

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

October 7, 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 Father Bill Zamborsky, Prince of Peace Catholic Church.
- 3) Pledge of Allegiance.
- 4) **PRESENTATIONS:**
 - A) Employee-of-the-Quarter award to Cindy Pinizzotto, Paralegal, Legal Department.
 - B) Proclamation honoring Brenda George, a Governor's Points of Light recipient.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the September 17, 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. 2008-181 ratifying the execution of an agreement between the City and the State of Florida, Office of the Attorney General, regarding the City's Victim's Advocate Program. (\$46,075 total project; \$36,860 grant funds; \$9,215 matching City funds)
 - B) Resolution No. 2008-182 consenting to the assignment of a Laboratory Services Agreement between the City and ELAB, Inc.; assigning said agreement to Pace Analytical Services, Inc.; approving and authorizing the execution of an amendment to the Laboratory Services Agreement for the limited purpose of acknowledging the correct identity of the entity providing water testing services under the agreement.
 - C) Resolution No. 2008-183 authorizing the purchase of various chemicals for the City's water and wastewater treatment plants under a cooperative bid solicited by several local cities; authorizing payment therefor. (Estimated annual cost - \$864,032)
 - D) Resolution No. 2008-184 authorizing the execution of a Memorandum of Understanding between the City and the County of Volusia regarding Pictometry aerial imaging technology. (\$3,900 annual cost; savings of \$20,000 to \$38,000 annually)
 - E) Resolution No. 2008-185 authorizing the execution of a Sovereignty Submerged Lands Easement for public utility purposes between the City of Ormond Beach and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida; providing for recordation. (\$540)
 - F) M.A.C. Charter, Inc., Sunrise Aviation, Inc., lease agreements:
 - 1) Resolution No. 2008-186 authorizing the execution of a First Amendment to Seventh Amended Lease Agreement between the City of Ormond Beach, M.A.C. Charter, Inc., and Sunrise Aviation, Inc., relative to the lease description.

- 2) Resolution No. 2008-187 authorizing the execution of a lease agreement between the City, M.A.C. Charter, Inc., and Sunrise Aviation, Inc. (FBO Area 2, Condominium Box Hangars)

- G) Request for temporary water service to Halifax Paving, Inc., at 1355 Hull Road.

DISPOSITION: Approve as recommended in City Manager memorandum dated October 2, 2008.

- H) FY 2007-08 budget results for the General Fund and the Water/Wastewater Fund.

DISPOSITION: Approve as recommended in City Manager memorandum dated October 2, 2008.

- 9) **PUBLIC HEARING:** Ordinance No. 2008-44 authorizing the execution and issuance of a Development Order for a Planned Residential Development to be known as "Pineland" to be located on a 164.5-acre site north of Airport Road, east of Interstate 95, south of the City's business park, and west of the Ormond Green subdivision and Pine Trails subdivision; authorizing a five-phased project consisting of 192 single-family lots. (First Reading)

10) **SECOND READING OF ORDINANCES:**

- A) Ordinance No. 2008-45 amending Chapter 1, General Administration, Article IV, Schedule of Development Review and Impact Fees, Section 1-26, Application Processing Fees, and Section 1-28, Utility Installation Fees, of the Land Development Code.

- B) Ordinance No. 2008-46 amending Chapter 2, District and General Regulations, Article VI, Overlay Districts, Section 2-71, Historic Districts and Landmarks, of the Land Development Code, by adding six (6) properties to the Ormond Beach Historic Landmarks list. (39 N. Ridgewood Avenue; 100 Corbin Avenue School; 100 Corbin Avenue School Stone Wall; 1 N. Beach St., Pilgrim's Rest Primitive Baptist Church; 1 Sanchez Avenue, Coquina Monuments; 45 S. Halifax Dr., Emmons Cottage)

- 11) **FIRST READING OF ORDINANCE** No. 2008-47 amending Section 2-221, Recreation Advisory Board, of Article VI, Boards, Commissions, Committees and Other Agencies, of Chapter 2, Administration, of the Code of Ordinances by amending the name of the board and its purpose.

12) **DISCUSSION ITEMS:**

- A) Proposal by Rob Merrell, Cobb Cole, regarding the Nova Community Center property.
- B) CDBG redistribution of funds.
- C) Tree trimming on Riverside Drive necessary for emergency vehicle access.
- D) US1/SR 40 Intersection Improvement.
- E) Redevelopment process.

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

14) **CLOSE THE MEETING.**

Item #1 - Call to Order

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

Mayor Costello introduced those on the dais and Michael Longfellow, Police Chief, who was greeting citizens coming into the meeting.

Item #2 - Invocation

Father Bill Zamborsky, Prince of Peace Catholic Church, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Item #4(A) – Employee of the Quarter Award

Mr. Ted MacLeod, Acting City Manager, introduced the Employee of the Quarter, Ms. Cindy Pinizzotto, who joined the City's Legal Department six years ago as a paralegal. He stated Ms. Pinizzotto was the mastermind behind getting agenda items through the legal process to arrive in their packets on schedule, as well as the first point of contact with those dealing with the City Attorney's office.

Mayor Costello presented Ms. Pinizzotto with two Employee-of-the-Quarter plaques and a watch with the City's seal on it. He stated the Commission wanted to let all employees know they were ambassadors for the city, and he encouraged the public to call the City Manager's office with news of employee's service to them.

Item #4(B) – Proclamation Honoring Brenda George

Mayor Costello read a proclamation in tribute to Ms. Brenda George for her efforts through Operation Caring Through Sharing to feed the hungry in Volusia County. He stated Ms. George was recently honored with the Governor's Point of Light award, which was a program that recognized Florida residents that demonstrated exemplary service to the community.

Ms. George stated she was honored to receive the proclamation. She expressed her appreciation to Ms. Lorenda Volker, Mr. Stefan Sibley and Commissioner Gillooly for their participation in a recent food drive whereby 450 pounds of food was collected.

Item #5 Audience Remarks

Mayor Costello advised that everyone wishing to speak needed to fill out a card, and he stated they could get a card from the recording secretary.

Beach Concessions

Mr. Kerry Vagnier, 570 Bryant Street, stated he had recently emailed the Commission regarding Volusia County beach concessions. He advised he was a member of the Volusia County Concessionaires Association and had been a business owner on Volusia County beaches for approximately 17 years. He asked for the Commission's support by adopting a resolution to Volusia County asking them to keep existing services and concessions on our beaches.

Mayor Costello stated he had spoken with Mayor Northrup, who assured he would send the recommendation of the Shores, which he suggested would be a good starting point. He stated he desired at least the same level of service, if not better, and a profitability of the entire beach rather than each individual concession stand.

Item #6 - Approval of Minutes

Mayor Costello advised minutes of the September 17, 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 stated he was pulling Item #12(D) about the US1/SR40 intersection improvements, as more information would be provided at a later time.

Item #7(B) – Volusia Council of Governments

Mayor Costello stated they continued to work on Smart Growth and Green Committees.

Item #7(C) – Water Authority of Volusia

Commissioner Kelley stated he had a brief report about the Water Congress he attended recently. He stated they discussed topics of water conservation, education and communication, governments, partnerships, administration, water for agriculture, water for environment, water resources management/climate change, as well as other important issues. He stated the end result was four points that would be recommended to the legislature in January 2009, which

were 1) to restore state funds for alternative water supplies and improving water quality and continued funding of the program each year; 2) state and local governments, including water management districts, should support and aggressively pursue regional partnerships, incentives and cooperative approaches to long-term water sustainability such as multi-jurisdictional utility arrangements or water supply authorities, which should be beneficial and cost effective to the public; 3) to amend statutes, rules or policies to consider qualifyable water conservation practices as an alternative water supply and eligible for funding as capital facilities expansions; 4) to set a per capita goal for water use and quantifiable best management water practices and provide stable funding for the “Conserve Florida” program, including a statewide water conservation clearing house.

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 Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda minus Items 8C.

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

RESOLUTION NO. 2008-183

A RESOLUTION AUTHORIZING THE PURCHASE OF VARIOUS CHEMICALS FOR THE CITY'S WATER AND WASTEWATER TREATMENT PLANTS UNDER A COOPERATIVE BID SOLICITED BY SEVERAL LOCAL CITIES, AUTHORIZING PAYMENT THEREFOR; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approved Resolution No. 2008-183, read by title only.

Commissioner Kent expressed his concern about the increase in the cost of certain chemicals and if the best price was obtained by piggybacking; whereby, Mr. MacLeod stated the City obtained good prices on the chemicals because the bid included many cities and large quantities of chemicals.

Commissioner Kent stated he would vote to approve the resolution because the City had to have the chemicals, but he would be paying close attention to the cost, as he felt the prices were outrageous.

Commissioner Kelley stated that a large part of the increase was due to transportation

Mayor Costello suggested contacting other companies as he did not think piggybacking was always beneficial; whereby, Mr. MacLeod stated staff performed individual checks of other ways to make sure the City got the best price. He stated the cost was driven by energy and environmental regulations.

City Attorney Randy Haves advised this was a collective bid rather than a piggyback bid.

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

Item #8(A) – Victim’s Advocate Program

Regarding the Victim Advocate, Item #8(A), Commissioner Gillooly requested a true year-end report sometime in late October or early November, as the numbers contained in the packet appeared to be projections.

Item #8(G) – Provision of Temporary Water Service

Regarding temporary water service to Halifax Paving, Item 8(G), Mayor Costello stated he commended staff for accommodating Halifax Paving in an unusual situation.

Item #8(H) – Budget Report

Mayor Costello stated he commended Ms. Kelly McGuire, Finance Director, and Mr. MacLeod and the management team for a \$500,000 vacancy savings for a revenue shortfall.

Item #9 – “Pineland”

ORDINANCE NO. 2008-44
AN ORDINANCE AUTHORIZING THE EXECUTION AND
ISSUANCE OF A DEVELOPMENT ORDER FOR A PLANNED
RESIDENTIAL DEVELOPMENT TO BE KNOWN AS “PINELAND”
TO BE LOCATED ON A 164.5-ACRE SITE NORTH OF AIRPORT
ROAD, EAST OF INTERSTATE 95, SOUTH OF THE CITY’S
BUSINESS PARK, AND WEST OF THE ORMOND GREEN
SUBDIVISION AND PINE TRAILS SUBDIVISION; AUTHORIZING
A FIVE-PHASED PROJECT CONSISTING OF 192 SINGLE-
FAMILY LOTS; REPEALING ALL INCONSISTENT
ORDINANCES OR PARTS THERE OF AND SETTING FORTH
AN EFFECTIVE DATE.

Mayor Costello advised this was a public hearing for the Pineland Planned Residential Development north of Airport Road adjacent to the Ormond Greens Subdivision. He stated the ordinance before them included the two-way emergency only access from Ormond Green Boulevard, which created a cul-de-sac and added four lots. He suggested a traffic signal study be conducted after Phase IV, with the developer paying their proportionate share.

Mr. Clair Atwell, 49 Ormond Green Boulevard, stated his primary concern was the two accesses; whereby, Mayor Costello stated he would ask the Planning Director to address his concerns, but right now there would be one access on Pineland and an emergency only access off of Ormond Green Boulevard.

Ms. Phyllis Feldbusch, 47 Ormond Green Boulevard, stated she moved to Ormond Green because it was a quiet, secure neighborhood, and she would like to keep it that way; whereby, Mayor Costello stated this plan would not funnel any traffic into Ormond Green Boulevard.

Mayor Costello asked Mr. Ric Goss, Planning Director, to address the issues of two full entrances on Pineland vs. one entrance on Pineland with an emergency only entrance on Ormond Green Boulevard.

Mr. Goss stated typically there would be two means of ingress/egress off of a subdivision, but in this case they had agreed to provide an emergency access; therefore, he stated there was not the need for two means of ingress/egress into a subdivision as long as there was another one for emergency access. He stated the proposal of one full access off of Pineland and an emergency only access off of Ormond Green Boulevard was the most acceptable.

Mayor Costello asked if the emergency access was ever expected to be used by a motorized vehicle; whereby, Mr. Goss stated it was not likely.

Commissioner Kelley moved, Commissioner Kent seconded, to approve Ordinance No. 2008-44 on first reading, as ready by title only.

Commissioner Gillooly moved to amend the Ordinance to require a signal warrant study at the beginning of Phase V.

Mr. Goss stated the study should be conducted towards the end of development, because there would be more trips on the ground. He stated the last stopping point was at Phase V either at the beginning of construction or when it was platted. He stated they would like to have the study done at the beginning of Phase V so they knew before Phase V was completed whether a signal was required or not.

Amendment to Motion

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

Underlying Motion

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

Mayor Costello closed the public hearing without objection. He stated they would hear this one more time because the cul-de-sac for the emergency only access created four additional lots, which was deemed a substantial change.

Item #10(A) - Application Processing Fees, and Utility Installation Fees

ORDINANCE NO. 2008-45

AN ORDINANCE AMENDING CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE IV, SCHEDULE OF DEVELOPMENT REVIEW AND IMPACT FEES, SECTION 1-26, APPLICATION PROCESSING FEES, AND SECTION 1-28, UTILITY INSTALLATION FEES, OF THE LAND DEVELOPMENT CODE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2008-45, 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

Item #10(B) - Adding Six Properties to the Ormond Beach Historic Landmarks List

ORDINANCE NO. 2008-46

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC DISTRICTS AND LANDMARKS, OF THE LAND DEVELOPMENT CODE, BY ADDING SIX (6) PROPERTIES TO THE ORMOND BEACH HISTORIC LANDMARKS LIST; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Gillooly moved, seconded by Commissioner Partington, to approve Ordinance No. 2008-46, on second reading, as read by title only.

Mayor Costello noted that the Historic Landmark Preservation Board unanimously approved six of the properties; the Planning Board approved five and denied one on a 3-3 vote of the monuments; and previously one or more Commissioners expressed concern with some of them.

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

Item #11 – Recreation Advisory Board

ORDINANCE NO. 2008-47

AN ORDINANCE AMENDING SECTION 2-221, RECREATION ADVISORY BOARD, OF ARTICLE VI BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES, OF CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES BY AMENDING THE NAME OF THE BOARD AND ITS PURPOSE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington seconded, to approve Ordinance No. 2008-47 on first reading, as read by title only.

Mayor Costello stated this ordinance basically renamed the Recreation Advisory Board to the Leisure Services Advisory Board.

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

Item #12(A) – Proposal by Rob Merrell, Cobb Cole, Regarding the Nova Community Center Property

Mr. Rob Merrill, 159 Magnolia Avenue, Daytona Beach, stated he was representing his client who had an interesting proposal for public property at the Nova Community Center. He stated it would make private use in conjunction with public use of the Nova Community Center and involve substantial benefits to the City, both financially and in terms of the enhancement of the recreational facilities. He stated he appeared before the Recreation Advisory Board with the same proposal, but he would not tell them what he was talking about, because it was public property and the Commission had to ask for the idea in order for them to bring it forward to them. He stated the RAB was mildly interested in the potential to enhance the facility, but they were very proud of what had already been done there. Mr. Merrill stated he told his client that the Magic Forest Playground could not be relocated, and he fully anticipated that there would have to be numerous meetings with many different parties about obtaining community buy-in for the project. He asked that the Commission direct staff to look at this item with absolutely no obligation to approve it in any way.

Mayor Costello asked the Commission about bringing forth ideas to enhance facilities or produce a revenue stream using public/private partnerships; whereby, Mr. Hayes advised that the appropriate thing to do would be to issue a Request for Proposal (RFP) to solicit specific ideas for specific use for a specific area.

Mayor Costello stated he was in favor of letting the public at large know that he would be in favor of looking at any response to an RFP on their vision to improve the existing facility.

Mr. Hayes stated it would not obligate them in any way other than to review and evaluate the RFP to make a decision.

Mr. MacLeod stated the RFPs would involve several departments and rely heavily upon the community to assist in developing it.

Mayor Costello suggested the RFP could be very vague; whereby, Mr. MacLeod stated it could be somewhat vague, but it had to be sufficient enough to get to where they wanted to go. He stated staff would put together the proposal and bring it back to them.

Mayor Costello asked the Commission about having staff prepare a potential RFP for ways to look at the Nova Community Center area.

Commissioner Gillooly stated she did not think there was any harm in looking at it.

Commissioner Kelley stated he favored anything joint public/private that would be beneficial to the City.

Commissioner Kent stated he was not in favor of the proposal.

Commissioner Partington stated he was not in favor, and he was concerned about developing an RFP that was fair and neutral so that everyone was on an even playing field. He further stated he did not like having to ask for the proposal.

Mr. Hayes stated he could look at what some other communities had done in terms of RFP or RFQ ventures and bring it back to them.

Commissioner Gillooly stated she did not think the RFP could come from the community and that it would have to come from the City. She stated the Commission could give staff direction and she felt there was a potential opportunity to see how things might be done better or generate revenue. She stated it was distasteful to have to ask for the proposal, but she agreed that it should be open to the community.

Mayor Costello stated the consensus was for staff to prepare an RFP and bring it back to them.

Commissioner Kelley stated he would ask for an RFP on another piece of property in the very near future.

Item #12(B) – CDBG Redistribution of Funds

Mayor Costello asked if the Commission was in favor of the distribution of CDBG funds.

Commissioner Kent stated the money could be spent on safety and beautification. He stated he was frustrated because of the restrictions on CDBG money, but he favored palm trees and pavers, which seemed to be the best use of the money.

Commissioner Kelley stated he supported it if it was the best use of the funds. He stated the palms would have to be watered; whereby, Commissioner Kent stated the palms only needed watering for a short time.

Commissioner Partington stated he felt this was the best plan, and he supported it wholeheartedly.

Commissioner Gillooly suggested holding a workshop to discuss the use of CDBG funds.

Mayor Costello stated he supported the project with traffic calming, and he favored sidewalks; but there were not enough funds at this time for sidewalks.

Mayor Costello asked Commissioner Kent which two streets he favored first; whereby, Commissioner Kent stated he would let staff make that decision.

Item #12(C) – Tree Trimming on Riverside Drive Necessary for Emergency Vehicle Access

Commissioner Kent asked if a ladder truck would be needed; whereby, Fire Chief Barry Baker stated the vehicle pictured was not a ladder truck but the Quint, which was the vehicle stationed on the beachside that would respond to that area. He stated the vehicles averaged in the 11 foot to 11.5 foot range.

Commissioner Kent asked about the clearance of the limbs; whereby, Chief Baker stated the trucks touched some of the limbs. He stated about once a year the tree crew did some trimming, which caused a lot of concern by the residents that the trees would be cleared out resulting in a lot of truck traffic.

Mayor Costello suggested knocking on doors to show the residents why they needed to be trimmed; whereby, Chief Baker suggested meeting with the residents to discuss their concerns.

Commissioner Partington recommended surgical trimming in order to not diminish the canopy of trees. He suggested limited trimming with the least amount of impact possible.

Mayor Costello suggested trimming a little at a time, rather than a radical pruning of the trees.

Commissioner Kelley stated the trees were never managed, which caused them to grow down.

Commissioner Kent stated he agreed with a surgical technique and limited pruning in order to maintain the canopy. He suggested staff be aware of this.

Mr. MacLeod stated staff would make sure the job was done right.

Item #12(D) – US1/SR40 Intersection Improvement

Mayor Costello stated this item was pulled from the agenda.

Item #12(E) – Redevelopment Process

Mayor Costello asked if the Commission concurred with the process outlined in the City Manager memorandum. There was no disagreement.

Item #13 – Reports, Suggestions, Requests

Beach Concession

Commissioner Kent stated the concessionaires were concerned that an outside company would come in and operate the concessions, especially the umbrella stands in front of certain hotels. He stated he had never received complaints regarding concessionaires. He requested a future discussion item on this item.

Mayor Costello stated we needed to protect the ability of Ormond Beach residents to use the concessions. He favored a discussion item at the next meeting. He stated he favored input from any other coastal cities.

Early Retirement Savings

Commissioner Kelley stated the City had not seen all the savings from the general employees' early retirement. He stated he felt the City was missing the opportunity on the "Cavanaugh plan" for the Fire Department, as it was his understanding that it would take another six months to receive the information.

Four-day Work Week

Commissioner Kelley stated there was no recommendation on the savings on the four-day work week report. He stated at some point they should evaluate a four-day work week for at least City Hall.

Referendum

Commissioner Kelley suggested educating/informing the public about the referendum items.

Focus Meeting

Commissioner Kelley stated he favored a focus meeting by next year.

City Manager Search

Commissioner Kelley stated he was encouraged so far from what he had seen on the resumes of potential candidates.

Books

Commissioner Kelley stated everyone should read the books on government that were provided to them by constituents to see why we were being held hostage as a City.

Revenue Producing Sources

Commissioner Kelley stated the revenue sources for the State of Florida were broken and needed to be fixed.

Tree Trimming

Commissioner Gillooly noted there was an incident on Heather Lane where the residents were approached by a tree trimming service who did not obtain permits. She stated it was vitally important to have sanctions that could be imposed in such cases.

Warren Anderson

Commissioner Gillooly stated Mr. Warren Anderson had offered to assist the City in any way. She stated he was a retired city manager from Ohio.

Andy Romano

Commissioner Gillooly congratulated Mr. Romano for all he and his family did for Ormond Beach. She noted there was a recent newspaper article about his life.

Focus Meeting/Workshop

Commissioner Gillooly stated she favored a focus meeting to discuss reorganization and direction to Mr. MacLeod.

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Mr. MacLeod stated he would welcome a focus meeting as he had a list of items to discuss with them.

Mayor Costello suggested holding it on October 21 prior to the Commission meeting.

Pay Increase

Mr. MacLeod stated staff met with the General Employees Association (GEA) for the negotiating session and offered 1% on top of the 2% already in the contract, which was budgeted, and the GEA came back with 4%. The Commission's consensus was to remain at 3%.

RFP Process

Mr. Hayes stated he would review the RFP process to see if Mr. Merrill could submit a proposal without going through the RFP process; whereby, Mayor Costello stated he wanted people to get creative to see what they would come up with.

Mr. Hayes stated he wanted to create as many options as possible.

Land Acquisition on A1A

Mayor Costello stated he was presented a proposal to purchase land on A1A. He stated it was a one acre parcel on the oceanfront in the 500 block between River Beach and Ormond Shore Drive for \$2.6 million. He stated it was appraised in July 2007 at \$4.2 million, and a smaller contiguous parcel sold in January 2008 for \$4.4 million. He stated he was not lobbying for that parcel, but he wanted as much beachfront or off-beach property as possible. He stated he was hopeful that prices were dropping on the beachfront.

Habitat Groundbreaking

Mayor Costello stated he would like to go to the groundbreaking on October 18, but he would be unavailable.

Seabreeze High School / Use of City Facilities

Mayor Costello stated he had copied the Commissioners with a recap of the meeting on the use of City sports facilities by Seabreeze High School.

Positive Stories

Mayor Costello stated he had a request for positive stories such as Mr. Romano and Magic Forest. He suggested they let the media know about any possible stories.

Referendum Amendments

Mayor Costello suggested a discussion item about the upcoming election amendments at the next meeting.

Position Reductions

Mayor Costello stated he wanted all the current position vacancies eliminated at this time, but Mr. MacLeod had advised he did not think that was the right thing to do for the overall structure of the City. He stated he was trying to push Mr. MacLeod to cut staff to the bone, but Mr. MacLeod had stated if he did that, he would not have the tools to manage should there be a problem with delivery of service.

Item #14 - Close the Meeting

The meeting was adjourned at 8:35 p.m.

APPROVED: _____ October 7, 2008

BY: _____
Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk