

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

January 8, 2008 7:00 p.m.

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

A G E N D A

- 1) Meeting call to order by the City Manager.
- 2) Invocation by Pastor Bud Murphy, Unitarian Universalist Society.
- 3) Pledge of Allegiance.

- 4) Oath of Office to Mayor Fred Costello.

5) Oath of Office to the City Commissioners:

Lori M. Gillooly	-	Zone 1
Troy A. Kent	-	Zone 2
Edward I. Kelley	-	Zone 3
William E. Partington, III	-	Zone 4

6) Nominations for Deputy Mayor.

- A) Resolution No. 2008-01 electing the Deputy Mayor of the City of Ormond Beach, Florida; establishing term and conditions of service.
- B) Oath of Office administered to the Deputy Mayor.

7) **AUDIENCE REMARKS:**

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. 2008-02 adopting rules of parliamentary procedure.
- B) Resolution No. 2008-03 establishing the dates and times for regular meetings of the City Commission of the City of Ormond Beach, Florida, during calendar years 2008 and 2009; providing for exceptions thereto.
- C) Appointments to Advisory Boards/Intergovernmental Boards:
 - 1) Resolution No. 2008-04 appointing members and alternate members of the Board of Adjustment and Appeals; setting forth terms and conditions of service. (Members: Tony Perricelli, Ron Walker, Norman Lane, Dennis McNamara, Jean Jenner; Alternate Members: Harold Briley, Anita Mitchell, Sue Parkerson, Bob Henry, Michael McQuarrie)
 - 2) Resolution No. 2008-05 appointing members of the Affordable / Attainable Housing Task Force; setting forth terms and conditions of service. (Members: Richard Brookfield, Sue Darden, Jim Greenless, Bill Motzel, John Nutting, Michael Opalewski, William McGrane, Maggie Sacks, Dwight Selby, Brian Share, Erlene Turner, Tyree Wilson)
 - 3) Resolution No. 2008-06 appointing members of the Budget Advisory Board; setting forth terms and conditions of service. (Members: Eugene Miller, Frank Pezzimenti, Jerry Kane, Rick Banker, P.T. "Bud" Fleuchaus)
 - 4) Resolution No. 2008-07 appointing members of the Citizens' Law Enforcement Advisory Board; setting forth terms and conditions of service. (Michael Furman, Frank Pezzimenti, Margaret Sharifi, Kevin Tilley, B. J. Morgan)
 - 5) Resolution No. 2008-08 appointing members of the Development Review Board; appointing the at-large members; setting forth terms and conditions of service. (Marvin Miller, Phil Maroney, Bonnie Johnson, Doug Wigley, Brian Nave, Joe Lipscomb, John Adams)
 - 6) Resolution No. 2008-09 appointing members to serve on the Environmental Advisory Board; appointing at-large members; setting forth terms and conditions of service. (Robert Grossmann, William Abbuehl, Robert Walsh, Michael McQuarrie, Rita Press, Richard Truitt, Leslie M. Sileo-Robinson)
 - 7) Resolution No. 2008-10 appointing members to serve on the General Employees' Pension Board; setting forth terms and conditions of service. (Bill Jennings, Charles Moore)
 - 8) Resolution No. 2008-11 appointing members to serve on the Historic Landmark Preservation Board; appointing at-large members; setting forth terms and conditions of service. (John Adams, Carl Gerken, Joe Daniels, Sue Parkerson, Sean O'Sullivan, Beverly Grissom, Geneva Jackson, Ann Eifert, Philip Shapiro)

- 9) Resolution No. 2008-12 appointing members of the Human Resources Board; setting forth terms and conditions of service. (Ted West, Rick Fraser, Clark Rohmer, Bob Henry, Matt Coleman)
- 10) Resolution No. 2008-13 appointing trustees to serve on the Firefighters' Pension Board; setting forth term and conditions of service. (Dominic Morgese, Lee Strong, Jr.)
- 11) Resolution No. 2008-14 appointing members of the Neighborhood Improvement Advisory Board; setting forth terms and conditions of service. (Elwillie Daniels, Jean Dwyer, Karen Dellecker, Bobbie George, Sean O'Sullivan)
- 12) Resolution No. 2008-15 appointing members of the Planning Board; appointing at-large members; setting forth terms and conditions of service. (Doug Wigley, Alan Jorzczak, Pat Behnke, Doug Thomas, Rita Press, Patrick Opalewski, Lynn McCoy)
- 13) Resolution No. 2008-16 appointing members of the Quality of Life Advisory Board; setting forth terms and conditions of service. (Debbie Berner, Joe Daniels, Toni Slick, Becky Montgomery, Fran Pezzimenti, Mary Ann DiFiore, Dr. Gerald Woodard, Vicky Foley, Lewis Heaster, Philip Shapiro, Matt Coleman)
- 14) Resolution No. 2008-17 appointing members of the Goodwill Ambassador program; setting forth terms and conditions of service. (Joyce Ebbets, Doris Katz, Rick Boehm, Rita Press, Rick Fraser)
- 15) Resolution No. 2008-18 appointing a representative of the City of Ormond Beach to serve as a member of the Volusia Council of Governments; establishing term and conditions of service. (Mayor Fred Costello)
- 16) Resolution No. 2008-19 appointing a delegate and alternate delegate to serve on the Water Authority of Volusia; establishing terms and conditions of service. (Commissioner Ed Kelley and Commissioner Bill Partington)
- 17) Resolution No. 2008-20 appointing a representative and an alternate representative as members of the Volusia County Metropolitan Planning Organization; establishing terms and conditions of service. (Mayor Fred Costello and Commissioner Ed Kelley)
- 18) Resolution No. 2008-21 appointing a representative to serve as a member of the Board of Directors of Ormond Main Street, Inc.; setting forth term and conditions of service. (Commissioner Lori Gillooly)

9) **RESOLUTIONS:**

- A) Resolution No. 2008-22 appointing members of the Aviation Advisory Board; setting forth terms and conditions of service. (Members: Keith Reiger, Larry Volenec, Bob Behnke, Dr. Bruce Manne, Larry Stout)
- B) Resolution No. 2008-23 appointing members on the Recreation Advisory Board; setting forth terms and conditions of service. (Harry Wendelstedt, Aaron Phillips, Andrew Romano, Doug Thomas, Scott Edwards, Rick Boehm, Ted Tescher, Tom Roache, David James, Alex P. "Chip" Loyd, Lori Tolland)

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

11) Close the meeting.

Item #1 - Call to Order

Mr. Isaac Turner, City Manager, called the meeting to order at 7:00 p.m.

Item #2 – Invocation

Former Commissioner Joyce Ebbets gave the invocation.

City Commission – January 8, 2008

Item #3 - Pledge of Allegiance

Mr. Turner led the Pledge of Allegiance.

Item #4 – Oath of Office to Mayor Fred Costello

Veronica Patterson, City Clerk, administered the oath of office to Mayor Fred Costello.

Item #5 – Oath of Office to the City Commissioners

Ms. Patterson administered the oath of office to the City Commissioners.

Item #6(A) - Nominations for Deputy Mayor

RESOLUTION NO. 2008-01
A RESOLUTION ELECTING THE DEPUTY MAYOR OF THE
CITY OF ORMOND BEACH, FLORIDA; ESTABLISHING TERM
AND CONDITIONS OF SERVICE; AND SETTING FORTH AN
EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Gillooly, to approve Resolution No. 2008-01 and to nominate Commissioner Ed Kelley as Deputy Mayor.

Hearing no further nominations, Mayor Costello asked the City Clerk to call the vote to approve the election of Commissioner Ed Kelley as Deputy Mayor.

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

Item #6(B) - Oath of Office to the Deputy Mayor

Ms. Patterson administered the oath of office to Deputy Mayor Kelley.

Commission Comments

Mayor Costello noted before moving on to the audience remarks portion of the meeting he would allow the Commission to speak; however, the audience would have an opportunity to speak for three minutes as usual.

Commissioner Gillooly reported this was the beginning of her second term in office. She thanked the people for the vote of confidence and for their support, giving of their time, treasure, and talent to make things happen in Ormond Beach. Commissioner Gillooly stated she was humbled to serve as a City Commissioner for Ormond Beach. She advised she was proud that her supporters were very diverse, but all loved Ormond Beach and worked hard to make it great. Commissioner Gillooly explained the role of local government was very important to each citizen in that the people can come to a Commission meeting to speak to fellow citizens and the leadership.

Commissioner Kent reported he was humbled to be able to go into his fifth year of serving Ormond Beach. He thanked the residents of Zone 2 for the vote of confidence and the City for providing the opportunity to serve the community. Commissioner Kent recognized each of his appointments to the various advisory boards, thanking them for agreeing to serve. He thanked staff, particularly Mr. Turner and Mr. Hayes for doing a great job. Commissioner Kent expressed appreciation to Sue Parkerson, Pat Behnke, Scott Grandy, and Andy Romono. He thanked his parents, wife, and children for their support and presented his wife with roses.

Commissioner Kelley stated he was thankful for the privilege of being able to serve the City and thankful to the advisory board members for being willing to serve. He reported his wife was ill, his daughter was also ill, and his son was away at school, so they were unable to attend, but he was pleased that he had friends and supporters in attendance tonight.

Commissioner Partington reported it was great to serve Ormond Beach. He thanked God, his wife, children, parents, friends, and supporters. Commissioner Partington stated seeing how Ormond Beach has changed in the past 40 years, and being a part of that change in the past six years, was awesome. He reported each citizen brings something unique to the City.

Commissioner Partington advised he looked forward to serving with his fellow Commission members and expressed appreciation to the responsiveness each has shown to citizen concerns. He explained his wife acts as a sounding board, and his children are a motivating factor for him to try to make the City better for their future.

Mayor Costello stated Ormond Beach was about family. He reported he was grateful he chose Ormond Beach as his home. Mayor Costello thanked the people for their vote of confidence to this entire Commission. He stated he and his fellow Commission members have tried very hard to listen to the people; however, that did not mean everyone agreed with every decision made. Mayor Costello reported this was the best Commission he had had the opportunity to serve with because each was willing to be passionate, argue their points, and then move on to the next item without carrying a grudge. He stated he selected his advisory board appointments after the Commission made their appointments because he was not locked into a particular zone; and had another Commission member not selected certain appointments, he would have appointed them. He explained the advisory boards were very important to the Commission to help them make better decisions. Mayor Costello thanked the Ormond Beach “cheerleaders” whether living inside or outside of the City. He requested people inform the Commission what it does right and wrong and asked that people not feel angry or disappointed if the Commission does not always follow their recommendations because the Commission must listen to many people.

Mayor Costello advised that the City wanted to honor those in the military, Eagle Scouts, or those with special achievements. He urged the residents to inform the City if their clergy would like to give an invocation prior to a City Commission meeting. Mayor Costello thanked the people for their prayers for his granddaughter. He explained his wife was in North Carolina with his granddaughter where she needed to be at this time. Mayor Costello thanked his wife for allowing him to spend as much time as he did for the community. He thanked staff for the special efforts they give for the betterment of the community and noted he was proud of Ormond Beach’s staff.

Mayor Costello thanked Mr. Robert Carolin, Recreation Manager, for greeting citizens to the Commission Chambers at tonight’s meeting.

Item #7 - Audience Remarks

Walking on Public Land

Mr. Dan Zurla, 3751 Long Grove Lane, Port Orange, complained that not allowing individuals to walk on the golf course was unconstitutional, and mandating carts was only to make money. He stated he went to court, which turned out to be a “kangaroo court,” using trickery to evade the constitution, and the judge “cooked the books” removing all traces of the illegal proceedings.

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

Thanking the Commission

Mr. Larry Stout, 677 North Beach Street, thanked the Commission for their service and the sacrifices they make for the citizens.

Item #8 - Consent Agenda

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

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

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

Item #9(A) – Aviation Advisory Board Appointments

RESOLUTION NO. 2007-22
A RESOLUTION APPOINTING MEMBERS OF THE AVIATION
ADVISORY BOARD; SETTING FORTH TERMS AND
CONDITIONS OF SERVICE; AND SETTING FORTH AN
EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-22, as read by title only.

Commissioner Partington stated while there was a conflict with the appointment of Mr. Larry Stout, a waiver was previously granted. He explained Mr. Stout had a partnership in a long-term lease of the hangar at the Ormond Beach Municipal Airport. Commissioner Partington reported when the board faces issues that may affect him, he properly abstains from those votes.

Commissioner Kelley stated Dr. Bruce Mann owns a hangar at the Ormond Beach Municipal Airport, and he was certain he would also abstain should an issue come before the board that would impact him.

Mayor Costello pointed out the City's attorneys would make certain these board members would abstain in such cases. He noted in that there were conflicts, it would take a two-thirds vote for this resolution to pass.

Commissioner Kent stated the memorandum stated Dr. Bruce Mann was the Zone 2 nominee, while he was actually the Zone 3 nominee.

Commissioner Gillooly pointed out the resolution was correct, but the memorandum was incorrect.

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

Item #9(B) – Recreation Advisory Board Appointments

RESOLUTION NO. 2007-23
A RESOLUTION APPOINTING MEMBERS ON THE
RECREATION ADVISORY BOARD; SETTING FORTH TERMS
AND CONDITIONS OF SERVICE; AND SETTING FORTH AN
EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-23, as read by title only.

Mayor Costello reported that Mr. Harry Wendelstedt was his appointment to the Recreation Advisory Board, but he had a conflict because of his umpire school in that he leases the Harry Wendelstedt fields. He stated Mr. Wendelstedt had served the City of Ormond Beach well for many years. Mayor Costello recommended this conflict be waived.

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

Item #10 – Reports, Suggestions, Requests

Serving the City

Commissioner Kelley and Commissioner Partington stated they were looking forward to working for the City during the next two years.

Commissioner Gillooly thanked those people she nominated to the advisory boards for their willingness to serve. She also thanked her husband, Frank, for his support. She advised he was also ill and unable to attend this meeting.

Commissioner Kent thanked the City for the flowers he was able to present to his wife.

Mr. Isaac Turner, City Manager, advised he appreciated the relationship the staff has with the Commission and the public in general. He thanked staff for their support. Mr. Turner recognized his wife in the audience.

Ormond Beach Tax Forum

Mayor Costello stated the Citizens for Ormond Beach Tax Forum would be held tomorrow night in the City Commission Chambers from 5:00 p.m. to 7:00 p.m. He thanked Citizens for Ormond Beach for hosting the forum. Mayor Costello advised Property Appraiser Morgan Gilreath, Citizens for Ormond Beach President Claire Hunter, Ormond Beach Budget Director Kelly McGuire, and Finance Director Paul Lane would be in attendance with Mark Bernier moderating the forum.

Item #11 - Close the Meeting

The meeting was adjourned at 7:59 p.m.

APPROVED: January 15, 2008

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk