

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

April 1, 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 Mayor Costello.
- 2) Invocation by Rabbi Jerry Miller, Beth Judah Messianic Congregation.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Proclamation honoring Sally Panella, Sandy Stone, Linda Kuhn and Maria Kretschmayer and National Crime Victims' Rights Week.
 - B) Proclamation recognizing "Paint the Town Purple" Month and participation in the Ormond Beach Relay for Life.
 - C) Proclamation recognizing Water Conservation Month.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the March 18, 2008, meeting.
- 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. 2008-81 authorizing the execution of a fireworks display contract between the City of Ormond Beach and Fireworks by Santore, Inc.; accepting a certificate of general liability insurance. (\$36,500)
 - B) Resolution No. 2008-82 authorizing the execution of an animal housing agreement between the City and Flagler Humane Society, Inc.
 - C) Resolution No. 2008-83 authorizing the submittal of a grant application to the U.S. Department of Homeland Security, Office of Domestic Preparedness under the Assistance to Firefighters Grant program for funding assistance to purchase fire equipment; authorizing the execution of all documents incidental thereto. (\$419,497 total cost; \$377,548 Department of Homeland Security funding; \$41,949 local match)
 - D) Resolution No. 2008-84 pursuant to Section 14-9, Liens, of the City of Ormond Beach Code of Ordinances authorizing the imposition of a lien against the real property owned by Deluca Properties, Inc., and located at 100 West Granada Boulevard, Ormond Beach, Volusia County, Florida (Parcel ID No. 4215-09-03-0080) for costs incurred by the City to terminate or abate a site maintenance violation. (\$135.00)
 - E) Resolution No. 2008-85 accepting a proposal from Quentin L. Hampton Associates, Inc., to provide engineering services regarding the rehabilitation of six sewage lift stations; authorizing the execution of a Work Authorization thereto. (\$89,520)
 - F) Resolution No. 2008-86 authorizing the execution of a Utility Service Agreement for the Spanish Waters subdivision between the City of Ormond Beach and County of Volusia; authorizing the expenditure of funding.

- G) Resolution No. 2008-87 authorizing the execution of a Collective Bargaining Agreement between the City of Ormond Beach and the Ormond Beach General Employees Association, OPEIU (Local 115 AFL-CIO, CLC).
- H) Resolution No. 2008-88 amending the Pay and Classification Plan.

9) **PUBLIC HEARINGS:**

- A) Resolution No. 2008-89 authorizing the execution and issuance of a Development Order for a Special Exception to allow temporary remote parking as a second principal use during the officially recognized dates of Biketoberfest and Bike Week at “Kangaroo Convenience Store” located at 1058 North Highway US1 within the B-8 (Commercial) zoning district; establishing conditions and expiration date of approval.
- B) Ordinance No. 2008-15 amending Subsection A, Zoning Map, of Section 2-03, Official Zoning Map and District Boundaries, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 4.80 acres located at 600 West Granada Boulevard, from B-9 (Boulevard) to PBD (Planned Business Development); establishing boundaries; authorizing revision of the Official Zoning Map; approving a Development Order for “Ormond Beach Medical Center” Planned Business Development; establishing conditions. (Second Reading)
- C) Ordinance No. 2008-16 amending Subsection A, Zoning Map, of Section 2-03, Official Zoning Map and District Boundaries, of Article I, Establishment of Zoning Districts and Official Zoning Map, of Chapter 2, District and General Regulations, of the City of Ormond Beach Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 2.18 acres located at 1670 West Granada Boulevard, from B-7 (Highway Tourist Commercial) with a Planned Business Development Overlay (Southwest I-95 Complex) to PBD (Planned Business Development); establishing boundaries; authorizing revision of the Official Zoning Map; approving a Development Order for “RaceTrac Service Station at Southwest I-95 Complex” Planned Business Development; establishing conditions. (Second Reading)
- D) Ordinance No. 2008-01 amending the Comprehensive Plan of the City of Ormond Beach by adding a Public School Facilities Element; amending the Intergovernmental Coordination and Capital Improvement Elements. (Third Reading)

10) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2008-17 amending Subsection A, Zoning Map, of Section 2-03, Official Zoning Map and Zoning District, of Article I, Establishment of Zoning Districts and Official Zoning Map, of the Land Development Code, by amending the Official Zoning Map to rezone certain real property totaling 0.126 acres located at 245 Palm Place from B-4 (General Commercial) to NP (Neighborhood Preservation); authorizing revision of the official zoning map. (First Reading)
- B) Ordinance No. 2008-18 changing the subdivision name “Deer Creek,” Phase Two, of Hunter’s Ridge Subdivision of the “Hunter’s Ridge” Development of Regional Impact to “Cypress Place” of the “Hunter’s Ridge” Development of Regional Impact; repealing all inconsistent ordinances or parts thereof; providing for transmittal and recording in the public records of Volusia County.

11) **DISCUSSION ITEMS:**

- A) Leisure Services Department fees.
- B) Fire Department staffing and budget reduction strategies.
- C) Police Department staffing.
- D) Congressman Mica Fly-in schedule / City Commission meeting.

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

13) **CLOSE THE MEETING.**

Item #1 - Call to Order

Mayor Costello called the meeting to order at 7:02 p.m.

Mayor Costello introduced Mr. Paul Lane, Finance Director, who was greeting citizens coming into the meeting this evening.

Item #2 - Invocation

Rabbi Jerry Miller, Beth Judah Messianic Congregation, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Mayor Costello advised Item #10(A) will be continued to the May 20, 2008, meeting.

Item #4(A) - National Crime Victims' Rights Week

Mayor Costello read a proclamation stating National Crime Victims' Rights Week was an opportunity to underscore the commitment to protect the rights of crime victims and to recognize those who bring hope and healing to those individuals and their families. He extended the City's gratitude and commendation to Sally Panella, Sandy Stone, Linda Kuhn, and Maria Kretschmayer, the Victim Advocate volunteers, who have worked to serve the needs and protect the rights of innocent victims of crime and their families. Mayor Costello proclaimed April 13 to April 19, 2008, as National Crime Victims' Rights Week and urged all residents to recognize the contributions of the Victim Advocate volunteers.

Ms. Erica Hines, Victim's Advocate, stated these ladies help her every day to better serve the community. She noted when the City did not have a full-time advocate on staff, these ladies continued the program, providing services to the City and the residents.

Item #4(B) - "Paint the Town Purple" Month

Mayor Costello stated in the mid-1980's, Dr. Gordy Klatt wanted to enhance the income of his local American Cancer Society office so he decided to personally raise money for the fight by doing something he enjoyed, which was running marathons. He reported in 1986, 19 teams took part in the first team relay event and raised \$33,000. He stated Relay for Life was an overnight event symbolizing that cancer never sleeps. Mayor Costello noted the Ormond Beach Relay for Life was one of 13 in the American Cancer Society service area of Volusia and Flagler Counties and celebrated the lives of people who have battled cancer, remembered loved ones lost to the disease, and fought back and made a commitment to save lives by taking up the fight. Mayor Costello stated the American Cancer Society was going to "paint the town purple" for the month of April to increase awareness of why they relay. Mayor Costello proclaimed the month of April 2008 as "Paint the Town Purple" month and urged all residents to support the American Cancer Society and to participate and/or contribute to the Ormond Beach Relay for Life.

Ms. Vicki Soule, 211 Hidden Hills Drive, presented Mayor Costello with a gift bag containing a purple tie and bracelet in honor of "Paint the Town Purple" month.

Mayor Costello advised he would wear the tie and bracelet to work tomorrow.

Item #4(C) - Water Conservation Month Proclamation

Mayor Costello read a proclamation stating clean, safe and sustainable water resources and supplies were vital to Volusia County's economy, environment, and its people. He reported the State of Florida, Water Management District, Volusia County, Water Authority of Volusia, and member governments were working together to increase awareness about the importance of water conservation. Mayor Costello advised April, typically a dry month when water demands were most acute, was designated *Water Conservation Month*, to educate citizens about how they can help save precious water resources. Mayor Costello proclaimed April 2008 as Water Conservation Month and urged all residents and businesses to help protect precious water resources by practicing water saving measures. He thanked Commissioner Kelley for all he did in preserving the City's ability to conserve water.

Commissioner Kelley stated conservation was the first and most important step to insure there would be water for generations to come. He noted small changes can make a significant

difference. Commissioner Kelley reported Ormond Beach would not run out of water, but it would run out of inexpensive water without these measures. He urged the City to do its part to help the residents understand the need to conserve water.

Mayor Costello reported he hoped Mr. Joe Mannarino, Economic Development Director, would include something in the Friday Letter regarding the Low Impact Development seminar that the Citizens for Ormond Beach and the City of Ormond Beach co-hosted.

Certificate of Recognition

Mayor Costello presented Mr. Randal Hayes, City Attorney, with a Certificate of Recognition and pin for 15 years of service, which he described as outstanding.

Item #5 - Audience Remarks

Affordable Housing

Mr. James W. Whelan, 32 Pleasant Drive, stated the site that was being considered for affordable housing was a bird sanctuary, small animal habitat, and a landlocked area surrounded by private single-family homes. He noted a project in the midst of this would change the nature of this 1950s community. Mr. Whelan advised affordable housing should be built in locations where it was needed and not be disruptive to the neighbors. He stated these multi-story townhouses should have an eight-foot brick wall erected if they were built, and the neighboring homes should be given consideration.

Mayor Costello reported he did not know what would occur with that property, but something would eventually occur. He asked Ms. Veronica Patterson, City Clerk, to keep Mr. Whelan informed as to how to contact the City and how to keep track of the Affordable/Attainable Housing Task Force.

Item #6 - Approval of Minutes

Mayor Costello advised the minutes of the March 18, 2008, meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello stated that the minutes were approved as submitted.

Item #7(A) – Metropolitan Planning Organization

Mayor Costello reported the Metropolitan Planning Organization (MPO) discussed the fact that the proposed interchange at Pioneer Trail was taken off the priority list but left on the long-range transportation plan. He stated when something was removed from the long-range transportation plan, it must be recalculated, and it could mean that something that was necessary for Ormond Beach or another city would have to be removed because the cost of road building had escalated rapidly, and there were items on the plan that would no longer be cost feasible. Mayor Costello noted some Comprehensive Plans would no longer be in compliance because the roads on the long-range transportation plan list would no longer be on the list; therefore, the updated plan in 2010 could impact many communities.

Item #7(B) – Volusia Council of Governments

Mayor Costello reported the Volusia Council of Governments (VCOG) adopted the proposed recommendation from the subcommittee on Volusia Tax Reform cooperating with VCOG, including County Council representative Art Giles and School Board representative Candace Lankford, regarding suggestions for the Taxation Budget Reform Commission.

Item #7(C) - Water Authority of Volusia

Commissioner Kelley advised he copied the Commission on the minutes of the Water Authority of Volusia (WAV). He reported there was a setback in that Daytona Beach withdrew from WAV, weakening the board's effectiveness. Commissioner Kelley stated he hoped once the final budget was put into place Daytona Beach would agree to come back in that they, as was each city, were an integral part of WAV. He advised this would not deter WAV from making efforts to be as strong as possible. Commissioner Kelley reported two representatives from St. Johns River Water Management District were at the meeting answering questions about alternative water supplies. He noted in a meeting last Friday it was discovered that Flagler County would be the first to make a commitment to construct a desalinization plant off-shore, and Marian County and Leesburg have asked to partner in this project. Commissioner Kelley reported water would be available if it was planned for now. He advised Ormond Beach made the correct decision to update to a low pressure reverse osmosis plant, and Ormond Beach was

doing well. Commissioner Kelley stated with conservation, Ormond Beach was stable; and if it could maintain or reduce it by 5% to 8%, there should be no problem obtaining Consumptive Use Permits. He explained St. Johns indicated the cut off for withdrawing groundwater was 2013, and the remaining demands would have to come from other sources. Commissioner Kelley advised an important meeting was coming up in April. He reported WAV hired a new executive director who would begin work in June.

Commissioner Kent welcomed the new executive director to WAV and expressed a hope that she could bring Daytona Beach back to the board.

Mayor Costello stated he had heard many people were excited the new executive director would be assuming the leadership 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.

Commissioner Gillooly requested removing Item No. 8(A) for discussion.

Commissioner Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda, minus Item No. 8(A).

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

Item #8(A) – Fireworks Display Contract

RESOLUTION NO. 2008-81
A RESOLUTION AUTHORIZING THE EXECUTION OF A
FIREWORKS DISPLAY CONTRACT BETWEEN THE CITY OF
ORMOND BEACH AND FIREWORKS BY SANTORE, INC.;
ACCEPTING A CERTIFICATE OF GENERAL LIABILITY
INSURANCE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2008-81, as read by title only.

Commissioner Gillooly advised the total cost for the Fourth of July celebration was \$80,000, and the revenue coming back was only \$5,000. She expressed concern that this figure should be increased by considering what was being charged for vendor fees since the event had a history of attracting people. Commissioner Gillooly explained she was not interested in cancelling the event, but in how the City could balance the revenue against the expense.

Mr. David Abee, Leisure Services Director, advised staff would investigate this issue. He noted at one time staff proposed seeking contributors from those companies and agencies with which the City did business and discovered that it would be a conflict of interest. Mr. Abee reported he would meet with the Commission or discuss alternatives for new types of sponsorships. He noted there were now a variety of sponsorships available to local businesses. Mr. Abee reported letters would be sent out this week regarding sponsorships to local businesses, but the economy may have a bearing on sponsors.

Commissioner Gillooly asked what fees were charged to vendors.

Mr. Abee explained there were two levels of fees for vendor groups: not-for-profit and for profit groups. He noted the amount of space and utilities would determine what would be charged. Mr. Abee reported a set schedule would be provided in the Friday letter.

Mayor Costello advised he appreciated any way to offset some of the expenses, and he was pleased no one was advocating diminishing this great event. He urged Mr. Abee to provide insight as to how to promote those who were willing to be sponsors.

Call Vote:	Commissioner Kent	yes
	Commissioner Kelley	yes

	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Item #9(A) – Temporary Remote Parking at Biketoberfest and Bike Week at “Kangaroo Convenience Store”

RESOLUTION NO. 2008-89

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR A SPECIAL EXCEPTION TO ALLOW TEMPORARY REMOTE PARKING AS A SECOND PRINCIPAL USE DURING THE OFFICIALLY RECOGNIZED DATES OF BIKETOBERFEST AND BIKE WEEK AT “KANGAROO CONVENIENCE STORE” LOCATED AT 1058 NORTH HIGHWAY US1 WITHIN THE B-8 (COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Resolution No. 2008-89, as read by title only.

Commissioner Kent stated this item passed the Development Review Board with one dissenting vote and that vote was from his appointment to the board. He noted his appointment called him today to explain her vote was because she was concerned about what the Boy Scouts would see at these events. Commissioner Kent noted he informed her that these were valid concerns, and he appreciated her efforts; but he was confident the parents and the Boy Scout leaders would make certain the boys were protected.

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) – “Ormond Beach Medical Center”

ORDINANCE NO. 2008-15

AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF SECTION 2-03, OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 4.80 ACRES LOCATED AT 600 WEST GRANADA BOULEVARD, FROM B-9 (BOULEVARD) TO PBD (PLANNED BUSINESS DEVELOPMENT); ESTABLISHING BOUNDARIES; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; APPROVING A DEVELOPMENT ORDER FOR “ORMOND BEACH MEDICAL CENTER” PLANNED BUSINESS DEVELOPMENT; ESTABLISHING CONDITIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Joe Hopkins, Project Engineer with Zahn Engineering, 240 South Palmetto Drive, Daytona Beach, reported he would be available to respond to any questions.

Mr. Diego Handel, 110 South Palmetto Avenue, Daytona Beach, stated he was speaking on behalf of the Kasims and the other residents who expressed concern regarding the ingress/egress on Tomoka Avenue. He noted this would have a significant impact on the residents in that it would create additional traffic. Mr. Handel advised a possible solution was to move the ingress/egress 30 or 40 feet in either direction. He stated vendors would be utilizing this entrance. Mr. Handel expressed concern that if there would be a change in the use of the building, it would affect the quality of life of the residents and the value of the property.

Mr. Ric Goss, Planning Director, reported he met with Mr. and Mrs. Kasim on the site last week. He stated there was an access easement to the east, but the driveway would be longer and the 45% fill in the floodplain would be increased. Mr. Goss advised the Kasims then suggested moving the driveway further west, but that option also did not work out well.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Ordinance No. 2008-15, on second reading, as read by title only.

Commissioner Gillooly asked why the easement could not be moved to the west.

Mr. Goss explained he asked the developer if they would consider moving the access to the west, and they refused. He reported by moving the access even 10 to 15 feet there would still cause floodplain problems, and it would not be feasible without changing the design. Mr. Goss advised the move would also impact trees; however, the trees were not specimen or historic trees.

Commissioner Gillooly asked if Mr. Goss believed the developers should be pushed to accept moving the driveway to the west.

Mr. Goss advised the developer had been pushed for 11 months, and he believed they have done the best job possible for this site in saving trees, enhancing the architecture far beyond what the code required; and they were willing to landscape the pond more than was required. He stated this developer had done the best job possible with this site, which was better than a shopping center offering a great deal less impact regarding noise and smells, and the site would be quiet on weekends.

Mayor Costello stated he opposed the proposed Publix on this site, but he favored this plan.

Call Vote:	Commissioner Partington	no
	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) – “RaceTrac Service Station at Southwest I-95 Complex”

ORDINANCE NO. 2008-16
 AN ORDINANCE AMENDING SUBSECTION A, ZONING MAP, OF SECTION 2-03, OFFICIAL ZONING MAP AND DISTRICT BOUNDARIES, OF ARTICLE I, ESTABLISHMENT OF ZONING DISTRICTS AND OFFICIAL ZONING MAP, OF CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF THE CITY OF ORMOND BEACH LAND DEVELOPMENT CODE, BY AMENDING THE OFFICIAL ZONING MAP TO REZONE CERTAIN REAL PROPERTY TOTALING 2.18 ACRES LOCATED AT 1670 WEST GRANADA BOULEVARD, FROM B-7 (HIGHWAY TOURIST COMMERCIAL) WITH A PLANNED BUSINESS DEVELOPMENT OVERLAY (SOUTHWEST I-95 COMPLEX) TO PBD (PLANNED BUSINESS DEVELOPMENT); ESTABLISHING BOUNDARIES; AUTHORIZING REVISION OF THE OFFICIAL ZONING MAP; APPROVING A DEVELOPMENT ORDER FOR “RACETRAC SERVICE STATION AT SOUTHWEST I-95 COMPLEX” PLANNED BUSINESS DEVELOPMENT; ESTABLISHING CONDITIONS; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kelley, to approve Ordinance No. 2008-16, on 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) – Public School Facilities Element

ORDINANCE NO. 2008-01
AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF
THE CITY OF ORMOND BEACH BY ADDING A PUBLIC
SCHOOL FACILITIES ELEMENT; AMENDING THE
INTERGOVERNMENTAL COORDINATION AND CAPITAL
IMPROVEMENT ELEMENTS; REPEALING ALL INCONSISTENT
ORDINANCES OR PARTS THEREOF; AND SETTING FORTH
AN EFFECTIVE DATE.

Mayor Costello advised this was a public hearing to add a public school facilities element to the Comprehensive Plan. Mayor Costello advised he had no cards for people wishing to speak.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-01, on third reading, as read by title only.

Mayor Costello stated he would prefer to amend this element to require the School Board to include infrastructure with all schools and to build the infrastructure partnering with either private entities or a public facility, such as Ormond Beach for Seabreeze High School, as he believed this should be a part of the capital improvements element.

Mr. Ric Goss, Planning Director, reported this was coming to the Commission for the third time because each time staff believed the element was completed and the language was the same among all of the municipalities and the Department of Community Affairs (DCA) had approved it, they had come back with changes. He clarified all of the municipalities were trying to have the same language and the same policies in order to have the elements approved. Mr. Goss explained the City could have sent the second reading to DCA and received a non-compliant determination; but that would require more time and paperwork.

Mr. Hayes stated any further amendments would likely need to go back to DCA for review.

Mayor Costello stated he was not totally opposed to adding an amendment, and he was not opposed to the other communities not having this amendment in their transmittal document. He noted Ormond Beach would like the School Board to be in concurrency to provide adequate facilities for Ormond Beach children as it provided in other areas.

Mr. Goss stated staff could add the policy if that was the Commission's direction.

Mr. Hayes explained it would be non-binding on the School Board.

Mayor Costello noted he realized the City could not bind anyone, but it seemed Ormond Beach was being asked to add something in its Comprehensive Plan regarding a public school facilities element, and an appropriate portion of the public school facilities element would be to provide the infrastructure for the children that it provided in any other school in Volusia County.

Commissioner Kent stated he believed Mayor Costello's recommendation was a great idea. He noted if Ormond Beach must follow concurrency, the School Board should also follow concurrency.

Commissioner Kelley reported some people did not believe the 24 acres was not adequate, and it was proven that there was not adequate parking or other facilities as other schools have. He pointed out 1,400 students were promised, and they now have 2,000. Commissioner Kelley noted the school was built where 76% of the students had to commute from the mainland to the peninsula to attend school. He agreed with Mayor Costello's point that the School Board should provide adequate facilities and infrastructure to accommodate the schools.

Mr. Hayes pointed out there may already be language within the element that may address this issue. He read Policy 1.2.3: "The City of Ormond Beach and School Board would jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion, or closure of an existing school. If deemed necessary, the parties may enter into a written agreement as to the timing, location, and party or parties responsible for constructing, operating and maintaining the required improvements." Mr. Hayes advised there was a mechanism to achieve the City's goal.

Mayor Costello stated the policy regarded renovating or new, but not retrofitting of an existing school. He asked if staff had enough information to add what was necessary.

Mr. Goss stated a new policy would need to be added. He offered an alternative in that the Comprehensive Plan governed what the City does, but the interlocal agreement was between the City and the school district; therefore, that may be a better document to achieve this goal.

Mayor Costello stated he would like something in this document, the interlocal agreement, and any agreement to let the residents know the School Board had let them down. He reported there was not enough room for parking, recreation facilities, practice facilities, or a home field for Seabreeze High School. Mayor Costello pointed out 80% of the students going to Seabreeze High School were Ormond Beach residents and were being shortchanged. He noted the School Board was spending millions on other schools and not Seabreeze High School. Mayor Costello stated when the public became aware Seabreeze High School would not be partnering with the City in the future, the citizens would blame the City. He stated in truth the School Board was not interested in making the capital investment in those facilities and would not be using those facilities. Mayor Costello reported Ormond Beach should proactively and preemptively let people know that the School Board had made a conscious decision not to participate with Ormond Beach.

Commissioner Partington urged placing the City's efforts into negotiating that issue rather than including language in other documents that no one in the public would ever read or understand.

Mayor Costello stated he hoped DCA would realize Seabreeze High School was not concurrent and investigate the issue.

Commissioner Partington stated DCA did not normally get involved in such issues.

Mr. Hayes clarified Policy 1.2.3 addressed new as well as existing schools and tied into Policy 1.2.6 which indicated the City shall require infrastructure for existing and proposed schools.

Commissioner Gillooly stated she understood Mayor Costello's point, but concurred with Commissioner Partington that the true value was unknown. She urged making a concerted effort to make a case to the School Board.

Commissioner Kelley stated there was a certain level of protection in the current document, and DCA may prolong this process when the outcome could not be known. He urged going forward with this document.

Mayor Costello asked if the Commission would be comfortable approving this and asking Mr. Goss to draft a letter to the School Board articulating the points made tonight and indicating the language was not added because the City did not wish to delay implementation of the document.

Commissioner Kelley urged working this through an interlocal agreement in that the interlocal agreement would be more binding, although he stated he would not oppose a letter.

Commissioner Gillooly stated the language the City Attorney pointed out could be referenced.

Mayor Costello summarized the letter could indicate the language existed and challenge the School Board to follow Policies 1.2.3 and 1.2.6 to bring Seabreeze High School up to the level of concurrence that it should be and work on an interlocal agreement as well as leaving this document unchanged.

Commissioner Kelley pointed out the School Board would reply that Seabreeze High School was not in Ormond Beach.

Mr. Goss stated there was a committee to study the interlocal agreement each year and refine it; therefore, the City had an opportunity to amend the agreement through that committee or through the technical committee.

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

City Commission – April 1, 2008

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

Item #10(A) – 245 Palm Place Rezoning

Mayor Costello reported Item #10(A) would be continued to the May 20 City Commission meeting.

Mr. Hayes requested a motion to continue this item.

Commissioner Partington moved, seconded by Commissioner Kent, to continue Ordinance No. 2008-06 to the May 20 City Commission meeting.

The motion was approved unanimously.

Item #10(B) – Changing the “Deer Creek” Subdivision Name to “Cypress Place”

ORDINANCE NO. 2008-18

AN ORDINANCE CHANGING THE SUBDIVISION NAME “DEER CREEK,” PHASE TWO, OF HUNTER’S RIDGE SUBDIVISION OF THE “HUNTER’S RIDGE” DEVELOPMENT OF REGIONAL IMPACT TO “CYPRESS PLACE” OF THE “HUNTER’S RIDGE” DEVELOPMENT OF REGIONAL IMPACT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR TRANSMITTAL AND RECORDING IN THE PUBLIC RECORDS OF VOLUSIA COUNTY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-18, 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

Mayor Costello reported he voted on this item because he owns property in Phase One, not Phase Two; therefore, he did not have a conflict of interest.

Item #11(A) – Leisure Services Department Fees

Mr. Isaac Turner, City Manager, advised this information was being provided well in advance of the Commission needing to make a decision and had been through a number of boards for review. He stated the Commission could convey general direction for staff at this time. Mr. Turner commended Mr. Abee, his staff, and the budget personnel for the work in this report.

Commissioner Gillooly advised she appreciated this had gone to various boards, as she found the comments of the board members interesting. She stated there was concern, a general consensus, and an understanding that the City must seek ways to narrow the subsidy on leisure services. Commissioner Gillooly asked about a possible tiered structure over the next three years.

Commissioner Kelley stated that this Commission can not bind a future Commission.

Mr. Turner stated there was a number of Requests for Proposals (RFPs) out that may have an impact on what would be charged in these categories. He noted a recommendation was to examine the fees on an annual or semi-annual basis so there would not be such a large increase needed at one time. Mr. Turner questioned how often the Commission should go through this process, although he believed everyone agreed ten years was too long.

Commissioner Kelley asked when the fees were last revised; whereby, Mr. Turner replied the fees were revised last in 1995.

Commissioner Kelley stated the City went through a comprehensive study in 1995, and it was discovered that 60% of the people using the tennis center were living outside of the City with a minimal annual fee. He noted at that time non-resident fees were increased; however, the danger of increasing fees for non-residents was that there were many people who felt they were part of the community and many had children participating in more than one activity and the

fees would become too expensive. Commissioner Kelley advised he believed there were other ways to collect revenue to accommodate Ormond Beach children and non-resident children. He reported he would not want to see children not be able to participate because of cost. Commissioner Kelley stated he had many questions regarding fees, and he asked if fees would be based on a percentage or if the City would wait until the RFPs and other cost cutting efforts were completed.

Mr. Turner stated the Commission would need to examine the RFPs. He advised he had heard concurrence with the concept of a 30% increase. Mr. Turner reported the general comments from the board members were that 100% would be too much, but there needed to be a substantial fee increase as part of a plan; however, he stated this would not provide for all of the savings the City would need. He noted staff provided the 100% figure to inform the Commission about the expenses, revenues, and subsidy. Mr. Turner stated this was merely for informational purposes.

Commissioner Gillooly reported the increase would be glaring since fees had not been increased in many years. She advised she would not propose recouping all of the City's expenses, but she would favor an increase to allow the City to continue to offer the quality programs it had been providing.

Mayor Costello stated he felt team sports with children should be subsidized to allow as many children to participate as possible, but non-team sports involving adults should not be subsidized to a great extent. He reported user fees for adults should come as close as possible to the cost. Mayor Costello noted he would not support subsidizing individual lessons such as gymnastics for children to the same extent that team play with a great deal of children was involved. He recommended a larger increase in some areas and smaller increase in other areas. Mayor Costello stated he favored larger non-resident rates for those not paying Ormond Beach taxes. He noted Pop Warner had scholarship programs for children not financially able to participate. Mayor Costello stated the \$3 million subsidy was a great deal, and if it could be reduced, it would help lower the \$500,000 shortfall for this next year.

Commissioner Kent commented that Ormond Beach spent a great deal of money on recreation, but he expressed concern about charging different rates for different sports. He stated the City was been put in the predicament of subsidizing \$3 million by not increasing fees for ten years. Commissioner Kent pointed out some people believe the City's job was to provide fire, police, roads, infrastructure, and water rather than recreation. He stated he believed there was a program for children who could not afford the recreation fees. Commissioner Kent stated Ormond Beach did not deny children the opportunity to play; whereby, Mr. Turner reported there were scholarships for people who needed assistance.

Commissioner Kent stated children should have the opportunity to play, but there should also be something to offset the cost to the City. He noted some children might need to choose one activity rather than two or three.

Mr. Abee stated Ormond Beach had never turned a child away. He advised the City had a great policy for children who could not afford the fees. Mr. Abee reported the sports' and parents' associations also made certain children had the opportunity to play. He assured the Commission staff would do everything possible to allow children to play.

Commissioner Kelley stated there were also people offering to pick up and drop off children for sporting events. He clarified he did not oppose the 30% to 50% increase for non-residents, but did oppose a 100% increase. Commissioner Kelley noted 90% of those incarcerated in prison never participated in team sports.

Commissioner Kent stated it would be interesting to examine the data from a discipline standpoint from the time when sports were taken out of the junior high schools.

Item #11(B) – Fire Department Staffing and Budget Reduction Strategies

Mr. Turner advised the report provided included what was done in the past and possible ideas for the future. He stated decisions did not need to be made on this tonight, but the items were being provided to present background information and obtain direction from the Commission. Mr. Turner advised this would be brought back as part of the budget discussions. He expressed his appreciation to Commissioner Kelley for sharing information he recently received with them in a manner consistent with the Sunshine Law.

Mayor Costello encouraged anyone to speak on this issue, if they wished to do so; but he stated he would withhold his comments and judgment until he could hear from the union, Chief Baker, and Mr. Turner.

Commissioner Kent stated he was excited because of the difference in overtime in the Fire Department compared to five years ago. He applauded Chief Baker, Mr. Turner, and the Commission for holding firm on providing the savings. Commissioner Kent advised some of the savings was due to going to two men on a truck. He requested the level of service remain where it was or be improved. Commissioner Kent stated he understood why the union might oppose part-timers, but Edgewater, Daytona Beach Shores, and Holly Hill were currently utilizing part-timers. He questioned why Ormond Beach could not use part-timers in that he believed this would offer even greater savings, but if it would affect the level of service, he would not want part-time employees.

Fire Chief Barry Baker thanked the Commission for their comments, as staff had worked very hard to save nearly \$800,000 which far exceeded any other department in the City. He reported the strategy in the memo was established after a meeting with the union in an attempt to try to honor the Commission's wishes and not reduce the level of service. Chief Baker advised the part-timer suggestion was a reduction strategy that they did not believe would have a significant affect on the service delivery; however, this would be a controversial item where the City would have to bargain with the union.

Commissioner Kent requested a meeting with the union to explain why part-timers would be opposed.

Commissioner Gillooly also questioned why this would not be acceptable to the unions. She pointed out there was only a small pool of people who would be eligible to fill these positions.

Chief Baker stated the strategies identified were ones he would not prefer, because each carried an edge that could create problems within the organization. He advised it was determined that this was a better strategy than laying off existing personnel. Chief Baker noted when bringing someone in from outside there was a feeling the person was not part of the team. He stated the team would not work as efficiently, there would be less control over that person, and a large pool would be needed because these people were also working elsewhere. He advised different communities were using part-timers for various reasons, but most were smaller cities than Ormond Beach.

Commissioner Kelley stated he did not understand why three men on a truck was necessary as long as the residents were served and protected. He noted this had only been in effect for nine years, and two men on a truck was used for 20 years and currently being used in some other communities. Commissioner Kelley pointed out with the protocol two men in and two men out, the three would have to wait for someone else to arrive; therefore, this would not mean the firefighters would be able to fight the fire immediately upon arrival. He reported the responders for a structure fire would be Volusia County, Holly Hill, and Daytona Beach. Commissioner Kelley urged exploring the concept of two men on a truck rather than laying off or eliminating positions. He advised he believed Ormond Beach had good service prior to the three men on a truck, and he saw no evidence that two men on a truck caused any loss of life or additional property loss. Commissioner Kelley stated he appreciated the individuals in the Fire Department that offered concepts to be considered. He stated he believed there were ways to save money through early retirement. Commissioner Kelley commended Chief Baker for doing an admirable job in lowering the overtime. He stated he felt going to 53 from 56 hours would have minimal savings, because there would be overtime involved.

Chief Baker stated going to a 53-hour week would provide a minimal savings. He noted staff continued to examine all issues, because they realize the position Amendment One had placed on cities. Chief Baker reported last year the governor, House, and Senate stated that this would not affect fire and police, but the reality was his fellow chiefs throughout the state were suffering the consequences of this amendment similarly. He advised this was a real concern because Florida was a disaster-prone state depending heavily on public safety during normal times and times of disasters. Chief Baker noted in the first 72 hours of a disaster, cities were dependent on each other to be able to provide support before FEMA arrived. He stated when cuts were made across the state, cities would no longer be able to help their neighbors, because personnel would be needed for the ordinary call loads. He explained level of service was always an issue because it was so rarely understood, but Ormond Beach's level of service gave the patient the best quality of life possible. Chief Baker advised this was done through staffing. He noted the two or three person issue was a Commission decision; but if there were a reduction from three to two people, it would affect their service delivery regarding response time. He explained when each city made cuts and calls went out in Ormond Beach requiring a

number of people, Ormond Beach would be pulling from other jurisdictions. Chief Baker reported the further out personnel must be called in for larger incidents, the longer it would take the personnel to arrive on the scene. He stated the longer response times equate to loss of property and could equate to loss of life. Chief Baker explained the quality of service issue was very closely tied to staffing. He advised Ormond Beach had an average level of service now but did not meet national standards. Chief Baker clarified the report was not suggesting Ormond Beach go to two people engines, only that it was an option if cutting personnel was being considered.

Commissioner Kelley agreed this option was a phase four. He asked if Chief Baker ever operated with two men on a truck; whereby, Chief Baker replied he did. He noted when he came to Ormond Beach they ran two units, two men on a truck and an EMS unit, but they ran one truck now with three people.

Commissioner Kelley stated if there were methods that would save money, not requiring the termination of employees, and keeping the level of service, he wanted to consider them such as early retirement. He reported he did not want people to suffer due to staffing.

Commissioner Partington commended Chief Baker and his staff for a great job to lower the overtime. He reported he would be willing to consider anything. Commissioner Partington stated he was pleased an employee came up with a suggestion, and he hoped Mr. Turner was encouraging suggestions from all employees who were in the best position to find efficiencies that could be considered. He advised he looked forward to speaking to Chief Baker and Mr. Turner on a one-on-one basis to determine how best to proceed.

Mayor Costello stated he supported the battalion commander flexibility, part-timers, and temporary reductions, but was not ready to eliminate advanced life support (ALS). He stated DeLand indicated they were providing a better service with basic life support (BLS) than others were with ALS, but he requested statistics to support that ALS was providing a higher and better level of service. Mayor Costello stated he also wanted statistics showing why three men on a truck was better than two men on a truck in the number of lives saved and/or number of times property damage was minimized. He advised he supported the 56-hour week. Mayor Costello explained he wanted Ormond Beach firefighters to be well compensated, highly appreciated and respected, have the finest equipment, and for the firefighters to feel good about working in Ormond Beach while having the fewest number of personnel possible to provide a high, safe level of service. He stated rather than having a greater number of lesser-trained people, he would prefer fewer highly-trained personnel. Mayor Costello clarified he was not in favor of firing anyone. He questioned why it would not be better to have six sets of two rather than four sets of three. Mayor Costello stated if most calls were medical, the City should set up for medical. He noted he was excited about the proposal, but he wanted a response from the union.

Commissioner Kent stated he also wanted the firefighters to be paid well with the best equipment and the best service. He noted that Chief Baker was the Fire Chief of the Year in Florida. Commissioner Kent requested that Chief Baker include the added risk to fire personnel when preparing the information Mayor Costello requested regarding three men on the truck. He stated the report provided indicated that any reduction to the existing personnel would result in a service loss to the community and increased response times could be expected.

Commissioner Gillooly thanked Chief Baker for his passion from a managerial point of view in being fiscally responsible, but also for his passion in trying to protect the firefighters. She pointed out while she would like to see the statistics, there was also an element that could not be predicted. Commissioner Gillooly noted Ormond Beach must be concerned because every city was cutting back. She reported she had every confidence the union was aware that every department was challenged with financial cuts, and she believed there would be cooperation to offer suggestions to insure the City would not risk the public's or firefighters' safety.

Mayor Costello questioned how many times in the past five years there was more than one fire at the same time in Ormond Beach or when Ormond Beach acted as a backup. He noted it would be difficult to convince him more than two people would be needed to go to a medical call initially when EVAC would be following them. Mayor Costello reiterated he would prefer staffing for medical and be available for fire, but Ormond Beach was staffing for fire and available for EMS. He thanked those who were involved in the concept provided for their creativity.

Chief Baker stated this was an educational issue, because it was not true that he was staffing for fire versus EMS. He advised Dr. Springer, Medical Director, would be the person to speak on the DeLand issue of ALS versus BLS. Chief Baker offered to work with Dr. Springer to take

the Commission through a typical EMS call to show what each person would do, including EMS, to better understand why those bodies were necessary.

Mayor Costello stated that would be helpful, but he would much prefer two highly trained ALS personnel than three BLS personnel. He requested Chief Baker to work with Mr. Turner to arrange a workshop where the Commission could go into the field or anything else that Chief Baker would consider helpful.

Item #11(C) – Police Department Staffing

Mr. Turner thanked Chief Longfellow and the Police Department for doing an outstanding job in placing more officers on the street versus having administrative personnel. He stated staff was pursuing obtaining two additional officers as opposed to a total of five personnel for another beat.

Mayor Costello stated he favored the concept of reassigning some training and accreditation personnel and hiring two more personnel to acquire another beat. He stated he also favored hiring part-time non-sworn officers. Mayor Costello asked if non-sworn officers could be used to keep the DARE program.

Commissioner Kelley stated his first thought when seeing the savings in the Fire Department was that some of those savings could go to place six men on the Police Department. He noted this was merely a concept, but he urged creative solutions.

Mayor Costello recommended those six be cross-trained with BLS.

Commissioner Kelley advised he also considered the BLS training. He noted if there could be savings without sacrificing the level of service and six new police officers could be hired and cross-trained, this might be a possible solution.

Commissioner Gillooly asked if there was a precedent for such cross-training.

Police Chief Michael Longfellow stated when he started working for Ormond Beach, they had police, fire, and ambulance in the Public Safety Department; but it did not work because personnel was being pulled in too many different directions, and they could not concentrate on the areas they should be concentrating on to be effective.

Commissioner Gillooly noted policing has probably changed in those years.

Chief Longfellow agreed policing had changed to the point of specializing from fire, but there was also specialization within the Police Department to deal with the issues such as crimes against the elderly, identity theft, and computer theft.

Commissioner Gillooly stated she agreed with Mayor Costello to support the use of non-sworn personnel to maximize the sworn officers.

Commissioner Kent thanked Chief Longfellow for the budget reduction strategies he had implemented. He asked if Ormond Beach was offering DARE education in the middle school; whereby, Chief Longfellow replied Ormond Beach was not offering Dare education, but they did visit the middle school.

Commissioner Kent stated DARE was a great program, but the School Board had again shifted responsibilities to the City. He advised he needed time to consider DARE, but he thought Mayor Costello's other recommendations were great ideas.

Commissioner Partington asked if a retired law enforcement officer could be sworn in to do the DARE program on a part-time basis; whereby, Chief Longfellow noted this had been done in other jurisdictions, and there were some problems.

Commissioner Partington asked staff to consider retired officers. He stated the Police Department had been on the verge of needing an extra shift for at least one and one-half years. Commissioner Partington advised he appreciated Chief Longfellow's efforts to make reductions in other areas to cover the shift rather than hiring new officers.

Mayor Costello noted he agreed with specialization, but Ormond Beach was small enough geographically that fire and police could work together if properly trained until the adequate number of personnel were to arrive on the scene.

Commissioner Kent stated he favored Commissioner Partington's recommendation for retired police officers doing the DARE program. He suggested the officer could be hired for 12 weeks which would allow an additional officer on the road throughout an entire year while being able to continue the DARE program.

Chief Longfellow clarified this was a 10-week program in each school; whereby, Commissioner Kent suggested the officer could do five schools at the same time.

Mr. Turner stated staff would explore the possibility.

Item #11(D) – Congressman Mica Fly-in Schedule/City Commission Meeting

Mayor Costello stated he did not envision doing this fly-in with the Daytona Beach Chamber of Commerce who was going the day before and spending the night. He stated Congressman Mica usually had a flight arranged early in the morning out of the Orlando Airport with a return trip around 4:00 p.m. Mayor Costello stated Congressman Mica was Ormond Beach's congressman, and the person who would make the Ormond Crossings transportation issues happen. He stated the Commission should let him know his efforts were appreciated. Mayor Costello stated this was scheduled on a Tuesday which was a City Commission meeting day, and the meeting should be adjusted so the Commission could attend.

Commissioner Partington agreed this was a long day with the flight leaving at 7:05 a.m. He noted this was a great opportunity to put the Commission and the City in front of the people who did the work. Commissioner Partington stated the cost was very reasonable, and the trip would make a positive impact on Congressman Mica's staff. He stated he considered this to be a very worthwhile endeavor.

Mayor Costello stated he wanted to go, but must check his calendar. He asked for a ticket that he would pay for personally.

Commissioner Gillooly asked if it would be more effective for more people to attend, and if the Commission would meet with Sam Bell. She suggested they would need an agenda of what should be achieved.

Mr. Turner stated the Bells were for state issues, but staff would prepare a packet for the Commission. He noted the last meeting focused on Ormond Crossings.

Commissioner Gillooly asked if it would be more effective for the entire Commission to attend; whereby, Mr. Turner replied the more people who attended, the more effective the trip would be.

Commissioner Gillooly stated she would try to arrange her schedule to attend.

Commissioner Kent advised he would also attend.

Mayor Costello recommended each Commission member be given a budget of \$300, and if the cost was greater, the Commission member would pay the extra.

Mr. Turner pointed out the Commission was taking their time to make this trip. He recommended following the same travel policy that staff followed. Mr. Turner noted \$150 was a wonderful price for the ticket to let Congressman Mica know to what extent the Commission supported him and to express their concern for Ormond Beach issues.

Commissioner Kelley asked if it would be cheaper to take Air Tran from Daytona Beach for about the same cost to Dulles Airport; whereby, Commissioner Partington stated the day ran on a very tight schedule, and it would be necessary to fly into Reagan National Airport.

Mr. Turner stated he would ask staff to check on the arrangements. He asked the Commission to communicate with him or Ms. Jackie Burke as to their availability.

Commissioner Kelley recommended moving the May 20 meeting to Wednesday, May 21, or the following week.

Commissioner Kent recommenced moving the meeting to Monday, May 19.

Commissioner Gillooly asked if the May meetings could be moved to the 6th and 13th.

Commissioner Kent recommenced Monday, May 19, or Wednesday, May 21, because that would not place additional pressure to move items around.

Mayor Costello stated the consensus was to move the meeting to Wednesday, May 21. He noted, if available, each Commission member would attend.

Item #12 – Reports, Suggestions, Requests

Low Impact Development Seminar

Commissioner Partington asked if the City or WAV had a program that could offer an incentive to use the soil moisture sensor, low flush toilets, and low flow shower heads for new construction or for current homes to switch over. He stated if these incentives were available, he questioned how they could be advertised to the public. Commissioner Partington noted over half of the water used was outside of the home. He suggested the City include a notation in the water bills regarding water conservation and recycling.

Commissioner Gillooly reported a citizen recommended reviewing what should be recycled. She advised she attended a Limited Impact Development workshop and thanked staff and the Citizens for Ormond Beach for this program. Commissioner Gillooly stated this program was eye-opening and had a tremendous impact. She noted prominent developers and business people attended the program wanting to participate. Commissioner Gillooly advised a developer indicated he would love to incorporate all of the elements discussed, but they would not follow City code so she asked this issue to be discussed.

Unitarian Universalist Society

Commissioner Gillooly stated on Sunday the Unitarian Universalist Society held a ribbon cutting celebration. She noted the Unitarian Universalist Society changed their energy source to solar. Commissioner Gillooly stated many people attended and showed an interest. She reported Reverend Murphy and the Unitarian Universalist Society were dedicated to improving the lives of people.

Discussion Items on Agendas

Commissioner Gillooly stated there were quite a few very serious discussion items on tonight's agenda; and while decisions were not needed at this time, she asked they be better spaced out. She requested a workshop to discuss the Leisure Services fee issue. Commissioner Gillooly noted she wished to follow up with Chief Baker regarding fire issues. She suggested taking a single day to discuss each department in depth.

Mr. Turner noted there were many pertinent items planned for upcoming agendas and staff did try to space them out. He advised that he tried to provide information well in advance of a decision. Mr. Turner noted this would also allow for other interested entities to investigate the items.

Commissioner Gillooly stated she appreciated what Mr. Turner was indicating regarding tonight's agenda; but this had occurred before, and she merely wanted to spread items out more, when possible.

Claims Against the City

Commissioner Gillooly advised she had a constituent who had a potential claim against the City where water came into their house. She stated she would not indicate whether this was the City's liability or not, but to honor her constituent she met with the City Manager who arranged a meeting with the Risk Manager, and she also spoke to the City Attorney about the issue. Commissioner Gillooly advised she believed staff followed the City's procedure and applied it fairly and uniformly, but there might be a problem with the procedure. She explained the Claims Committee operated by ordinance to review and evaluate the detailed investigation of a claim. Commissioner Gillooly advised there was no opportunity for the individual to speak to the Claims Committee. She noted people would have a greater sense of trust, and misunderstandings could be alleviated if the claimant would have the opportunity to present their claim themselves to the Claims Committee, and then allow the Claims Committee to discuss the issue in private.

Mr. Hayes stated the Claims Committee could discuss this procedure, but it would potentially pose some problems.

Fishing Derby in Central Park

Commissioner Gillooly stated on April 5 there would be a fishing derby fund raiser in Central Park to fund a future learning center and possibly special playground equipment for autistic, cerebral palsied, and similar special needs children through the Kiwanis Club.

Super Chili Chowder Cook-off

Commissioner Kent reported he was disappointed he could not make the Super Chili Chowder Cook-off.

Water

Commissioner Kelley stated many of the programs Commissioner Partington mentioned were available through WAV and coupons were available to pay for half of an evaluation of sprinkler systems to educate people. He advised water sensors were supposed to be on any new system which saved water. Commissioner Kelley reported for several years before he came on WAV there were cooperative programs for low flow toilets available for the public, but they did not educate the people that they were available. He reported WAV would get the programs that were available out to the people. Commissioner Kelley pointed out the items Commissioner Partington mentioned were available through WAV and cooperative programs. He advised WAV members appreciated what Ormond Beach did by placing a notice in the water bill regarding the savings that could be realized by cutting usage back and that Ormond Beach was one of the first to go with conservative pricing. Commissioner Kelley stated WAV had finally been successful in getting the County to agree to match the watering hours allowed with St. Johns River Water Management District.

Super Chili Chowder Cook-off

Commissioner Kelley stated there were only 14 entries to judge this year at the Super Chili Chowder Cook-off. He advised the entries were judged by number so he did not know who won, and he had to leave at 1:00 p.m. Commissioner Kelley reported the cook-off was a good event.

Rocks and Boulders on Roadways

Commissioner Kelley reported he received complaints from residents regarding rocks and boulders along various roadways. He asked if the City had any potential liability knowing the rocks existed on the easements.

Mr. Hayes asked if there was a particular area where these rocks were located.

Commissioner Kelley stated the Trails indicated they could not do anything about the situation, although the residents had expressed concern.

Mr. Hayes advised there was potential liability for the City.

Commissioner Kelley asked for any suggestions. He recommended a letter be sent.

Mr. Hayes stated staff would take corrective action if they were made aware of such an instance.

Crime Stoppers Annual Banquet

Commissioner Kelley stated he attended the Crime Stoppers annual banquet which was a great event. He noted the banquet outlined the benefits accomplished by Crime Stoppers.

Super Chili Chowder Cook-off

Mr. Turner reported the chili at the Super Chili Chowder Cook-off was great.

Hurricane Conference in Orlando

Mr. Turner stated he appreciated the opportunity to attend the National Hurricane Conference in Orlando. He noted the conference was more than hurricane related, as it was actually more of an emergency management conference which helped people understand some of the concepts that were occurring nationwide. Mr. Turner advised Chief Baker would be teaching a session at the conference on Thursday.

Budget Issues

Mr. Turner stated he appreciated the discussions and dialogues with the Commission that had occurred regarding difficult budget issues. He noted staff felt free to share their opinions and perspectives. Mr. Turner thanked the Commission for their confidence relative to the information staff provided. He advised staff would work hard to bring the Commission viable options.

Shade Meeting

Mr. Hayes stated he may need to set up another shade meeting regarding the Burton litigation.

Claims Committee

Mr. Hayes stated the Claims Committee would discuss Commissioner Gillooly's recommendation when they meet at the end of the month, and he would report back to the

Commission. He explained the claims process was confidential and privileged by statute. Mr. Hayes reported the challenge would be to create a platform where a claimant could make a presentation without dialogue from the Claims Committee, as confidentiality would be waived in the statutory process, should dialogue occur.

Low Impact Development Seminar

Mayor Costello reported he gave Mr. Joe Mannarino, Economic Development Director, a list of items that were discussed at the Low Impact Development Seminar that he asked Mr. Mannarino to discuss with Mr. Turner and Mr. Goss to present to the Commission. He noted he believed these should not be incentives but become part of the Ormond Beach code. Mayor Costello stated he heard soil moisture sensors were more efficient than rain gauges and recommended requiring soil moisture sensors rather than requiring rain gauges. He requested information regarding the pros and cons of requiring these items. Mayor Costello stated he wanted Ormond Beach codes to be the best, as long as they were defensible, but also the easiest to accomplish. He urged the disincentives in the code to be eliminated. Mayor Costello recommended giving an option to allow certain things not currently permitted in the code if it would be replaced with something better.

Recycling

Mayor Costello noted he believed it was a great idea to remind the residents what they should be recycling. He asked how to obtain an additional recycling bin.

Super Chili Chowder Cook-off

Mayor Costello stated after the ballot was cast for the winners at the Super Chili Chowder Cook-off, the results were no longer confidential. He noted he voted for number seven and learned he voted for Dorian Burt's chili which was great.

Crime Stoppers Annual Banquet

Mayor Costello expressed agreement with Commissioner Kelley that the Crime Stoppers annual banquet was great. He stated the Volusia League of Cities and Crime Stoppers were both scheduled for the same night, but fortunately the Volusia League of Cities changed their meeting.

Fire and Police Staffing

Mayor Costello reported he was excited about opportunities in fire and police to maintain a high level of service. He stated he wanted science and statistics to back up whatever adjustments would be made to benefit the residents. Mayor Costello commented that he appreciated Commissioner Kelley's comment that the community was at the point where it might need more officers on the street.

Congressman Mica's Fly-In

Mayor Costello reported he was delighted the entire Commission was trying to attend Congressman Mica's fly-in. He stated if he was the only one going he would pay for it himself, but since the Commission was going, he would do as the rest of the Commission. Mayor Costello advised he believed this trip was important.

Item #13 - Close the Meeting

The meeting was adjourned at 9:43 p.m.

APPROVED: _____ April 15, 2008

BY: _____
Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk