

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

September 18, 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, Deputy City Attorney Sandy Upchurch, and City Clerk Veronica Patterson.

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Reverend Gary Powell, Oasis Christ Fellowship.
- 3) Pledge of Allegiance.
- 4) **SECOND PUBLIC HEARING – FY 2007-2008 MILLAGE RATES/BUDGET:**
 - A) Resolution No. 2007-134 establishing the final millage rates to be levied for Fiscal Year 2007-2008; directing certification; expressing legislative intent. (3.01100 operating millage rate; debt service millage rates of 0.4000 and 0.03250)
 - B) Second Reading of Ordinance No. 2007-31 adopting the Annual Budget for the 2007-2008 Fiscal Year beginning October 1, 2007, and ending September 30, 2008; repealing all inconsistent ordinances or parts thereof. (\$105,639,661)
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the September 4, 2007, meeting.
- 7) **PRESENTATION:** Proclamation in honor of the Ormond Scenic Loop and Trail Corridor Advocacy Group.
- 8) **INTERGOVERNMENTAL REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Water Authority of Volusia
- 9) **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. 2007-135 appointing a member of the Recreation Advisory Board; setting forth term and conditions of service. (Aaron Phillips)
 - B) Resolution No. 2007-136 appointing members to serve as trustees of the City of Ormond Beach Firefighters' Pension Trust Fund; establishing term and conditions of service. (Charles Engemann and Lee Strong, Jr.)
 - C) Resolution No. 2007-137 authorizing the execution of a service contract between the City and the Ormond Beach Chamber of Commerce. (\$29,000)

- D) Resolution No. 2007-138 authorizing the execution of a Cooperative Business Development Agreement between the City and Daytona Beach/Halifax Area Chamber of Commerce, Inc. (\$18,150.50)
- E) Resolution No. 2007-139 renewing an engagement letter between the City and Samuel P. Bell, III, of Pennington, Moore, Wilkinson, Bell & Dunbar, P.A. regarding legislative lobbying services for the 2008 Florida legislative session; authorizing the execution thereof. (\$31,000)
- F) Resolution No. 2007-140 authorizing execution of an agreement between the City and the Volusia County Metropolitan Planning Organization in support of planning and funding of Volusia County transportation system projects; authorizing the expenditure of funding. (\$4,029)
- G) Resolution No. 2007-141 authorizing the acceptance of a deed from the County of Volusia for property located west of Nova Road in Camelot Mobile Home Estates.
- H) Resolution No. 2007-142 authorizing the execution of a Water, Sewer and Annexation Agreement between the City and AGMT, LLC, Shree Krishna, LLC; providing for recordation. (Comfort Inn)
- I) Resolution No. 2007-143 authorizing and directing the execution of a First Amendment to Interlocal Agreement for Public School Facility Planning between the County of Volusia, the Volusia County School Board and the City of Ormond Beach.
- J) Resolution No. 2007-144 accepting the bid of Cheesbro Roofing, Inc., regarding construction services for the Performing Arts Center Roof Replacement project under Bid No. 2007-10; rejecting all other bids; authorizing the execution of a contract between the City and Cheesbro Roofing, Inc., and payment thereunder. (\$142,270)
- K) Resolution No. 2007-145 accepting a proposal from Kenneth Smith Architects, Inc., to provide architectural and engineering services regarding the Rockefeller Gardens Site and Drainage Improvements project; authorizing the execution of a work authorization thereto. (Not to exceed \$80,000)
- L) Resolution No 2007-146 accepting the bid of Antinori Management Group, Inc., regarding construction services for the Lake Park Circle Pond Seawall under Bid No. 2007-31; rejecting all other bids; authorizing the execution of a contract between the City and Antinori Management Group, Inc., and payment thereunder. (\$109,440)
- M) Resolution No. 2007-147 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding the Nova Gymnasium Floor Replacement project. (Not to exceed \$97,869)
- N) Resolution No. 2007-148 authorizing the execution of Change Order Number One (1) to that contract awarded to Halifax Paving, Inc., regarding the construction services for the Ormond Beach Sports Complex Phase I Improvements project, by increasing the contract price by \$37,537.50. (Total Project \$1,765,184.50)
- O) Resolution No. 2007-149 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.
- P) Resolution No. 2007-150 accepting the bid of Corporate Building Management, Inc., regarding the provision of janitorial services at the Police facilities under Bid No. 2007-29; rejecting all other bids; authorizing the execution of a contract between the City and Corporate Building Management, Inc., and payment thereunder. (\$28,320)
- Q) Resolution No. 2007-151 accepting a bid from Del Zotto Products of Florida, Inc., for the provision of three above-ground fuel tanks under Bid No. 2007-34; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$84,565)
- R) Resolution No. 2007-152 authorizing the renewal of health insurance services with Florida Health Care Plans; authorizing the execution of an agreement and payment therefor.

- S) Resolution No. 2007-153 accepting the proposal of Brown & Brown of Florida, Inc., for the renewal of commercial property insurance; authorizing the execution of an agreement and payment therefor. (\$430,053)
- T) Resolution No. 2007-154 accepting the proposal of Midwest Employers Casualty Company regarding the renewal of excess workers' compensation insurance for the City; authorizing the execution of an agreement and payment therefor. (\$52,557)
- U) Resolution No. 2007-155 accepting the proposal of Employers Mutual, Inc., regarding workers' compensation claims administration and medical management services; authorizing the execution of a 1-year agreement with two optional 1-year renewal terms and payment therefore; rejecting all other proposals. (\$27,160 1st year; approximately \$6,300 annually)
- V) Selection of a canvassing board member to serve as the City Commission representative on the canvassing board for the October 9, 2007, Regular Election.

DISPOSITION: Approve as recommended in City Manager memorandum dated September 13, 2007.

10) **PUBLIC HEARINGS:**

- A) Resolution No. 2007-156 approving and authorizing the removal of an historic tree located on a City right-of-way located at 516 Sandy Oaks Boulevard.
- B) Ormond Beach Downtown Community Redevelopment Area:
 - 1) Review by the Community Redevelopment Agency
 - a) Recess the City Commission meeting and convene as the City of Ormond Beach Community Redevelopment Agency.
 - b) Review of proposed Downtown master plan update.
 - c) Review of the proposed Ormond Main Street agreement.
 - d) Adjourn as the Community Redevelopment Agency and reconvene the City Commission meeting.
 - 2) Resolution No. 2007-157 of the City Commission, individually and acting as the Community Redevelopment Agency for the central business district and adjacent areas, approving an amended Ormond Beach Downtown Community Redevelopment Area Master Plan.
 - 3) Resolution No. 2007-158 of the City Commission, individually and acting as the Community Redevelopment Agency for the central business district and adjacent areas, authorizing the execution of a service agreement between the City/Agency and Ormond Beach Main Street, Inc., for the promotion of economic, physical and aesthetic redevelopment and maintenance of the Ormond Beach Main Street district. (\$34,000)
- C) Transmittal of City of Ormond Beach Comprehensive Plan amendments:
 - 1) Resolution No. 2007-159 authorizing the transmittal of amendments to the Capital Improvements and Intergovernmental Coordination Elements; adding a Public School Facilities Element thereto of the City of Ormond Beach Comprehensive Plan.
 - 2) Resolution No. 2007-160 authorizing the transmittal of various amendments to the City of Ormond Beach Comprehensive Plan. (Building Heights/Loop Corridor, 2007 1st Cycle)
- D) Ordinance No. 2007-30 annexing certain real property into the City of Ormond Beach located at 211 North Tymber Creek Road; setting forth zoning, privileges, and obligations of said property; providing for transmission; and setting forth an effective date. (McBride Property) (Second Reading)

- E) Ordinance No. 2007-32 amending the Official Zoning Map of Ormond Beach to rezone certain real property located at 94 Plaza Grande Street from Volusia County R-4 (Urban Single Family Residential) to City of Ormond Beach R-3 (Single Family Medium Density). (First and Only Reading)
- F) Ordinance No. 2007-33 annexing certain real property into the City of Ormond Beach located west and immediately adjacent to 1705 W. Granada Boulevard; setting forth zoning, privileges and obligations of said property; providing for transmission; and setting forth an effective date. (Proposed Calvary Church Property) (First Reading)
- 11) **RESOLUTION** No. 2007-161 naming the fishing pier and observation deck located in Central Park the “Joyce Ebbets Fishing Pier and Observation Deck.”
- 12) **DISCUSSION ITEMS:**
 - A) Budget reduction plan update.
 - B) Police Department after-hours operations.
- 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.

Item #2 - Invocation

Reverend Gary Powell, Oasis Christ Fellowship, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Item #4(A) – Adopting Millage Rates

RESOLUTION NO. 2007-134
A RESOLUTION ESTABLISHING THE FINAL MILLAGE RATES
TO BE LEVIED FOR FISCAL YEAR 2007-2008; DIRECTING
CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND
SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello reported that per Florida Statute, he was required to state that the proposed millage rate for the City of Ormond Beach necessary to fund the FY 2007-2008 budget was 3.01100 mills. He reported this was a 9.0% tax decrease from the rolled back tax rate of 3.30885. Mayor Costello advised the proposed debt service millage rates are 0.40000 for the 2002 General Obligation Bond Sinking Fund and 0.03250 for the 2003 General Obligation Bond Sinking Fund. He stated he was pleased to announce that this tax rate was the third lowest in Volusia County. Mayor Costello stated this was a public hearing, and no one in the audience had handed in a card wishing to speak.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-134, to adopt the proposed operating millage rate of 3.01100 and the debt service millage rates of 0.40000 and 0.03250.

Mayor Costello stated the proposed operating millage of 3.01100 mills was 9.0% less than the rolled back millage rate. He noted the resolution also included adoption of the proposed debt service millage rates of 0.40000 for the 2002 General Obligation Bond Sinking Fund and 0.03250 for the 2003 General Obligation Bond Sinking Fund.

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

Mayor Costello advised the proposed operating millage rate was set at 3.01100 mills, which was 9% less than the rolled back millage rate.

Item #4(B) – Adopting the Annual Budget

Mayor Costello asked the City Clerk read Ordinance No. 2007-31 which would adopt a budget of \$105,639,661.

ORDINANCE NO. 2007-31
AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE
2007-2008 FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND
ENDING SEPTEMBER 30, 2008; REPEALING ALL
INCONSISTENT ORDINANCES OR PARTS THEREOF; AND
SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2007-31, on second reading, as read by title only.

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

Mayor Costello the Commission has adopted a budget of \$105,639,661.

Hearing no objection, Mayor Costello closed the public hearing on Item #4.

Item #5 - Audience Remarks

Clyde Morris Boulevard Widening

Ms. Connie Colby, 233 Blue Heron Lake Circle, reported there have been problems with traffic on Clyde Morris Boulevard at Aberdeen. She noted she called Volusia County and was informed they were not planning any turning lanes into or out of Aberdeen. Ms. Colby advised this was a very dangerous situation now, and the problem would only get worse. She noted Daytona Beach was adding two housing developments, and there would be additional traffic from the new hospital.

Mayor Costello requested Mr. Isaac Turner, City Manager, write a letter requesting some consideration for Aberdeen and to inform the County Council that there were concerns regarding turning lanes for Aberdeen.

Commissioner Partington stated he was planning to attend the County meeting on Thursday.

Mayor Costello stated he would stop short of asking the County to fund a traffic signal because it was a private, gated community. He noted in the past the citizens were asked to fund a traffic signal, but he would support asking for turning lanes and other considerations for Aberdeen.

Commissioner Kent expressed appreciation for Mayor Costello’s steadfastness. He pointed out another City Commission approved a traffic light that saved lives. Commissioner Kent advised these are County residents paying County taxes. He noted anything that the Ormond Beach City Commission could do should be done for these residents.

Commissioner Partington stated he spoke to Volusia County and Mr. Turner hinting about a cost-sharing agreement for this area, but he made no promises or any agreements.

Commissioner Kelley stated it would be better once Clyde Morris Boulevard was four-laned so the people could move to a passing lane; however, he would agree to do everything that was possible to help this situation.

Mayor Costello stated the Commission concurred to ask Commissioner Partington to convey the Commission’s desire for the County to consider the turning lanes to benefit the safety of the Aberdeen residents.

Candidate’s Forum

Ms. Rita Press, 875 Wilmette Avenue, reported the Citizens for Ormond Beach would be holding their candidate’s forum tomorrow night at 7:00 p.m. in the Commission chambers. She

noted questions would be taken from the audience, and light refreshments would be available after the forum where the public could speak informally to the candidates.

Walking on Public Land

Mr. Daniel Zurla, 3751 Long Grove Lane, Port Orange, stated Ormond Beach, Daytona Beach, and Port Orange built golf courses for cart golfing that were inherently unconstitutional because they cannot readily accommodate walking golfers. He reported he filed a lawsuit for liberty, but the judges allowed the three cities to hide their unconstitutional act of depriving freedom. Mr. Zurla asked that these cities allow walkers the freedom to walk on public land.

Congratulating Commissioner Kent

Ms. Pat Behnke, 15 Malayan Sun Bear Path, congratulated Commissioner Kent for being the first Commission member elected for 2008.

Item #6 - Approval of Minutes

Mayor Costello advised the minutes of the September 4, 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 #7 - Ormond Scenic Loop and Trail Corridor Advocacy Group

Mayor Costello read a proclamation which stated the Ormond Scenic Loop & Trail (OSL&T) was the culmination of a great community effort. He reported the OSL&T corridor, approximately 33.98 miles in length, starting at A1A at the Flagler County line and extending south from the Flagler A1A Scenic and Historic Coastal Byway to Granada Boulevard extending west on SR40 to North Beach Street where it turns north and continues along North Beach Street, Old Dixie Highway, Walter Boardman Road, then turns east on Highbridge Road back to A1A and the Atlantic Ocean. Mayor Costello advised the OSL&T received Florida's Scenic Roadway Designation in July 2007. He proclaimed October 6, 2007, as a day to recognize the Ormond Scenic Loop & Trail Corridor Advocacy Group in appreciation of the efforts of the Ormond Scenic Loop & Trail Corridor Advocacy Group in order to protect and preserve this scenic highway corridor for future generations.

Mr. Joe Jaynes, 116 Wilmans Boulevard, Apartment 6, Daytona Beach, Chair of the Ormond Scenic Loop and Trail Corridor Advocacy Group, stated it was his honor to serve with this fine group of people who have been working on this project for many years. He reported this was a monumental achievement for the citizens of Ormond Beach and the City Commission.

Mayor Costello thanked the many people involved in this effort.

Item #8(A) - Metropolitan Planning Organizations and Item #8(B) - Volusia Council of Governments

Mayor Costello advised that the Metropolitan Planning Organization (MPO) and Volusia Council of Governments (VCOG) meet at the end of the month.

Item #8(C) - Water Authority of Volusia

Commissioner Kelley reported the Water Authority of Volusia (WAV) would meet tomorrow.

Item #9 - Consent Agenda

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

Commissioner Kent requested removing Item Nos. 9(C) and 9(D) for discussion.

Commissioner Kent moved, seconded by Commissioner Kelley, for approval of the Consent Agenda, minus Item Nos. 9(C) and 9(D).

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

Item #9(C) – Ormond Beach Chamber of Commerce Service Contract

RESOLUTION NO. 2007-137

A RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE CONTRACT BETWEEN THE CITY AND THE ORMOND BEACH CHAMBER OF COMMERCE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2007-156, as read by title only.

Commissioner Kent advised he would approve this tonight. He explained the Commission decided to fund certain organizations this year, but they were put on notice that pending the financial outcome of the City’s budget issues, the City may not be able to support them next year considering the vote in January. Commissioner Kent stated the Chamber of Commerce does a great job for the business community.

Mayor Costello reported the Chamber of Commerce and Ormond Beach Historical Trust are slightly different than other entities where donations are made in that the City had contracts that delineated some of the services they provide for the City. He concurred that all items are under review.

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

Item #9(D) – Daytona Beach/Halifax Area Chamber of Commerce, Inc. Cooperative Business Development Agreement

RESOLUTION NO. 2007-125

A RESOLUTION AUTHORIZING THE EXECUTION OF A COOPERATIVE BUSINESS DEVELOPMENT AGREEMENT BETWEEN THE CITY AND DAYTONA BEACH/HALIFAX AREA CHAMBER OF COMMERCE, INC.; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-156, as read by title only.

Commissioner Kent reported the statement he made for the previous item applied to this item as well.

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

Item #9(F) – Volusia County Transportation System Projects

Mayor Costello stated the Unified Traffic Impact Analysis methodology would have a tremendous benefit for Ormond Beach and would help the City minimize the traffic issues developing to the west. He noted Daytona Beach, Volusia County, Ormond Beach, and Holly Hill would all use the same traffic methodology.

Item #9(Q) – Provision of Three Above-Ground Fuel Tanks

Mayor Costello commended staff for saving the City \$137,584 with the in-house removal of the fuel tanks.

Item #9(R) – Renewal of Health Insurance Services

Mayor Costello reported the 2.5% increase in health insurance was outstanding considering the history of large increases. Regarding labor union issues, Mayor Costello reported he believed employees should be provided with the Health Maintenance Organization (HMO), and if they prefer the Point of Service (POS), they should pay the difference, saving \$93,000.

Item #9(S) – Renewal of Commercial Property Insurance

Mayor Costello stated he was pleased the commercial property insurance decreased 8% this year after the huge increase last year.

Item #9(U) – Workers' Compensation Claims Administration and Medical Management Services

Mayor Costello stated the Workers' Compensation laws dictate the City must presume that if a firefighter has high blood pressure, heart issues, or some other illness that it would automatically be considered work related. He noted the Commission wanted to cover work-related issues, but only work-related issues.

Item #9(R) – Renewal of Health Insurance Services

Commissioner Gillooly agreed the 2.5% increase was not significant, particularly in relation to the market. She stated it was important to consider offering HMO health coverage and allow the employee to pay the difference for the POS coverage if they wish to select that option. Commissioner Gillooly noted health coverage was a tremendous benefit, which enhances the employees' overall compensation package.

Item #9(A) – Recreation Advisory Board Appointment

Commissioner Gillooly thanked the Commission for approving Mr. Aaron Phillips as the new member on the Recreation Advisory Board, replacing Mr. Skip Keating. She thanked Mr. Keating for all of his hard work on the board.

Item #9(V) – Selection of a Canvassing Board Member

Commissioner Kent stated he would represent the City well on the Canvassing Board.

Item #9(R) – Renewal of Health Insurance Services

Commissioner Kelley stated the "Big Three" auto workers were trying to create a trust fund because their health care benefits for their current employees and retirees was about to bankrupt the industry. He reported it would be beneficial to the City to explore savings for those who chose the additional coverage.

Item #9(U) – Workers' Compensation Claims Administration and Medical Management Services

Commissioner Partington recommended giving the presumption issue to Ormond Beach's lobbyist, Mr. Sam Bell. He noted it was not reasonable for a firefighter out fishing to have chest pains and that be considered work related. Commissioner Partington stated he realized this would be difficult to overturn in the legislature, but Ormond Beach should try to prevent abuses.

Mayor Costello stated he would be glad to pay even if there was only a weak link, but he had a problem paying if there was no link to the employee's work.

Item #10(A) – Removal of Historic Tree on a City Right-of-way at 516 Sandy Oaks Boulevard

RESOLUTION NO. 2007-156

A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF AN HISTORIC TREE LOCATED ON A CITY RIGHT-OF-WAY LOCATED AT 516 SANDY OAKS BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2007-156, as read by title only.

Commissioner Kelley stated the City was required to do this by the law. He pointed out a limb fell and caused an accident twice. Commissioner Kelley stated this could cause a liability situation, and the tree must be removed.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #10(A).

Item #10(B)(1) – Ormond Beach Downtown Community Redevelopment Area

Mayor Costello recessed the City Commission meeting and convened a meeting of the City of Ormond Beach Community Redevelopment Agency at 7:37 p.m.

Item #10(B)(2) – Ormond Beach Downtown Community Redevelopment Area Master Plan

RESOLUTION NO. 2007-157

A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, APPROVING AN AMENDED ORMOND BEACH DOWNTOWN COMMUNITY REDEVELOPMENT AREA MASTER PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-157, as read by title only.

Commissioner Kent commended all parties involved in this master plan update. He reported what was planned for downtown was awesome.

Mayor Costello stated he would support this; however, he had pause because of the gateway treatments at A1A and Granada Boulevard and at US1 and Granada Boulevard rather than at Orchard Street and Granada Boulevard. He noted he had hoped that Rinker would leave, and improvements could be made on the three corners. Mayor Costello called for a vote on the resolution.

Ms. Veronica Patterson, City Clerk, stated both items as the Community Redevelopment Agency (CRA) must be completed, the CRA meeting must be closed, and the Commission would then go back to the City Commission meeting where the a vote would be taken on the items.

Mr. Clay Ervin, Chief Planner for Special Projects, stated the Commission, acting as the CRA, must take an official action on these resolutions so the record could reflect the CRA reviewed the documents so they, acting as the City Commission, could then proceed.

Mayor Costello called for a vote of the CRA on Resolution No. 2007-157.

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 #10(B)(2).

Item #10(B)(3) – Service Agreement with Ormond Beach Main Street, Inc.

RESOLUTION NO. 2007-158

A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2007-158, 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 #10(B)(3).

Mayor Costello asked if this action needed to be repeated as the City Commission; whereby, Mr. Ervin reported the Commission should approve the resolutions a second time as the City Commission.

Mayor Costello adjourned the meeting of the Community Redevelopment Agency and reconvened the City Commission meeting at 7:47 p.m.

Item #10(B)(2) – Ormond Beach Downtown Community Redevelopment Area Master Plan

RESOLUTION NO. 2007-157

A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, APPROVING AN AMENDED ORMOND BEACH DOWNTOWN COMMUNITY REDEVELOPMENT AREA MASTER PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-157, 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 #10(B)(2).

Item #10(B)(3) – Service Agreement with Ormond Beach Main Street, Inc.

RESOLUTION NO. 2007-158

A RESOLUTION OF THE CITY COMMISSION, INDIVIDUALLY AND ACTING AS THE COMMUNITY REDEVELOPMENT AGENCY FOR THE CENTRAL BUSINESS DISTRICT AND ADJACENT AREAS, AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT BETWEEN THE CITY/AGENCY AND ORMOND BEACH MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC, PHYSICAL AND AESTHETIC REDEVELOPMENT AND MAINTENANCE OF THE ORMOND BEACH MAIN STREET DISTRICT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Gillooly moved, seconded by Commissioner Kelley, to approve Resolution No. 2007-158, as read by title only.

Commissioner Gillooly reported the audience tonight included a great number of the leadership of Ormond Main Street along with the director. She acknowledged their hard work.

Mayor Costello asked all who were involved with this to stand to be acknowledged. He noted at the 5:30 p.m. meeting citizens were lamenting the lack of the small-town feel, but Ormond Main Street was trying to keep that core area to feel uniquely special.

Commissioner Kent reported having people active in Ormond Main Street, two past directors, and the current director showed how much the community cared about the Main Street district. He thanked Mr. Bill Partington, Sr., who was steering Ormond Main Street in the right direction. Commissioner Kent expressed appreciation to Mr. Partington for his work with Ormond Main Street and all Ormond Beach issues.

Commissioner Kelley stated this was making something ordinary vibrant. He noted the three areas of Main Street would set apart and define Ormond Beach.

Commissioner Kent reported this encompasses Zone 1 and Zone 2, making Ormond Beach unique. He noted it was difficult to designate a single downtown; and while there were real challenges, the team of people working on this was great.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #10(B)(3).

Item #10(C)(1) – Comprehensive Plan Amendment – Public School Facilities Element

RESOLUTION NO. 2007-159

A RESOLUTION AUTHORIZING THE TRANSMITTAL OF AMENDMENTS TO THE CAPITAL IMPROVEMENTS AND INTERGOVERNMENTAL COORDINATION ELEMENTS; ADDING A PUBLIC SCHOOL FACILITIES ELEMENT THERETO OF THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-159, as read by title only.

Mayor Costello advised that this item was a public hearing. There were no members of the audience who wished to speak. Mayor Costello stated a new high school would be built somewhere between Port Orange and Ormond Beach in the future, and he recommended the Commission lobby hard to place the high school in Ormond Beach. He noted he would not favor Ormond Beach children going to Hurst.

Commissioner Kent stated he served on the school concurrency board and thanked Mr. Ervin for his guidance.

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 #10(C)(1).

Item #10(C)(2) – Comprehensive Plan Amendments - 2008 1st Cycle

RESOLUTION NO. 2007-160

A RESOLUTION AUTHORIZING THE TRANSMITTAL OF VARIOUS AMENDMENTS TO THE CITY OF ORMOND BEACH COMPREHENSIVE PLAN; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello questioned if this was the 2007 or 2008 1st cycle; whereby, Mr. Ervin advised it should be the 2008 1st cycle. Mayor Costello advised this was a public hearing and asked for comments.

Mr. Joe Jaynes, 116 Wilmans Boulevard, Apartment 6, Daytona Beach, Ormond Scenic Loop & Trail Corridor Advocacy Group, reported the elements that encompass the scenic highway were in this transmittal to the Department of Community Affairs (DCA). He noted the Ormond Scenic Loop & Trail Corridor Advocacy Group reviewed this and was in full support. Mr. Jaynes advised he would provide a letter to accompany the elements to DCA to express the group's support. He thanked staff for their quick action to address the scenic highway.

Mayor Costello reported this was unanimously approved by the City's Planning Board.

Commissioner Gillooly moved, seconded by Commissioner Kent, to approve Resolution No. 2007-160, as read by title only.

Commissioner Kelley stated Item "F" clarifies the addition of Policy 1.2, which identifies John Anderson Drive, from Granada Boulevard to Halifax Drive and North Beach Street to Granada

Boulevard, as a collector road that cannot be widened beyond a standard two-lane undivided roadway.

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

Mr. Ervin stated there were sign-in sheets at the back of the room that people could sign if they wished to have DCA send them all of the official correspondence regarding the Comprehensive Plan amendments. He noted this list would be sent to DCA as part of the transmittal.

Hearing no objection, Mayor Costello closed the public hearing on Item #10(C)(2).

Item #10(D) – McBride Property Annexation

ORDINANCE NO. 2007-30
AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY INTO THE CITY OF ORMOND BEACH LOCATED AT 211 NORTH TYMBER CREEK 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. 2007-30, on second reading, as read by title only.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #10(D).

Item #10(E) – 94 Plaza Grande Street Rezoning

ORDINANCE NO. 2007-32
AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF ORMOND BEACH TO REZONE CERTAIN REAL PROPERTY LOCATED AT 94 PLAZA GRANDE STREET FROM VOLUSIA COUNTY R-4 (URBAN SINGLE FAMILY RESIDENTIAL) TO CITY OF ORMOND BEACH R-3 (SINGLE FAMILY MEDIUM DENSITY;) REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2007-32, on the first and only reading, as read by title only.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #10(E).

Item #10(F) – Proposed Calvary Church Property Annexation

Mayor Costello reported Item #10(F) had been withdrawn.

Item #11 – Joyce Ebbets Fishing Pier and Observation Deck

RESOLUTION NO. 2007-161
A RESOLUTION NAMING THE FISHING PIER AND OBSERVATION DECK LOCATED IN CENTRAL PARK THE

“JOYCE EBBETS FISHING PIER AND OBSERVATION DECK;”
SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Resolution No. 2007-161, as read by title only.

Commissioner Partington reported he asked Mr. Turner if it was appropriate to recognize Commissioner High-Ebbets for all of her work on Central Park. He congratulated staff for arriving at the perfect way to honor Commissioner High-Ebbets in that she loved fishing, Central Park, and children, and the dock was only a short distance from her home.

Mayor Costello stated this was a very appropriate tribute.

Commissioner Kent stated this was an honor for Commissioner High-Ebbets. He noted too often people are honored after they pass away, and he was pleased Commissioner High-Ebbets was being honored in this way at this time so she could know that her service was appreciated.

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

Mayor Costello urged the January focus meeting include a discussion regarding naming criteria.

Item #12(A) - Budget Reduction Plan Update

Mr. Isaac Turner, City Manager, reported this item was included to make certain the Commission was aware staff had not forgotten the issues that occurred during the budget discussions. He noted staff has presented the Commission a comprehensive list of issues which were being considered. Mr. Turner noted staff would report back to the Commission regarding some of these issues shortly and others throughout the year.

Commissioner Kent questioned, regarding the potential early retirement for general employees, what health care benefits were offered for the other early retirements previously and what would be offered to these employees.

Commissioner Gillooly clarified this list was a working document of issues to examined, but none were definitive.

Mr. Turner concurred no definitive decisions have been made. He stated staff was gathering information and would provide recommendations.

Commissioner Gillooly stated prior to this City Commission meeting there was a workshop where most of the community comments were very positive and the people voiced concerns regarding keeping the current quality of life. She noted a resident indicated she wanted Ormond Beach to be a small bedroom community and expected to pay taxes for that to be accomplished. Commissioner Gillooly stated she attended a number of meetings held by State Representatives, and people were pleading for tax relief, yet in Ormond Beach 80% to 85% of the people spoke urging the Commission not to cut services such as recreation, leisure activities, and public programming at the Performing Arts Center. She advised it would take a great deal of effort and ideas from the community to help the Commission to be able to make the right decisions if the City would have to face additional severe cuts.

Commissioner Partington stated Debarry was consistently one of the lowest taxing districts in Volusia County because of the franchise fees from FP&L. He advised he would not support a utility tax, but would support maximizing the franchise fees. Commissioner Partington requested staff provide more information on this issue. He reported he would not support cutting leisure services because it was a core component that was important to the City. Commissioner Partington stated leisure services activities gives Ormond Beach a small town feeling.

Mr. Turner stated alternative service deliveries were being considered. He urged the public to ask questions and share their comments. Mr. Turner reported some costs will have to be reduced, but the City was trying to maintain the level of service.

Commissioner Gillooly stated she would like to discuss volunteer efforts to enhance what the City was doing. She noted there were a great deal of people who volunteer and make a

difference in the community. Commissioner Gillooly stated more people are needed to be involved in the budget process. She commended staff and the Commission for making an effort to involve more people, noting at last year's budget meetings only one or two citizens attended, and this year there were 24 citizens in attendance.

Item #12(B) - Police Department After-hours Operations

Commissioner Kent thanked whoever was responsible for unlocking the doors. He asked how the situation was working out on a trial basis.

Police Chief Michael Longfellow stated no problems have been noted yet. He reported 11 people have used the 911 phone at the front door since September 5.

Mr. Turner stated this was not on a trial basis, and unless there was a problem, the door would remain open.

Commissioner Gillooly thanked Chief Longfellow for working with the Commission. She reported the dispatch move was beyond a cost saving factor issue, and it had a tremendous benefit. Commissioner Gillooly stated this was an enhancement for the officers and the citizens.

Chief Longfellow stated he surveyed 35 members of the Police Department who have been utilizing the new dispatch service, and all comments have been very positive.

Commissioner Kelley stated Chief Longfellow summed up the situation well in the Friday letter, pointing out that the officers have the information regarding their calls provided by laptop computers, which was extremely beneficial. He reported Sheriff's deputies also respond to assist with calls as the information was broadcast on a shared radio talk group. Commissioner Kelley advised this would make the residents safer, and this first week has already proven its benefits.

Commissioner Kent thanked Chief Longfellow for what he does for the City and for providing the information in the Friday letter. He noted he was please Chief Longfellow's informal questioning was going well; however, he requested an anonymous written survey of the officers be conducted, asking if they could recommend improvements.

Chief Longfellow reported he has asked for any recommendations, and no complaints have been noted to date.

Mayor Costello stated in that this was such a controversial issue, he suggested an anonymous survey be conducted to find out if there were any issues, although he recommended waiting 90 or 120 days to do so. He suggested at least two questions be included: what was the overall impression, and what was the worst thing that had happened.

Commissioner Kent urged the survey be truly anonymous.

Item #13 – Reports, Suggestions, Requests

Martha Stewart's Visit to Ormond Beach

Commissioner Kelley thanked Mayor Costello for allowing him to stand in for him in his absence and perform a service for the community to meet with Martha Stewart. He reported KB Homes selected Ormond Beach for its first Omnimedia living homes in Florida.

Millage Rate

Commissioner Kelley reported Ormond Beach had the third lowest millage rate, and the two cities with a lower rate had unique taxing situations.

Convenience Store Improvements

Commissioner Kelley stated an addition was placed on the convenience store located on US1 between and Hernandez Avenue and Woodland Avenue. He reported the owners did a great job in improving the look of the community.

Martha Stewart's Visit to Ormond Beach

Commissioner Partington stated Martha Stewart represents quality, which fits perfectly with Ormond Beach, which also represents quality.

Sidewalk on Nova Road

Commissioner Partington thanked staff for cleaning up the glass on the crosswalk at Nova Road and Division Avenue the day after they were notified. He reported to staff that he did not

understand the logic in having to cross Nova Road to go north to the sidewalk on Division Avenue before traveling east. Commissioner Partington stated staff sent e-mails to the County and a very inexpensive resolution was found for a crosswalk to be placed on the north side for people to cross from Prince of Peace to the sidewalk, which would greatly improve the safety. He commended City and County staff for their cooperation.

Fire in Zone 4

Commissioner Partington stated there was a fire in Zone 4 last night. He reported the son of the family living in the home was in remission from cancer and was to have a bone marrow transplant today. Commissioner Partington stated Ms. Brenda George was working with the family consisting of a father and four children. He urged everyone to try to help this family, if possible.

Martha Stewart's Visit to Ormond Beach

Commissioner Kent stated the Martha Stewart visit was exciting. He explained these Martha Stewart homes were going up all over the nation, and he was pleased to report that a KB Homes representative informed him that Ormond Beach was the best and easiest City to work with.

Convenience Store Improvements

Commissioner Kent concurred that the convenience store on US1 looked fabulous.

Seabreeze Parking Lot

Commissioner Kent stated it was the School Board's fault that there was not adequate parking at Seabreeze High School; and while he would like to leave the students alone, he can not do so because it affects his constituents. He requested a discussion item to discuss asking Volusia County and the School Board to provide parking on the west side of A1A. Commissioner Kent stated there was a vacant parcel next to the McDonald's Restaurant where more than 48 parking spaces could be located. He noted the City could then place signs on the current parking lot stating that Monday through Friday there was a two or four hour parking limit.

Mayor Costello requested this issue be discussed in approximately 45 days at the first meeting in November to allow time for staff to pursue some issues such as determining if the property was for sale and how much it would cost.

Commissioner Kent's Campaign

Commissioner Kent thanked Ms. Sue Parkerson and Ms. Pat Behnke for their help on his campaign.

Martha Stewart's Visit to Ormond Beach

Mr. Turner stated he attended the KB Homes event with Martha Stewart, but he had to leave early to attend another meeting.

Budget

Mayor Costello commended the Commission for their work on the budget this year in keeping the amenities that make Ormond Beach a quality community. He noted, however, that next year will be difficult, and he urged everyone to start working now on next year's budget.

Martha Stewart's Visit to Ormond Beach

Mayor Costello reported the KB Homes representatives were very complimentary of Ormond Beach. He noted they worked hard to decide which community to choose in Florida, and he was pleased they chose Ormond Beach.

Item #14 - Close the Meeting

The meeting was adjourned at 8:28 p.m.

APPROVED: _____ October 2, 2007

BY: _____

ATTEST:

Veronica Patterson, City Clerk