

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

February 21, 2006 7:00 p.m.

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

A G E N D A

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation by Father James Taylor, St. Mary's Episcopal Church.

- 3) Pledge of Allegiance.
- 4) Approval of the Minutes of the February 7, 2006, meeting.
- 5) **PRESENTATIONS:**
 - A) Proclamation by Mayor Costello honoring the Ormond Yacht Club.
 - B) Recognition of Randy Crabtree, Suzanne Heddy, Michael Sanden and Dan Smith.
 - C) Re-accreditation of the Police Department.
- 6) **AUDIENCE REMARKS:**
- 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. 2006-49 authorizing the execution of two Quitclaim Deeds, one in favor of Mohammad Khan and Sadaf Khan for Lot 24, and a second in favor of Sadaf A. Khan for Lot 25, releasing a portion of the drainage and utility easements located between the abutting side property lines of Lots 24 and 25, Breakaway Trails, Phase III, Unit 2C (58 and 62 Tomoka Ridge Way); including conditions relative to the execution of a Unity of Title Agreement.
 - B) Resolution No. 2006-50 authorizing the execution of two amendments to the Emergency Relief Program Agreement between the City and the State of Florida Department of Transportation. (Additional \$35,440 FDOT funding relative to Hurricane Frances)
 - C) Resolution No. 2006-51 pursuant to Section 2-258(a), *Code of Ordinances*, authorizing the City Manager and City Attorney or their designees to take any and all actions necessary to correct the pool enclosure code violations which exist on the property located at 945 Marie Circle; authorizing placement of a lien on the property for the repair costs and accrued fines.
 - D) No. 2006-52 authorizing the execution of a Consent Order between the City and the State of Florida Department of Health, through the Volusia County Health Department.
 - E) Extension of an interlocal agreement between the City and the State Attorney of the Seventh Judicial Circuit.

DISPOSITION: Approve as recommended in City Attorney memorandum dated February 16, 2006.
 - F) Closing of Riverside Drive for the “Art in the Park” event.

DISPOSITION: Approve as recommended in City Manager memorandum dated February 16, 2006.
 - G) Approval of travel by the City Commission and possibly the City Manager to “Volusia Days” in Tallahassee, Florida, April 19-20, 2006.

DISPOSITION: Approve as recommended in City Manager memorandum dated February 16, 2006.

- H) Request to continue allowing the East Volusia Mosquito Control District to perform low-level flights over the City of Ormond Beach to apply insecticides for the control of mosquitoes.

DISPOSITION: Approve as recommended in City Manager memorandum dated February 16, 2006.

- I) FY 2005-26 budget results for General Fund and Water/Wastewater Fund.

DISPOSITION: Approve as recommended in City Manager memorandum dated February 16, 2006.

9) **DISCUSSION ITEMS:**

- A) Continued City Commission review of goals, if necessary.
B) Peninsula reuse storage and pumping service alternatives.
C) Knap Industrial Planned Unit Development (IPUD).
D) Reprogramming of General Fund and capital improvement project savings.

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

- 11) Close the meeting.

Item #1 - Call to Order

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

Item #2 – Invocation

Father James Taylor, St. Mary's Episcopal Church, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led the Pledge of Allegiance.

Item #4 – Approval of Minutes

Mayor Costello advised the minutes of the February 7, 2006, regular meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello asked if there was any objection to approving the minutes as submitted. Hearing none, he declared the minutes approved as submitted.

Item #5(A) – Proclamation by Mayor Costello Honoring the Ormond Yacht Club

Mayor Costello presented a proclamation to Mr. Kevin Callahan and Mr. Robert Thames honoring the Ormond Yacht Club which was built in 1910 and was still standing literally on the Halifax River on North Beach Street. He stated the building was recently named to the National Register of Historic Places, which would provide the building protection as a historical resource by the Department of the Interior. Mayor Costello reported while the Yacht Club was neglected for many years, it was recently repaired, and club members continue to seek grants and donations. He proclaimed January 21, 2006, as a day to celebrate the historic preservation of the Ormond Yacht Club, and he expressed appreciation to all those involved in preserving Ormond Beach history.

Mayor Costello presented a plaque that the Ormond Beach Historical Trust purchased for the Ormond Yacht Club.

Mr. Robert Thames thanked the Commission for recognizing the hardworking members of the Ormond Yacht Club. He noted 40 of Ormond Beach's founding fathers built this yacht club in 1910, and in 2005 it was added to the National Register of Historic Places.

Mr. Kevin Callahan stated the Ormond Yacht Club was helped by revitalized membership as well as through individual and business donations.

Item #5(B) – Recognition of Volunteers for the Stanley Centennial

Mayor Costello asked everyone involved in the centennial Stanley Steamer celebration to come forward to be recognized. He read a card from Ms. Sarah Stanley to Mr. Joe Radcliffe, Public Information Officer, thanking the City for her special week during the land speed record centennial celebration. Mayor Costello reported Ms. Veronica Patterson, City Clerk, would have the original card on record.

Mayor Costello read a proclamation acknowledging Randy Crabtree, Suzanne Heddy, Michael Sanden, Dan Smith, the Motor Racing Heritage Association, Sue Davis and the Stanley Museum, International Speedway Corporation, Daytona USA, Ormond Beach Historical Trust, The Amelia Island Concours d' Elegance, County of Volusia, and City staff who dedicated their efforts to preserving this important part of Ormond Beach history at the Stanley World Land Speed Record Centennial at the Birthplace of Speed on January 25 and 26, 2006.

Mayor Costello recognized the extraordinary dedication of residents like Mr. Dan Smith, who willingly gave untold volunteer hours to coordinate a world-class event; Mr. Randy Crabtree, who restored and maintained the replica race cars on display at the Birthplace of Speed Park; Mr. Michael Sanden, who helped oversee the event as the City's Cultural Center Coordinator; and Ms. Suzanne Heddy, who spearheaded the planning of the Centennial events since 2003 on behalf of the Motor Racing Heritage Association. He proclaimed February 21, 2006, as a day to show appreciation and gratitude to all of the 2006 Stanley Centennial volunteers and organizers for all of their efforts in preserving and celebrating Ormond Beach's history as "*The Birthplace of Speed.*"

Mr. Dan Smith presented the City with an official banner that hung from the lamp posts during the celebration.

Mr. Michael Sanden thanked Mr. Randy Crabtree who worked very hard to keep the replicas in good condition. He presented a banner to Mr. Crabtree to hang at his new garage. Mr. Sanden recognized Hilly Rife and Tim Sullivan, founders of the Motor Racing Heritage Association. He also recognized Mr. Roland Via for being the master of ceremonies and setting up a website on the event at his own expense. Mr. Sanden acknowledged Mr. Ron Piasecki who was a flagman and a true supporter.

Mr. Smith reported that without Mr. Turner, this event would not have occurred.

Item #5(C) – Re-accreditation of the Police Department

The City Commission, staff, and audience gave Chief Mathieson a round of applause and a standing ovation as a show of appreciation.

Police Chief Larry Mathieson thanked everyone for the appreciation. He reported the City of Ormond Beach earned a certificate of re-accreditation from the Commission on Florida Accreditation on February 8, 2006. He explained Ormond Beach received this prestigious recognition by unanimous vote. Chief Mathieson stated this was the culmination of a three-year process that began immediately after the Department received its initial accreditation in 2002. He explained accreditation was a symbol of excellence that embodied professionalism, excellence, and competence. Chief Mathieson reported the current requirements for accreditation mandated the agency comply with 278 mandatory standards with multiple subcomponents encompassing all aspects of the Police Department's policies and procedures, management, operations, and support services. He stated the re-accreditation process was more demanding than the initial accreditation due to the fact the agency must prove a documented three-year track record of compliance with all standards. Chief Mathieson noted that despite the fact that concerns regarding past issues were raised during the citizens' participation phase of the process and the accreditation team working on site, the Commission on Accreditation were unanimous in their decision, clearly indicating the handling of these issues was fully compliant with departmental policies, State law, and accreditation standards. He pointed out this achievement was a direct result of the work of all the members of the agency, and he offered special recognition to Sergeant John Bayne and Corporal Brent Hodge who guided the department through the process as accreditation managers.

Item #6 – Audience Remarks

Rules of the Meeting

Mayor Costello read a memorandum relative to the rules of the meeting. He noted a written copy was available in the back of the City Commission chambers.

Mayor Costello stated prior to City Commission meetings, all interested persons are encouraged (as are members of the Commission) to ask staff any questions they may have about items on the agenda after they have reviewed the supporting information. He reported the City Commission meetings are not designed to present background information to interested parties who have not availed themselves of the opportunity prior to the meeting to study the supporting information, which was available at the Library, City Hall, and on the internet, or to ask questions of staff or members of the Commission regarding items on or off the agenda.

Mayor Costello reported it was important for everyone to remember that the primary purpose of Commission meetings was for the Commission to conduct the City's business. He explained the Commission was entitled to adopt, and has in fact adopted, reasonable Rules of Procedure for conducting its business. Mayor Costello stated the City Attorney prepared the rules and was of the opinion that they meet the requisite legal requirements for conducting public meetings; and more importantly, that they afford the public a reasonable opportunity to provide comments on agenda items.

Mayor Costello reported the Commission has chosen to continue with the tradition of including a section on the agenda for audience remarks at the beginning of the Commission meetings, but this was done as a courtesy to the public, not as a matter of right, because the Commission wanted citizen input. He pointed out that the City Attorney advised that there was no legal requirement that the Commission include an "Audience Remarks" section on the agenda. Mayor Costello explained the Commission had adopted reasonable rules that would allow the public an opportunity to talk about any subject that was not on the agenda in a manner that would also enable the Commission to tend to its business in an orderly and expeditious manner. He stated this rule was necessary because public comments under the "Audience Remarks" section of the agenda could take an inordinate amount of time and thus inhibit the ability of the Commission to tend to its business in an orderly and expeditious manner, and it may affect the ability of others who wish to express comments.

Mayor Costello clarified that audience comments are not allowed under the "Discussion Items" or during the "Reports, Suggestions, Requests" portion of the agenda unless the Commission decided to vote on a particular matter. He stated if the Commission decided to vote on a matter, the audience would be given an opportunity to provide comments.

Mayor Costello reported the basic tenants of the rules as they relate to audience remarks are as follows: 1) the speaker must be recognized by the presiding officer in order to speak, and all comments must be addressed to the presiding officer; 2) the speaker must come to the podium and state their first name, address, and name of the organization if they represent an organization; 3) comments must not exceed five minutes, may be about any subject that was not on the agenda, and additional time may be granted by and at the discretion of the Commission; 4) once comments have been provided at this or another meeting about a particular matter, it was time to move on. Redundant or repetitive comments are deemed to have a dilatory effect on the expeditious and orderly progress of the meeting and are not allowed; 5) personal attacks on character or motive, impertinent or slanderous remarks, and offensive or boisterous language would not be allowed; and 6) the presiding officer was responsible for preserving order and ensuring compliance with the rules that have been adopted by the Commission, and anyone who fails to comply therewith may be asked to leave.

Mr. Cook's Meeting with Deputy Mayor Kelley

Mr. Lawrence Cook, 1529 North Beach Street, questioned how the City could conduct its business without being truthful with their constituents. He stated at the last meeting Deputy Mayor Kelley offered to meet with him. Mr. Cook noted at their meeting Deputy Mayor Kelley assured him everything would be fine if he could believe something that he did not believe.

Mayor Costello stated Mr. Cook was not to discuss the same issue he discussed numerous times previously, but he could report what occurred at his meeting with Deputy Mayor Kelley.

Mr. Cook declined to elaborate on his meeting with Deputy Mayor Kelley.

Building Height Limit

Mr. Jeff Boyle, 614 North Halifax Drive, representing a new citizen action committee named "Citizens and Neighbors Devoted to Ormond (CANDO)" explained the mission of the committee

was to generate positive ideas to maintain and improve Ormond Beach's quality of life. He stated CANDO produced a petition to achieve a referendum on a Charter amendment for building height limits. Mr. Boyle presented the first copies of this petition and the first opportunity to sign the petition. He stated CANDO hoped Ormond Beach would follow Flagler Beach who recently granted a referendum on building heights without a petition. Mr. Boyle reported the wording clearly addressed the Commission's previous reservations about the public's ability to understand the building height limit question. He stated CANDO would immediately launch the petition drive at the conclusion of this meeting and at the committee's next meeting on Thursday at 6:30 p.m. at the Tomoka Oaks Country Club. Mr. Boyle invited everyone to attend. He stated CANDO's goal was to collect signatures of at least 5,000 registered voters in 30 days, a number well in excess of that required to cause a referendum under Florida Statute 166.031.

Proposed Parking Structure

Mr. Gregory Avakian, 161 Heritage Circle, stated he had built several buildings and renovated many more, but he considered the architectural costs and engineering fees mentioned at the workshop for the proposed parking structure seemed excessive. He stated his cost of construction or architectural engineering fees never exceeded 1%; therefore, the 10% being considered was ludicrous.

Fire Station Plans

Mr. Avakian pointed out the fire station that was just build had architectural fees of \$180,000. He asked if the blueprints belonged to the City and questioned if they could be resold to other cities seeking similar facilities. Mr. Avakian urged the Commission to have the architect transfer all rights of the plans to the City to be used for their purpose.

Mayor Costello noted he looked forward to staff's response to that suggestion.

Item #7(A) Metropolitan Planning Organization

Mayor Costello stated that the Metropolitan Planning Organization (MPO) did not have a board meeting this month.

Item #7(B) Volusia Council of Governments

Mayor Costello reported that on the February 27 agenda of the Volusia Council of Governments (VCOG) there would be a motion approving a resolution to support the Volusia County Council in its conflict through Resolution 2006-07 challenging the rezoning of land near Volusia County's border and the MPO through Resolution 2006-03 for the construction of a Wal-Mart distribution center in Putnam County at the currently cited location until such time as there was funding to improve US17 and SR40 to accommodate the generated traffic. He advised that a charter review presentation would be made at the March meeting; the new County Manager would be at the April meeting; consolidation of fire services would be discussed at the May meeting; the MPO would discuss salary comparison studies among the municipalities in June; hurricane preparedness would be discussed in August; water edge protection, beach re-nourishment, lake and river waterways would be discussed in September; accident prevention in jurisdictions would be discussed in October; and indigent care in Volusia County would be discussed in November.

Mayor Costello stated if any Commission member had any suggestion of topics VCOG should be discussing, they should be brought to his attention at a Commission meeting.

Item #7(C) – Water Authority of Volusia

Commissioner Kelley stated that by February 19, Water Authority of Volusia (WAV) was to have adopted a Master Water Facilities Plan, and by not doing so, it would indicate WAV failed in its obligation. He reported that on February 15 at the beginning of the meeting the board members were handed the first revised final draft to accept at that meeting. Commissioner Kelley noted on February 14 the members received an e-mail from Kirby Green, the St. Johns River Water Management District Executive Director, expressing concerns, two of which were included in the Master Water Facilities Plan the board was to adopt. He later discovered 24 pages of the plan had been omitted. Commissioner Kelley reported each member was asked to comment, and by the time he was asked to speak, four members had expressed concern regarding voting on an item they only received that morning. Commissioner Kelley recommended a cooling off period of 60 days, but that motion was not passed. He stated WAV would continue to meet in March and April.

Commissioner Kelley stated the missing 24 pages addressed two of the issues on which the St. Johns River Water Management District expressed concern, one of which was the high pressure reverse osmosis plant to be developed in Ormond Beach, and the other related to the surface water project that would withdraw water from the St. John's River. He noted the St. Johns River Water Management District also asked WAV to revise the interlocal agreement after adopting the plan; however, it would take 11 people to adopt the plan. Commissioner Kelley reported he was hopeful some good could still come out of WAV, but at this point, there was no agreement or accepted plan.

Mayor Costello clarified the plant Commissioner Kelley mentioned in Ormond Beach was not related to the Ormond Beach water plant expansion. He reported the opinion of the attorney was that WAV was not in default because the master plan was not adopted.

Ormond Main Street

Commissioner Kent stated the Ormond Main Street board met yesterday and unanimously agreed to bring in Mr. Mike Del Ninno to question him relative to the possibility of naming him to serve as interim director for a three month period.

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.

Mayor Costello asked that Item #8(C) be removed from the Consent Agenda.

Commissioner Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda minus Item #8(C).

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

Commissioner Kent questioned why Item #8(C) was being pulled.

Mr. Clay Ervin, Planning Director, explained there was an issue relative to non-conforming structures utilizing the old or new building code. He stated staff was doing the research to determine if they were proceeding in the proper and legal manner.

Item #9(A) – Continued City Commission Review of Goals

Mayor Costello reported the Commission completed this discussed in the workshop.

Item #9(B) – Peninsula Reuse Storage and Pumping Service Alternatives

Ms. Judy Sloane, Public Works Director/City Engineer, advised that the consultant would address the Commission on this issue.

Mr. David King, Quentin Hampton and Associates, stated the current design included open storage in the lake adjacent to the 15th hole at the Oceanside Country Club and a pump storage station with filter equipment on the original pump station site located on the south side of Neptune. He reported the current estimate for the storage pond and pump station was approximately \$3 million. Mr. King stated the proposed ground storage and pump station site for the south peninsula facility located on a City-owned parcel off Cardinal and the construction cost for that facility was also \$3 million; therefore, for ground storage and pumping for the north peninsula and south peninsula combined, the cost was approximately \$6 million not including any distribution piping. He stated there was a \$5.2 million estimate for Phase I for the south peninsula including the \$3 million pump station, ground storage site, and some distribution. Mr. King explained the main focus of the report was to investigate alternatives such as considering providing ground storage and pumping capabilities from the mainland. He noted the focus was to seek potential sites adjacent to the City's Public Works compound. Mr. King noted if the environmental issue could be addressed, an option would be to utilize City-owned property. He stated the first option was for lake storage and pumping facilities as currently designed on the country club property. Mr. King reported the second option was to utilize the existing three-million gallon mainland storage, which would not be adequate for the long term, but it would upgrade the pumping facilities on the mainland for \$1.5 million to serve the north

peninsula only. He reported the third option would be to purchase land and construct the four million gallon storage tank and the related piping and pumping facilities. Mr. King stated the fourth option would be to construct a tank on City-owned property; however, there was not adequate room to construct a four million gallon storage tank so a three-million gallon storage tank would be constructed with the related pumping facilities and piping. He reported due to the public concern on the north peninsula, his firm was asked to examine alternatives for the south peninsula.

Mayor Costello stated the City-owned land north of the Solid Waste plant was a wetland; therefore, it could not be used.

Ms. Sloane concurred with Mayor Costello and indicated the problem was that the City was trying to construct a pump station that would serve both ground storage tanks, making the site south of Wilmette Avenue more feasible.

Mayor Costello clarified that the four million gallon tank would not be possible without purchasing property from an unwilling seller.

Commissioner Gillooly thanked Mr. Ted MacLeod, Assistant City Manager, for answering a number of her questions earlier today. She asked for verification that all of the pipes for distribution were present on the north peninsula, and this would be an additional project to provide storage and distribution for the south peninsula.

Ms. Sloane stated staff was attempting to compare the cost of doing storage on the north peninsula and south peninsula versus bringing the storage and pumping to the mainland. She explained storage tanks on the Oceanside Country Club were very cost effective, but screening requirements for the pond exacerbated the cost a great deal. Ms. Sloane stated staff was trying to anticipate future difficulties in that they were having problems with placing ground storage tanks on the north peninsula, and she questioned that the same problem would exist in the middle of a residential block.

Commissioner Gillooly stated she assumed the south peninsula residents would be interested in acquiring reuse water and delays could be avoided. She noted the open pond was more costly.

Ms. Sloane concurred with Commissioner Gillooly relative to the cost of the open pond and indicated an open pond would also cause increased operating cost.

Commissioner Gillooly asked if there were any other opportunity for land to be purchased near the Public Works facility.

Ms. Sloane reported there was not a great deal of opportunity for land to be purchased close enough to avoid additional piping costs.

Commissioner Kent stated there was a definite desire for this service on the south peninsula and has been for many years. He asked if a three-million gallon tank would be adequate for the peninsula.

Mr. King reported that depending on what would occur on the south peninsula, three-million gallons may and may not be adequate. He noted a phased approach may be taken in the future if necessary. Mr. King stated there would not be adequate storage capacity at build out with the three-million gallon tank.

Commissioner Kent noted there was not a great deal of undeveloped land on the south peninsula; therefore, if there was currently adequate storage, he would not be concerned.

Mr. King advised the three-million gallon tank was adequate for the north peninsula, growth in the north peninsula, the mainland, and a good portion of the south peninsula. He stated four to five million gallons would be adequate for a full build out on the north and south peninsula.

Mr. Isaac Turner, City Manager, asked how long a three-million gallon tank would service the north peninsula and south peninsula based on connection and usage assumptions.

Mr. King reported he examined a phased approach for the south peninsula for a total build out through a seven to eight year period. He stated three-million gallons would probably serve approximately six to seven years.

Mayor Costello noted that this would only occur if the City would fund distribution immediately. He asked the Commission if they were prepared to reject constructing the storage ponds at

Oceanside, and if they wished to proceed with providing additional storage. Mayor Costello questioned which option was preferred.

Commissioner Kelley reported he did not favor any of the proposed plans, especially the cost involved. He pointed out the City had adequate storage capacity for what currently existed.

Ms. Sloane stated the City did not have adequate storage with the configuration of the system. She explained by adding storage on the mainland, two objectives would be accomplished. Ms. Sloane advised the City did not have full use of the current three-million gallon tank because the pump station at Melrose could only provide a percentage of the tank capacity. She stated by selecting this mainland approach, the City would be moving the pump station, eliminating the Melrose pump station; and the pump station would be at the existing tank serving the existing and new tank, providing additional storage because all would be usable. Ms. Sloane reiterated the City did not have adequate storage for peak times, specifically to serve residential customers on the north peninsula. She noted there was no problem serving the golf course; but the City was anticipating serving Tomoka Oaks, and staff was trying to plan for the future.

Commissioner Kelley stated last year when reuse service to the south peninsula was discussed, it was mentioned the City did not have adequate product to supply. He noted the costs do not include allocation for distribution.

Ms. Sloane clarified this item was only relative to storage and infrastructure to get the product to the peninsula whether it be to supplement the north peninsula where the City currently had problems with pressure during certain times of the year or to place the City in a situation where the City could serve the south peninsula should it desire to do so in the future.

Commissioner Kelley questioned if the City had the product and storage capacity to serve only the north peninsula.

Ms. Sloane explained the City had limited storage capacity. She reported there were times the City experienced difficulties serving the north peninsula, which was why the City was proceeding with the storage tank project on the peninsula site.

Mr. Turner stated the City was still dumping water into the Halifax River; therefore, it could use more storage capacity to better serve the current customers as well as anticipating for the future. He reported the reason staff offered alternatives was because of the Commission's expressed desire to seek opportunities to provide reuse to the south peninsula. Mr. Turner pointed out that the major feature was that the cost of constructing the lakes and ponds at the golf course was becoming so high that staff examined other alternatives for the same or similar amount of dollars to make the system work better. He reported it was determined that for slightly more money, the capacity could be increased substantially, and it would allow the system to work better accomplishing two objectives with a single cost measure in terms of providing additional capacity for the north peninsula as well as having substantial capacity for the south peninsula and future growth.

Commissioner Kelley stated he had a problem with the fact that at all of the previous meetings the Commission agreed they would not have the people on the south peninsula thinking they would receive this service any time soon, but this study predicated the fact that service would be provided. He asked if this study had been ongoing for a number of years.

Ms. Sloane stated when they received the final cost estimate on pond storage for the golf course, staff asked the consultant to consider options. She explained the cost for the pond increased almost \$900,000 after adding what the golf course requested. Ms. Sloane noted before putting this out for bid, staff wanted to be assured the most cost effective method was being considered.

Mr. Turner stated one option provided was the option the Commission requested; however, other options were also provided for the same or a similar cost.

Commissioner Kelley stated it would seem logical that if the product could be stored close to where it was being manufactured, it would be more beneficial. He questioned how long staff was examining additional alternatives.

Ms. Sloane stated staff was examining alternatives for 60 to 90 days.

Commissioner Kelley stated this was not a simple decision, and he would have appreciated more time to study the issue. He noted he found it difficult to believe the City could not find a way to store the product closer to the plant.

Ms. Sloane noted this was what the City was trying to accomplish. She stated if the City could purchase the land, she would recommend Option #4; if not, she would recommend Option #3 to place an additional tank on City property. Ms. Sloane reported the same person owned all three parcels and was currently not willing to sell.

Mr. MacLeod clarified staff was asking the Commission to agree with staff to eliminate the Country Club option, examine the existing area around the public works complex, and approve the optimum size tank on whatever property was available, at which time staff would come back to the Commission with specific proposals.

Commissioner Partington stated he was also uncomfortable with the cost in that he considered reuse to be a luxury that was difficult for the City to afford. He reported he could agree to postpone any action, but would prefer to examine the cost to satisfy the excess needed on those days the City found it difficult to supply the reuse to the current customers.

Mayor Costello stated the Tomoka Oaks Country Club would be coming on line and would use a great deal of reuse. He understood the question was not if additional storage was needed, but where to place the additional storage even without considering the south peninsula as a factor.

Commissioner Gillooly asked if Ms. Sloane would recommend the Commission approve the three tanks on City property and continue to try to negotiate for additional property for more tanks at a later date. She noted at the same time staff could determine if there was a real desire by the residents of the south peninsula to receive the reuse. Commissioner Gillooly noted there was historically such a desire, but she wanted assurance that desire still existed.

Ms. Sloane stated she would recommend attempting to purchase the land; but if that were not successful, placing storage on City land would be the most cost effective method. She reported that would maximize storage, and the City would still be able to serve the north peninsula and consider the south peninsula while having adequate storage for Tomoka Oaks and other areas the City planned to serve.

Commissioner Kent pointed out when there was rain, the reuse was not used, but on hot days there was not sufficient reuse available. He stated Commissioner Kelley correctly cautioned the Commission that they were contemplating spending a great deal of money on reuse when they did not have adequate storage for the product. Commissioner Kent concurred that no one wanted to spend \$5 or \$6 million, but the cost of building materials has increased to a point that he was concerned what the cost would be if this were postponed any longer. He stated the project may take a number of years to complete in a phased plan. Commissioner Kent expressed doubt the residents would be willing to pay for the pipes. He stated he considered the pond storage to be a bad idea. Commissioner Kent reported he was more comfortable with this project than others may be.

Mayor Costello stated he and Commissioner Kent were prepared to accept that a need existed for this storage tank rather than a storage pond. He noted this related to the St. Johns River Water Management District Consumptive Use Plan (CUP) regarding grants for the water plant. Mayor Costello explained if the City were efficiently using the reuse, St. Johns River Water Management District would look more favorably on the City when expanding its water facilities. He expressed appreciation to Commissioner Kent for his comment that he was not prepared to lobby for distribution to the south peninsula. Mayor Costello stated that before he would vote to fund the pipes, he would have to have enough residents willing to pay a community development district fund or an impact fee fund; however, he was convinced the City needed the storage even without considering the south peninsula.

Mr. Turner reiterated the primary decision was whether or not to proceed with the ponds/lakes at the Oceanside Country Club.

Mayor Costello noted two Commission members have indicated they would prefer tanks rather than ponds.

Commissioner Kelley stated he preferred pond storage. He questioned if staff considered working with Tomoka Oaks for storage at their site. Commissioner Kelley reported he was not a proponent of spending \$6 to \$7 million. He urged talking to Oceanside Country Club or other areas where storage ponds could be placed. Commissioner Kelley noted the area was predicted to have a 20-year rain cycle where the use for this service would be diminished.

Ms. Sloane stated the only way to store water in ponds at Tomoka Oaks was to fully line the pond because the percolation was so great it could not be recovered. She advised the City was working on a project with Tomoka Oaks to have a partially lined and partially unlined pond as part of their requirements by the St. Johns River Water Management District to continue their CUP for the golf course. Ms. Sloane reported there was probably no opportunity on the peninsula to obtain land for additional pond storage. She stated there were design constraints with pond storage because of the debris that would have to be filtered out, which added to the cost. Ms. Sloane noted staff needed a decision soon relative to the golf course pond, because if the ponds were to be built, they would have to be built by a certain date.

Commissioner Kelley asked if Oceanside Country Club needed the lakes or if they were merely willing to accept the lakes.

Ms. Sloane explained the City already pumps into Oceanside Country Club lakes for their storage. She noted this would be storage for other customers on the north peninsula as well as for the golf course. Ms. Sloane noted by placing the ponds at this location, Oceanside Country Club would gain an enhancement of their course; specifically due to the additional requirements they have attached to allow the City the ponds.

Commissioner Kelley noted one advantage to having Tomoka Oaks having storage in ponds, even if they would have to be lined, was the ability of the surrounding soil to utilize the water.

Ms. Sloane explained the City did not have any customers to use the water at Tomoka Oaks. She stated the current customers were on the north peninsula.

Commissioner Partington moved, seconded by Commissioner Kelley, to continue this item to the next meeting.

Commissioner Partington requested staff bring back more options and information such as the cost to build a system. He urged that this decision not be rushed.

Commissioner Gillooly asked what the deadline was for the City's answer to the golf course.

Ms. Sloane explained the pond would have to be constructed by June.

Mr. Turner reported to achieve this goal, the City would have to go out for bid by the end of February.

Commissioner Gillooly stated she could appreciate Commissioner Kelley's concern relative to cost, but the research was prompted by the great increase in cost for the pond. She reported due to the answers provided in her discussion with Mr. MacLeod, the discussion this evening, and the information in the extensive report, she was comfortable proceeding to vote to place storage tanks on the City-owned land with the understanding staff would try to acquire the adjacent property for future use.

Mr. Turner stated staff was faced with a \$3 million cost for the pond at Oceanside Country Club, and the cost for a three-million gallon tank on City property was almost the same; but the option on City property would allow for more storage capacity.

Call Vote on the Motion to Table:	Commissioner Kent	no
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	no
Failed.	Mayor Costello	no

Mr. Gregory Avakian, 161 Heritage Circle, noted he sensed a certain amount of pressure to make a quick decision on a discussion item, and there were many unanswered questions.

Mayor Costello stated staff had been working on this a long time. He stated he appreciated the fact that staff researched options to present to the Commission.

Mr. Randall Hayes, City Attorney, stated this was only to direct staff as to which option or options the Commission would consider. He noted much would have to come back before the Commission for a final decision, and there was a critical deadline involved.

Mayor Costello stated the only decision the Commission would need to make was whether to proceed with the ponds, convert to storage for the same money, or eliminate the entire project.

Ms. Laura Jones, 59 Amsden Drive, stated she was very fortunate to have reuse available. She noted the south peninsula residents have been promised for a long time to receive the reuse, and she urged the Commission to move this along.

Mayor Costello reported he offered to examine the possibility but did not promise reuse water for the south peninsula residents.

Commissioner Kelley pointed out that tanks would require maintenance.

Ms. Sloane stated maintenance on both options was discussed, but it was not included on the cost comparison tables.

Commissioner Gillooly asked for clarification of the need for additional storage.

Ms. Sloane stated there certainly was a need for additional storage. She noted with successive days of sun, the City runs low on reuse water, and it was experiencing operational problems supplying the current customers. Ms. Sloane reported with the additional reuse customers, the problems may be exacerbated. She noted some cities actually run out of reuse for their customers, and Ormond Beach did not want to experience that situation.

Commissioner Gillooly noted she believed there would be a greater interest in this service due to the increased cost of water.

Commissioner Gillooly moved, seconded by Commissioner Partington, to direct staff to put aside the pond plan on the north peninsula and investigate and bring back to the Commission a plan for the use of storage tanks on the mainland located on existing City property.

Commissioner Gillooly explained a deadline staff was facing was to know whether or not the Commission wanted to pursue the pond. She explained this motion would direct staff not to pursue the pond, but to pursue obtaining information on storage tanks for Commission consideration.

Commissioner Partington withdrew his second.

Commissioner Partington reported he did not understand the motion included pursuing the use of storage tanks. He noted he would be comfortable having staff provide further information and options, but not to pursuing storage tanks.

Commissioner Gillooly amended the motion to not pursue the storage ponds on the north peninsula. Commissioner Partington seconded the amendment.

Mayor Costello stated this amendment would only direct staff not to pursue the ponds, but it would not commit the Commission to storage tanks. He clarified that since the motion was in the negative, if a Commission member did not want to pursue the pond, they were to vote in the affirmative, and if they wanted to pursue the ponds, they should vote in the negative.

Call Vote on the Amendment:	Commissioner Kelley	no
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Commissioner Kent moved to proceed with the staff recommendation to continue trying to purchase the property, but if unsuccessful to proceed with the storage tanks at the City-owned property.

Ms. Sloane noted Commissioner Kent's motion was Option #3 in the City Manager memorandum, and if the City's attempt to purchase the property was unsuccessful, then staff should continue to pursue Option #4.

Mr. Turner clarified the Commission eliminated Option #1, leaving Option #2, Option #3 or Option #4.

Commissioner Kent clarified his motion was to construct the storage on the City-owned property for the three-million gallon storage tank or Option #4. The motion died for lack of a second.

Commissioner Kelley moved, seconded by Commissioner Partington, to postpone this item to the next meeting.

Mayor Costello stated the City no longer had time constraints.

Ms. Sloane explained there was one time constraint in that there was a grant for storage, but she was not certain of the timing requirement at this point.

Mayor Costello clarified there was no immediate time constraint.

Ms. Sloane stated she needed to know what additional information was being requested.

Mayor Costello requested Ms. Sloane call each Commission member to determine what information each would like included.

Call vote to continue to the next meeting:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	no
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Mr. Hayes requested copies of the questions be provided to the City Clerk for public perusal.

Mr. Turner stated the questions and answers would be listed as part of the material the Commission would consider for the next meeting. He noted this would make the information a public record.

Item #9(C) – Knap Industrial Planned Unit Development

Mr. Clay Ervin, Planning Director, stated staff received a copy of the application to modify the Knap Industrial Planned Unit Development (IPUD) into a Mixed Use Planned Unit Development (MPUD). He noted there was a change in the type of uses, and after review, staff determined the changes were consistent with the overall goals of the area. Mr. Ervin reported signage on the buildings had not been provided, but the conceptual renderings indicate it may violate the City's size and height requirements on the Wyotek building. He noted there was also a request for monument signs to follow the standard established by Destination Daytona. Mr. Ervin stated the general road configuration impacting the wetlands remains constant in both projects; however, there had been a request for additional signage along the I-95 corridor as well as the road leading into Destination Daytona. He explained the requirement of the 25-foot buffer would be complied with adjacent to the frontage road. Mr. Ervin noted the building architecture in the development order for the parcels immediately adjacent to Destination Daytona, Parcels 1, 2, 3, and 4, would utilize the architectural styles established by the Destination Daytona building and the proposed J & P Cycles. He reported the Wyotech building was approved under the old IPUD which allowed for greater flexibility regarding the appearance of the building. Mr. Ervin advised the portion on the west side would be reserved primarily for RV parking and storage associated with the existing park. He noted there was identification of an RV manufacturing and sales operation along with similar flex space along the remaining parcels. Mr. Ervin explained staff needed to make comments to their colleagues at Volusia County relative to the signage as to whether or not the City would be willing to allow for the flexibility for the Wyotech building, the monument signs, and the interstate interchange signs. He reported the City code stated that within 1,000 feet of an intersection of I-95 or any major State road that interstate interchange signs would be permitted measuring 125 square feet and 50 feet high. Mr. Ervin noted this project would exceed that amount in that they were further north on I-95 and do not directly front on the interchange; therefore, they would not qualify for this signage. He stated for this to be permitted, the Commission would need to approve a waiver. Mr. Ervin explained the architecture for Wyotech was designed under the standards under the "Knap" IPUD prior to the County adopting their current standards. He stated the County established corridor standards for I-95 and US1 whereupon they would defer to City gateway standards in regard to signage, landscaping, buffering, and architecture.

Mr. James Morris, 420 South Nova Road, representing the developer, stated there was an adopted IPUD which provided for industrial uses on this property north of the "Harley PUD" which were conjoined pieces of property accessed through the same entry road off US1. He proposed to de-emphasize the industrial use in the "Strasser Mixed Use PUD"; therefore, it would be less intense and have compatible uses. Mr. Morris stated Wyotech was a technical school that received site plan approval and was beginning the building permit process, but they have not provided Mr. Strasser with a sign package. He reported Wyotech was governed by the

present adopted standards in the “Knap” IPUD, and it was out of the “Strasser” control. Mr. Morris stated the architectural standards in the “Strasser” PUD would be consistent with the “Harley” PUD.

Mr. Morris noted the major issue tonight was signage. He asked that interstate signs be permitted on this property because it appeared to be a part of an interstate complex even though it is farther than 1,000 feet north of the interchange. Mr. Morris stated the clearing marked the extent of this property. He pointed out this property did not fit downtown-type signage, and more extensive signage was proposed. Mr. Morris asked that should the Commission not agree to approve the increased signage proposed, that they be permitted to use the currently adopted “Knap” IPUD standards. He pointed out this development would meet all of the City’s greenbelt and architectural standards. Mr. Morris reported the “Knap” PUD severed the primary wetland with a road breaking the flow of water; but in the redesign, the road was removed and the wetland was kept intact. He noted the St. Johns River Water Management District had approved this plan, and from an environmental standpoint, this plan was superior. Mr. Morris stated he expected to follow City input in terms of what they would present to the County Council. He pointed out City staff was constrained by certain standards on which the Commission had some ability to exercise discretion. Mr. Morris reported these developments provide more of an employment base from a standpoint of the school. He noted the RV developers have purchased the property, but they are not under the development process. Mr. Morris stated the difference in the signage between the “Knap” IPUD and the proposal was 16 square feet of copy area and one foot taller. He reported both agreements provide the existing billboards on the property to be removed.

Commissioner Kelley clarified the college would be located on the far northern end of the property.

Commissioner Gillooly asked if the request was for less square footage on the monument sign with a different configuration.

Mr. Morris stated that would be correct if they had the interstate signage. He noted the proposed combination was a tradeoff to allow some interstate signage in exchange for reducing the size of the remaining monument signs.

Commissioner Gillooly asked what the size was of the monument sign at Destination Daytona.

Mr. Chuck Strasser, 1316 John Anderson Drive, stated the monument signs at Destination Daytona were 64 square feet on US1, but they were nine feet off the ground with a five foot sign on top. He noted the highway sign for the motel was 50 feet high and 125 square feet.

Mr. Morris explained that was considered to be an interstate sign per the City code.

Commissioner Partington stated he wanted to stay as close to City codes as possible. He noted while the property was in Volusia County, the developer came before the Commission prior to receiving County approval.

Mr. Morris pointed out the “Harley” PUD and the “Knap” IPUD on renderings. He reported Mr. Chuck Strasser purchased this property from Mr. Knap; but prior to that purchase, Mr. Knap received authorization for a number of industrial activities on the property. Mr. Morris stated he came to the Commission on the “Harley” PUD for review, and he was in the same posture at this point on the proposed “Strasser” MPUD, which was an amendment proposed to the existing adopted “Knap” IPUD agreement.

Commissioner Partington reported he wanted this to be consistent with the other buildings in the area while being as close to Ormond Beach standards as possible. He noted there were ten units in the one building and asked if there were to be ten pole signs.

Mr. Morris stated he was not seeking approval for ten pole signs. He clarified this was a single lot, not ten lots. Mr. Morris reported this site could have one sign for each or three signs.

Commissioner Partington asked if the City could require a change in the architecture of the Wyotech building in that it would not fit in with the existing buildings and may not conform to Ormond Beach codes.

Mr. Ervin stated he understood Volusia County issued a building permit based on the currently adopted “Knap” IPUD. He noted this was drafted before Ormond Beach had architectural standards. Mr. Ervin stated the building was an institutional type of building with an institutional use, and it had been grandfathered under the “Knap” IPUD.

Mr. Morris stated the language in the “Strasser” MPUD mirrors the language and requires similarities to the “Harley” PUD buildings.

Mayor Costello explained he was conflicted. He noted he understood the City could not change the architectural standards of Wyotech, but it was being asked to augment standards to allow more signage. Mayor Costello stated that if Wyotech wanted to adhere to the City’s architectural standards, he may be flexible on the signage.

Mr. Morris stated he was not asking for additional signage for Wyotech or representing Wyotech. He reported he was representing Mr. Strasser. He noted Wyotech submitted, but did not receive, a building permit from Volusia County.

Mayor Costello stated he was comfortable to allow the “Strasser” PUD to continue with the same standards as was negotiated with the “Harley” PUD, but he was not comfortable with Wyotech receiving any additional signage unless they conform to the City’s architectural standards.

Mr. Ervin explained an additional issue was the interstate interchange signs, even though they exceed the 1,000-foot limitation from the interchange.

Mayor Costello reported he appreciated the County’s willingness to adopt City standards and did not want the County to believe the City did not comply with its own standards. He noted he also had a concern with consistency.

Commissioner Gillooly asked if the interstate signage for the “Harley” development was approved because it was within the 1,000 limit or through an exception.

Mr. Ervin advised there was a discussion by the City Commission and three signs were approved. He stated negotiations allowed for a billboard to be constructed. He stated “Harley” met the City’s locational criteria, and staff was supportive of the use of the interstate interchange sign standards.

Commissioner Gillooly stated this development would complement Destination Daytona.

Mr. Morris stated, while the ownership was separate, in every respect they were physically and architecturally connected. He noted with Plantation Bay to the north, there would be a change of land use between Wyotech and this property.

Commissioner Gillooly asked if there was truly a need for another sign.

Mr. Morris stated there was a need because there were individual businesses involved. He explained the “Harley” development was more focused from a recreational interstate traveler-type approach, and Daytona RV had a different customer base. Mr. Morris noted Daytona RV was much further removed from the road. He reported the business was not visible from US1 and could only be seen from I-95. Mr. Morris pointed out once travelers pass the interchange, they would not come back, and the business would be lost.

Commissioner Gillooly noted she understood this discussion was for one interstate sign and three monument signs.

Mr. Strasser pointed out the access road was 2,000 feet long with a 500 to 600 foot wide frontage; therefore, monument signs would not be large enough to see considering the speed of the traffic on I-95. He pointed out each business needed to advertise to make it successful.

Mr. Morris advised that studies have shown traffic moves at 100 feet per second, and that would provide five to ten seconds to decide if the potential customer wanted to patronize the business.

Commissioner Kelley stated that considering the “Strasser” development reconnecting the wetlands, eliminating the heavy industrial use, and conforming to architectural standards, he would make an exception as allowed with the PUD for the signage.

Commissioner Kent concurred with Commissioner Kelley noting this was the one area in Ormond Beach where large interstate signs should be permitted. He stated monument signs were too small to be seen on the interstate to attract business.

Commissioner Gillooly stated she agreed it was important to encourage business development and tourism.

Mayor Costello summarized that three Commission members approved the request for three interstate signs with no monument signs and to follow all “Harley” PUD provisions. He noted with the approval of the interstate signage, he would favor Ormond Beach signage requirements for the building sign.

Commissioner Partington expressed appreciation to Mayor Costello for taking the time to do what was right on this issue because this would be the gateway to the City, and it should look good.

Mr. Ervin noted the current question was whether the building signage should comply with Ormond Beach standards, limiting the sign area to 100 square feet and a height of 20 feet above the grade.

Mr. Strasser stated the signage package that was already completed was better than the package Ormond Beach had; therefore, he would prefer to keep the signs on the building.

Mayor Costello clarified Mr. Strasser indicated he would rather have the building signs than the interstate signs.

Commissioner Kent and Commissioner Partington agreed to permit the “Harley” standards rather than the Ormond Beach standards. Commissioner Gillooly noted she was not comfortable with this signage in addition to the interstate signs. Commissioner Kelley stated the smaller sign would look bad.

Mayor Costello summarized the Commission approved three interstate signs, excluding Wyotech, and the same building signage as was approved for the “Harley” PUD with no monument signs. He asked that the recommendation to be sent to the County regarding Wyotech be to stay with no interstate signage and Ormond Beach signage unless they conform to Ormond Beach architectural standards. Mayor Costello noted should Wyotech conform to Ormond Beach architectural standards, they could have the same signage benefits as was permitted to the remainder of the PUD. The Commission concurred with Mayor Costello’s assessment.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve three interstate signs, no monument signs, and the building sign the same as the “Harley” IPUD, excluding the Wyotech site. Should Wyotech conform to Ormond Beach architectural standards, they could have the same signage benefits as was permitted to the remainder of the PUD.

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

Mayor Costello urged staff to express to County staff and the County Council Ormond Beach’s sincere appreciation for accepting and adopting Ormond Beach standards; but in this instance, the Commission believed it was incumbent to allow the same standards negotiated with the “Harley” PUD to continue. He noted the east side of I-95 and the south side of US1 should have Ormond Beach standards, although some concessions for signage may be approved.

Item #9(D) – Reprogramming of General Fund and Capital Improvement Project Savings

Mayor Costello stated staff recommended a goal of 14% fund balance.

Commissioner Partington reported he preferred a 15% fund balance, but he would accept a 14% fund balance.

Mayor Costello reported the Commission concurred with this recommendation. He stated the Commission also concurred with the \$17,000 for emergency management needs and \$25,000 for the art museum roof. Mayor Costello recommended using some of the funds saved from the Nova Recreation project for the \$100,000 Airport Sports Complex irrigation project, whereby, the Commission concurred. He asked what would occur if the Commission would approve the \$170,000 for lighting now verses waiting for the Florida Recreation and Development Assistance Program (FRDAP) grant. Mayor Costello stated his understanding was that should the Commission approve this expenditure now and seek a smaller FRDAP grant, the City may lose \$60,000, but the project could be completed before the costs increase and the loss would

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be somewhat offset. He clarified if the City would use the \$170,000 now, it would lose that money for a grant match, but it would seek a grant for a smaller project costing the City \$60,000.

Mr. MacLeod reported the safety concerns previously expressed had been corrected. He noted staff was comfortable wrapping this expenditure into the construction of a field in a FRDAP grant.

Mayor Costello noted should this be a safety issue, he would approve the expenditure; however, if it was not a safety issue, he recommended deferring the \$170,000 to be part of the \$250,000 to be set aside for the FRDAP grant match.

Commissioner Kelley reported this would complete Field #5 to bring Nova Recreation up to standard. He stated this would delay the project for one to one and one-half years.

Mayor Costello asked if the traffic signal emergency control system for \$36,000 was a high priority item or if it could be diverted.

Mr. Turner reported the City should acquire this control system as soon as possible.

Mayor Costello stated he was comfortable with that expenditure.

Commissioner Partington asked for more information on the issue.

Mr. Turner stated this system would change traffic lights to green for emergency vehicles to pass the intersections more quickly thus enhancing response time.

Mayor Costello reported this was discussed a number of years ago, but the project was never completed.

Fire Chief Barry Baker stated the system was currently on approximately half of the traffic signals. He reported the program was started approximately four years ago. Chief Baker assured the Commission this program reduced response time immensely.

Commissioner Partington and Commissioner Gillooly expressed support for the expenditure.

Mayor Costello requested the \$36,000 for the emergency control system be added to the list. He asked for a Commission response to the following three projects: \$79,900 for the Pineland Trail Airport Business Park access road engineering project, \$28,800 for welcome signs, and \$26,400 for the Nova gymnastics center improvements.

Commissioner Kent recommended adding Rockefeller Park sidewalks for \$50,000, but that would probably need to wait until after the workshop information was received.

Mayor Costello recommended setting aside \$50,000 for the sidewalks; and if sidewalks were not feasible, the funds could go back to the General Fund.

Commissioner Kent recommended \$70,000 rather than \$50,000 be set aside.

Mayor Costello and Commissioner Gillooly supported Commissioner Kent's recommendation.

Commissioner Kelley requested technological improvements be added.

Mr. Turner explained this unfunded list would be the same unfunded list the Commission would receive for budget discussions; therefore, the Commission did not need to feel compelled to provide definitive recommendations at this time. He reported staff has been utilizing the technology already granted, and he concurred with Commissioner Kelley regarding the importance of technology and considered it a high priority in that this was where the productivity enhancements were located. Mr. Turner stated staff recommendations would be provided by the time the budget was discussed.

Ms. Kelly McGuire, Budget Director, reported the balance was \$232,000.

Commissioner Partington questioned the purpose of the Laurel Creek pump station for \$150,000.

Ms. Sloane explained the \$150,000 was for a permanent generator.

Mayor Costello noted he understood that expenditure would come from the Stormwater Fund.

Mr. Turner stated welcome signs for \$28,800 differed from the items listed as a City Commission goal. He asked if the signs were to be enhanced.

Mayor Costello stated he recommended the signage, but was willing to omit it from the list tonight.

Ms. Sloane reported the signs listed were two smaller welcome, monument-type signs at US1 and A1A.

Mayor Costello recommended leaving that off the list tonight and having staff bring back a proposal for signage with the cost at a later date. He asked if the gym center improvements were critical, or if they could be removed.

Mr. Dave Abee, Leisure Services Director, explained the current lighting in the gymnastics center was so old the lights buzz so loudly that the children can not hear instructions. The replacement lights cost \$26,400.

Mayor Costello stated he understood the \$26,400 would refurbish the entire gymnasium and was surprised to learn this would only be for the lighting. He recommended replacing the old lights with new lights as they burn out; therefore, he would ask that this expenditure be removed.

Commissioner Gillooly asked about the status of the Senior Center renovations.

Mr. Abee replied the roof was completed and the exterior was being worked on, but they have experienced the problem of finding bad wood destroyed by the weather. He noted this project was moving along, but it was a slow process.

Ms. Sloane stated funds on the unfunded list were for a fire sprinkler system and to enclose the front porch at the Senior Center.

Mayor Costello summarized the figures being considered were \$498,000 out of the \$715,000. He proposed placing the \$217,000 into the General Fund and providing staff the opportunity to come back to the Commission with other issues such as the Senior Center, signage, recreational, or technical issues.

Mr. Turner stated it would be helpful to allocate a certain amount of funding for computer and server replacement and to consider the remainder of the expenditures during the regular budget process. He recommended \$30,000 be set aside to be able to continue to have computer equipment and be capable of providing replacements in a more timely manner. Mr. Turner reported the computer replacement schedule was for a four year period, but the City was unable to keep this pace at the present time. He stated staff has been able to send the Commission information electronically on items such as the Friday letter, but the Commission may wish to consider the possibility of the City providing notebooks for the Commission. Mr. Turner reported that would make the way business was accomplished change dramatically.

Commissioner Kelley noted he had already given this matter a great deal of consideration.

Commissioner Kent stated in an attempt to be more accessible to the constituents, he recommended the Commission be provided with City-issued blackberries.

Commissioner Kelley urged waiting until after February 26 when a decision would be coming down from the court which may affect three million blackberry users.

Mr. Turner explained government use would be exempt. He noted the cost would probably be under \$5,000 each.

Commissioner Kelley recommended the \$30,000 be increased to \$50,000.

Mayor Costello stated he was willing to keep the expenditure at \$30,000 since that was what Mr. Turner recommended.

Commissioner Kent stated he would be willing to increase the figure to \$50,000 if he was given justification for the funds.

Commissioner Kelley recommended increasing the figure to \$50,000 and allowing staff to inform the Commission what could be done with that amount of money. He noted the City was unable to replace the computers on a five-year cycle, and computers lose their usefulness in three years.

Mr. Turner reported if \$50,000 was allocated, the Commission could reduce the figure when it was brought back if they believed it was advisable to do so.

Mayor Costello asked that the \$50,000 be added to the total, but he noted staff must justify the expenditure before it would be approved. The Commission concurred.

Mr. Gregory Avakian, 161 Heritage Circle, recommended a natural disaster reserve fund be established where a certain portion of the 14% fund balance reserve would be allocated as “untouchable” where these funds could not be allocated for anything other than a natural disaster. He noted in the past, the Commission took the reserve funds for other projects, and that set a precedent. Mr. Avakian urged a 12% benchmark be kept.

Mayor Costello stated 12% was a self-imposed benchmark that the Commission was raising to 14%; however, should the City set separate reserve funds, they would not have adequate reserves when bonding became necessary.

Mr. Avakian noted that those funds could be used by the Commission for whatever they chose. He reported his proposal was to either allocate a portion of those funds or add an additional percent raising it to 15% with 1% locked into use only for a natural disaster.

Mr. Turner stated should the Commission select to allocate these funds, this or another Commission would have the ability to vote to spend the funds.

Mayor Costello reported he was comfortable with a 14% fund balance without specific allocations. No comment was made in support of Mr. Avakian’s recommendation from the Commission.

Mr. Rick Lovell, 354 Applegate Landing, Budget Advisory Board chairman, stated the cost of the lights for the Nova Recreation Center was not surprising because lights at his place of business were \$1,000 each. He reported the \$30,000 for electronics was quite minimal, and \$50,000 was much more realistic. Mr. Lovell recommended refurbishing old equipment to use for the Senior Center computer classes or donating them to the community for families who do not have access to a computer.

Mr. Rick Boehm, 5 Springwood Trail, stated some recreation items listed were actually many items combined. He requested a breakdown of the costs because some needs may be more urgent than others, and some savings may be realized.

Mayor Costello stated \$548,000 was set aside including \$50,000 for computers, \$70,000 for Rockefeller sidewalks, \$17,000 for emergency management, \$250,000 for the FRDAP grant match, \$25,000 for the Memorial Art Museum roof, \$100,000 for the Airport Sports Complex irrigation, and \$36,000 for traffic signal emergency controls. He challenged the Budget Advisory Board and Recreation Advisory Board to offer suggestions.

Mr. Turner stated the City would have to bring back a resolution to amend the budget to accommodate these expenditures.

Mr. Hayes recommended a motion be made to provide staff direction.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to amend the budget with the following items totaling \$548,000: \$50,000 for computers, \$70,000 for Rockefeller, \$17,000 for emergency management, \$250,000 for the FRDAP grant match, \$25,000 for the Memorial Art Museum room, \$100,000 for the Airport Sports Complex irrigation, and \$36,000 for traffic signal emergency controls.

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

Mayor Costello stated the \$79,900 for Pineland Trail access was inadvertently excluded in the motion.

Commissioner Kelley moved to amend, seconded by Commissioner Gillooly, to include the \$79,900 for the Pineland Trail access.

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

Item #10 – Reports, Suggestions, Requests

Invocation

Commissioner Gillooly thanked Father James Taylor for giving the invocation this evening.

Commission Timer

Commissioner Gillooly stated she did not see a need to pay \$6,000 for a timer clock to allow people to see when their five-minute allowable time had elapsed or for a device that had been suggested that would alert Mayor Costello when a Commission member wished to speak. Commissioner Gillooly reported she had not experienced a problem being recognized or know it to be a problem. She urged the Commission not to pursue that purchase.

Audience Remarks

Commissioner Gillooly recommended reconsidering the Commission's decisions made relative to audience remarks. She stated that in the Commission's goal setting session, the Commission discussed procedures and the best method to be effective for individuals and refrain from people discussing the same issue numerous times. Commissioner Gillooly urged this be discussed so people could be assured they were not being dissuaded from speaking. She explained the entire Commission welcomed and encouraged public participation.

Mayor Costello stated the first meeting in April would be the Commission's focus workshop.

Mr. Turner reported the plan was to examine how the rules for the Commission meetings were working at that workshop.

Commissioner Gillooly recommended this be a discussion item at the next City Commission meeting.

Re-accreditation

Commissioner Gillooly commended Chief Mathieson and his staff for achieving reaccreditation.

Stanley Steamer Event

Commissioner Gillooly expressed appreciation of the volunteer efforts and the people who supported the Stanley Steamer event. She noted people from all around the world came to this event, and this was the type of event the City should encourage and support.

Chief Mathieson

Commissioner Kent wished Chief Mathieson and his wife the best and thanked him for always treating him with respect and professionalism.

New Leisure Services Director

Commissioner Kent reported he was pleased Mr. Abee was named the new Leisure Services Director.

Coffee with the Commissioner

Commissioner Kent reported his "Coffee with the Commissioner" meeting would be held on Monday, March 6, at 4 p.m. at his home, 130 Magnolia Drive.

DARE Program

Commissioner Kent thanked Mr. Turner for getting the DARE program running again.

Education Comprehensive Plan

Commissioner Kent stated the Florida State Legislature was trying to push through an Education Comprehensive Plan where school districts would have to set aside 5% of their salary to give to the top 10% of the teachers by selecting those whose students had the highest FCAT scores. He reported he opposed that in that it would not be doing what it should to retain teachers. Commissioner Kent urged letters be written to Governor Bush or to the education commissioner expressing how the people felt on this issue.

Thanking Mayor Costello

Commissioner Kelley thanked Mayor Costello for attending the meeting last week in Tallahassee regarding Ormond Crossings. He noted the public was unaware of the work Mayor Costello does with the County working for beach access and working to try to acquire property for beach parking.

Dave Abee

Commissioner Kelley reported he was pleased Mr. Abee was named the new Leisure Services Director.

Chief Mathieson

Commissioner Kelley wished Chief Mathieson the best in his future endeavors.

Mr. Cook's Concerns

Commissioner Kelley stated he spent two hours and 15 minutes with Mr. Cook recapping information going back to the original complaint he filed against two people in January 1990, who had boats stored in their yards that were more than 75% visible. He noted Mr. Cook believed Mr. Eugene Miller was the City Manager at that time, although he was not manager in January and did not become the manager until May 1990. Commissioner Kelley reported former Mayor Dave Hood and many others have offered apologies for what Mr. Cook felt he may have been wronged. He explained every effort had been put forth, and he was sorry Mr. Cook believed he needed to continually come to Commission meetings and did not understand what had occurred.

Central Park Trails System

Commissioner Partington stated the Central Park Trails System was mostly complete. He invited everyone to attend the grand opening of the trails system at Central Park I off Fleming Avenue on the February 22 at 4:00 p.m.

Replica Cars

Commissioner Partington recognized Mr. Dan Smith and Mr. Randy Crabtree for working diligently on the replica cars.

River Bend Park

Commissioner Partington thanked the great volunteer efforts of those working at River Bend Park to make it look great.

Time Notification System

Commissioner Partington concurred with Commissioner Gillooly that the timer notification system could be done more inexpensively. He noted staff could purchase a computer program to display on the screens in the Commission chambers that could count down five minutes with a flashing notification at four minutes. Commissioner Partington reported Mr. Brian Nave recently wrote a program for this sort of notification system for the Citizens for Ormond Beach forums. He noted this program would allow everyone to be aware of the time.

Re-accreditation

Commissioner Partington congratulated the Police Department for their re-accreditation.

Chief Mathieson

Commissioner Partington reported he was disappointed with Chief Mathieson's resignation, and he was conflicted. He stated Chief Mathieson had been under constant attack for the past year. Commissioner Partington noted a great deal of what Chief Mathieson endured was unfair, but he appreciated the decision Chief Mathieson made for himself and for the department.

Dave Abee

Commissioner Partington congratulated David Abee for his post as Leisure Services Director.

Audience Remarks

Commissioner Partington concurred with Commissioner Gillooly's recommendation to discuss the decision the Commission made relative to repetitive audience remarks. He agreed the Commission was certainly not attempting to limit comment. Commissioner Partington reported the Commission was trying to be efficient without excessive repetition.

Budget Savings

Mr. Turner commended staff for the savings they find each year and for being frugal.

Time Clock

Mr. Turner stated he tried to explain to a Commission member why some small issues could not be completed quickly. He reported a couple of the Commission members mentioned a clock should be purchased, but the Commission was not consistent in exactly what type of device was being requested. Mr. Turner stated staff would investigate the issue.

Voting System

Mr. Turner stated the voting/speaker system mentioned in the unfunded list would remain on the list unless otherwise instructed. He noted this had been on the list for approximately one to one and one-half years and would remain unfunded.

Ormond Crossings Project

Mr. Turner thanked staff for allowing key staff members to miss the last meeting to attend a meeting relative to the Ormond Crossings project. He noted he believed it to be absolutely essential to attend this meeting to keep the momentum of the project going.

Questions

Mr. MacLeod thanked the Commission for contacting staff to ask questions before the meeting.

Dave Abee

Mayor Costello congratulated David Abee for his being named Leisure Services Director.

Chief Mathieson

Mayor Costello wished Chief Mathieson the best and appreciated his tending his resignation in the belief that it was best for all concerned.

Ormond Crossings

Mayor Costello thanked the Bells for setting up the Ormond Crossings meeting. He stated Representative Evelyn Lynn, Representative Alan Hayes, and Representative Joyce Cusack fought admirably for the Ormond Crossings project. He reported it was an outstanding meeting. Mayor Costello thanked staff for provided tremendous material with a great deal of understandable information.

Fire Department

Mayor Costello congratulated the Fire Department in that the Florida Department of Health found no deficiencies during their inspection which was the highest ranking possible.

Mayor Costello congratulated Division Chief James Terry for being named as EMS Provider-of-the-Year.

Rick Joyce and Danny McIlrath

Mayor Costello congratulated Mr. Rick Joyce for earning his Automotive Service Excellence (ASE) Master certification and Mr. Danny McIlrath for earning a Master Fire Apparatus Technician certification.

Breakaway Trails

Mayor Costello questioned why the Breakaway Trails residents did not have adequate water pressure.

Central Park

Mayor Costello stated the Central Park Trails System grand opening was scheduled for next Monday. He noted most residents are not aware of the size of Central Park.

PACE Center

Mayor Costello stated the Kiwanis Club donated \$9,500 to adopt a room at the PACE Center.

Timer for Audience Remarks

Mayor Costello stated he was not concerned with the current system relative to the five-minute time limit for audience remarks. He noted he had recommended a new timing system, but considering the cost, he may not agree to purchase a timer.

CANDO Petition

Mayor Costello reported he had three problems with the "CANDO" petition. He pointed out that even a former Commissioner supported Memorial Hospital going over seven stories if the City could have kept them in Ormond Beach with that concession. Mayor Costello stated the hospital was building a twelve story tower, but the Commission did most everything it could to try and keep the hospital in the City. He noted that was an unforeseen instance; and if the

Commission would lock themselves into a height limit, they would not have had the opportunity to keep the hospital if that would have made the difference.

Mayor Costello advised a former Commissioner also supported a height above 75 feet for the Ormond Crossings area. He explained the Commission decided that should Ormond Crossings have a corporate office that needed to go higher than seven stories, an increase in the height limit was appropriate for that use. Mayor Costello stated if Ormond Beach had a Charter amendment that limited the height to 75 feet, these types of issues would be very difficult to overcome.

Mayor Costello stated he also had a problem with this petition because it had absolutely nothing to do with anything that was under discussion by the Commission. He reported nobody was suggesting getting rid of the height limit. Mayor Costello stated that he, individually, was suggesting a transfer of development rights which was about open space. He noted the reason he could not support a petition drive or a Charter amendment was because a Charter amendment he would support would have to read as follows: "Do you favor doing everything the City can do to gain public access, beachfront parks, and off-beach parking including transferring density that already exists on top of other buildings to gain the open space." Mayor Costello reported that would be coming before the Commission, and it was possible he would not have any support. He stated the wording of the petition provided was extremely misleading in that it was inaccurate to state that anybody was talking about getting rid of the height limit. Mayor Costello reported he supported keeping the height limit because that would cap the density. He stated this would provide the City the opportunity to inform developers that if they want to build higher, they would have to give the City land. Mayor Costello reported if the City were to get rid of the height limit, it would have no ability to ask for open space. He advised he would support anything that would accurately state what was on the table. Mayor Costello pointed out that he was only one member of the Commission, and the other Commission members have not expressed their opinions on this matter. He stated the Commission had as a goal a master plan for A1A, and at that time the Commission could investigate all of these issues, such as forming a Community Redevelopment Agency (CRA) to purchase land or anything and everything that would help the City gain public access to its beach and off-beach parking. Mayor Costello reported he was hopeful somebody could come up with an even better idea; but for the above-articulated reasons, he could not support the CANDO petition.

Item #11 – Close the Meeting

The meeting was adjourned at 10:22 p.m.

APPROVED: _____ March 7, 2006

BY: _____
Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk