taking a community from nothing to the second most desirable city to live in Florida in less than seven years. He asked who else has been involved with development such as Ormond Crossings, and who else has been involved in a full service city. Commissioner Kelley stated that Mr. McLemore is a professional, someone you would be proud to have entertain anyone in an attempt to recruit business to Ormond Beach. He commented that Mr. McLemore also worked in the private sector for a couple of years on very large projects. Commissioner Kelley stated that Mr. McLemore has just been through unification of fire service between Winter Springs and Seminole County, something that the City will face in the future. Commissioner Kelley stated that Mr. McLemore has experience with budgeting and finance including setting up a retirement system that the State of Florida is evaluating for possible use. Commissioner Kelley stated that he feels that Mr. McLemore's statement, "I set a benchmark, give my directors the authority and responsible to do their job and make sure they do their job. If they don't do their job, they are not part of the team." He said that he was impressed that Mr. McLemore doesn't have an Assistant City Manager because if the department heads are doing their job, an Assistant City Manager is not needed. Commissioner Kelley stated that Mr. McLemore was not only his first choice but his only choice.

Mayor Costello expressed his hope that the Commission be united on the decision. He stated that his first candidate was Marsha Segal-George because she is the strongest leader of the finalist with her attorney background and contract experience. He stated that she is one of the twelve lead certified attorneys in Florida. He explained that her "green tech" knowledge and experiences would be invaluable to Ormond Crossings. He said that he has received numerous calls from people who have worked with her who say she is as an outstanding choice. He stated that he was impressed by her desire to be in government because she wants to make things happen, instead of a government attorney or as a land use attorney where she could make more money. He stated that he wants the strongest leader that will implement what the

Commission wants. Mayor Costello stated that Ron McLemore was his second choice. The Mayor stated that when asked about what he wanted to accomplish during his tenure with the City, Mr. McLemore explained that he wants hills to climb, and the length of his tenure will depend upon how long it will take to accomplish some of the things he wants to accomplish because he is still energized about what he does and wants new challenges. The Mayor stated that Mr. McLemore knows how not to do some things as well as how to do things; therefore, he will vote for Ron McLemore since no one else is interested in Marsha Segal-George.

Mayor Costello suggested that each commission member speak again to their choice.

Commissioner Partington stated that he will vote again for Joyce Shanahan because she will take the City where the City wants to go and is the best choice for the future of Ormond Beach.

Commissioner Kent stated that he feels Scott Morgan is an incredible choice but would consider Joyce Shanahan as his choice for City Manager.

Commissioner Gillooly asked to clarify a couple of points; Joyce Shanahan has a nice manner while she is also intelligent and strong. She stated that both Joyce Shanahan and Ron McLemore have strong management and financial skills, but she feels Shanahan offers a fresh approach. Commissioner Gillooly stated that Ms. Shanahan's answers to the questions were concise, succinct and specific. She stated that Ms. Shanahan was very diplomatic and professional; could put information in terms that the citizens could understand; and she liked Ms. Shanahan's idea of Commission requests being dealt with within five days. She stated that she believes Mr. McLemore brings specific experiences that would be helpful to the City.

Commissioner Kelley stated that he has spent a lot of time in Fort Walton Beach and knows what the area is like. He stated that he feels Joyce Shanahan does not have the experience we need. He stated that Fort Walton Beach only has one union; the redevelopment is defense related from the Air Force; the airport is owned by the Air Force; the only reuse goes to a golf course; the wastewater treatment is contracted out; and it is more of a tourist and military town. He stated that Ms. Shanahan has never seen regional development and planning the size of Ormond Crossings, although she is strong in budgeting. He expressed that Mr. McLemore can take us where we need to go, and Ms. Shanahan doesn't have the experience of a full service city. He stated that Ms. Shanahan's budget and finance knowledge is not necessary because the City already has a great budget and finance person; we need someone who can pull the City together with a reduced staff.

Commissioner Partington stated that Joyce Shanahan edged out Scott Morgan due to her coastal experience and that she has experience with a little larger city than Mr. Morgan.

Commissioner Kent stated that he can not support Ron McLemore.

Commissioner Gillooly stated that although Scott Morgan had great strength and progressive experience, she does not think he is the fit for us on key issues.

Commissioner Kelley stated originally he felt Scott Morgan was what the City needed, but after further review, Mr. Morgan is not a full service city leader; his city is very small, without even a fire service.

Commissioner Kent commented that he asked Mr. Morgan if he had understood correctly that Mr. Morgan was also the Planning Director. Commissioner Kent explained that Mr. Morgan advised him he has department managers and an Assistant City Manager.

Commissioner Kelley stated that when you look at the development needs of Ormond Crossings, Mr. Morgan has not had the experience necessary for the City. Commissioner Kelley noted that he has a different idea of what we are facing, and no one person will be an exact fit.

Commissioner Gillooly asked Eugene Miller if in working with other cities, it was possible to find a candidate that could be agreed upon by all the commission members.

Eugene Miller, the consultant for the city Manager search, stated the Commission had handled the evaluation and discussion process very well in a positive manner, and this is not a situation where a discussion will product a unanimous unofficial vote; therefore, he suggested that is was time for a ballot. Mr. Miller expressed that there is no Superman or Superwoman; there will be a weakness in all the candidates. He stated that if the Commission accentuates the positive, the City will be successful.

Mayor Costello called for a vote, requesting that if the ballot resulted in a three to two decision that another ballot be taken.

The City Clerk read the votes and announced the result of Ballot #1, which was Commissioner Gillooly voted for Joyce Shanahan; Commissioner Kent voted for Joyce Shanahan; Commissioner Kelley voted for Ron McLemore; Commissioner Partington voted for Joyce Shanahan; and Mayor Costello voted for Scott Morgan.

The City Clerk announced the results of the second ballot as follows: Commissioner Gillooly voted for Ms. Shanahan; Commissioner Kent voted for Ms. Shanahan; Commissioner Kelley voted for Mr. McLemore; Commissioner Partington voted for Ms. Shanahan; and Mayor Costello voted for Ms. Shanahan.

After Mayor Costello called for a vote for an alternate candidate, the City Clerk announced the ballot results as: Commissioner Gillooly voted for Mr. McLemore; Commissioner Kent voted for Mr. Morgan; Commissioner Kelley voted for Mr. McLemore; Commissioner Partington voted for Mr. Morgan; and Mayor Costello voted for Mr. Morgan.

Eugene Miller suggested the Mayor call the selected candidate during the meeting. The call concluded when it was determined that Joyce Shanahan was not at home.

Mayor Costello stated that another call would be placed at the end of the meeting. The Mayor thanked Mr. Miller for donating his time and professional expertise to do such an excellent job as a community volunteer.

Mr. Miller suggested putting together a team to establish the terms of the employment agreement and to negotiate the employment contract with the City Manager candidate.

Mayor Costello asked the City Attorney to handle the negotiations and asked the Commission members if they wanted to suggest any parameters to be used in the negotiations.

Commissioner Partington suggested a starting salary of \$125,000, which was the bottom of the salary range; that the contract includes a fair arrangement as to the amount of accrued leave allowed; and a start date.

Mayor Costello stated that the severance package should initially be six months, decreasing with each year of employment.

Commissioner Gillooly agreed that the severance package is a buffer to assist in transitioning and should be a scaled down version of what had been negotiated in the past.

The City Attorney explained that a six month severance package is standard in City Manager positions due to the fact that these positions are limited in number and difficult to obtain. He asked that the Commission give him direction, and he would move forward.

Mayor Costello suggested that if the City Manager serves for four and a half years, which would be the time period of the current and the next Commission's terms, the City Manager would receive a six months' severance payment should termination occur, after which the severance package would be reduced to four months where it would remain.

The City Attorney confirmed that he will start negotiating and then bring back details for discussion by the Commission.

Commissioner Kent suggested issues that he felt were important such as the City Manager using a City car from the pool available or their own car; starting at \$125,000 with up to a twenty (20%) percent performance bonus; a severance package of six months up to four and one half years of service, then decreasing to four months; and that the maximum accrued leave allowed should be the same as for all employees.

Commissioner Kelley stated that outside employment should be restricted; the accrued leave time allowable should be capped; leave the bonus offer until the performance standards can be structured; and he feels the City will have to buy a car because the City has been cutting back on vehicles.

Mayor Costello suggested the standard car allowance as for other City employees, which Mr. MacLeod stated was \$350 a month with mileage paid only for trips outside the county.

Commissioner Kelley suggested the moving allowance be the same as for other City employees that receive a moving allowance, which Mr. MacLeod explained was the lowest of three quotes submitted by the candidate.

Mayor Costello suggested the start time be by February 1, 2009, or earlier.

The City Attorney stated that the suggestions were a good starting point for negotiations and that he would certainly come before the Commission at some point for further direction.

Mayor Costello called for a five minute recess until 9:00 p.m.

Mayor Costello reconvened the meeting and expressed his thanks to Human Resources Director Lorenda Volker, who was very well respected by everyone and wished her the best in her new position.

Item #7(A) - Metropolitan Planning Organization

Mayor Costello reported that he continues to promote funding by the Metropolitan Planning Organization for projects in the City, such as the median on Clyde Morris Boulevard.

Item #7(B) - Volusia Council of Governments

Mayor Costello stated that hopefully an agreement can be reached regarding a countywide overlay for the protection of wetlands. He expressed his personal goal is to see the City out of the wetlands permitting process with the County handling the entire process.

Item #7(C) - Water Authority of Volusia

Commissioner Kelley reported there would be a meeting the following day where the Water Authority of Volusia (WAV) would address, with St. Johns River Water Management District, the objection to the irrigation rules and the bureaucracy involved in the exemption process. He commented that if WAV had to file an appeal, Daytona Beach was willing to join the action, although they are no longer a member of WAV.

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.

Mayor Costello informed the Commission of a request to pull Item #8(D) for discussion.

**Commissioner Kent moved, and seconded by Commissioner Gillooly, for approval of the Consent Agenda absent Item #8(D).**

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

Item #8(D) – Community Development Block Grant

RESOLUTION NO. 2008-211

RESOLUTION NO. 2008-211 AUTHORIZING THE SUBMITTAL OF A REQUEST TO THE COUNTY OF VOLUSIA FOR AN AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT SUBRECIPIENT AGREEMENT FOR FISCAL YEAR 2006-2007 BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AUTHORIZING THE EXECUTION OF AN AMENDMENT; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, and seconded by Commissioner Partington, for approval of Resolution No. 2008-211, as read by title only.**

Bonnie Johnson, 195 Ormond Parkway, stated that as a resident of the priority beachside area, she can not agree to this project because during a time of twenty-five (25%) percent foreclosure rate in Ormond Beach, beautification is not a need or a reason to spend money. She stated that palm trees are dirty and bug infested; she asked who will maintain them; and said that the



project will not reduce speeding or crime. She stated that her survey concluded that of the 28 properties involved, three owners wanted trees; seventeen owners do not want trees, and the other eight owners could not be reached. She also pointed out that utility and water lines are buried on that side of the street.

Lee Dunkel, 94 Ormond Parkway, stated that she is in favor of the trees and has always felt their neighborhood has been somewhat slighted in regard to City beautification. She commented that the trees would give the neighborhood, which abuts a commercial area, a more non-commercial feel. She stated that it has been proven that landscaping adds financial value, and does, in fact, slow down traffic. She said that the trees would be an added bonus to the area by upgrading an area that needs help.

Commissioner Kent stated that Ellinor Village looks completely different with the palm trees while preventing parking on the right-of-way. He reported that the Neighborhood Improvement Advisory Board had decided to add beautification to the area after seeing the improvement in Ellinor Village. He stated that the palms require no maintenance; they will not interfere with the utility lines; and this was an extremely responsible way to enhance the area.

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

Item #8(M) - Volleyball Court

Commissioner Partington expressed his desire that the Granada approach location be the first volleyball court installed and suggested a volleyball game with Commissioner against Commissioner.

Item #9(A) – Final EAR

RESOLUTION NO. 2008-219  
 RESOLUTION NO. 2008-219 OF THE CITY COMMISSION OF ORMOND BEACH, FLORIDA, ADOPTING THE FINAL EVALUATION AND APPRAISAL REPORT FOR THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; STATING THE INTENT OF THE CITY COMMISSION TO AMEND THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE FINAL EVALUATION AND APPRAISAL REPORT; AUTHORIZING TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello advised that this was a public hearing and only Alan Burton wished to speak regarding this ordinance. He pointed out that there was a sign-up sheet in the back of the Chambers for anyone wishing to be informed of any follow-up information after the City receives comments from Department of Community Affairs.

Alan Burton, 915 Ocean Shore Blvd, asked the Commission to consider adding to the description in Chapter 2, page 26, Ormond Beach Sports Complex, paved roads, football/soccer fields and parking lot; on Chapter 3, suggested twenty points on the policy for bike trails; on Chapter 3, page 61, suggested reuse and reclaim water to include all property owners south of Granada beachside and reflecting costs; on Chapter 4, page 88, as part of alternative sources for water, consider atmospheric; Chapter 4, page 89, add the area south of Granada on beachside; Chapter 7, page 140, on the shortcomings, consider modifying the new and redeveloped facilities to be ADA compliant; Chapter 7, page 141, include on the Park and Recreation Master Plan both level service facilities as a part of the Capital Improvement Element; and Chapter 7, page 143, on shortcoming, should probably read “based on 2005 Park and Recreation Master Plan.”

Mayor Costello pointed out that everything the City builds is Americans with Disabilities Act compliant, and the reason that the reclaimed water was not included for the area south of Granada was that it was cost-prohibited at this time.

**Commissioner Kelley moved, and seconded by Commissioner Gillooly, for approval of Resolution No. 2008-219, as read by title only.**

Planning Director Ric Goss reported that two public hearings were held, although only one was required, and the Planning Board recommended approval. Mr. Goss stated that staff had met

with Mr. Burton several times referencing the document, and in some case the goals, objectives and policies are scheduled for next year, although Mr. Burton would like to see them this year, but that is not the purpose of this evaluation and appraisal report. Mr. Goss explained that the evaluation was regarding how the plan worked for the last seven years, and Mr. Burton's comments will be considered seriously as the policies are development based upon the appraisal report.

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

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

Item #9(B) – Amendments to Capital Improvements Element

ORDINANCE NO. 2008-53

ORDINANCE NO. 2008-53 ADOPTING CERTAIN AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH AMENDMENTS SHALL TAKE EFFECT. REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello advised that he had no cards indicating anyone wished to speak regarding this ordinance. He pointed out that there was a sign-up sheet in the back of the Chambers for anyone wishing to be informed of any follow-up information after the City receives comments from Department of Community Affairs.

**Commissioner Kelley moved, and seconded by Commissioner Partington, for approval of Ordinance No. 2008-53, at second reading, as read by title only.**

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

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

Item #9(C) – Amendments to Future Land Use Element and Conservation Element

ORDINANCE NO. 2008-54

ORDINANCE NO. 2008-54 ADOPTING CERTAIN AMENDMENTS TO THE FUTURE LAND USE ELEMENT AND THE CONSERVATION ELEMENT OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; PROVIDING WHEN SUCH AMENDMENTS SHALL TAKE EFFECT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello advised that he had no cards indicating anyone wished to speak regarding this ordinance. He pointed out that there was a sign-up sheet in the back of the Chambers for anyone wishing to be informed of any follow-up information after the City receives comments from Department of Community Affairs.

**Commissioner Kelley moved, and Commissioner Gillooly seconded, for approval of Ordinance No. 2008-54, at second reading, as read by title only.**

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

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

Item #9(D) – Amending the Future Land Use Map – 211 North Tymber Creek Road

ORDINANCE NO. 2008-55

ORDINANCE NO. 2008-55 AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 1.15 ACRES LOCATED AT 211 NORTH TYMBER CREEK ROAD FROM VOLUSIA COUNTY “URBAN LOW INTENSITY (ULI)” TO CITY OF ORMOND BEACH “LOW DENSITY RESIDENTIAL (LDR)”; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, and seconded by Commissioner Kelley, for approval of Ordinance No. 2008-55, at second reading, as read by title only.**

Mayor Costello advised that he had no cards indicating anyone wished to speak regarding this ordinance. He pointed out that there was a sign-up sheet in the back of the Chambers for anyone wishing to be informed of any follow-up information after the City receives comments from Department of Community Affairs.

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(D).

Item #10(A)(1) – Benefit Amounts and Eligibility; Disability

ORDINANCE NO. 2008-56

ORDINANCE NO. 2008-56 OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS’ PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-47, DISABILITY; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Partington moved, and seconded by Commissioner Gillooly, for approval of Ordinance No. 2008-56, at second reading, as read by title only.**

Mayor Costello asked that the comments from the first reading be included in these minutes, as follows:

*Mayor Costello expressed his wholehearted support for this issue. He asked Randy Hayes, City Attorney, if the actuaries were wrong about the pension funding amounts and, therefore, the pension was not fully funded, would the firefighters or the pension have to make up the shortfall. He expressed that he wanted to insure that the City will not have to pay for any shortfall. He questioned whether the City needed anything stronger in the ordinance to state that should there be a shortfall in the 175 funds, current beneficiaries would have to make up the shortfall. He stated that if the State ever allows the use of the 175 funds for current benefits, not strictly for enhanced benefits, he would be in favor of the City using these funds for any potential shortfall. He expressed his support for the ordinance, if it was clear that the pension members, not the City, would make up shortfalls.*

*Randy Hayes confirmed that the issue is covered by the Settlement Agreement, which is a binding contract, with a proposal that it be cost neutral to the City. He stated that the pension members understand this issue. He stated that it was not necessary to include the City’s intention, should the State release funds, and there was nothing in the agreement that would preclude using the funds in this manner.*

*Commissioner Gillooly confirmed her agreement that any shortfall would not be made up by the City.*

*Jim Shaw, President of Ormond Beach Firefighters Association, expressed that the membership of the Association had been advised of the conditions of the settlement agreement and had ratified the language of the agreement.*

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

Item #10(A)(2) – Amending Definitions

ORDINANCE NO. 2008-57

ORDINANCE NO. 2008-57 OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT OF THE CODE OF ORDINANCES; AMENDING SECTION 16-40, DEFINITIONS, BY AMENDING THE DEFINITION OF AVERAGE FINAL COMPENSATION; AMENDING SECTION 16-46, PRE-RETIREMENT DEATH; AMENDING SECTION 16-49, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 16-67, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Kelley moved, and seconded by Commissioner Partington, for approval of Ordinance No. 2008-57, at second reading, as read by title only.**

Mayor Costello asked that the comments from the first reading be included in these minutes, as follows:

*Commissioner Kelley questioned how the term "year" was defined. He stated that a year of service should be defined as either a calendar year or a fiscal year.*

*Jim Shaw, President of Ormond Beach Firefighters Association, stated that historically it has been the last five years of service; a year being twelve consecutive months, because those are most often the years of highest income.*

*Commissioner Kelley asked for an amendment to define a year as; a calendar year, a fiscal year, or an anniversary year with the selected five years used for calculation of benefits being consistent.*

*Kelly McGuire stated that she will research state laws to confirm that the suggestion is allowable by state law.*

*The City Attorney stated that there was an obligation to work with the union on this issue. He recommended approval on first reading, as read. He suggested that staff research this issue and submit their findings while at the same time, giving the union an opportunity to have input before the second reading.*

*Commissioner Kelley requested that his amendment be withdrawn at this time.*

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

Item #10(A)(3) - Amending Pensions and Retirement

ORDINANCE NO. 2008-58

ORDINANCE NO. 2008-58 OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-47, DISABILITY; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Kelley moved, and seconded by Commissioner Partington, for approval of Ordinance No. 2008-58, at second reading, as read by title only.**

Mayor Costello requested that the comments from the first reading be included in these minutes, as follows: *Mayor Costello expressed that his comments under Item #10(A)(1) regarding any shortfall would not be the responsibility of the City would apply to this item.*

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

Item #10(B) – Amending Annual Budget for FY 2007-2008

ORDINANCE NO. 2008-59  
 ORDINANCE NO. 2008-59 AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2007-2008 BY AMENDING THE PENSION CONTRIBUTION PASS THRU FUND AND THE WORKERS COMPENSATION INSURANCE FUND; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, and seconded by Commissioner Kent, for approval of Ordinance No. 2008-59, at 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 #11(A) – FDOT - Granada Boulevard Improvements

RESOLUTION NO. 2008-220  
 RESOLUTION NO. 2008-220 SETTING FORTH POLICY DIRECTION REGARDING THE EXISTING ON STREET PARKING AND FDOT MILLING AND RESURFACING PROJECT ON GRANADA BOULEVARD (SR40) FROM WASHINGTON STREET TO SRA1A; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, and seconded by Commissioner Gillooly, for approval of Resolution No. 2008-200, absent Option 6, as read by title only.**

Michael Rodriguez, 90 North Beach Street, a resident and property owner on Granada Boulevard, stated that this is a good project that will improve property values, and he is in favor of the project.

Alan Burton, 915 Ocean Shore Boulevard, stated that he hoped when additional streetscape was planned that more attention would be given to economic activity. He stated that the list of options seem to assume that the landscaped medians were a given but, instead, should be an option. He stated that among the items in his letter to the Commission were his suggestions that non-landscaped medians could save a lot of money; bus passenger safety should be considered in the design; and he favors less landscaping as a means to save money and water.

James Stowers, 805 Candlewood Circle, Co-Chair of the design committee and member of Ormond Main Street Board of Directors, spoke in favor of the recommendations for Main Street. He stated that Florida Department of Transportation has their priorities, and they want to increase bike lanes and basically increase the asphalt width from the beach and US1, which is not consistent with the downtown. He stated that the addition of landscaped medians was appropriate by removing some of the landscaping from in front of the businesses while providing beautification and traffic controls to the area. He commented that xeroscaping could be used to reduce the use of water and that the use of water for the palm trees in the median was for an initial period while they were stabilizing.

Dorian Burt, 203 Pine Cone Trail, as the Project Coordinator for the Highlander Corporation, the largest property owner in this section of downtown, remarked that the letter of support included in the packet is a sign that there is a real commitment from the Highlander and Mr. Jones, even though his daughter’s business is the one losing the most parking spaces.

Bill Partington, Sr., 1284 Fernway Drive, expressed support for Option 6; however, the drawings in Option 6 show two eleven (11’) foot lanes. He stated that Larry Rivera’s response to his email

clarifies that an “F” curb has one foot of concrete that is part of the lane; therefore it is important to request one ten (10’) and one eleven (11’) foot lane.

Commissioner Kent expressed his praise for Ormond Main Street and the work done by everyone. He asked Ric Goss how wide the lanes were now.

Ric Goss reported that the width of the lanes vary up to nineteen feet wide. He stated that according to the transit guidelines, buses can move in ten and eleven foot lanes but that some bus stops will have to be moved, and that the lanes are sufficient. He stated that there are six options most of which are consistent with and further the redevelopment plan; the question is which one is the best. He stated that there is a general consensus that Option 6, which is the Planning Department recommendation, is the best plan for downtown redevelopment. Mr. Goss reminded the Commission that Florida Department of Transportation will need to approve the plan.

Commissioner Kelley questioned if the money is coming out of Tax Increment Funding. He stated that he doesn’t remember seeing this project before.

Mr. Goss confirmed that the funds were TIF monies and explained that this project came from the Florida Department of Transportation in August as simply repaving and adding bike lanes, which started the chain of events leading to Ormond Main Street’s involvement.

Commissioner Kelley stated that he would like to have had more time to consider ideas as large as this, which he believes would cost more than the projected \$400,000 to \$500,000.

Ric Goss stated that actually the costs would be less. He explained that FP&L is analyzing whether the utilities should be underground or consolidated; either way will get them off Granada Boulevard.

Mayor Costello stated that he supports this because Main Street is bringing the plan to the Commission; and if they are recommending it, he is in favor. He stated that the Metropolitan Planning Organization and Florida Department of Transportation agree that medians enhance safety while landscape medians provide visual enhancement.

**Commissioner Partington moved, and seconded by Commissioner Gillooly, for approval of Resolution No. 2008-220, specifying ten (10’) foot and eleven (11’) foot lanes, as read by title only.**

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

Item #11(B) – Election Results

RESOLUTION NO. 2008-221  
RESOLUTION NO. 2008-221 AFFIRMING THE CERTIFICATION BY THE VOLUSIA COUNTY CANVASSING BOARD OF THE RESULTS OF THE SPECIAL REFERENDUM ELECTION CONDUCTED IN THE CITY OF ORMOND BEACH, FLORIDA, ON TUESDAY, NOVEMBER 4, 2008, DECLARING THE RESULTS OF THE ELECTION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, and seconded by Commissioner Partington, for approval of Resolution No. 2008-221, as read by title only.**

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

Item #12(A) - Rate Adjustment Request from Shelley's Environmental Systems.

Mayor Costello stated that it has been 10 years since Shelley's Environment Systems had received a rate adjustment, and the new rate is less than the usual rate they charge.

Commissioner Kent asked if there was some way to do it cheaper.

Ted MacLeod explained that Shelley's is the least expensive in a governmental regulated industry dealing with sewage sludge, and this is a pretty good price.

Mayor Costello asked staff to proceed with granting an increase to \$39.75 a ton.

Item #12(B) - Construction of a Median on Clyde Morris Boulevard.

Commissioner Gillooly stated that she can not support spending an additional \$31,000 on this project for additional beautification.

Commissioner Kelley stated that he supports the construction as he feels it will make a big difference by slowing down traffic, and the landscaping will be a great addition toward making a finished product.

Commissioner Partington stated that he understands and supports the project but asked if it would be more expensive to do concrete versus the Bahia grass; whereby, Mr. MacLeod responded that it was.

Commissioner Kent stated that he does not support this project because the City does not need to fund this project again.

Mayor Costello stated that he wants the project to look finished.

**Commissioner Kelley moved, and Commissioner Partington seconded, to fund construction of a median on Clyde Morris Blvd at a cost up to \$31,213.00.**

Call Vote:	Commissioner Kelley	Yes
	Commissioner Partington	Yes
	Commissioner Gillooly	No
	Commissioner Kent	No
Carried.	Mayor Costello	Yes

Item #12(C) - Off beach Parking Opportunity.

Charles Lichtigman, 535 Ocean Shore Boulevard, co-trustee for the owners of Ellinor Village Shopping Center, stated that the real estate values have dropped thirty (30%) percent since discussions with the City regarding purchasing this property for use as park and off-beach parking area. He informed the Commission that the unsigned contract before them for their review was from another party reflecting the negotiated terms, but before the principals sign the contract, they wanted to offer the City the opportunity to consider purchasing the property at such a low price before the contract is executed at the current offer. He stated that If the City purchases the property, the beneficiaries would get tax benefits; therefore, the beneficiaries will give one-hundred (100%) percent financing for the City share of the purchase price over ten years with no cash outlay for the first two years but with interest accruing during those two years at some reasonable, mutually agreed upon rate. He stated that the transaction is a great opportunity for the City because the County is making a fifty (50%) percent contribution, and the purchase price is at today's prices.

Ted MacLeod stated that Sam Bell has advised there has been some interest from the Trust for Public Lands to assist the City in the purchase.

Charles Lichtigman stated that the Ellinor Village beneficiaries have voted to accept the current contract, if the City is not interested.

Laura Jones, 59 Amsden Road, stated that all of this sounds like a good deal but asked for a delay in purchasing this property as she has real concerns about safety in crossing A1A from the west side. She further stated that there are other properties on the east side of A1A that would be more favorable for a park. She asked the Mayor to clarify his statement from a workshop on September 16, 2008, "If the City bought at some point in time, then I would favor off-beach parking and a beachfront park."

Mayor Costello stated that he doesn't understand the context, but he is on record as being in favor of buying Ellinor Village for off-beach parking and, also, favoring a beach front park. He stated his support for getting all the beachfront property the City could, using any grant funds available.

Laura Jones stated that all of the beachfront property owners she spoke with are willing to negotiate.

Norman Lane, 1314 Northside Drive, stated that the City needs to look on the east side of A1A. He suggested that with the funding the County is giving us, we should look at the dilapidated motels on the beach; and if money is available now, we should use it for what we want, not parking spaces on the west side of A1A.

Commissioner Kelley expressed his concern is that the timing of spending any money now is bad; if you don't need something, it's not a value at any price. He stated that the City needs to look on the east side; but we could enter into something like this where we could spend \$100,000 to create a park now, as opposed to waiting ten years. He stated that he has not had anyone advise him to buy property on the west side of the road; and only a few citizens asking for the City to purchase property on the east side of A1A. He stated that the City has to decide whether the City needs it now or not, because he has not heard a clamoring by the citizens for a beachfront park. He stated that the revenue stream generated would help offset the cost of purchasing the property. He said that he feels this deal is much more palatable if we can make it work; but he is in favor of opening the beach to parking, which would eliminate the need for purchasing property for parking.

Mayor Costello stated that he feels like there is never going to be a better time to get property, west or east. He said that with the traffic signal at this property, it is far better than anything we have now, but he would rather put parking on the west side of A1A and the park on the beach.

Commissioner Gillooly stated that the presentation was compelling; however, she feel that this deal does diminish plans to buy property on the beach, and the City needs to maximize County funds. She stated she also feels that it is better to purchase residential properties rather than to remove commercial property from the tax rolls, and she feels that there are advantages to having the parking and the park on the beach.

Commissioner Kent expressed his support for this purchase because the money from the County will dry up someday, and this is an incredible opportunity from the City and the County.

Commissioner Partington stated that he still thinks a referendum would be smart; for the safety of the entire Commission, input from the citizens is needed, and he feels that prices will continue to drop until late in 2009 with recovery starting in 2010. He expressed his fear is that the County is offering this money for off-beach parking as a prelude to closing the beach to cars permanently, but that beach vendors and everyone he has spoken to agree that the beach should be taken back from the County.

Commissioner Kelley stated that he agrees with Commissioner Partington in that the timing is not right, although this proposal is a good offer.

Mayor Costello stated that the Commission must say "no" at this time, but if their current contract does not come to fruition, then maybe the City would reconsider the purchase at a later date. The Mayor thanked Mr. Lichtigman as representative of Ellinor Village, but the City respectfully declines.

#### Item #13 – Reports, Suggestions, Requests

##### Commissioner Gillooly

Commissioner Gillooly mentioned that the Veteran's Day event at the Art Museum was wonderful.

##### Commissioner Kent

Commissioner Kent stated that the Super Chili Chowder Cook Off was a great event; he wished good luck to the City Clerk who is nominated for City Clerk of the Year; he thanked everyone for allowing him to be a part of the Bubba Gump's building team. He thanked Mayor Costello for a wonderful job at Commissioner Kent's school on Veteran's Day and he offered his congratulations to the Mayor on his announcement to run for District House 26. Commissioner Kent expressed his agreement with Commissioner Partington regarding taking the beaches back from the County.



Commissioner Kelley

Commissioner Kelley stated that due to the twenty-five (25%) percent foreclosures in Ormond Beach, the City may have an issue with maintaining compliance for these properties. He expressed that he will support Joyce Shanahan as the choice for City Manager in every way, one-hundred (100%) percent.

Commissioner Partington

Commissioner Partington stated that he is willing to look at a workshop regarding taking back the beach along with tax money.

Mayor Costello

Mayor Costello asked Mr. MacLeod to add the beach issue to the new manager's list of items to look at; he thanked Mr. MacLeod for an outstanding job as Interim City Manager; and expressed that although the Commission was not one-hundred (100%) in favor of selecting Joyce Shanahan as the City Manager, the Commission is one-hundred (100%) percent committed to making it the best decision they could have made.

Item #14 – Close The Meeting.

The meeting was adjourned at 11:08 p.m.

APPROVED: \_\_\_\_\_ December 2, 2008

BY: \_\_\_\_\_  
Fred Costello, Mayor

ATTEST:

\_\_\_\_\_  
Veronica Patterson, City Clerk