

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

**May 1, 2007**

**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.

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the April 13, 2007, special meeting, and the April 17, 2007, regular meeting.
- 6) **PRESENTATION:** Certificates of Appreciation to Jesse Brown, Keaton Labrie, and Kenneth Maio.
- 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. 2007-47 re-naming "Dix Park" located on North Beach Street at the end of Dix Avenue to "Ormond Beach Lions Park."
  - B) Resolution No. 2007-48 approving the Community Development Block Grant Annual Plan for the 2007-08 Fiscal Year. (\$105,211)
  - C) Resolution No. 2007-49 authorizing the execution of an ECHO Grants-in-Aid Letter Contract between the City and the County of Volusia regarding restoration of the Casements and Rockefeller Gardens. (\$500,000 grant)
  - D) Resolution No. 2007-50 approving a rent adjustment paid by Isaac R. Leary to the City for the operation of the bait shop at Cassen Park. (\$311.16 one time credit)
  - E) Resolution No. 2007-51 authorizing the expenditure of \$18,120 from the Federal Law Enforcement Confiscation Fund for the purchase of Stop Stick pursuit intervention devices.
  - F) Resolution No. 2007-52 authorizing the sole source procurement of 3M Opticom traffic signal preemption systems from Control Specialists Company to be installed at selected intersections throughout the City; authorizing the execution of a contract and payment therefore. (\$51,875)
  - G) Resolution No. 2007-53 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. (\$361,201 total project - \$325,081 grant; \$36,120 City match)
  - H) Resolution No. 2007-54 authorizing the execution of a real estate lease between the City of Ormond Beach and Florida East Coast Railway Company for the use of right-of-way at the railroad crossing on Granada Boulevard.

- I) Resolution No. 2007-55 authorizing the execution of Change Order Number Three (3) to that contract awarded to Meadors Construction Company, Inc., regarding the Water Treatment Plant Expansion project, by increasing the contract price by \$139,434. (Total Contract Price - \$10,423,991) (Adds new remote telemetry technology to existing lime softening water treatment and distribution facilities)
- J) Resolution No. 2007-56 authorizing the execution of a First Amended Model Airplane Lease Agreement and a First Amended Access Agreement between the City and the Ormond Beach Radio Control Club, Inc.

9) **PUBLIC HEARINGS:**

- A) Resolution No. 2007-57 approving and authorizing the removal of an historic tree located at 37 N. Saint Andrews Drive. (Tomoka Oaks Subdivision)
- B) Ordinance No. 2007-09 annexing certain real property into the City of Ormond Beach located at 1450 North US Highway 1 and an adjacent vacant parcel fronting Flagler Road; setting forth zoning, privileges, and obligations of said property; providing for transmission. (1.613 acres) (First Reading)

10) **FIRST READING OF ORDINANCES:**

A) Beach Parking Special Referendum:

- 1) Ordinance No. 2007-08 (A) authorizing the issuance of (I) up to \$2,305,000 of general obligation bonds of the City to finance part of the cost of acquisition of land at 321, 325 and 442 S. Atlantic Avenue and the development of a public parking facility and related amenities thereon, and (II) up to \$3,295,000 of general obligation bonds of the City to finance part of the cost of acquisition of land at 620 S. Atlantic Avenue and the development of a public parking facility thereon; providing for and calling an election of the qualified electors residing within the City, to be held on July 10, 2007, to consider the issuance of such general obligation bonds; setting forth an effective date.
- 2) Ordinance No. 2007-08 (B) authorizing the issuance of (I) up to \$2,305,000 of general obligation bonds of the City to finance part of the cost of acquisition of land at 321, 325 and 422 S. Atlantic Avenue and the development of a public parking facility and related amenities thereon, (II) up to \$3,295,000 of general obligation bonds of the City to finance part of the cost of acquisition of land at 620 S. Atlantic Avenue and the development of a public parking facility thereon; providing for and calling an election by mail ballot of the qualified electors residing within the City, to be held on July 10, 2007, to consider the issuance of such general obligation bonds; setting forth an effective date.

B) Firefighter Pension Ordinances:

- 1) Ordinance No. 2007-10 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-45, Benefit Amounts and Eligibility; amending Section 16-47, Disability; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.
- 2) Ordinance No. 2007-11 of the City of Ormond Beach, Florida, amending Article III, Firefighters' Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-40, Definitions, by amending the definition of average final compensation; amending Section 16-49, Optional Forms of Benefits; adding a new Section 16-69, BAC-DROP; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.

11) **DISCUSSION:** "Cool City" program.

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 7:00 p.m.

Item #2 - Invocation

Mayor Costello gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Item #4 - Audience Remark

Road to Ormond Beach Sports Complex / Runway 17-35 Extension

Mr. Louis Lumaghi, 1 Cliffside Drive, Ormond Lakes, displayed a map the City generated in 2004 indicating the \$1,900,000 renewal project of the Ormond Beach Sports Complex including a road on leased land. He reported the City would be paying the leasor for the land, and he questioned why this was necessary when the route from US1 to the junction of the new road would remain a two-lane road. Mr. Lumaghi noted this Commission indicated they would not extend the airport, but another future Commission could revert to the original plan to extend the north/south runway sending jet airplanes flying over his home.

Florida Hospital Ormond Memorial

Ms. Linda Kane, Ivanhoe Drive, recommended affordable housing replace the Florida Hospital Ormond Memorial in that the land holds great potential due to its location to transit, shopping, religious centers, and leisure activities. She suggested asking the hospital to partner in this endeavor, asking the Affordable/Attainable Housing Task Force to explore the possibilities of this concept, making this a civic project for Seabreeze High School and other organizations, and making this project a contest for architects.

Mayor Costello stated there was a senior affordable housing project in the approval process adjacent to that site, and most of Ms. Kane's suggestions have been under consideration. He urged Ms. Kane to attend the meetings to argue for the project when others may come to argue against the project.

Airport Budget

Mr. Glenn Jaspers, 160 Ocean Terrace, reported the total airport revenues were \$628,000 and expenses were \$1,066,000 for the last fiscal year with operating revenues for this year of approximately \$250,000. He stated he sent an e-mail today requesting Ms. McGuire follow up with the estimated expenditures of this year, provide an itemized income and expenditure statement for the last fiscal year, and provide known projected expenses for this year. Mr. Jaspers advised that Mayor Costello had e-mailed a response asking where the \$437,000 would come from; why the City spent/invested now rather than waiting; how the City expected to pay back the loans; when the loans would be paid back; when the money was set aside for the airport; and how much more would be loaned to the airport before payback would begin. He reported the Mayor received a prompt reply, and he should receive a prompt reply to his request for information also. Mr. Jaspers pointed out there was always some high-dollar project associated with the airport as well as long-term commitments such as the replenishment of a runway for \$1.725 million and funding the control tower on a sliding scale between the FAA and Ormond taxpayers.

Mayor Costello stated he had been virtually certain as to the answers he would receive to his questions, and he was proven correct.

Billboards

Mr. Bob Behnke, 15 Malayan Sunbear Path, thanked the City for cleaning up the broken down billboard frames on the north end of US1.

Mayor Costello noted the City Attorney was responsible for this after years of work on the project.

Highway Medians

Mr. Jeff Boyle, 614 North Halifax Drive, stated the medians on US1 at the southbound left-turn lane at the Granada Boulevard intersection had insufficient stacking resulting in cars stacking in the passing lane and presenting the risk of a rear end collision. He reported there was no opportunity for a left turn for .3 mile south of Granada Boulevard. Mr. Boyle noted the traffic lanes were moved close to the curbs, diminishing the site lines at the aforementioned

intersections. He stated on Nova Road the southbound left turn to access the Atchely Appliances plaza requires a tricky U-turn and then a right turn into the business complex. Mr. Boyle noted cars routinely turn left into the fire station exit, and the Fire Department made a complaint to staff due to accidents and near misses at that location. He stated Ms. Judy Sloane, Public Works Director, responded to this concern that DOT acknowledged the problems on US1, but the fix would not occur for a few more years and that they were studying the South Nova Road problem at Atchely Appliances. Mr. Boyle explained these road designs were unsafe, and any delay in remedy was unacceptable. He noted the medians disappeared from North Nova Road at the Trails Shopping Center, which was a high traffic location and had a long dangerous curve. Mr. Boyle noted a police officer was lost at that location, and he never understood why this road was not corrected.

Mayor Costello stated he looked forward to Ms. Sloane's report regarding DOT's response. He asked Mr. Boyle to explain what this had to do with the death of Officer Grim, since he did not understand what the lack of medians had to do with this death.

#### Airport Issues

Mr. Adrian Thompson, 6 Dorado Beach Court, stated it was three years tonight that he informed the Commission that there were problems at the airport, and nothing has been done to date. He noted Mayor Costello appeared to be shocked in a recent e-mail that nearly \$500,000 was disappearing at the airport, but nearly \$2 million went into the airport including the \$500,000 mistake for which the Commission held no one responsible. Mr. Thompson reported it was time the Commission corrected the problems at the airport, eliminated the "sweetheart deals," and made the rents equal for all tenants. He stated this airport had no prospect of ever recovering what had been invested, but he had a proposal to turn the airport into a zero cost airport to taxpayers three years from today.

Mayor Costello stated he would speak to Mr. Thompson about any proposal. He explained he would have been "shocked" if the City had spent \$500,000 on the airport of which he was unaware. Mayor Costello explained in the late 1990s the Commission set aside \$900,000 as a seed fund of capital for the airport and that money had been decreased to \$712,000, but it was a loan as opposed to a grant or a gift. He explained 14 years ago a tenant paid rent on a piece of land, and when they decided to develop that land it was discovered that part of that land was actually a part of the buffer and setback, which caused an issue that was henceforth resolved. Mayor Costello stated there were no "sweetheart deals," only deals where people signed leases years ago, were putting capital investments in the airport, and they were treated differently. He reported in 2013 all leases would come up for renewal, and all categories will be treated equally.

#### Water Fluoridation

Mr. Jim Schultz, 117 Harvard Drive, stated two years ago he spoke on water fluoridation, and a year ago the National Research Counsel (NRC) found the safety margins of water fluoridation should be revisited by the Environmental Protection Agency (EPA), but no action was taken. He stated in 1986 six false assumptions were made and need to be revisited. Mr. Schultz noted the EPA ignored the documented information in the NRC report. He noted all sources of fluoride need to be considered, and eight milligrams a day was not safe.

Mayor Costello the City supported the EPA, Center for Disease Control (CDC), Department of Health (DOH), American Medical Association (AMA), and American Dental Association (ADA), and when these agencies' science changes, the City would listen. He noted he was proud of the Commission for responding to information Mr. Schultz provided regarding infant fluoride levels.

Commissioner Kelley read a report that tooth decay was on the rise among preschoolers. He noted tooth decay had been increasing for the past forty years, and there was a report that indicated the first significantly statistically proof that the trend had reversed was due to snack food and consumption of more bottled water rather than fluoridated tap water. Commissioner Kelley stated this study included 5,000 people.

#### Commissioner Kent's Speech

Mr. Gregory Avakian, 161 Heritage Circle, stated he made a public information request (PIR) for all of Commissioner Kent's handwritten notes from the last Commission meeting regarding the speech he made relative to Mr. Fowler's request to reimburse CANDO's legal fees. He reported he was informed the notes were not available, which he considered highly unlikely. Mr. Avakian noted Commissioner Kent was well prepared while the other Commission members were unaware Mr. Fowler was expected to make his request; therefore, they were unprepared.

Mayor Costello stated he fully accepted Commissioner Kent knew this issue would come up and was prepared, which was admirable.

Commissioner Kent clarified there was a PIR request, but the City Clerk informed him as long as the information was read into the public record, hard copies were not needed.

Ms. Veronica Patterson, City Clerk, explained the notes were considered a draft, and they were not shared with anyone else. She noted the notes were read into the public record and were not required to be kept.

#### St. Jude's Research Hospital Fund Drive

Mr. Marvin Miller, 40 Riverside Drive, thanked the Commission for the proclamation for the St. Jude's Research Hospital fund drive, which was a major success. He noted many vendors and businesses were involved. Mr. Miller noted the kickoff started at the Iron Horse Saloon where nine paid police officers and 20 additional police from different venues joined in escorting the 700 to 800 bikers. He stated there were 130 to 140 golfers. Mr. Miller announced that \$35,000 was raised for the St. Jude Hospital. He noted a golf hole was dedicated to the City in appreciation.

Mayor Costello commended Mr. Miller for supporting St. Jude's for approximately 40 years.

#### Fire Update

Fire Chief Barry Baker reported there were currently over 300 acres on fire north of Hunter's Ridge, and the fire was likely to grow as it was in the cypress swamp. He stated the fire was in a remote area, and it did not threaten structures. Chief Baker advised nine tractors and 25 units from various fire departments were working the fire. He noted the fire was currently in Flagler County, and a spot over was threatening Hunter's Ridge; but this fire would be monitored tonight and for several days. Chief Baker stated dry conditions could be expected to the end of June, and he recommended conserving water.

#### Item #5 – Approval of Minutes

Mayor Costello advised the minutes of the April 17, 2007, 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 #6 - Certificates of Appreciation to Jesse Brown, Keaton Labrie, and Kenneth Maio

Police Chief Michael Longfellow honored Jesse Brown, Keaton Labrie, and Kenneth Maio. He noted these three citizens helped in the apprehension of a purse snatch suspect at their own peril, demonstrating their willingness to make Ormond Beach a safer community. Chief Longfellow presented Certificates of Appreciation to the three young men.

#### Item #7(A) - Metropolitan Planning Organizations

Mayor Costello reported the 2050 Highway Capacity Analysis was discussed at the Metropolitan Planning Organization (MPO). He stated between I-95 and Nova Road, SR40 was over capacity in 2006; in 2025 SR40 from Nova Road to Tymber Creek Road would be over capacity; in 2025 from Williamson Boulevard to Tymber Creek Road would need to be eight lanes; and in 2050 from Williamson Boulevard to Tymber Creek Road, 14 lanes would be needed. Mayor Costello noted there would certainly not be 14 lanes on SR40, but the MPO was working hard on the Tymber Creek Road extension south of LPGA and the Hand Avenue overpass. He pointed out that growth would occur if the City did anything or not. Mayor Costello stated the City basically gave away the right to control the growth to the west because some were not willing to negotiate, and as a result, Daytona Beach now had full control. He reported he was open to suggestion as to what the Commission and citizens want him to take to the MPO, but he was doing all he could to not allow that growth to occur until Hand Avenue or Tymber Creek Road could be extended.

#### Item #7(B) - Volusia Council of Governments

Mayor Costello reported tax reform and growth were the items of discussion at the Volusia Council of Governments (VCOG) meeting.

Mayor Costello thanked Commissioner Kelley for trying to work on the inequity occurring in Tallahassee where 45% of the residents have their taxes decreased and the remaining residents have huge increases.

Item #7(C) - Water Authority of Volusia

Commissioner Kelley stated there would be a reorganization of Water Authority of Volusia (WAV). He expressed disappointment because he had hoped something could have been worked out to benefit every person. Commissioner Kelley stated Ormond Beach had done a great job and was in good condition to 2020, but what would occur in other areas would impact Ormond Beach.

Mayor Costello stated he was proud of Ormond Beach’s support for WAV and for taking the bold step to make sure Ormond Beach would not have quantity or quality issues in the future while it continued to support regional cooperation.

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 Item No. 8(B) be discussed.

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

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

Mayor Costello explained Item #8(I) regarding the SCADA upgrade to the existing facility was not part of the Water Treatment Plant Expansion.

Mayor Costello congratulated Mr. Cliff Norris and Mr. Chris Scali for making sure all parties were able to come to a solution that would work with the electric, non-motorized model airplanes in Item #8(J).

Item #8(B) – Community Development Block Grant Annual Plan

RESOLUTION NO. 2007-48  
A RESOLUTION APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PLAN FOR THE 2007-08 FISCAL YEAR; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Partington moved, seconded by Commissioner Kent, to approve Resolution No. 2007-48, as read by title only.**

Commissioner Gillooly stated more than 80% of the \$105,211 of CDBG funding would be going out of the target area. She noted she totally supported the ADA renovation of the restrooms in the Senior Center. Commissioner Gillooly reported some of the Community Development Block Grant (CDBG) money could be used outside of the district; however, she expressed concern regarding the staff comment that in the future the work program for CDBG would probably be using more of the funds for eligible groups or income validated individuals and less directed toward the specific target area. She asked if the City had done everything possible in the target area in that the money was based on the needs in that area. Commissioner Gillooly questioned if there were other sources for the Senior Center funding. She pointed out that she realized the board approved this expenditure; but a policy decision may be needed, and the board should understand the goal for the money.

Mayor Costello requested Commissioner Gillooly make a recommendation for the Commission to present to the board; whereby, Commissioner Gillooly advised she would gladly do so.

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

Item #9(A) - Removal of Historic Tree at 37 N. Saint Andrews Drive

RESOLUTION NO. 2007-57

A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF AN HISTORIC TREE LOCATED AT 37 N. SAINT ANDREWS DRIVE; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-57, as read by title only.**

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) – Annexation - 1450 North US1

ORDINANCE NO. 2007-09

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH LOCATED AT 1450 NORTH US HIGHWAY 1 AND AN ADJACENT VACANT PARCEL FRONTING FLAGLER ROAD; SETTING FORTH ZONING, PRIVILEGES, AND OBLIGATIONS OF SAID PROPERTY; PROVIDING FOR TRANSMISSION; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kelley moved, seconded by Commissioner Partington, to approve Ordinance No. 2007-09, on first reading, as read by title only.**

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

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

Item #10(A)(1) - Beach Parking Special Referendum

Mayor Costello explained that the first and second options were similar except Option 1 was for an election at the poles and Option 2 was for a mail ballot. He advised he was not certain he would support a special election, that he could support any of the parcels, or that he could support investing the County funds at this time. Mayor Costello stated he spoke to Mr. Jim Dinneen, County Manager, and County Council Chairman Frank Bruno asking them if the Commission would decide not to have a special election, would the \$5 million in County funds be available to the November 2008 election. He reported a number of people in the community have indicated they wanted to purchase parcels on the east side that were not available at this time. Mayor Costello advised that Mr. Dinneen asked if Ormond Beach would have any objection to the County proceeding independently to purchase the Rockefeller site for \$1 million, leaving \$4 million for future partnering. Mayor Costello requested this be placed on the next agenda for discussion. He reported that if tax reform would take away a certain percentage of County dollars, the County may not have the funding to partner with the City; therefore, a reason for this offer was for the City to obtain some off-beach parking in Ormond Beach south of Granada Boulevard while the money was still available.

Mr. Isaac Turner, City Manager, stated the Commission could make this decision tonight if they chose to do so under this item.

Mayor Costello reported he wanted to give the Commission an opportunity to research the issue if they wanted to do so, but if they were ready to make a decision it could be discussed tonight.

Commissioner Gillooly thanked staff for all of the work they had done on this issue in a short period of time. She noted she found the mail ballot option interesting, and it could be the best opportunity for the City at some time in the future; but she expressed a concern about spending the money for the special election, particularly in light of the tax reform issue.

Commissioner Gillooly thanked Mayor Costello for speaking with the County representatives. She noted even with the special election and should the City decide to move forward, the money may not be available. Commissioner Gillooly stated the staff report indicated the City's responsibility for the maintenance of the parks or parking area. She reported that in response to a question she had asked regarding who would own the land, she had been informed it would be a joint ownership; and if that should be the case, there should also be a joint responsibility for maintenance. Commissioner Gillooly stated if the City would accept this offer, it would provide something for the residents now. She asked if the County would take the entire burden of maintenance and construction for the Rockefeller site.

Mayor Costello noted he did not discuss the details with Mr. Dinneen. He noted his understanding was that if Ormond Beach had no objections, Mr. Dinneen would meet with staff to work out the details.

Commissioner Gillooly urged the City to explore this possibility in that it would place the City in a better negotiating position to wait, giving a greater opportunity for finding a more appropriate parcel.

Commissioner Kent concurred with Mayor Costello and Commissioner Gillooly. He reported he opposed spending the money on the special election, particularly with the uncertainty of what was occurring in Tallahassee and the very real possibility all of the approaches would be open soon, which would eliminate the need to discuss beachfront parks in Ormond Beach because the largest park in Volusia County would be open. Commissioner Kent noted he would not object to the County purchasing the property; but if the \$1 million was all the County would provide, he would recommend banking the money for property on the east side because no one was asking for property on the west side. He reported if the beach was open on the east side, the west side would thrive.

Commissioner Kelley stated he agreed with the former speakers particularly with the expected cuts through the legislature. He clarified this Commission was not advocating expending the money to purchase the properties, merely to allow the citizens to decide if the money should be expended. Commissioner Kelley reported he advocated opening all of the approaches years ago as well as removing the toll booths. He stated the tolls were only bringing in \$2 million, and 35% went to the toll takers. Commissioner Kelley advised the amount of revenue decreased substantially in the past 15 years.

Mayor Costello reported he had also been advocating opening the approaches since before he served on the Commission. He noted due to the confluence of the economy, red sand, and other issues, the County was not making enough money in tolls to make tolls worthwhile. Mayor Costello reported he still wanted as much beach property as possible in that this was a beach community and there was not enough off-beach parking and beachfront parks. He advised he wanted the residents to have an opportunity to weigh in on this issue. Mayor Costello noted he would personally vote for this in that he liked the compromise to present this to the community.

Mr. Glenn Jaspers, 160 Ocean Terrace, agreed with the Commission's assessment. He expressed confusion as to how staff presents large numbers with no explanation or any details. Mr. Jaspers reported Tom Renick Park was built in 2002 for \$540,000; another \$115,000 was spent for planning, permitting, and surveying; and the cost of the property was not known.

Mr. Jeff Boyle, 614 North Halifax Drive, stated CANDO opposed the expense of a special election and any purchase of land on the west side of A1A. He urged the City to provide real choices where there was a chance for a positive vote as opposed to what was on the agenda tonight where very few would approve the proposals. Mr. Boyle stated there was never any citizen input in the process; all of the decisions were made in meetings between governments with elected officials, appointed officials, and property owners. He stated last month he proposed an idea to retrieve 50 parking spaces currently being appropriated 150 days a year at the Harvard approach by Seabreeze High School students, and he received no response to date. Mr. Boyle noted Mr. Carter offered a proposal for a land purchase complete with a professional design concept, and there was no written communication between the City and that landowner or any other landowner. He stated CANDO agreed the Commission needed to take the time to find out the will of the community before acting. Mr. Boyle reported many people believe Ormond Beach had paid for this land through taxes by two entities while other cities were obtaining their beachfront parks and parking. He noted he would like to be informed if there was a precedent in Volusia County where a referendum for a bond issue was used to obtain the land. Mr. Boyle stated there was a perception in the community that the Commission was sabotaging the beach access movement by offering parcels most people would oppose.

He pointed out the people did not ask for a referendum for land on the west side, which they do not want.

Ms. Magi Sharifi, 210 Valencia Drive, stated people want a park on the east side, and Volusia County was committed to fund \$5 million for the property, so she did not understand why the people had two options to consider which was the east side versus the west side of A1A. She noted she believed there was money available without taxing the citizens. Ms. Sharifi advised the City Manager memorandum indicated the negotiated values for the 321, 325, and 442 South Atlantic Avenue sites were above the appraised value, but no mention was made of the 620 South Atlantic Avenue site being negotiated at \$7 million or \$5 million over the appraised value in 2006.

Mayor Costello advised the assessed value was totally different from the appraised value. He stated the \$7 million was under the appraisal value and over the assessed value.

Ms. Sharifi stated those were not the figures she saw on the County Appraiser's website.

Mayor Costello clarified that would be the assessed value. He noted a person would not sell their home for the assessed value.

Ms. Sharifi reported the figures for the 321, 325, and 442 South Atlantic Avenue sites on the County Appraiser's website matched what the City Manager had in the memo.

Mayor Costello explained the assessed value was what the tax assessor says a property was worth, which often had no relationship to what it would sell for and what an appraised value would be. He reported the three parcels were asking \$500,000 above the appraised value, which was also above the assessed value.

Ms. Sharifi noted there was a comparison for the 321, 325, and 442 South Atlantic Avenue sites, but not for the 620 South Atlantic Avenue site.

Mayor Costello reported the 620 South Atlantic Avenue site was at or under the appraised value.

Mr. Turner reported there were two appraisals: \$5 million and \$8 million.

Ms. Sharifi reported there was also a discrepancy in the total number of acres. She noted it was reported there was .8 acres for the three parcels on the east side when it was closer to 1.5 acres.

Mayor Costello explained the County asked the City to combine the two properties on the east and the one on the west side because they would not participate in the purchase of the parcel on the east due to the cost per parking space, which was \$85,000 per space, and the County asked that the site on the west be added to bring the cost per space down.

Commissioner Kelley explained the .8 acres referred to the two parcels on the east and combining that with the west side parcel would be closer to the 1.5 acres.

Ms. Sharifi asked who in the County decided they would pay a decreased portion of the money committed to the City.

Mr. Turner stated he and the County Manager discussed this issue. He noted the County was concerned regarding a precedent that would be set with other communities. Mr. Turner stated City staff worked creatively with the County, making sure the City would not pay more overall than what should have been paid.

Mayor Costello summarized the County did not want to set the precedent of paying over appraised value for other communities. He emphasized that the City would not use eminent domain, and if there was no willing seller, the City would not take the land. Mayor Costello stated the Commission determined the City was not interested in purchasing any of the property at the prices that were asked. He noted the prices were not based on the 2006 appraisal but for what the seller was willing to sell the property. Mayor Costello challenged everyone to find a parcel on the east side that was for sale that they would like purchased.

Ms. Sharifi expressed agreement with Commissioner Gillooly regarding shared responsibility for maintenance. She noted liabilities of a site on the west side of A1A would be great.

Mayor Costello stated the parking in Ponce Inlet west of A1A was one of the most widely used off-beach parking sites. He reported he would delay the vote; but if no adequate east side property would be available, he would approve placing the Elinor Village site on the ballot in that this was a good deal for 442 parking spaces.

Ms. Sharifi reiterated she would favor parking on the east side, and the City could pay for it without taxing the residents.

Mr. Gregory Avakian, 161 Heritage Circle, stated the City needed access to the beach for the future, or it would be closed off completely. He responded to Mr. Boyle's suggestion regarding the Harvard approach where Mr. Boyle urged the City to ask the County to erect signage for three-hour parking enforced by the beach patrol, but people do not always follow the laws regarding timed parking. Mr. Avakian noted CANDO's chairman parks in front of his shop all day while it is posted for one-hour parking. He questioned how this would work and which students would be fined. Mr. Avakian noted parking enforcement in Ormond Beach was done on a complaint driven basis. He reported he was pleased the referendum was postponed in that there were better options.

Mr. Norman Lane, 1314 Northside Drive, stated parking was needed on the east side. He urged the Commission to move ahead since there was money and momentum because waiting would make this project disappear. Mr. Lane stated the 400 spaces in one area would not be used, because everyone parking there would be clustered together on one area of the beach, and it was on the wrong side of A1A; but the first proposal was better with half on the correct side of the road. He urged the Commission to make an effort to preserve the dunes on any east side property they purchase.

Ms. Sophia Kalapaca, 844 Marvin Road, asked for insurance that part one and two on the agenda relative to this item would be eliminated. She questioned if the City had a realtor searching for land. Ms. Kalapaca urged the search resume because the City needed beachside parking. She concurred that Harvard was a major problem and recommended it be used by beachgoers when not used by students.

Ms. Lucille Bornmann, 6 Windsor Drive, stated New Smyrna Beach already had two parks and parking on the beachfront, and they were currently in the process of acquiring three acres on their oceanfront for \$7.5 million for an additional park and parking. She noted New Smyrna Beach applied for \$3.3 million from Florida Community Trust and \$1 million from the legislature and funding from St. Johns River Water Management District, Volusia County, ECCH, and others. Ms. Bornmann stated the Trust of Public Land worked with New Smyrna Beach for two years helping with grant applications and acting as an intermediary between the City and property owners. She advised the Commission members traveled to Tallahassee to lobby for the project. Ms. Bornmann noted Volusia County just agreed to give New Smyrna Beach \$600,000 to repair and open a damaged approach. She stated New Smyrna Beach fought for their citizens while Ormond Beach suggested issuing general obligation bonds totally \$5,600,000 to finance two lots on the east and two on the west. Ms. Bornmann stated the people do not want parking on the west side because they do not feel it was safe. She urged the City to purchase beachfront property.

Mayor Costello asked what property Ms. Bornmann was advocating the City purchase.

Ms. Bornmann stated Mr. Carter presented a proposal.

Mayor Costello stated Mr. Carter wanted the City to use eminent domain, and the City would not do that.

Ms. Bornmann agreed she did not favor using eminent domain, but there were other properties.

Mayor Costello urged the people to find property on the east side and the Commission would consider it.

Mr. Chris Jessup, 139 Fairway Drive, expressed agreement this should be postponed to the general election. He stated other cities are being creative in obtaining funding. Mr. Jessup reported people need to understand the process and work with the process in order to support the process.

Mayor Costello stated merely because a bond issue was discussed did not mean it would end with that discussion. He noted it was mentioned New Smyrna Beach paid \$87,000 to buy an extension on a contract, which was why he originally supported a special election in that the price would increase if the City did not exercise the available contracts; however, he and other

Commission members agreed they were not comfortable with the current options. Mayor Costello stated the City did not have any other choices for A1A land at this time. He explained it was not a question that the Commission was making poor choices, but there were no other choices. Mayor Costello advised the City can not go to agencies for funding, such as the Racing Authority, without a specific parcel. He noted as soon as there was land available, the City would get a contract, and then he would gladly go to Tallahassee or Washington and work to get the funding. Mayor Costello reported he wanted both beachfront property and off-beach parking for Ormond Beach residents. He stated the cost per parking space must be considered. Mayor Costello explained the City would seek grants to pay off the bonds. He requested Mr. Turner provide the Commission a copy of what information went out to landowners.

Mayor Costello stated it would be great to open the Harvard approach, but the City could not place three-hour parking signs there and not somewhere else since the students have the same rights as anyone else. Mayor Costello stated the goal was to get off-beach parking, and if that land could be beachfront that would be great; but if there were property available on the west side with a traffic signal versus no off-beach parking in Ormond Beach, he would prefer to have the off-beach parking. He reported he understood CANDO did not want land on the west side; but it was frustrating because they do not want west land, what was available on the east, or free land, and they did not show the Commission any east land that was available. Mayor Costello noted he wanted to provide beachfront property, but CANDO should either show the land they want or stop complaining that the Commission was not providing them good choices. He stated a good point was made that all the parking in the Ellinor Village area may not be ideal; however, it would provide the opportunity to add restrooms and amenities. Mayor Costello recommended a discussion at the next focus meeting regarding what could be done to hold workshops or open forums to allow input on beach issues. He stated this had been discussed for years, but he did not want anyone to believe they did not have an opportunity to provide input.

Mr. Turner commended Volusia County for offering funds for this project, and he thanked staff for handling the changes under pressure and in a creative way. He pointed out the City held many public meetings over the years, and staff does the work, but the Commission makes the decisions in a public forum. Mr. Turner stated a copy of the e-mail could be requested where staff contacted the representative of Bray and Gillespie, but when this was brought to the podium, no contact had been made with Bray and Gillespie. He noted the contact was placed in writing and they had not replied, but staff learned Bray and Gillespie was not interested in selling the property.

Commissioner Kelley stated it was difficult to get funding for property that the City did not own. He advised the Commission was trying to do what the citizens wanted; but if the property was not for sale, it could not be bought. Commissioner Kelley reported he fought to obtain additional parking when Seabreeze High School was expanded. He explained there were to be 1,400 students at Seabreeze, but now the school had over 2,000 students. He stated the school was built without adequate parking.

Commissioner Gillooly agreed grant money would be sought, and she noted this issue had been discussed a great deal. She recollected that Mayor Costello asked each Commission member to discuss this issue with 50 people, which she took to heart. Commissioner Gillooly concluded there was an interest in the community; it would be difficult to find the ideal property; and the Commission may need to be the City's realtors to avoid paying a commission.

Mayor Costello advised he spoke to several realtors urging them to search for beachfront land, informing them it would be at no commission. He urged the City to find land and offer an option to purchase when the landowner was ready to sell.

Commissioner Kent stated he was pleased Mayor Costello and Commissioner Kelley tried to solve the Seabreeze High School parking problem, although he was disheartened in that he was about to try to find a solution. He noted he had empathy for the students' right to park, but he also had empathy for a resident's right to park. Commissioner Kent responded to Mayor Costello's statement that CANDO did not want free, east, and west land by stating the land was not free. He stated he understood why the County packaged the west side parcel with the parcels on the east, but some members of the community may not understand that and opposed the purchase of land on the west side of A1A. Commissioner Kent reported CANDO repeatedly indicated they only wanted east side land, but not east side with a west side parcel for safety reasons.

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Mayor Costello clarified what he meant was CANDO did not want these particular east side parcels. He stated what he meant by “free” was that it did not take any City tax dollars and was a trade for a shifting of density with no additional people and no City dollars.

**Mayor Costello asked if any member of the Commission wished to make a motion on this item. Hearing none, Mayor Costello declared that Item 10A died for lack of a motion.**

Mayor Costello asked if the Commission wished to discuss the issue of accepting or denying the County’s recommendation to purchase the Rockefeller property independently or hold it for the next meeting.

Commissioner Gillooly offered her approval for the County to proceed with the purchase of the Rockefeller site. She noted this would at least start the process, and it would be a shame to walk away from such an opportunity.

Commissioner Kent suggested waiting two weeks to consider the issue.

Commissioner Kelley noted he was prepared to accept the offer.

Commissioner Partington questioned why the City would need to discuss the issue in that the County could do what they wanted to do subject to the approval or disapproval of their electorate. He noted he had a general disbelief that governments should purchase private property, taking it off the tax roles for uses such as a parking lot.

Mayor Costello stated the County Manager indicated the County allocated \$5 million for Ormond Beach to fund off-beach parking, and they did not want to be accused of doing something that Ormond Beach did not want them to do. He reported the County would not purchase the property unless the Commission would support it.

Commissioner Partington stated this gives the impression of staffs working out the issue when it should be a decision of all of the citizenry.

Mayor Costello asked that this be brought back in two weeks.

Item #10(B)(1)(A) - Firefighter Pension Ordinances

ORDINANCE NO. 2007-10

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS’ PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-45, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 16-47, DISABILITY; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**Commissioner Gillooly moved, seconded by Commissioner Kent, to approve Ordinance No. 2007-10, on first reading, as read by title only.**

Mayor Costello clarified this would increase the multiplier to only 3.12 rather than 3.14, setting aside \$100,000 in case the future State funds would not make enough. He noted the City would not be responsible for the dollars; therefore, he could support this ordinance if an amendment could be made where if the State would ever release the funds to fund the existing benefit, it would revert to fund the existing benefit rather than an enhancement.

Commissioner Gillooly stated this ordinance would take the 3.12 back retroactively, and she recommended taking the 3.12 from this point forward, and the 2.97, which had been agreed upon, be honored to date.

Mayor Costello stated the money could only be used for enhancements.

Mr. Paul Lane, Finance Director, stated Commissioner Gillooly’s recommendation would be a prospective benefit enhancement, and it could be done; but the 3.12% would need to increase because there would be a much smaller unfunded actuarial liability. He noted this would count for past years of service as it was set up.

Mr. Turner asked if the entire amount would have to be spent.

Mr. Lane stated if the entire amount was not spent it would remain frozen, and the pension trustees would have to approve it.

Commissioner Gillooly asked if the difference would be used to help fund shortfalls rather than the money coming from the members own funds. She noted this would also provide a buffer where if the insurance dollars change they could use these funds.

Mr. Lane noted the pension board may recommend going to a higher multiplier. He explained it was up to the firefighters' discretion to make a recommendation to the board; therefore, the Commission must vote the proposal either up or down. He noted if it was voted down, it would have to go back to the pension board and collective bargaining unit.

Commissioner Gillooly stated if there were shortfalls in the future, the firefighters may have to take less of a benefit or pay in more, affecting the firefighters personally, while this would give them the opportunity to draw from those funds directly to fund the benefit they want.

Mayor Costello noted that would depend on how close to retirement the firefighter would be.

Mr. Lane noted they have \$296,000 in their frozen bank from prior years and \$55,000 per year going forward. He reported the board could recommend going to a multiplier that would absorb all of that frozen money, and the losers would be the senior firefighters since they would get no retroactive credit.

Mr. Turner clarified that all of the firefighters would be advantaged if this ordinance were approved.

Commissioner Kent stated this was not costing the City anything and it was retroactive for the long-term firefighters. He noted he favored approving this ordinance without any amendments.

Commissioner Kelley stated the pensions are one of the items that have placed the cities and local governments in a bind. He noted only 19% of private industry has a defined benefit plan. Commissioner Kelley reported he believed the State was wrong, but the City had no choice and this was one of the many mandates from the State. He stated he would not favor any enhanced benefit.

Commissioner Partington asked if there was anything pending in the legislature to free up the money from the insurance funds.

Mr. Lane stated there was nothing pending he was aware of, and it was just passed in the past five years.

Commissioner Partington noted he was inclined to vote "no" on this and agreed with Commissioner Gillooly's recommendation.

Commissioner Kent stated one of the benefits for working for the government was a pension because the salary earned the first 10 to 15 years was lower. He stated anyone working 25 to 30 years should do well with their pension. Commissioner Kent stated a public servant represents the City, and they were called to a higher standard.

Commissioner Gillooly stated she agreed with Commissioner Kent but noted that this was a tremendous benefit. She noted there was a point with government workers where salaries were low compared to the market, and the benefits needed to be greater to attract and keep good employees; but that was changed, and the salaries started to become the best paying jobs in the County. Commissioner Gillooly reported the benefits are excellent and extremely costly and, combined with increased salaries, have been placed on the backs of the taxpayers.

Commissioner Kelley concurred with Commissioner Gillooly's point that 30 years ago people were paid less than they could make in private industry, but today they make 125% to 130% of what could be made in private industry, particularly in Volusia County. He pointed out 72% of the City's funds went to salaries and benefits.

Mayor Costello summarized that Commissioner Gillooly, Commissioner Kelley, and Commissioner Partington preferred going prospective while Commissioner Kent would approve the ordinance without change, and he would prefer approving the ordinance with an amendment. He asked the vote be called and the pension board informed what the Commission could approve.

Call Vote:	Commissioner Gillooly	no
	Commissioner Kent	yes
	Commissioner Kelley	no
	Commissioner Partington	no
Failed.	Mayor Costello	no

Item #10(B)(2)(B) - Firefighter Pension Ordinances - BAC-DROP

ORDINANCE NO. 2007-11

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE III, FIREFIGHTERS' PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-40, DEFINITIONS, BY AMENDING THE DEFINITION OF AVERAGE FINAL COMPENSATION; AMENDING SECTION 16-49, OPTIONAL FORMS OF BENEFITS; ADDING A NEW SECTION 16-69, BAC-DROP; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

**Mayor Costello stated the Ordinance died for lack of a motion.**

Mayor Costello stated the firefighter's goal was to hit overtime years, and there were a few years where overtime was exorbitant. He noted he did not believe anyone should be able to consider overtime in the pension calculations. Mayor Costello reported he wanted the employees to obtain the best benefit possible, but not where it would cost the City money.

Item #11 - "Cool City" Program

Mayor Costello asked if the Commission could support step one in the "Cool City" program.

Commissioner Kent noted if Mayor Costello were not willing to proceed past step one, he questioned why the issue was being considered.

Mayor Costello advised he was interested in step one, but not continuing without seeing the numbers. He asked if anyone objected to going as far as step one.

Commissioner Kent advised he was not ready to go to step one.

Mayor Costello stated he considered it to be a good idea and supported it; and if anyone would reconsider it in the future, it could be discussed at that time.

Item #12 - Reports, Suggestions, Requests

City Attorney Salary Increase

Commissioner Kent asked if Mr. Hayes had a salary increase this year.

Mr. Hayes stated the City was behind schedule in his evaluation since it was delayed last year. He reported he needed to make some adjustments to the evaluation form before sending it to the Commission. Mr. Hayes stated the last evaluation was done in September of last year for the previous fiscal year; however, he stated he was not looking for a salary increase.

Mayor Costello stated Mr. Hayes would provide a new form.

Tax Reform

Commissioner Kelley reported he attended the tax reform discussion held at the Emergency Operations Center where the cities were trying to get a message to the legislators that they need to fix the equity and one solution would not fit all. He noted one mayor indicated the people were not asking for tax relief; and while he did not make that statement, he asked three senators to work to fix the inequity because the Ormond Beach homesteaded residents paid 8% less in taxes last year than in the prior year. Commissioner Kelley reported the question was asked how the State determined the cities' budgets were full of fat, and none admitted ever seeing the cities' budgets. He stated the legislators were shocked to see the low operating millage rate of 3.88 when some counties have an operating millage of 10. Commissioner Kelley reported Ormond Beach was operating efficiently. He pointed out one of the people who loudly vocalized that he considered Ormond Beach wasted money had taxes of \$18 per month, which was not a great deal. Commissioner Kelley urged people to make an actual comparison on

what they paid last year to what they paid this year before complaining they were paying more taxes because they would discover they were actually paying less. He stated the message to the legislators was a plea to make true and realistic tax reform. Commissioner Kelley stated the same home with \$18 per month taxes, if sold for the market value, would have the new owners paying \$113 each month, which was the inequity that needed to be fixed.

Commissioner Partington commended Commissioner Kelley's efforts at the tax reform discussion. He noted he was pleased to see Volusia Tax Reform involved in the process and the progress they were making. Commissioner Partington reported insurance was a huge component of the problem when they take billions in profits and set up smaller funds to eliminate their risk. He stated the inequities that were inherent in the tax code were also a huge part of the problem. Commissioner Partington reported there were many other taxing entities that do not run as efficiently as Ormond Beach. He offered an open invitation for anyone who could show the Commission where to cut, and it would be considered. Commissioner Partington stated the City was fortunate to have a City Manager who was extensively knowledgeable with budgets, which was why the budget process worked so well and why the City obtained awards for its budget.

Commissioner Gillooly agreed with Commissioner Partington regarding the insurance issue and that inequity was another huge issue. She noted while her taxes went down, her property insurance doubled which was significant.

#### Budget Update

Commissioner Gillooly thanked staff for the budget update. She stated the Commission received the same list that was previously distributed and some people characterized it as "scare tactics," but the people should be made aware of the type of deep potential cuts the City may be facing. Commissioner Gillooly explained to her constituents that the Commission wanted the public to come to the meetings and become part of the process and be aware of the decisions the Commission would be required to make regarding the budget. She noted the list was successful in generating public interest.

#### Beachfront Parking Issue

Commissioner Gillooly expressed appreciation for all of the work that went into the beachfront parking issue report even though the Commission did not act on it, but a decision could not be made without the work being done and the reports generated.

#### United Way's Volunteer of the Year Program

Commissioner Gillooly stated Halifax Habitat for Humanity participates in the United Way's Volunteer of the Year program. She noted Mr. Ken Duvall worked hard as a site supervisor for PACE and was recognized for his service as one of the Volunteers of the Year. Commissioner Gillooly stated these volunteers make a true investment in the community.

#### MPO

Commissioner Gillooly thanked Mayor Costello for asking her to go to the MPO meeting on Saturday. She reported her brother has cerebral palsy, making her aware of the challenges faced by the disabled, but the MPO event was very eye-opening. Commissioner Gillooly asked the City to invite the physically challenged people in the community to attend the board meetings and town hall meetings to make this a true quality community for everyone.

Mayor Costello stated the Quality of Life Advisory Board should be receiving information from the physically challenged continually. He agreed the MPO event definitely increases people's awareness of the challenges.

#### Budget Advisory Board

Mr. Turner stated the Budget Advisory Board meeting would be held on May 16 at 7 p.m. He noted if people would like to have input on the budget, he urged them to attend this meeting.

#### American Cancer Society

Mr. Turner thanked staff and the Commission for their efforts for the American Cancer Society where nearly \$4,000 was raised.

#### City Manager Missing a Commission Meeting

Mr. Turner reported his son was receiving an honor at the same time of the next City Commission meeting. He stated while he was obligated to attend the Commission meetings, he would not want to miss this honor for his son and may miss the meeting.

Mayor Costello stated Mr. Ted MacLeod, Assistant City Manager, would be able to handle the meeting for Mr. Turner.

National Day of Prayer

Mayor Costello stated the National Day of Prayer would be held on May 3 from 12:20 p.m. to 12:40 p.m. He noted some people may gather at the flag pole for prayer.

Bulldozing the Sand on the Beach

Mayor Costello reported he received an anonymous letter regarding bulldozing the sand on the beach, but it can not be done. He stated the letter mentioned opening up the beach north of the poles, but that could not be done either. Mayor Costello reported since the letter was anonymous, he could not respond to the writer that the Commission would gladly do as recommended; but it could not be done.

Riverbend Church

Mayor Costello advised he was informed that Riverbend Church would annex the next portion of their land into Daytona Beach rather than Ormond Beach. He noted building design and height were critical issues as they were looking at requesting an amendment to the City of Ormond Beach Comprehensive Plan to call out an exception for houses of worship so they could have a cathedral that reached the height of 100 feet inclusive of architectural embellishments, which would be 1,200 feet off the road and not visible. Mayor Costello reported there were Class 2 and Class 3 wetlands. He advised that similar to Ormond Beach loosing 3,000 acres to Consolidated Tomoka Land Company and the hospital moving, Ormond Beach was now loosing part of the church. Mayor Costello requested investigating some of these standards that do absolutely nothing to improve quality of development, but merely shift development to another jurisdiction where Ormond Beach would have no control over signage, beautification, and architecture and would have all of the impacts, none of the dollars. He noted St. Johns River Water Management District increased their standards, and some people believe their standards were better than Ormond Beach's standards.

Citizen's Letters

Mayor Costello reported he received a letter from Mr. Robert Lytle and encouraged more people to send letters. He stated one of Mr. Lytle's suggestions was to eliminate community events such as parades, fireworks, concerts, etc.; however, he was not ready to support that recommendation. Mayor Costello noted he agreed with his recommendation to make the Casement activities and the tennis facility to be as self-sustaining as possible. He stated he also agreed with the recommendation regarding user fees and had supported user fees for years. Mayor Costello explained the airport was not requiring additional funding other than what was set aside in the late 1990s, and those funds were loans which would be paid back.

Mayor Costello's Granddaughter

Mayor Costello thanked everyone for their prayers and card for his granddaughter who was doing better. He noted he was out of the State with his granddaughter for the past four weekends and missed a number of events. He thanked the Commission for covering for him.

Mayor's Meeting

Mayor Costello reported the Mayor's meeting with County Chairman Frank Bruno would be held on May 21; however, he had jury duty that day and would probably not be able to attend. He stated the managers were asked to attend this meeting.

Alzheimer's Challenge

Mayor Costello stated Daytona Beach Shores Mayor Greg Northup was asking if anyone was interested in golfing for "Preserving Your Memory Challenge – Alzheimer's Disease." He stated he would prefer Ormond Beach participate, if possible. Mayor Costello noted there was a discussion regarding rotating this between the various communities on an annual basis.

National Prayer Day

Mr. Turner stated the National Prayer Day information was generic and nothing was planned; however, if anyone would like to pray on the plaza they should alert him, and the City would be glad to lend support.

Item #13 - Close the Meeting

The meeting was adjourned at 9:35 p.m.

APPROVED: \_\_\_\_\_ May 15, 2007

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

ATTEST:

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Veronica Patterson, City Clerk