

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

September 6, 2006

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 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 Pastor Martin Roberts, Church of God by Faith.
- 3) Pledge of Allegiance.
- 4) **FIRST PUBLIC HEARING - FY 2006-2007 PROPOSED MILLAGE RATES AND BUDGET:**
 - A) Resolution No. 2006-165 adopting proposed millage rates for the 2006-2007 fiscal year; establishing a date, time and place for a public hearing to adopt final millage rates and final budget. (3.58732 operating millage rate; debt service millage rates of 0.4062 and 0.036)
 - B) First Reading of Ordinance No. 2006-12 adopting the Annual Budget for the 2006-2007 Fiscal Year beginning October 1, 2006, and ending September 30, 2007; repealing all inconsistent ordinances or parts thereof. (\$111,583,037)
- 5) Approval of the Minutes of the August 15, 2006, regular meeting, the August 22, 2006, and August 24, 2006, special meeting.
- 6) **PRESENTATIONS:**
 - A) Proclamation by Mayor Costello proclaiming September 6, 2006, as Civil Air Patrol Day in the City of Ormond Beach.
 - B) Proclamation by Mayor Costello recognizing FPL Group, Inc., for contributions to the PACE Center for Girls.
- 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. 2006-166 appointing Robert Walsh as a member to serve on the Environmental Advisory Board; setting forth term and conditions of service.
 - B) Resolution No. 2006-167 appointing Shavette Boykins as a member to serve on the Neighborhood Improvement Advisory Board; setting forth term and conditions of service.
 - C) Resolution No. 2006-168 appointing James Price and Bobbi Wood as members to serve as commissioners of the Ormond Beach Housing Authority; setting forth terms and conditions of service.
 - D) Resolution No. 2006-169 amending the dates and times for the holding of regular meetings of the City Commission of the City of Ormond Beach, Florida, for the month of November 2006 and the month of August 2007; providing for exceptions thereto.
 - E) Resolution No. 2006-170 authorizing and directing the City Clerk to procure the necessary ballots and other forms, to arrange for the use of voting machines, and to make other required arrangements for the Special Election to be held on November 7,

2006; authorizing the execution of a Memorandum of Understanding for services and materials; setting forth an effective date.

- F) Resolution No. 2006-171 of the City Commission, also acting as the Community Redevelopment Agency of the City, authorizing the execution of a Property Improvement Grant Agreement between the City of Ormond Beach Community Redevelopment Agency and Robert L. Adams and Helen Adams, Co-Trustees of the Ryan A. Adams Revocable Trust of May 13, 2005. (Adams Cameron Realty Co. - 54 South Atlantic Avenue - \$20,750)
- G) Resolution No. 2006-172 authorizing the acceptance of a Public Utility and Access Easement Deed from Salzburg Animal Hospital, Inc., on property located at 1254 W. Granada Boulevard; authorizing the payment of compensation therefor. (\$2,000)
- H) Resolution No. 2006-173 authorizing the submittal of a grant application to the Florida Department of Environmental Protection under the Florida Recreation Development Assistance Program for funding assistance relative to Nova Community Park Field #5 renovations; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (\$451,300 total project; \$200,000 grant funds; \$251,300 local funds)
- I) Resolution No. 2006-174 authorizing the submittal of a grant application to the Florida Department of Environmental Protection under the Florida Recreation Development Assistance Program for funding assistance relative to field renovations at the Ormond Beach Sports Complex; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (\$421,000 total project; \$200,000 grant funds; \$221,000 local funds)
- J) Resolution No. 2006-175 authorizing the execution of Change Order No. Three (3) to that contract awarded to D&W Paving, Inc., regarding the South Ridgewood Avenue, Lorillard Place and Live Oak Avenue Roadway and Drainage Improvements project, by decreasing the contract price by \$14,884.53 and increasing the contract time by 142 days. (\$1,533,228.32 total contract price; 407 total days)
- K) Resolution No. 2006-176 authorizing the execution of Change Order No. One (1) to that contract awarded to McMahan Construction Co., Inc., regarding the Lift Station 1P, 5P and BT1 Rehabilitation & Improvements project; by increasing the contract price by \$4,143; by increasing the contract time by 138 days. (\$542,143 total contract; 368 total days)
- L) Resolution No. 2006-177 accepting a bid from A&MSI Construction Company, Inc., for construction services regarding the North Ridgewood Avenue and North Yonge Street Sidewalk Construction project under Bid No. 2006-21; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$343,293)
- M) Resolution No. 2006-178 accepting the bid of Barracuda Building Corporation regarding the provision of construction services for the Central Park Multi-Use Trails, Phase II, project under Bid No. 2006-16; rejecting all other bids; authorizing the execution of a contract between the City and Barracuda Building Corporation and payment thereunder. (\$138,137)
- N) Resolution No. 2006-179 authorizing the execution of a contract between the City of Ormond Beach and RW Contractors, Inc., regarding the chlorine building replacement at the Wastewater Plant. (Not-to-exceed \$125,534)
- O) Resolution No. 2006-180 authorizing the execution of a Fire and Emergency Medical Services Agreement between the City of Ormond Beach and the County of Volusia.
- P) Resolution No. 2006-181 accepting the bid of Decatur Electronics, Inc., for the purchase of in-car video camera systems under Bid No. 2006-25; rejecting all other bids; authorizing the execution of a contract between the City and Decatur Electronics, Inc., and payment thereunder. (\$35,250 cost; \$35,250 FDOT Highway Safety Program grant funds; \$0 local funds)
- Q) Resolution No. 2006-182 amending the rules of parliamentary procedure.

9) **PUBLIC HEARINGS:**

- A) Resolution No. 2006-183 approving and authorizing the removal of an historic tree located at 337 Tulip Tree Lane.
- B) Temporary remote parking Special Exceptions:
 - 1) Resolution No. 2006-184 authorizing the execution and issuance of a Special Exception to allow temporary remote parking during the officially recognized dates of Biketoberfest, Bike Week, Birthplace of Speed celebration, Pepsi 400 weekend, Speedweeks, and Turkey Rod Run, at “Souvenir City” retail store parking lot located at 198 South Atlantic Avenue within the B-7 (Highway Tourist Commercial) zoning district; establishing conditions and expiration date of approval.
 - 2) Resolution No. 2006-185 authorizing the execution and issuance of a Special Exception to allow temporary remote parking during the officially recognized dates of Biketoberfest, Bike Week, Birthplace of Speed celebration, Pepsi 400 weekend, Speedweeks, and Turkey Rod Run, at the Beninati Realty Group rear parking lot located at 216 South Atlantic Avenue within the B-7 (Highway Tourist Commercial) zoning district; establishing conditions and expiration date of approval.
- C) Resolution No. 2006-186 authorizing the execution and issuance of a Development Order for Tomoka Christian Church, Inc., to be known as “Tomoka Beachside Church” Special Exception on an existing non-conforming site located at 221 Vining Court, within the B-4 (Central Business) zoning district; to allow a House of Worship consisting of a 6,928 square foot one-story building that will include a sanctuary, office space, classroom, storage area, and other administrative uses; authorizing an off-site parking agreement; establishing conditions and expirations of approval.
- D) Resolution No. 2006-187 relative to the “Breakaway Trails” Development of Regional Impact; amending the Development Order to further amend the amenities to be provided by the developer as approved by Resolution No. 98-81; ratifying and confirming the Development Order.

- 10) **SECOND READING OF ORDINANCE** No. 2006-11 approving the final plat for “Deer Creek,” Phase One, of the “Hunter’s Ridge” Development of Regional Impact; establishing conditions and expiration dates of approval.

11) **FIRST READING OF ORDINANCES:**

- A) Ordinance No. 2006-13 of the City of Ormond Beach, Florida, amending Article IV, Police Officers’ Pension Trust Fund, of Chapter 16, Pensions and Retirement, of the Code of Ordinances; amending Section 16-75, Contributions.
- B) Ordinance No. 2006-14 amending Sections 22-23, 22-24 and 22-71 of Chapter 22, Water and Sewers, of the Code of Ordinances, by increasing the minimum water and sewer rates.

- 12) **RESOLUTION** No. 2006-161 appointing an at-large member of the Planning Board; setting forth term and conditions of service. (Cont’d from 8/15/06 meeting)

13) **DISCUSSION ITEMS:**

- A) City Attorney evaluation.
- B) Public information – Charter referendum on building heights.
- C) Position on County Charter amendments.
- D) Water and sewer impact fees.
- E) Outside Agency Funding.
- F) Dais system improvements.

14) **AUDIENCE REMARKS:**

- 15) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 16) Close the meeting.

Item #1 - Call to Order

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

Item #2 - Invocation

Pastor Martin Roberts, Church of God by Faith, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led the Pledge of Allegiance.

Item #4 - FY 2006-2007 Proposed Millage Rates And Budget:

Mayor Costello opened the public hearing. He stated per *Florida Statutes*, he was required to state the proposed millage rate for the City of Ormond Beach necessary to fund the FY 2006-07 budget, which was 3.58732 mils. He stated this would be a 16.4% tax increase over the rolled back rate of 3.07550. He stated the proposed debt service millage rates were 0.4062 for the 2002 General Obligation Bond (GOB) Sinking Fund and 0.036 for the 2003 GOB Sinking Fund. He stated the General Fund would increase 7% or about \$2 million. He stated that property tax revenue would increase about 17%. He stated that the city would gain about \$300,000 from new growth revenue. He stated Ormond Beach property taxes would generate 34% of the total General Fund revenue, with 80% of the additional General Fund revenue coming from property taxes. He stated that Ormond Beach property taxes were approximately 18% of the total Volusia County property tax bill. He stated a homesteaded property tax bill would be less than the current year if the city's operating millage rate was reduced to 3.53841 mils due to the increased interest income. He stated that amendment may or may not be made later in the meeting.

Mayor Costello stated that although the property tax would decrease for those having homesteaded property, it would be called a tax increase because of the rolled back rate definition. He explained that in local government if more revenue was received at the same tax rate, it was called a tax increase.

Mayor Costello stated that \$1.2 million would fund staff costs, which was a 6% increase not due to new positions, \$291,000 would eliminate the use of fund balance for recurring expenses, \$200,000 for increased fuel costs, \$200,000 for increased property insurance costs, \$125,000 for utilities cost increase, and \$300,000 for an estimated bond payment for beach property purchase. He stated other significant General Fund adjustments were a reduction in building permit fees of \$290,000, and budgeting for 99% employment (1% vacancy rate) for a savings of \$204,000. He stated that Ormond Beach had the fifth lowest proposed rate (4.0) in the county.

Mayor Costello noted that on the tax bill 5.93 mils was County; 7.68 mils was School Board; 4.0 mils was Ormond Beach; 0.23 mils was the Mosquito District; 0.09 mils was the Port Authority; 0.46 mils was the St. Johns Water Management District; 0.04 mils was the Florida Inland Navigation District; and 3.0 mils was Halifax Hospital.

Item #4(A) - Adopting Proposed Millage

RESOLUTION NO. 2006-165

A RESOLUTION AUTHORIZING ADOPTING PROPOSED MILLAGE RATES FOR THE 2006-2007 FISCAL YEAR; ESTABLISHING A DATE, TIME AND PLACE FOR A PUBLIC HEARING TO ADOPT FINAL MILLAGE RATES AND FINAL BUDGET; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Jeff Boyle, 614 North Halifax Drive, stated there was a total 58% tax increase in the last two years, and the Commission indicated last year that taxes would not be raised in 2006. He noted the millage was reduced slightly, but there was still a 16.4% tax increase this year. Mr. Boyle referred to e-mail correspondence between Commissioner Partington and Mr. Morgan Gilreath, Volusia County Tax Assessor, regarding a claim that there was little new revenue for ten years and that city facilities maintenance and replacement was neglected because of ten years of roll

back by the Commission. He noted that in 2001 there was an undesignated cash reserve of over 30% (over \$5 million), which was earning over \$1 million in interest per year. He stated the annual positive variance since then had been running from \$500,000 to \$2 million. He stated money was spent on maintenance and big ticket capital improvements, such as at the South Ormond Neighborhood Center, a new wing for the art museum, a new skateboard park, completion of the girls' softball fields, \$500,000 for roads and sidewalks, the public voted to tax themselves for new police and fire stations, and to preserve the Rivers property on the Tomoka River. He stated that ethically they could not ask the taxpayers for more tax money when they were already flush with cash.

Mr. Boyle suggested that the Commission should be applying the reasoning of the 2001 City Commission and get as close to roll back as possible. He stated the City had a spending problem, not a revenue problem. He stated there was excessive spending caused by too many new positions, waste and inefficiencies, contract overruns, or failures to complete contracts. He stated his opinion that the Commission needed to examine their own positions on the budget and what was appropriate for taxpayers for this point in time.

Mr. Charles Carter, 212 Arlington Way, stated he reviewed the Financial Trends, CIP, and Focus Workshops and the budget figures. He expressed his concern that the Commission's concerns were not addressed by staff such as the use of other funds, which were not restricted and used to pay for other fund projects. He noted the auditors for the last three audits have requested that the deficiency accounts be attended to immediately. He stated his opinion that an internal borrowing situation without proper payback stipulations put a burden on future Commissions and gave the taxpayers a false sense of security, which he estimated was \$7 million at this time. Mr. Carter noted that the Commission expressed concern at a recent CIP workshop about private funding, labor costs, travel spending, monuments and statues, and unnecessary play toys. He suggested that the optical and telephone switching systems should be addressed by professionals. He noted that City vehicles were seen all over the City, and he suggested that police vehicles were getting too full of electrical equipment. He noted the Fire Chief stated that they were ready for high rise firefighting, which Mr. Carter was having reviewed by a former fire commissioner from a large city. Mr. Carter stated that water, wastewater, and solid waste appeared to need more raises, and he questioned why the reuse water system fee cost had not been reviewed. He stated his opinion that the city was in for problems with the chlorine system. Mr. Carter stated his opinion that there were vehicles for everyone, good salaries and benefits, many holidays, long weekends, travel all over the country at taxpayers expense, and donations to anyone who asked for them. He asked the Commission to go to roll back.

Mr. Adrian Thompson, 6 Dorado Beach Court, stated that Ormond Beach had plenty of money that was mismanaged, which he stated had reached catastrophic proportions in the last year. He stated the City had spent between \$300,000 and \$500,000 for staff mistakes, retained the same staff and gave them pay raises, spent \$75,000 on statues to sit in front of fire stations, and increased positions, such as a public information officer, airport manager, code enforcement personnel, support services director. He stated other items were firefighter overtime, poorly written contracts resulting in change orders, travel expense, and litigation costs. Mr. Thompson expressed his concern that the airport manager had not increased the business or revenue at the airport. He stated there was \$1.5 million spent at the airport with zero return to the City, and he noted the first thing the new airport manager did was raise rents 400%.

Ms. Martha Halling, 1 John Anderson Drive, stated her concern about the increased spending each year. She stated they were not making Ormond Beach a friendly business community for rental properties. She noted in 2001 a cap was placed on the assessed values of homes. She stated tax rate increases were having a devastating effect on businesses and tenants, and she asked the Commission to give careful thought to the increase before approving the budget.

Mr. James Whelan, 32 Pleasant Drive, proposed that all properties should be increased no more than 3% and the millage increased no more than 2% so that there would not be more than a 5% increase. He stated that tax increases had depleted his savings, and he asked the Commission to consider reducing their increase.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Resolution No. 2006-165, as read by title only, to adopt a 3.52841 operating millage rate; and debt service millage rates of 0.4062 and 0.036.

Commissioner Kelley stated he sympathized with Mr. Whelan as his tax bill had increased as well. He stated that since 1999 his tax bill had increased 3.25% per year in Ormond Beach taxes dollar-wise, not rate-wise. He stated those that were homesteaded since 1994 were

protected, but those who wanted to move into a smaller house at some point, would have higher tax bills. He stated the problem was compounded by the property value increases, which was controlled by the Volusia County Tax Appraiser. He suggested most everyone was in the same boat and that they were not trying to waste money as a City. He stated the City's growth was only about 1% per year, and estimated impact fee revenue would be maybe one-third of the prior years. He stated that property values and rent increases were the reasons affordable housing was an issue.

Commissioner Gillooly stated it was her opinion that they did a good job of trimming down the initial draft of the budget. She suggested looking at the beach property purchase of \$300,000 as a one-time expense from fund balance, and then hold a bond referendum for the funds over the next 20 years. She suggested increasing business to increase the tax base. She stated the building height referendum could affect the development of Ormond Crossings. She asked Ms. Kelly McGuire, Budget Director, about the budget impact of removing \$300,000; whereby, Ms. McGuire stated the new rate would be 3.44004 mills, with the change being \$0.09 in the millage rate or \$9.00 for every \$100,000. She stated the roll back rate would be 11.85%.

Commissioner Gillooly stated that she was getting a reputation of being worried about little things, but she explained that she felt if you watched the little dollars, the big dollars would take care of themselves.

Commissioner Kent stated he agreed with Commissioner Gillooly about watching small things. He noted that people were paying more for gas, groceries, travel, etc. He stated he was pleased that the millage had been reduced, but he was concerned about the County's perception of the one-time \$300,000 expense from fund balance for beach property. He stated he was pleased that they were able to reduce the tax rate from a couple of weeks ago.

Commissioner Partington stated he would support the \$300,000 coming out of the budget, which he stated he felt would be sensitive to the needs of the people. He stated he hoped the County would know that the City was serious in their commitment to beach property, and he favored passing a resolution to let the County know that the City was committed.

Mayor Costello stated he favored beachfront property and keeping the \$300,000 in the budget and expressed concern about the message the City would be sending to the County. He stated that most management issues brought up earlier had been discussed in City Commission meetings at length, and he stated he wholeheartedly disagreed with most of the statements made tonight as there were many inaccuracies. He stated he would be willing to discuss these issues with anyone one-on-one.

Mayor Costello stated that the unintended consequence of the "Save Our Homes" legislation was that 96% of new the dollars that came into local government were from non-homesteaded properties. He stated that about 70% of the property was residential. He stated that \$1.2 million had to be generated for this budget with \$300,000 from new growth. He noted that next year was the time to renegotiate the union contracts, and he queried where the money would come from if not from a tax increase.

Mr. Isaac Turner, City Manager, suggested that the salary increases be more moderate in the future. He stated that one-third of FY 2004-05 and all of the tax rate increase last year went to fund capital improvements in buildings, roads, park facilities, The Casements, sports complex improvements, and for matching grants funding. He stated the \$300,000 funded out of fund balance would be the first payment on a 20-year installment, which would have to be funded by a tax increase or some other recurring revenue source in the future.

Commissioner Gillooly moved to amend the motion on the floor, seconded by Commissioner Partington, to adopt and operating millage of 3.44004 mills, which would be 11.85% over roll back.

Commissioner Kelley asked about the level of fund balance after using \$300,000; whereby, Ms. McGuire stated she estimated it to be 15.9%.

Commissioner Kent stated he favored keeping the \$300,000 in the budget as he wanted to send a strong message to the County that the City was committed to purchasing beach property in partnership with the County.

Commissioner Kelley stated he was not sure that the City was sending the wrong kind of message by using fund balance rather than adopting a millage rate. He suggested the County could approach the City with a contract for beach property purchase, but he felt the public

should decide by referendum if they wanted to bond themselves for beach property. He stated he favored adopting millage of 3.44004 as stated.

Mayor Costello stated a resolution would be needed at the next meeting to appropriate \$300,000 from fund balance; whereby, Ms. McGuire advised a resolution was not necessary, and Mr. Turner stated that symbolically a resolution would send a message to the County.

Mayor Costello stated he favored the transfer of development rights to gain as much open space as possible, but he also favored partnering with the County to buy as much beachfront park, open space off-beach parking as possible. He stated he was in favor of investing \$300,000 per year and more to acquire more property at reasonable rates. He suggested the Commissioners talk to at least 50 people before the next meeting for input.

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

Call Vote on the Resolution as Amended:	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
Carried.	Mayor Costello	yes

Item #4(B) - Adopting the Annual Budget

Mayor Costello stated Ordinance No. 2006-12 would adopt the budget of \$111,583,037.

ORDINANCE NO. 2006-12
 AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE
 2006-2007 FISCAL YEAR BEGINNING OCTOBER 1, 2006, AND
 ENDING SEPTEMBER 30, 2007; REPEALING ALL
 INCONSISTENT ORDINANCES OR PARTS THEREOF; AND
 SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2006-12, on first reading, as read by title only.

Commissioner Kelley moved to amend Ordinance No. 2006-12, seconded by Commissioner Partington, to reduce the property tax revenue by \$500,000, to increase interest income revenue by \$200,000, and to appropriate \$300,000 from fund balance.

Call Vote on the Motion to Amend:	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Call Vote on the Ordinance as Amended:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Mayor Costello closed the public hearing.

Item #5 - Approval of Minutes

Mayor Costello advised the minutes of the August 15, 2006, regular meeting, the August 22, 2006, and the August 24, 2006, special meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello stated that hearing none, the minutes are approved as submitted.

Item #6(A) – Civil Air Patrol Day

Mayor Costello read a proclamation whereby the Ormond Beach Senior Squadron was recognized as a “*Senior Squadron of Distinction*” by the Florida Wing Commander, primarily for its computer program for the Florida Wing, which tracks all critical detailed information on each of the airplanes in the state fleet. Mayor Costello proclaimed September 6, 2006, as Civil Air Patrol Day and supporting the Civil Air Patrol for its service and dedication to the community.

Item #6(B) - Recognizing FPL Group, Inc., for Contributions to the PACE Center for Girls.

Mayor Costello read a proclamation recognizing FPL Group for their charitable contributions to help improve the quality of life in the communities it serves, such as the \$150,000 donated to the PACE Center for Girls for the renovation of the Rigby School community room and other projects. Mayor Costello reported PACE was an educational institution targeting the unique needs of females 12 to 18 years old by actively preventing school withdrawal, juvenile delinquency, teen pregnancy, substance abuse, and welfare dependency. He proclaimed September 7, 2006, as a day to thank FPL Group for their generous contribution to the PACE Center for Girls and the community.

Item #7(A) - Metropolitan Planning Organization

Mayor Costello stated Ormond Beach was fortunate to have Mr. Clay Ervin, Planning Director, to serve on some of the Metropolitan Planning Organization (MPO) boards. He reported Mr. Ervin would be representing the City on a committee that would be discussing issues such as the difference between the level of service of different communities on the same road and the County draft of the proportionate share ordinance. He noted he asked Mr. Joe Jaynes to help the City find an MPO member to serve on the Bike Pedestrian Committee. Mayor Costello reported this representative should be an avid bicyclist.

Item #7(B) - Volusia Council of Governments

Mayor Costello stated the Executive Committee of the Volusia Council of Governments (VCOG) met Monday. He asked if/when the intracoastal was dredged again if the City would have a right-of-way from the intracoastal to the beach to install pipes to take sand for renourishment. Mayor Costello noted with the soft sand conditions it was not clear if this would be needed from the intracoastal or if it would be more advisable to obtain the sand from a sand bar, but someone needed to begin investigating the issue. He urged the City to do what was necessary to apply for funds from the Port Authority and the Racing District for the purchase of off-beach parking land and beachfront land. Mayor Costello stated video logging of the road assets was discussed. He noted staff decided that was not necessary; however, he suggested that it be re-examined. Mayor Costello reported Senate Bill 360 compliance issues were also discussed. He stated Mr. Tom Harowski would be able to present some of the Senate Bill 360 compliance issues to Ormond Beach, and he considered that it would be worthwhile.

Item #7(C) - Water Authority of Volusia

Commissioner Kelley stated the Water Authority of Volusia (WAV) would probably not continue to exist as it was created. He noted there was a WAV meeting scheduled for September 27. He stated he believed this type of agency could save money, but some entities are not ready to make the necessary concessions for the betterment of everyone. Commissioner Kelley reported it was unknown how the County Charter referendum would impact WAV. He stated WAV was successful in bringing more joint efforts between the communities, helping them to be cooperative and accomplish interlocal agreements.

Mayor Costello stated he was proud Ormond Beach proceeded to meet its needs while attempting to work with WAV. He thanked Commissioner Kelley for his service on WAV, no matter the outcome.

Mr. Turner stated the City Managers Advisory Group provided information to the Board of Directors, and he encouraged that group to allow WAV to continue to survive to have different types of memberships such as general members and those involved in capital projects. Mr. Turner noted the hope was for WAV to survive long enough to gain a reputation of performance, and from that track record, to encourage people to invest more in WAV. He stated these would be long-term issues if WAV were to survive.

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 reported he was asked to remove Item Nos. 8(D), 8(O), and 8(Q) from the consent agenda for discussion.

Commissioner Kent requested Item Nos. 8(K) and 8(P) be removed from the consent agenda for discussion.

Commissioner Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda, minus Item Nos. 8(D), 8(K), 8(O), 8(P) and 8(Q).

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

Item #8(D) - Amending Dates and Times for Holding City Commission Meetings

RESOLUTION NO. 2006-169
 A RESOLUTION AMENDING THE DATES AND TIMES FOR THE
 HOLDING OF REGULAR MEETINGS OF THE CITY
 COMMISSION OF THE CITY OF ORMOND BEACH, FLORIDA,
 FOR THE MONTH OF NOVEMBER 2006 AND THE MONTH OF
 AUGUST 2007; PROVIDING FOR EXCEPTIONS THERETO;
 SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Resolution No. 2006-169, as read by title only.

Mr. Jeff Boyle, 614 North Halifax Drive, stated this resolution would move one meeting in November due to the proximity to the Thanksgiving holiday and a second meeting in August for "National Night Out" to allow Commission members to attend the event. He reported moving meetings places a hardship on staff; applicants would be inconvenienced; it would load one meeting while it would download another meeting; and it was not good government. Mr. Boyle stated that the people expect meetings on the first and third Tuesday of the month. He expressed appreciation to Commissioner Gillooly for questioning the rescheduling of the meeting and for her participation at a July meeting after the loss of her mother.

Mayor Costello stated the Charter did not indicate the meetings needed to be on the first and third Tuesday. He noted "National Night Out" was a fantastic program, and the Commission believed it was important enough to adjust the Commission meeting to attend it and to encourage communities to come together. Mayor Costello reported the duty of the Commission was to accomplish City business and make certain residents know when to come to discuss whatever issues they may have.

Commissioner Kelley reported the times that meetings have been changed in the past have not upset staff. He stated the more the community could see the Commission supporting such events such as "National Night Out," the better it would be for the event.

Commissioner Gillooly stated she supported moving the meeting for the "National Night Out" because it would allow the Commission to support that cause and encourage more people to attend. She noted she supported moving the meeting for the Thanksgiving holiday. Commissioner Gillooly recommended moving the August meeting to Wednesday rather than Monday to allow the Commission adequate time to study the information in the packet and make inquiries to staff before the meeting.

Commissioner Kelley stated if the meeting was held on Monday, the Commission could re-emphasize the "National Night Out" event.

Ms. Veronica Patterson, City Clerk, stated the month prior had five Tuesdays; therefore, the agenda packet could possibly be moved up a day.

Commissioner Gillooly stated considering the aforementioned, she would withdraw her request for a Wednesday meeting. She agreed a Monday meeting would provide the opportunity to better advertise the event, and she encouraged the packet be provided a day earlier than usual.

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

Item #8(K) - Lift Station 1P, 5P and BT1 Rehabilitation & Improvements Project

RESOLUTION NO. 2006-176

A RESOLUTION AUTHORIZING THE EXECUTION OF CHANGE ORDER NO. ONE (1) TO THAT CONTRACT AWARDED TO MCMAHAN CONSTRUCTION CO., INC., REGARDING THE LIFT STATION 1P, 5P AND BT1 REHABILITATION & IMPROVEMENTS PROJECT; BY INCREASING THE CONTRACT PRICE BY \$4,143; BY INCREASING THE CONTRACT TIME BY 138 DAYS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2006-176, as read by title only.

Commissioner Kent asked how much fencing would be included in this project.

Ms. Judy Sloane, Public Works Director, reported the property owner had fencing that would have to be relocated to enable the City to put the portable generator in place, but she was unaware of the exact footage.

Commissioner Kelley thanked Mr. Ted MacLeod, Assistant City Manager, and Ms. Sloane for providing the Commission the recap on change orders. He pointed out more change orders came in under the estimate than came in over the estimate; and of those that came in over the estimate, they had legitimate reasons.

Mayor Costello noted, for instance, that Item #8(J) was under budget and passed without discussion. He explained that the staff saved the City money by not adding a 10% contingency to contracts, which requires contractors to negotiate with staff to obtain additional money if items unforeseen should occur. He stated it may seem to those who had not fully investigated the issue that the City was routinely allowing contractors to make additional money, but he encouraged people to compare Ormond Beach contracts to contracts in other cities.

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

Item #8(O) - Fire and Emergency Medical Services Agreement

RESOLUTION NO. 2006-180

A RESOLUTION AUTHORIZING THE EXECUTION OF A FIRE AND EMERGENCY MEDICAL SERVICES AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND THE COUNTY OF VOLUSIA; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2006-180, as read by title only.

Mr. Jeff Boyle, 614 North Halifax Drive, stated a few years ago the County mandated that all municipalities would need to enter reciprocal emergency service agreements; and if the cities chose not to enter the agreement, the County would exercise its power to pull the certificate that would allow the City to do medical responses. He pointed out in the late 1990s Ormond Beach agreed to take over two County fire stations, but the County later reneged on that agreement for money. Mr. Boyle noted there were four County fire stations surrounding Ormond Beach, and only two meet the criteria for this agreement. He reported Ormond Beach's fully trained personnel would go into the County, but the County would not be able to reciprocate at the

same level of service. Mr. Boyle noted dealing with the County was always about money and not service or people.

Mr. John Bornmann, 6 Windsor Drive, stated the County did not have the required number of firefighters in all of its stations. He expressed concern Ormond Beach would be fighting many fires in the County and hoped the City would not regret its decision.

Mayor Costello stated Ormond Beach had no choice, but he noted the County has hired 50 to 100 firefighters over the past two years.

Fire Chief Barry Baker noted there had been significant improvement in the County. He stated the cities were forced into EMS agreements years ago; and Ormond Beach and all of the other cities voted against the agreement, but the County passed the agreement. Chief Baker concurred that two of the four stations did not meet the standard, but one was not of significant concern because Rima Ridge was currently a Flagler County station where Ormond Beach runs very few calls. He noted the other was more significant in that the north peninsula station was supported quite a bit. Chief Baker reported the County Manager and County Council were supporting staff increases which would bring staff to an acceptable level shortly after October, and he was hopeful this would be a benefit to Ormond Beach. He pointed out Ormond Beach had been helping the County through mutual aid. He noted this agreement would place a standard that when 25 calls were exceeded, there would be a cost associated with the calls; and the hope was that this would be an incentive to get the excessive mutual aid calls under control. Chief Baker reported he was comfortable entering into this, but he also noted this agreement would allow the City to opt out within one year.

Commissioner Kelley stated Ormond Beach always had mutual aid where the City would respond, and this would help the County to have the incentive to come on line in October.

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

Item #8(P) - Purchase of In-Car Video Camera Systems

RESOLUTION NO. 2006-181

A RESOLUTION ACCEPTING THE BID OF DECATUR ELECTRONICS, INC., FOR THE PURCHASE OF IN-CAR VIDEO CAMERA SYSTEMS UNDER BID NO. 2006-25; REJECTING ALL OTHER BIDS; AUTHORIZING THE EXECUTION OF A CONTRACT BETWEEN THE CITY AND DECATUR ELECTRONICS, INC., AND PAYMENT THEREUNDER; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Resolution No. 2006-181, as read by title only.

Commissioner Kent stated he was pleased to see the in-car video system was helping the Police Department. He noted a resident informed him that this past year when a system went down, it had to be sent out for repairs, and it took up to a month or more to get the system back. Commissioner Kent asked if repairs or replacement could be accomplished between 24 to 48 hours.

Police Chief Michael Longfellow stated the system to which Commissioner Kent referred was the bid that was rejected due to poor past performance. He reported the City had used the recommended company in the past with good results, and the City's Fleet Maintenance service technicians would install the equipment and do most repairs because the system was much more user friendly.

Commissioner Kelley stated no City money was being used, explaining grant money would be paying for this.

Commissioner Gillooly asked if this company could repair the equipment previously purchased.

Chief Longfellow stated the company would not work on equipment other than their own.

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

Item #8(Q) - Amending the Rules of Parliamentary Procedure

RESOLUTION NO. 2006-182
A RESOLUTION AMENDING THE RULES OF PARLIAMENTARY
PROCEDURE; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Gillooly moved, seconded by Commissioner Kelley, to approve Resolution No. 2006-182, as read by title only.

Mr. Jeff Boyle, 614 North Halifax Drive, stated this was the sixth major adjustment the Commission had made to the rule surrounding the participation of the audience since January, and it was confusing the public. He recommended that if Mayor Costello received 10 cards for speakers, he could request limiting comments to three minutes, and he urged enforcing the rules already in place.

Mayor Costello stated he consistently allowed people to bring in a card any time before the beginning of that item.

Mr. Clark Rohmer, 843 Marvin Road, asked the Commission to consider the senior citizens who were uncomfortable going out after dark and go to bed early. He noted this may discourage people from speaking.

Commissioner Gillooly stated this issue was discussed at the workshop, and she expressed her unease at that time. She explained this issue only related to items that are not on the printed agenda, noting people could still speak on items that were on the agenda. Commissioner Gillooly recommended limiting speakers to three minutes rather than moving "Audience Remarks" to the end of the agenda.

Commissioner Kent concurred with Commissioner Gillooly. He noted this sends a strong perception that the Commission did not want people to speak. Commissioner Kent recommended if there were a meeting with a great deal of speakers, Mayor Costello could ask people to limit their comments to two or three minutes. He questioned if the timer should be used for printed agenda items.

Commissioner Gillooly noted agreement that the timer would be used for audience remarks only.

Mayor Costello stated he was confused about that issue as well.

Commissioner Kelley stated he had recommended a time certain be set with people speaking two or three minutes. He stated he was opposed to starting the meeting an hour or longer after 7 p.m. He stated the Commission should not respond to audience comments because that engages the conversation and makes audience remarks longer; but when people make incorrect statements, they need to be answered because people in attendance for other issues hear the misstatements believing them to be true. Commissioner Kelley pointed out he was always available to discuss issues with the public, and the goal was not trying to shut the people out.

Mayor Costello summarized Commissioner Kelley recommended audience remarks end at 7:30 p.m., each speaker be given three minutes, and if they need longer they could speak at the end of the meeting.

Commissioner Kelley clarified he was not advocating additional time at the end of the meeting.

Commissioner Partington recommended running the meetings similar to the County meetings where a half hour before the meeting the audience comments would occur, and if anyone else needed to speak, they could speak at the end of the meeting or contact the Commission at a later date. He reported he would prefer starting at 6:30 p.m. with the regular agenda starting at 7:00 p.m.; but he could support starting at 7:00 p.m., and the business starting at 7:30 p.m. Commissioner Partington noted another idea was to once a month set aside a meeting just for public comment.

Mayor Costello stated the consensus was for limiting comments to three minutes and implementing a time certain. He noted due to workshops prior to many meetings he recommended the meetings start at 7:00 p.m., and at 7:30 p.m., whether comments were completed or not, to move on and finish the remaining cards at the end of the meeting.

Commissioner Kent reported he was more comfortable with Mayor Costello’s assessment than what was before the Commission now, but he would not object to continuing this for two weeks. He stated he understood the time would be five minutes; but if three minutes was to be mandated, he urged the audience comments be kept at the beginning of the meeting.

Mayor Costello stated the people who come for scheduled agenda items should not have to wait for their item to be heard. He reported he believed the Commission should respond to comments because people attending for other purposes hear what was said and believe it to be accurate; however, responses take time.

Commissioner Gillooly moved, seconded by Commissioner Partington, to amend the rules to have the “Audience Remarks” portion in the beginning of the meeting; to limit the speakers in that portion of the meeting to three minutes per participant; to cap the comments at 7:30 p.m., and if not everyone was heard, the other speakers would be heard at the end of the meeting.

Mr. Turner stated staff could visit with citizens addressing their concerns in the Friday letter if they would not be able to stay to the end of the meeting.

Mayor Costello noted he did not want anyone to believe they did not have the opportunity to speak due to the 7:30 p.m. cutoff.

Commissioner Kelley expressed concern that only a few people would be able to speak due to presentations; whereby, Mayor Costello stated presentations would occur after the audience remarks.

Commissioner Partington noted those receiving presentations could be told they would be addressed at 7:30 p.m.

Mayor Costello clarified that the presentations could be addressed at 7:30 p.m. or earlier.

Commissioner Partington stated if a time certain was to be established it should be kept. He noted if there were few or no speakers the Mayor should call for a break until 7:30 p.m.

Commissioner Gillooly concurred this would alleviate some of the other issues and would like to include that in her motion.

Mayor Costello clarified the amendment to the motion was to have the “Audience Remarks” portion in the beginning of the meeting, to limit the speakers in that portion of the meeting to three minutes per participant; to cap the comments at 7:30 p.m., and if there were not enough speakers to continue until 7:30 p.m. the Commission would recess until 7:30 p.m., and if not everyone was heard, the other speakers would be heard at the end of the meeting.

Commissioner Kelley asked what would occur if a speaker was in the middle of his comment at 7:30 p.m.; whereby, Mayor Costello noted he would allow that speaker to finish his comment.

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

Mayor Costello called for a short break at 9:30 p.m. and he reconvened the meeting at 9:39 p.m.

Item #9(A) - Removal of Historic Tree at 337 Tulip Tree Lane

Mayor Costello reported this item had been withdrawn.

Item #9(B)(1) - Special Exception to Allow Temporary Remote Parking at 198 S. Atlantic Ave.

RESOLUTION NO. 2006-184

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A SPECIAL EXCEPTION TO ALLOW TEMPORARY REMOTE PARKING DURING THE OFFICIALLY RECOGNIZED DATES OF BIKETOBERFEST, BIKE WEEK, BIRTHPLACE OF SPEED CELEBRATION, PEPSI 400 WEEKEND, SPEEDWEEKS, AND TURKEY ROD RUN, AT "SOUVENIR CITY" RETAIL STORE PARKING LOT LOCATED AT 198 SOUTH ATLANTIC AVENUE WITHIN THE B-7 (HIGHWAY TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Resolution No. 2006-184, as read by title only.

Commissioner Gillooly stated the introduction in the memorandum indicated this was to permit temporary remote parking annually; the sunset provision was removed; but the City would have the right to rescind approved in the event of a problem. She asked if it would be preferable to approve this on an annual basis.

Mayor Costello stated he was comfortable with this in that if there were no complaints it would be automatically approved; but if complaints were received, the applicant would have to go through the process again.

Mr. Ervin explained there was a specific statement that violations of the terms of this development order could result in the revocation of the special exception. Mr. Ervin advised that complaints are documented; they would go to code enforcement as a violation; and staff would ask the Commission if staff should revoke the special exception. He noted isolated situations could be addressed as well as repeat offenders.

Mr. Randal Hayes, City Attorney, stated Item "D" on page 4 of the development order addressed the role of the Neighborhood Improvement Officer. He recommended the City Commission add additional language as follows: "the City Commission may revoke this special exception upon a finding or determination of violation by the Special Master."

Commissioner Gillooly, moved, seconded by Commissioner Kent, to amend the motion by adding the following language to Item "D" on page 4 of the development order: "the City Commission may revoke this special exception upon a finding or determination of violation by the Special Master."

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

Call Vote on the Motion as Amended:	Commissioner Partington	yes
	Commissioner Gillooly	yes
	Commissioner Kent	yes
	Commissioner Kelley	yes
Carried.	Mayor Costello	yes

Hearing no objection, Mayor Costello closed the public hearing on Item #9(B)(1).

Item #9(B)(2) - Special Exception to Allow Temporary Remote Parking at 216 S. Atlantic Ave.

RESOLUTION NO. 2006-185

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A SPECIAL EXCEPTION TO ALLOW TEMPORARY REMOTE PARKING DURING THE OFFICIALLY RECOGNIZED DATES OF BIKETOBERFEST, BIKE WEEK, BIRTHPLACE OF SPEED CELEBRATION, PEPSI 400 WEEKEND, SPEEDWEEKS, AND TURKEY ROD RUN, AT THE BENINATI REALTY GROUP REAR PARKING LOT LOCATED AT 216 SOUTH ATLANTIC AVENUE WITHIN THE B-7 (HIGHWAY

TOURIST COMMERCIAL) ZONING DISTRICT; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, to approve Resolution No. 2006-185, as read by title only.

Commissioner Gillooly moved, seconded by Commissioner Partington, to amend the motion by adding the following language to Item “D” on page 4 of the development order: “the City Commission may revoke this special exception upon a finding or determination of violation by the Special Master.”

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

Call Vote on the Motion as Amended:	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 #9(B)(2).

Item #9(C) - Development Order for Tomoka Christian Church, Inc.

RESOLUTION NO. 2006-186

A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF A DEVELOPMENT ORDER FOR TOMOKA CHRISTIAN CHURCH, INC., TO BE KNOWN AS “TOMOKA BEACHSIDE CHURCH” SPECIAL EXCEPTION ON AN EXISTING NON-CONFORMING SITE LOCATED AT 221 VINING COURT, WITHIN THE B-4 (CENTRAL BUSINESS) ZONING DISTRICT; TO ALLOW A HOUSE OF WORSHIP CONSISTING OF A 6,928 SQUARE FOOT ONE-STORY BUILDING THAT WILL INCLUDE A SANCTUARY, OFFICE SPACE, CLASSROOM, STORAGE AREA, AND OTHER ADMINISTRATIVE USES; AUTHORIZING AN OFF-SITE PARKING AGREEMENT; ESTABLISHING CONDITIONS AND EXPIRATIONS OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mr. Rob Merrell, 1638 John Anderson Drive, representing the church, stated the Development Review Board recommended approval of the project in that it met all of the criteria. He offered to answer any questions and urged the City to welcome this new church to the community.

Ms. Lee Dunkel, 94 Ormond Parkway, stated the City was spending a great deal of money for economic development, but the City would be turning over prime commercial property to a non-taxable organization. She questioned this use, particularly at a time when the City was trying to develop this area commercially.

Commissioner Kent moved, seconded by Commissioner Gillooly, to approve Resolution No. 2006-186, as read by title only.

Commissioner Kent reported he respectfully disagreed with Ms. Dunkel in this instance because he could not conceive a better use for this property. He noting he looked forward to this church having a home in the community where it was needed. Commissioner Kent advised he was assured the concerns of the residents would be met promptly, and he recommended approval.

Mr. Ervin stated there was a federal prohibition for a Commission to discriminate against churches if they are allowed as institutional uses in a zoning district. He noted local governments cannot use zoning laws to prohibit churches simply because they are not-for-profit organizations.

Commissioner Gillooly stated this was a commendable project, and Ms. Dunkel’s concern was valid; however, when developing a downtown business district, it was very valuable to have

people around noting businesses that they may not have known were in the area. She offered her support for this project.

Mayor Costello stated he supported faith-based organizations in that he considered them to be a benefit to the community.

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

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

Item #9(D) – Amending the “Breakaway Trails” Development of Regional Impact

RESOLUTION NO. 2006-187

A RESOLUTION RELATIVE TO THE “BREAKAWAY TRAILS” DEVELOPMENT OF REGIONAL IMPACT; AMENDING THE DEVELOPMENT ORDER TO FURTHER AMEND THE AMENITIES TO BE PROVIDED BY THE DEVELOPER AS APPROVED BY RESOLUTION NO. 98-81; RATIFYING AND CONFIRMING THE DEVELOPMENT ORDER; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Resolution No. 2006-187, as read by title only.

Mayor Costello noted he did not believe he had a conflict, but disclosed that he lived in Breakaway Trails. He asked Mr. Hayes if he could vote on this issue; whereby, Mr. Hayes advised Mayor Costello he could vote.

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

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

Item #10 – “Deer Creek.” Phase One Final Plat

ORDINANCE NO. 2006-11

AN ORDINANCE AMENDING APPROVING THE FINAL PLAT FOR “DEER CREEK,” PHASE ONE, OF THE “HUNTER’S RIDGE” DEVELOPMENT OF REGIONAL IMPACT; ESTABLISHING CONDITIONS AND EXPIRATION DATES OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Ordinance No. 2006-11, on second reading, as read by title only.

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

Item #11(A) - Amending Police Officers’ Pension Trust Fund - Contributions

ORDINANCE NO. 2006-13

AN ORDINANCE OF THE CITY OF ORMOND BEACH, FLORIDA, AMENDING ARTICLE IV, POLICE OFFICERS’ PENSION TRUST FUND, OF CHAPTER 16, PENSIONS AND RETIREMENT, OF THE CODE OF ORDINANCES; AMENDING SECTION 16-75, CONTRIBUTIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kelley, to approve Ordinance No. 2006-13, on first reading, as read by title only.

Commissioner Gillooly asked if the City would legally be required to make up the difference between the 10.5% and 9%.

Mr. Paul Lane, Finance Director, explained that when this was negotiated with the union, the intent was to lower the employees' contribution rate, so as of October 1 this would place an additional 1.5% into the net pay of police officers. He reported according to State statutes the City must keep the police and fire plans actuarially sound; therefore, if there were a reduction in what the employees pay into the pension fund, the City must absorb that cost. Mr. Lane stated within the first year there was a delay in the raise, making the City whole the first year; however, in future years the City would have to pick up that contribution to keep the plan actuarially sound.

Commissioner Gillooly clarified the City was obligated to do this. She stated the Commission must be cognizant of this for the next negotiation period. Commissioner Gillooly asked if the higher interest rate the City would be obtaining helped the City require a lesser contribution by the City.

Mr. Lane stated it would depend on whether the higher interest rate was actually earned. He noted there was an assumption of 8%, but at this point it could not be projected what would be earned because that would depend on how the financial markets perform.

Commissioner Gillooly stated this was not a question of disrespecting service personnel but a question of economics.

Commissioner Partington stated he was not at the negotiations and had no way of verifying what was agreed upon. He reported his concern was eased after learning that the actuarial assumptions included that 1.5% contribution. Commissioner Partington stated this was a highly complex issue and he trusted staff's explanation. He noted this would benefit the employees and the taxpayers since they would not be paying double.

Mr. Turner assured the Commission staff has heard their desire to examine how pension programs were enhanced, and as the City enters the next set of negotiations, there would be discussions with the Commission regarding policies and how to approach the negotiations prior to the negotiations commencing. He stated staff would also provide options for defined contribution programs as opposed to defined benefits, particularly for the enhancements. Mr. Turner explained the Commission made it clear they wanted to honor those already in existence, but future enhancements could be examined to limit the City's contributions.

Mayor Costello stated he was urging for new employee benefits to be defined contributions, not defined benefits. He reported he would honor exiting employees, but change for new employees.

Mr. Turner reported this would be brought to the Commission for consideration.

Mayor Costello questioned that police employees were given an additional benefit that should have been considered during negotiation. Mr. Turner and Mr. Lane explained it had been negotiated. Mr. Turner explained surveys indicated the police contribution was slightly higher than other plans, and it would be negotiated again next year.

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

Item #11(B) - Increasing the Minimum Water and Sewer Rates

ORDINANCE NO. 2006-14
AN ORDINANCE AMENDING SECTIONS 22-23, 22-24 AND 22-71 OF CHAPTER 22, WATER AND SEWERS, OF THE CODE OF ORDINANCES, BY INCREASING THE MINIMUM WATER AND SEWER RATES; REPEALING ALL INCONSISTENT ORDINANCES AND PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kelley, to approve Ordinance No. 2006-14, on first reading, as read by title only.

Mr. Jeff Boyle, 614 North Halifax Drive, stated this increase did not encourage water conservation and projected over 12 months, would be greater than the tax increase. Mr. Boyle stated this hits the low income people the hardest and had a regressive impact on people living in households with incomes of less than \$25,000 in annual income.

Mr. Charles Carter, 212 Arlington Way, stated the resolution incorrectly stated it would be increasing the minimum water and sewer rates; however, it increased all water rates, not just the minimum.

Mr. James Whelan, 32 Pleasant Drive, stated Ormond Beach had the highest water and sewer rates in all of the nine cities in which he had lived. He noted in February there was a 17.8% increase in water and sewer rates and another was planned. Mr. Whelan asked that the rates not be increased further and that the City plan better so another request would not be sought a few months in the future.

Mayor Costello explained this was a planned increase of 3% and it was increased to 6% due to some of the recent issues with the expansion of the water plant.

Commissioner Kent expressed concern regarding the minimum, noting that many people do not use the 2,000 minimum, even though other communities may be higher.

Mayor Costello stated the reason for a minimum was for access because the pipes needed to be fixed if a customer would use 1,000 or 10,000 gallons. He provided a copy of the water report a citizen presented that indicated the expected normal loss was estimated to be 25% to 30% in many cities.

Commissioner Gillooly reported she understood the concern about the rate increases, but the increase was due to the fact that issues were uncovered that needed to be addressed. She explained there had been a tremendous amount of necessary changes at the water plant. Commissioner Gillooly reported the City had many years of not addressing issues; and when some items could have been repaired, they would now have to be replaced. She pointed out these issues were public health issues and necessary. Commissioner Gillooly stated the City had no choice but to proceed.

Commissioner Kelley advised there were three minor rate increases prior to these recent increases in the past ten years. He stated that had rate increases been made to keep up with the Consumer Price Index or the cost-of-living this may not have been necessary. Commissioner Kelley reported Ormond Beach was assured with the Consumptive Use Permits and plant capacity the City would have good water for the next 20 years. He stated the City must do this, especially considering Ormond Beach's water rates would be some of the lowest in the coastal cities.

Commissioner Partington agreed there was no alternative but to approve this. He stated the changes at the water plant have been impressive, and he looked forward to the continued progress.

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

Item #12 - Appointing an At-Large Member of the Planning Board

RESOLUTION NO. 2006-161
A RESOLUTION APPOINTING AN AT-LARGE MEMBER OF THE
PLANNING BOARD; SETTING FORTH TERM AND
CONDITIONS OF SERVICE; AND SETTING FORTH AN
EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Kelley, to approve Resolution No. 2006-161, as read by title only.

Commissioner Kent stated any of the nominees would do a wonderful job. He nominated Mr. Dino Paspalakis to the Planning Board.

Commissioner Kelley nominated Mr. Doug Wigley. He stated Mr. Wigley previously served on the Planning Board and currently served on the Development Review Board; therefore, he was aware of the process. Commissioner Kelley noted he considered it important to appoint someone with experience.

Commissioner Gillooly nominated Mr. Patrick Opalewski who was a very intelligent young man and she encouraged new people to participating on the boards.

Mayor Costello stated he planned to nominate Mr. Harold Briley who was chair on both the Planning Board and the Development Review Board. Mayor Costello reported Mr. Paspalakis was the first to approach him, and he offered him his support; but that was before he was aware of the other nominees. He stated each nominee had merit. Mayor Costello reported the Commission would vote on the nominees in the order they were presented. He instructed the Commission to vote affirmatively for only one nominee.

Mayor Costello requested a call vote to appoint Mr. Dino Paspalakis.

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

Mayor Costello requested a call vote to appoint Mr. Doug Wigley

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

Mayor Costello requested a call vote to appoint Mr. Patrick Opalewski.

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

Mayor Costello stated the top two were for Mr. Dino Paspalakis and Mr. Patrick Opalewski. He stated in that Commissioner Kelley was the swing vote in this instance, he asked who he would select; whereby, Commissioner Kelley selected Mr. Patrick Opalewski. Mayor Costello asked for a call vote to appoint Mr. Patrick Opalewski.

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

Item #13(A) - City Attorney Evaluation

Commissioner Kent reported he gave Mr. Hayes a glowing evaluation. He noted he believed when someone does well, they need to know it; and if something needed improvement, they need to know that as well. Commissioner Kent recommended discussion regarding a salary increase for 2005/06.

Commissioner Kelley stated he opposed the form and preferred a rating scale of one to ten.

Mr. Hayes stated a number of years ago the City Manager form was amended to fit the City Attorney. He noted he would try to revise the form.

Commissioner Kelley reported Mr. Hayes was doing a good job.

Commissioner Partington moved, seconded by Commissioner Kent, to approve a 4.5% pay increase retroactive to October 1, 2005.

Commissioner Kent reported he would have preferred a 5% increase due to the incredible job Mr. Hayes had done this year considering the incredible pressure he had been under.

Commissioner Partington and Commissioner Kent withdrew the motion.

Commissioner Kent moved, seconded by Commissioner Partington, to approve a 5% pay increase retroactive to October 1, 2005.

Commissioner Gillooly stated while she believed the City Attorney was doing a very good job, she considered 5% to be excessive and noted she could support a 3.5% increase.

Commissioner Kelley stated Mr. Hayes turned down a portion of the raise offered last year accepting a 3.5% increase. He concurred that 5% was excessive.

Commissioner Kent stated he did not consider 5% excessive because Mr. Hayes surpassed what should be provided for a cost-of-living adjustment. He stated Mr. Hayes helped the Commission and staff with many issue; therefore, he believed 5% was fair and warranted.

Commissioner Partington questioned what the New Smyrna Beach City Attorney earned; whereby, Mr. Hayes stated the New Smyrna Beach City Attorney earned \$160,000 annually. He advised he asked Human Resources to do a salary survey, but he did not have adequate time to formulate that information for the Commission. Mr. Hayes indicated he was earning approximately \$100,000. He suggested he would be comfortable with the same rate the City Manager received.

Mayor Costello stated the City Attorney had worked many additional hours, guided the City through very difficult issues, and he was doing an outstanding job. He stated he would not normally support a 5% increase, but he could support this increase considering a portion of this raise was for cost-of-living and the remaining a merit increase, and this had been an extraordinary year.

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

Item #13(B) - Public Information – Charter Referendum on Building Heights

Mayor Costello stated normally audience participation would not be permitted for a discussion item, but the Commission would be giving staff direction which was similar to a vote; therefore, he would allow audience participation.

Ms. Magi Sharifi, 210 Valencia Drive, stated Mr. Turner proposed to mail fact sheets and pictures to all registered voters at the taxpayers' expense outlining the four Commission members viewpoints and allowing Commissioner Kent to include a letter. Ms. Sharifi requested two facts sheets be provided with viewpoints and pictures, one written by the Commission and one from the CAN DO group. Ms. Sharifi reported given the facts, Ormond Beach residents would make the right choice.

Commissioner Kelley stated there was only one set of facts, but people can have differing opinions about the facts. He reported the fact was this vote was to consider placing building issues into the Charter. Commissioner Kelley pointed out this had nothing to do with Bray and Gillespie except that if this were approved, it would prevent the Commission from allowing the conceptual plan. He noted he knew people who signed the petition who totally reversed their opinion when they realized what the actual issue was and what it did. Commissioner Kelley pointed out the only people asking him not to do anything were the CAN DO supporters. He urged all of the information be provided.

Commissioner Gillooly stated the first draft summarized all the issues mentioned. She expressed strong support for the statement in the draft as follows: "the City Commissioners who oppose the CAN DO Charter referendum do not necessarily support any Bray and Gillespie proposal or any other future development higher than the current height limit." She pointed out it was essential to remember there are two separate issues: one issue was for a Charter amendment issue, and the other issue was a development concept. Commissioner Gillooly stressed the importance of understanding the ramifications legally and ethically for the City if it should become a Charter amendment and why. She stated because she was opposed to the Charter amendment did not mean she would approve the Bray and Gillespie proposal because

much needed to be discussed and the proposal was only a concept. Commissioner Gillooly reported this Charter amendment had the potential for limiting the City's ability to negotiate to obtain the very best plan for the City. She stated Ms. Sharifi requested allowing CAN DO to prepare a paper; but CAN DO was a political action committee, and if the City would open the option for CAN DO, the City may need to allow equal opportunities for the other political action committees; therefore, she could not support that request.

Commissioner Partington expressed agreement with Commissioner Gillooly and recommended Option #2 for a minimal amount of \$1,500. He asked if the in-house program included a notice in the water bill and if it would include the websites for CAN DO, CAN BE and OBFACETS.

Commissioner Gillooly stated she could support Option #2.

Commissioner Kent asked where the money would come from to pay for this campaign; whereby, Mr. Turner advised the money would come from the General Fund.

Commissioner Kent read an expert from the August 18 Friday letter which stated Mr. Ervin and Mr. Turner met with representatives from Bray and Gillespie to discuss concerns identified by staff and the public. He stated the primary concern related to the density and intensity of the projects. Commissioner Kent noted staff's preliminary analysis indicated that the proposed development exceeded densities established in the various zoning districts. He asked Mayor Costello where he obtained the information that there would be no increase in density.

Mayor Costello stated this was not to be discussed tonight since the issue was related to sending out information, not the Bray and Gillespie plan. He advised he informed Bray and Gillespie that he supported a concept with no increase in density and whether the original proposal had an increase in density or not was irrelevant because that was not being considered tonight. Mayor Costello explained what was being considered was whether the Commission wanted to invest dollars and how much to invest to inform the citizens what four Commission members perceive as the disadvantage to the City of having a rigid height limit that would not allow the City to entertain proposals such as the Bray and Gillespie plan, or any other plan such as to allow a hospital to stay in Ormond Beach, allow Ormond Crossings to build a taller building, or to allow a church to build in Ormond Beach rather than in Volusia County. He noted this issue was whether to educate the residents to the potential disadvantages; and if the initiative fails, there would be extensive opportunities to discuss the particulars at a later date. Mayor Costello noted that many people have expressed concerns about certain aspects of the plan, but that would be discussed later.

Commissioner Kent stated the answer to his questions would help him decide if he could approve spending taxpayers' money for an informational piece. He reported it was indicated that the cumulative amount of land, units, and intensity of development was within the limits established by the City's Comprehensive Plan and Land Development Code and information would be provided to show how the project would comply with the density and intensity limits. Commissioner Kent asked if documentation was provided.

Mr. Ervin stated preliminary information was provided this week, and it indicated the development was under the established density; however, he had not had the opportunity to confirm that information to date.

Mayor Costello reiterated there would be no more questions regarding a preliminary proposal that could change.

Commissioner Kent stated he did not want to spend taxpayer money on something like this; however, if the Commission approved spending the money, he wanted his fair share, specifically an opportunity to include his factual information on one-fourth of whatever would be sent.

Mayor Costello stated it had been stipulated that the Commission would allow Commissioner Kent to have a minority opinion expressed, but the Commission was not required to allow this and could just print the majority opinion.

Commissioner Kelley explained this was to discuss the ballot question not a project because they were totally separate issues. He pointed out that no Commission member had accepted a conceptual plan as presented. Commissioner Kelley stated he campaigned that the Land Development Code was the proper place for land development and building issues, and it should not be placed in the Charter. He reported if these issues were placed in the Charter, the citizens need to know the consequences. Commissioner Kelley noted a great deal of misinformation was being spread making people believe this was about the Bray and Gillespie

plan when it was not. He stated going anything beyond informing the people what to expect by approving or denying the amendment would not be acceptable, because that would be taking a position this should be only about the facts. Commissioner Kelley questioned how much information could be provided with anything less than \$1,500.

Mayor Costello recommended a hybrid of Option #4 for \$3,000 to distribute in the *News-Journal* and mail to those who do not get the paper and \$2,000 from Option #5 for an advertising and in-house program consisting of media, web, newsletter, and presentations. He stated this would be for \$5,000 combining the one piece in the *News-Journal* and the in-house program. Mayor Costello noted the item would be informational about the advantages and disadvantages of having the height limit in the Charter, and each Commission member had the opportunity to vote on the package. He stated if three Commission members would not agree with what any Commission member wanted to add, it would not be included because it would be what the majority of the Commission agreed to be factual.

Commissioner Gillooly stated staff would bring back the actual program after the Commission decided on an option. She reported the sheet would include factual information of what the Charter amendment would do and what, she believed, the City could lose by approving this amendment. Commissioner Gillooly recommended that Commissioner Kent may be more effective if his information would be included as a part of what the Commission would approve marked as a minority opinion.

Commissioner Kelley concurred with Mayor Costello's recommendation of a hybrid for \$5,000, noting it would take at least \$5,000 to accomplish the task at hand.

Commissioner Partington stated he could support Mayor Costello's plan.

Mr. Hayes stated the Commission had the authority to spend public funds for informational purposes upon a majority vote of the Commission. He recommended any motion include the necessary public purpose finding that the expenditure of the funds would be in the public interest in order to inform them regarding the purpose and ramifications of the proposed Charter amendment.

Mayor Costello reported the Commission had the responsibility to recommend what they believed to be the best position; therefore, the Commission would recommend the height limit be voted down, giving reasons, without indicating they favor any specific plan. He noted he would expect Commissioner Kent to indicate he recommended the height limit pass.

Commissioner Kelley advised he would not publicly take a position the issue that it should pass or fail. He noted privately he would do so, but he did not believe the City should take a position—merely educate.

Mr. Hayes concurred with Commissioner Kelley's statement, noting this would place the City on stronger legal ground.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to spend up to \$5,000 in hard costs to have an informational campaign for the public's interest to assist them to make a reasonable decision, and to ratify and affirm that any action taken previously by staff would be included as staff time.

Mr. Turner clarified the motion was for a hybrid of Option 3 and the last sentence of Option 4. He noted staff would bring the Commission a finalized product to approve before distribution.

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

Item #13(C) - Position on County Charter Amendments

Mr. Turner stated a number of cities established a campaign to oppose County Charter amendment numbers #1, #3, and #7. He reported there was a request for Ormond Beach to state an opinion. Mr. Turner advised it was staff's recommendation to endorse the opposition of Items #1, #3, and #7. He reported there would be a meeting with the School Administration staff later this month to try to clarify the issue relative to school concurrency. Mr. Turner noted staff believed Senate Bill 360 would require the City to take the action that had been requested

by the Charter amendment; however, if it was approved, this would place the County Council in a role of having some determination as opposed to the individual cities and the school boards.

Mayor Costello stated there were several issues: whether the City wanted to make recommendations on the Charter amendments; whether Ormond Beach should join with the other cities in opposition, and whether should Ormond Beach should provide funds for that opposition. He asked for the Commission's opinion regarding Charter Amendment #1.

Commissioners Gillooly, Kent, Kelley, and Partington concurred with the staff recommendation to oppose Charter Amendment #1.

Mayor Costello stated he would support school concurrency. He noted he was opposed to how it was being done, but he favored accomplishing it.

Mr. Turner stated Ormond Beach had been progressively working with the School Board. He clarified that Ormond Beach was not against school concurrency or making sure it was a part of the development criteria; however, the methodology proposed for achieving that concurrency was inappropriate and unnecessary.

Mayor Costello stated he felt a loyalty to those he served with on the Smart Growth Implementation Committee who believed school concurrency was very important, but it was awkward when the County was trying to tell the cities how to achieve their goals when they do not have anything to do with school concurrency which was the job of the School Board and the cities. He stated Mr. Turner's point was well taken that Senate Bill 360 would mandate it.

Mayor Costello asked for a consensus on Charter Amendment #2.

Commissioner Kelley stated he opposed Charter Amendment #2 because it would be the bring about the end of WAV; and if people object to WAV, they certainly would not prefer the County running the system.

Mayor Costello also expressed opposition to Charter Amendment #2. He stated people should listen to Ormond Beach's position on this issue because Ormond Beach stepped up with its own dollars to fund its system while working hard to continue working with WAV. He questioned the Commission regarding Charter Amendment #3.

Commissioner Kelley stated relative to Charter Amendment #3 that to give the County the final approval removed all home rule.

Commissioner Gillooly stated this amendment sadly undermines all of the work done toward cooperative agreements; therefore, she would also oppose this amendment.

Mayor Costello stated he would not oppose Charter Amendment #3 if it continued with the reciprocity that was requested by the Smart Growth Implementation Committee. He noted if it had the future annexation areas, the service areas, and the spheres of influence outside the existing municipal boundaries such that the County would have to come to the City for their permission if they wanted to add an entrance to a subdivision on the Loop just as the City would have go to the County, he could support this. Mayor Costello clarified that he had no objection to the County continuing to have oversight over a piece land because to change the land use two bodies would have to agree, but it was only good if it would work both ways. He explained for these reasons he was against Charter Amendment #3. The Commission concurred.

Mayor Costello moved to Charter Amendment #4.

Commissioner Kelley stated he had no position on Charter Amendment #4.

Mayor Costello stated the consensus for Charter Amendment #4 was that the Commission offered no position. He reported he would have preferred Charter Amendment #4 with binding mediation which was what the Smart Growth Implementation Committee recommended. Mayor Costello continued on to Charter Amendment #5

Commissioner Kelley stated he saw no purpose to have a vice-chair. He noted in a meeting he attended the discussion was to pay a vice-chair.

Mayor Costello advised that paying the vice-chair did not make it to the amendment. He noted the consensus was to take no position on Charter Amendment #5. He noted he heard to position on Charter Amendment #6 as well.

Mayor Costello asked if any of the Commission wished not to oppose Charter Amendment #7. Hearing no opposition, he summarized the Commission opposed Charter Amendment #1, Charter Amendment #2, Charter Amendment #3, and Charter Amendment #7.

Mayor Costello asked if the Commission wanted to participate with the political action committee to explain to the residents why it was important that they vote against these issues, and if so, if they would want to provide funding.

Commissioner Gillooly stated the contribution on \$19,500 required was high, and the City could do the job with less expense in-house. She noted Ormond Beach would have to provide the citizens concrete examples as to why the Commission opposed the amendments and how the amendment would directly affect the Ormond Beach citizens. Commissioner Gillooly recommended funding the project independently in a more conservative nature.

Commissioner Kelley stated the City would have no control over the information being put out. He noted this was very serious, and the citizens needed to understand the unintended consequences of what this could do and what they would be giving up.

Commissioner Gillooly and Commissioner Partington concurred. Commissioner Partington recommended investing \$5,000 for this campaign. He noted the further away government was moved from the people the less control there would be, and this would move important decisions to DeLand where local citizens would not be heard.

Mayor Costello stated Ormond Beach had worked very hard for WAV to encourage cooperation amongst the municipalities. He expressed concern that it would be perceived that Ormond Beach was not interested in doing its share with the municipalities if Ormond Beach did not participate in the group effort.

Mr. Turner reported the Commission could participate with the group at a lower level. He noted action could be done in-house, but there would be some benefit to participating with the other cities.

Mayor Costello noted Commissioner Partington recommended \$5,000, and in that the Commission deemed \$5,000 sufficient to inform the public on a local issue, that would set a good precedent, so he would concur with Commissioner Partington's recommendation.

Commissioner Partington moved to approve spending up to \$5,000 to participate in a public interest information campaign and allowing staff time to include information in the City's newsletter.

Commissioner Gillooly noted this \$5,000 would be to work with other cities, but she questioned if this would answer Commissioner Kelley's concern regarding Ormond Beach having oversight.

Mr. Turner advised that Ormond Beach would not have any oversight, but he explained the group of cities hired a public relations firm with experience in this type of effort. He noted there would be a larger group and a smaller steering group who would engage the specific issues. Mr. Turner stated he would not be a manager in the smaller group, but he would be a manager in the larger group.

Mayor Costello stated Ormond Beach could clarify the local issues in water bill insert or the newsletter.

Commissioner Gillooly seconded the motion.

Mr. Adrian Thompson, 6 Dorado Beach Court, stated the Thompson Rule should be invoked before a vote taken.

Mr. Hayes advised this was a discussion item, and the Commission could vote on discussion items. He noted the public would be able to speak if the Commission planned to vote on a discussion item, but the speaker would have had to submit a card. Mr. Hayes advised the Thompson Rule would not come into play.

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

Item #13(D) - Water and Sewer Impact Fees

Mayor Costello asked if there was support for adjusting the impact fees from \$1,359 to \$2,000 and from \$1,595 to \$1,950 and eliminating the third impact fee for the reuse.

Commissioner Gillooly stated construction and development needed to pay for itself, but this was for another \$1,000. She stated this increase was an additional fee and would impact opportunities for affordable housing.

Mayor Costello stated he was for any and all impact fees because people did not have to choose to live in a brand new house. He explained new houses cause the need for increasing the roads, schools, and the water plant; therefore, he supported any impact fee that was justifiable and demonstrated to be legitimate. Mayor Costello advised he would favor giving a credit on impact fees for affordable housing.

Mr. Turner stated Commissioner Gillooly's point was well taken. He noted when approaching the discussions for affordable workforce housing he anticipated the Commission would be in the position to choose a substantial amount of funding to support that effort in that there would be some costs from the City to have a substantial impact in this area.

Commissioner Kent stated he concurred with Mayor Costello and noted the public was heard in their concern about growth not paying for itself. He reported this was a step in the right direction.

Commissioner Gillooly asked if the following was a true statement of Mr. Anderson's report: "the proposed fee assures that new construction will pay its fair share of future expansion costs."

Mr. Dan Anderson, CDM, stated he stood behind his statement. He reported there was a legal test called the Rational Nexus Test, and he scrupulously calculated the impact fees such that each new connection pays no more than its fair share of the cost of expansion. Mr. Anderson explained he deducted the present worth of the debt service cost that each new connection would be paying through its water and wastewater charges so the new connections would not be double charged.

Mayor Costello questioned the elimination of the reuse impact fee for the west. He asked if the reasoning for this was because the City did not foresee having additional reuse out west.

Mr. Lane stated there was no plan within the master plan of a district-wide or jurisdiction-wide system planned for this area.

Mayor Costello asked if the City did not anticipate ever putting reuse lines in the west. He stated wherever new construction was anticipated, he urged installing the lines.

Ms. Judy Sloane, Public Works Director, stated the master plan update was underway, and the first portion being examined was the wastewater portion. She noted she anticipated a workshop with the Commission to be held in November to discuss a number of wastewater issues, one of which was the reuse plan. Ms. Sloane stated current subdivisions were not installing dry lines unless it was currently available. She explained the west had a raw water regional irrigation system.

Commissioner Kelley reported he would object to building a house and be charging a reuse fee knowing he would never get the reuse unless the plant was relocated.

Ms. Sloane stated the possibility of converting the wastewater force main on Airport Road to a reuse main was one item the consultant would examine.

Mayor Costello stated from all of the information he read and seminars he attended, it was encouraged that these things be done in new construction because the developer would pay for it; whereas, when retrofitting, the City would pay; therefore, he believed every subdivision and street should have the lines. He stated reuse was environmentally prudent; however, he did not hear any support, so the consensus was to accept the report.

Mayor noted it was harder to institute new impact fees than to continue an existing impact fee. He cautioned against eliminating the impact fee. Mayor Costello stated either the Airport Road line or a new line would be a viable alternative. He noted on the south peninsula each individual hookup would be cost prohibitive; but the City was committed to providing it, and there was storage for it, so this was a good start.

Item #13(E) - Outside Agency Funding

Mayor Costello asked if there were any changes recommended to the Quality of Life Advisory Board recommendation for the disbursement of \$75,000 for outside agency funding.

Commissioner Gillooly expressed appreciation for the effort of the Quality of Life Advisory Board. She suggested the SCORE funding be moved to economic development because SCORE provides a specific service. She requested taking \$500 from the Ormond Beach Symphony Orchestra's \$2,500 reducing the Ormond Beach Symphony Orchestra donation to \$2,000 and giving SCORE the extra \$500, and in future budgets moving it to the economic development budget.

Commissioner Partington noted he could support Commissioner Gillooly's recommendations; however, he suggested giving the remaining \$2,000 designated for Ormond Beach Symphony Orchestra's to Operation Caring Thru Sharing. He explained last year Ormond Beach funded Operation Caring Thru Sharing at a certain level, and they did a great deal of work for Ormond Beach residents.

Commissioner Kelley concurred with moving the \$500 and the \$2,000 because the closer the funds could be moved to the people the better. He stated Operation Caring Thru Sharing did a very good job and needed the funds. Commissioner Kelley noted more people would be benefiting from Operation Caring Thru Sharing than through cultural and civic activities which would be a better function of the City. He noted last year the Commission cut \$12,000 off child care from this year's funding of \$22,000 to \$10,000.

Mr. Tom Lipps, Support Services Director, explained there were two agencies funded for the child care from one line item.

Commissioner Kent reported he agreed with the Quality of Life Advisory Board recommendation and was pleased it was capping to \$75,000 rather than asking for more taxpayer money. He noted he hoped to hold that line or lower it for next year. Commissioner Kent stated he could support the above-noted changes.

Commissioner Gillooly stated last year Mayor Costello stated the donation to Operation Caring Thru Sharing would be a one-time donation, but the program has expanded greatly identifying a need in the community and providing food for families. She noted, however, non-profit organizations need to obtain their own mechanism for funding on a sustainable basis. She reiterated Operation Caring Thru Sharing was serving the community well, but she would also like to support the Ormond Beach Symphony in some way. Commissioner Gillooly reported she received a call today from Mr. David Slick who asked to go from a \$5,000 to an additional \$13,000, but the Quality of Life Advisory Board deemed it appropriate to provide an additional \$2,000. She noted Mr. Slick called to thank her for that. Commissioner Gillooly recommended increasing SCORE to \$2,000, moving \$1,500 from the Symphony to Operation Caring Thru Sharing, and giving the Symphony \$500 in that they are a new organization and providing a great service.

Commissioner Partington stated the Ormond Beach Symphony Orchestra produced thousands of dollars and they obtain a non-profit rate at Ormond Beach facilities, which was why the City did not give them the funds before, and now the City would be creating a new entitlement. He noted he appreciated Commissioner Gillooly's desire to compromise.

Commissioner Kelley stated that anything added this year would be on the list next year to reconsider, and the Commission must be careful of how it spends taxpayers' money. He reported he could not support giving the \$500.

Commissioner Gillooly noted Commissioner Partington and Commissioner Kelley convinced her, and she appreciated the points they made.

Mayor Costello stated the consensus was to eliminate the \$2,500 from the Ormond Beach Symphony, moving \$500 from the Ormond Beach Symphony to SCORE, and \$2,000 from the Ormond Beach Symphony to Operation Caring Thru Sharing.

Mr. Turner advised the motion include moving SCORE to economic development.

Commissioner Partington moved, seconded by Commissioner Kelley, to eliminate the \$2,500 from the Ormond Beach Symphony, moving \$500 from the Ormond Beach

Symphony to SCORE and moving it to economic development, and \$2,000 from the Ormond Beach Symphony to Operation Caring Thru Sharing.

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

Item #13(F) - Dais System Improvements

Commissioner Kent stated the City Manager memorandum indicated the \$882 for a timing system was included because it was a relatively small incremental increase in cost. He stated that may be true considering the huge budget, but it was close to \$1,000, and the current timer system worked well and was free. He noted this was the first he heard of the electronic voting system, when the City Clerk did a fine job. Commissioner Kent noted the report indicated \$7,522 for the Commission to be recognized to speak; and while the current system may not be the best, the cost was certainly not feasible. He reported he saw three options: to keep the system as it was, staff could set up a light system in front of the Mayor for less than \$300, or have a flag system costing \$5. Commissioner Kent expressed opposition to any of the recommendations.

Commissioner Kelley recommended doing nothing.

Commissioner Partington stated he would support Commissioner Kent's flag idea.

Commissioner Gillooly advised she could not possibly support this spending. She stated when speakers turn their head to see the screen with the timer they lose their place in their notes and lose their train of thought. Commissioner Gillooly recommended a screen be placed in front of the Mayor's seat with the timer so the people would not have to turn their heads.

Item #14 - Audience Remarks

Height Limit at Ormond Crossings

Mr. Jeff Boyle, 614 North Halifax Drive, reported there was not a building between south Jacksonville and north Orlando over 75-feet. He noted on interstate corridors it was generally more economical to build shorter buildings.

Commission's Decision to Appeal Ruling

Mr. Jeff Boyle, 614 North Halifax Drive, stated the Commission indicated that if a judge would rule the petition to be legal, the people could vote; but the Commission must have changed their opinion since a judge made a ruling it was legal.

Advertising

Mr. Jeff Boyle, 614 North Halifax Drive, stated if the advertising on the ballot question would be based on the material in the packet, the advertising would have false information. He recommended the Commission do nothing.

Ormond Hospital

Mr. Jeff Boyle, 614 North Halifax Drive, stated it was reported past Commissioners drove the hospital away because of height limits. He noted in a January 21, 2005, Friday letter Mike Gentry indicated it would cost \$250 million over eight years to renovate the existing site as opposed to \$210 million in four years at the new site saving \$40 million and four years for the new site. Mr. Boyle reported either the letter from Mr. Gentry on the website was misleading or the Friday letter was incorrect.

Unions

Mr. Jeff Boyle, 614 North Halifax Drive, stated it had been asserted that the budget problems were caused by union contracts, but Ormond Beach was not over average for the area. He noted a previous police chief was giving subjective criteria to bring police officers into the City in 2000, which could have generated many lawsuits. Mr. Boyle explained Ormond Beach could not bring police officers to work in Ormond Beach, but he believed this would improve with Chief Longfellow.

Discussion Item

Mr. Jeff Boyle, 614 North Halifax Drive, expressed disappointment regarding the discussion items which were very confusing. He noted people did not know if they should submit a card to speak because they did not know if the Commission would vote.

Mr. Cook's Complaint

Mr. Jeff Boyle, 614 North Halifax Drive, reported it was stated that there was nothing that could be done to appease Mr. Cook, but he disagreed.

Height Limit at Ormond Crossings

Mayor Costello stated many have heard him report that the goal of the Ormond Crossings project was to be the best facility from Heathrow to south Jacksonville, and Mr. Boyle had just basically supported that statement.

Court Appeal

Mayor Costello stated the reason he voted for the appeal was that he wanted to be certain the legal sufficiency was evident such that when the expected lawsuits come if the amendment should pass, the City would be in good stead with the court system.

False Information on the Website

Mayor Costello noted regarding Mr. Boyle's assertion that there was false information on the website, he requested Mr. Boyle show him exactly what was false in that he saw no false information in the informational piece. He noted the piece may not agree with certain people's opinion, but that did not make it false.

Hospital

Mayor Costello reported the hospital stated numerous times that they were willing to spend the extra money to redevelop, and their decision was based on development issues including height, but not limited to height, that caused them to move.

Union Contract

Mayor Costello stated when there was an 18% or 19% increase in one year and that raise was not funded with recurring dollars, problems were assured. He noted the Mayor and City Manager at that time both indicated that would result in a tax problem, and it became a tax problem when the savings ran out. Mayor Costello noted a City cannot fund recurring expenses with one-time dollars. He stated a 37% increase to retire early was ludicrous and cost a great deal of money.

Mr. Cook's Complaint

Mayor Costello explained he had been as gracious as possible with Mr. Cook but would not state that former Mayor Hood, Eugene Miller, and the late Dick Jacobs lied because he did not know if anyone lied. He stated that he had apologized for the wrong Mr. Cook believed the City did to him and for the fact Mr. Cook believed the City did not treat him properly, but he could not state someone lied.

Hospital

Mr. Turner stated the information he received from Mr. Gentry was that they were willing to put more money into the development of the hospital if it would stay in Ormond Beach.

Unions

Mr. Turner reported neither he nor the Commission has indicated that unions were a bad thing; however, he and his predecessors have cautioned the Commission about the amount of the raises in that 70% of the costs were salaries, which was a major issue.

Mr. Cook's Complaint

Mr. Turner stated a number of Commission members met with Mr. Cook, and he had offered Mr. Cook an apology if he felt wronged and offended; but he could certainly not place blame. He offered to hear any suggestion Mr. Boyle may have.

Commissioner Partington stated it was certainly within the realm of possibility that no one lied. He noted he had seen no evidence anyone lied.

Commissioner Kent asked if Mr. Cook merely wanted an apology, or if he wanted it stated that someone lied. He concurred it was completely inappropriate to indicate someone lied, and Mayor Costello already offered an apology.

Mr. Lawrence Cook, 1529 North Beach Street, advised he never asked for an apology because those who should have apologized did not do so. He stated the importance of the codes being

enforced and that no one should be given preferential treatment or the appearance of preferential treatment. Mr. Cook reported the Commission did not have the information, and his only desire was for the truth to be known.

Mayor Costello stated he read everything Mr. Cook had provided, and he would be happy to read any additional information but could not call anyone a liar. He asked Mr. Cook to present the information to Ms. Patterson and asked Ms. Patterson to provide a copy of the information Mr. Cook provided to the entire Commission.

House Fire

Mayor Costello apologized on behalf of the City Commission for what Mr. Schultz recently experienced with his house fire. He wished him well.

Mr. Jim Schultz, 117 Harvard Drive, thanked the Commission for their devotion to duty at this time of the morning. He reported a fire consultant examined his premises to determine a cause. Mr. Schultz noted he was hoping he could turn on his power today after the electrician inspected the property but was informed he may get approval in a week. He requested the Commission to expedite the process. Mr. Schultz thanked Fire Chief Barry Baker and noted the fire inspector complimented the Fire Department in their expertise in not destroying the evidence of the cause of the fire.

Mr. Turner urged Mr. Schultz to come to him to try to resolve the matter, although he was not trying to preclude him from coming to the Commission.

Charter Amendment Ballot Question

Mr. Jim Whalen, 32 Pleasant Drive, requested the pros and cons be objectively provided in the advertisement on the Charter amendment ballot question. He urged that beach erosion be considered.

Taxes

Mr. Jim Whalen, 32 Pleasant Drive, stated it was becoming financially difficult to live in Ormond Beach. He thanked the Commission for reducing the operating millage tonight and asked to be able to be provided some relief to lower his taxes, possibly in the form of a lower utility bill.

Mayor Costello stated most of the taxes are State issues where the Commission would have no authority.

Driving on the Beach

Mr. Adrian Thompson, 8 Dorado Beach Court, reported there was driving on the beach in Ormond Beach with two ramps open. He noted there were approximately 250 cars from the Harvard to the Cardinal approach, and he questioned where the City would obtain 250 parking spaces should the beach close due to high rises as it did in Daytona Beach. Mr. Thompson indicated it would be a chore carrying beach paraphernalia from the west side of A1A to the beach.

Audience Comments

Mr. Adrian Thompson, 8 Dorado Beach Court, stated he understood the audience comments portion of the meeting was being moved to the end of the meeting because it was taking the Commission's time and they wanted to proceed with the business, but now audience comments would be after the pledge of allegiance and end at 7:30 p.m. He noted if only one speaker wanted to comment that portion would be over by 7:08 p.m. and the Commission would adjourn to 7:30 p.m. Mr. Thompson recommended a simpler method would be to give the citizen three minutes for their comments; ask them to be as expeditious as possible; ask them to sit in the front row to lessen the time it would take to reach the podium; allow the comments to continue to 7:30 p.m. with anyone not heard being heard at the end of the meeting; and then continue with the presentations.

Informational Advertisement

Mayor Costello stated the kind of misinformation he did not want in the informational advertisement was that high rises would cause the beach to close because that had absolutely no basis in fact, and he would work very diligently to assure the beach was never closed. He noted if a citizen could not park on the beach, it would be preferable to carry their paraphernalia across the street; but parking was necessary.

Item #15 - Reports, Suggestions, Requests

Leisure Services Report

Commissioner Kelley thanked Mr. David Abee, Leisure Services Director, for the quarterly report. He asked that the information be made available to the people at different places.

Mr. David Abee, Leisure Services Director, reported the report was made available at all of the local schools and City departments. He noted all of the parks and amenities were advertised as well as being on the web.

Mayor Costello recommended including a notation in the water bill to go to the web for details of the current events.

Budget Process

Commissioner Partington thanked Ms. McGuire, Mr. Turner, and Mr. Lane for a great budget process this year with information that was easy to understand.

Stormwater Master Plan Review

Commissioner Partington urged Ms. Sloane to contact the people on Fleming Avenue and on Woodland Boulevard who had stormwater issues to notify them of the hearing times for the Stormwater Master Plan review.

City Attorney Salary

Commissioner Partington stated Mr. Hayes' salary was low relative to other cities similarly situated, and if his salary was not at a certain level when Mr. Hayes would decide to retire, there would be a huge gap between what the City was paying and what they would have to pay to hire a new city attorney.

Wind Sock

Commissioner Partington stated there was a new wind sock for Runway 17-35 at the airport, but it would not be installed until after the approaching storm.

Mr. Schultz

Commissioner Gillooly stated Mr. Schultz was in her and her family's thoughts and hoped the City could expedite his needs.

Commissioner Kent thanked Mr. Turner for informing the Commission about Mr. Schultz' house fire. He wished Mr. Schultz well and encouraged staff to assist him to the greatest extent possible.

Mr. Hayes Salary Increase

Commissioner Kent stated Mr. Hayes deserved the increase he received tonight and thanked him for doing a great job for the Commission and the City.

Mr. Turner congratulated Mr. Hayes and noted it was a pleasure working with him.

Mr. Hayes thanked the Commission. He noted there were some challenging issues to work through.

Airport Development Issues

Mayor Costello requested an update on the airport development issues including the permits that may or may not be requested and the leases.

Beachfront Property

Mayor Costello noted he was concerned regarding purchasing beachfront property in partnership with the County if they feel Ormond Beach was not as willing as he thought it would be. He stated if the Commission wanted a referendum, there was a chance the people would vote it down, which would indicate to the County that they should not try to proceed until after the referendum because the County would not commit themselves to buying land until they have a partner. Mayor Costello asked if the City could pay extra now to place this on the ballot for November because he did not believe the Commission wanted to wait until next November or hold a special election. He noted he was fearful the action taken tonight would preclude any County partnership.

Mr. Turner stated this was a critical issue. He noted the action taken tonight was that Ormond Beach was committed to support a viable project to purchase beachfront property funding the first year through fund balance and funding future years subsequently. Mr. Turner reported this strong statement could be sent to the County. He stated that if the Commission was actually

indicating they were not certain they wanted to participate that he would need to be informed of that message very clearly. Mr. Turner advised the new County Manager asked him if this was something Ormond Beach would be interested in participating in and indicated he believed he had funding, but it would need Ormond Beach's participation. He urged the Commission to be definitive if they would support this proposal or not. Mr. Turner pointed out it may be possible the County would not be able to find the type of property needed. He reported his opinion was that if the City would have to go through an election process, the City would be defeated before it would begin. Mr. Turner explained the County's funding was time sensitive.

Mayor Costello stated he believed the decision was that the Commission would fund it this year and go to the voters for the future. He noted he believed that would cancel the entire proposal. Mayor Costello asked if a viable project could be found, if the Commission was ready to commit long-term or put it to the vote of the people.

Commissioner Kent stated he was ready to commit long-term. He noted he heard the people loud and clear.

Commissioner Partington stated he was for a City-wide referendum considering the amount of money involved.

Commissioner Gillooly stated the amount of funding would warrant the bond referendum. She noted there was another issue regarding the conceptual plan with an opportunity for beachfront parks. Commissioner Gillooly reported while she would personally vote for the referendum herself, there were other issues that must be resolved, and she was not comfortable obligating the residents for the next 20 years when there were great opportunities to be considered.

Mayor Costello stated if the City purchased land it could always be sold.

Commissioner Kelley stated he believed the action the Commission had taken sent a message to the County that the City was serious.

Mayor Costello stated appraisals are occurring now, and the County could come to the City at any time.

Commissioner Partington stated the problem was that there were too many hypotheticals without any details and being asked to commit \$6 million. He reported the people needed to be willing to make the commitment before he could endorse it.

Mayor Costello reported he had been told by many people they want the property. He explained no money would be committed until the details of the particular parcel in question were made clear, but the funding needed to be available if the project was viable. Mayor Costello reiterated this was not making a commitment to buy anything.

Commissioner Gillooly stated Mr. Turner noted he needed clarification on the numbers; clarification was needed from Mr. Lane regarding the 20-year plan; and she requested information on the possibility of a special election if there was a specific project that met the City's needs. She reported she would need to know how quickly this could occur.

Mayor Costello noted government rarely purchases land because private developers are not required to do the due diligence. He asked Mr. Turner to provide as much information as possible for the next meeting.

Mr. Turner clarified the Ormond Beach numbers were \$3 to \$3.5 million not \$6 million.

The Loop

Mayor Costello suggested a message be sent from the Commission that if the new entranceway at Halifax Plantation was vested in a development order, the City would not ask it be eliminated; however, if it was on a plan and the plan had been changed in other ways, that it be eliminated. Mayor Costello noted he was willing to ask for grants and contribute City funds with County funds to do whatever could be possible to change that. He urged sending a message to the County to encourage them not to approve the entranceway unless the extra entranceway onto the Loop was legally mandated. Mayor Costello stated he believed the developers had been very responsive, environmentally conscious, and had done the best they could; however, he saw no need for another entrance into Halifax Plantation.

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

City Commission – September 6, 2006

Commissioner Kelley expressed opposition to making last-minute decisions. He stated someone had to be aware this was going before the County Council before yesterday. Commissioner Kelley pointed out this caused a sense of urgency that the Commission could probably do nothing about. He stated he needed information before he could make a decision.

Commissioner Partington concurred with Commissioner Kelley. He stated this was not in the Ormond Beach City limits, and the Loop Group was effective in advocating their position.

Commissioner Gillooly advocated the opportunity to encourage the County to review the plan to try to save the historic trees. She stated she agreed that the City could not tell the County what to do, but she would feel comfortable sending a letter encouraging the County to do everything possible to maintain the character and not approve it unless it was a vested interest issue.

Mayor Costello asked Mr. Turner to convey through an e-mail, letter, or phone call to the County Manager and County Council that the Commission would strongly encourage the County to seek a way to eliminate the entrance unless it was a vested portion of a development order. He noted he would like this used as an example of why Ormond Beach was not supporting the unilateral Charter Amendment #3 and Charter Amendment #7 because Ormond Beach believes they should have been at the table when this came forward.

Item #15 - Close the Meeting

The meeting was adjourned at 1:00 a.m.

APPROVED: September 19, 2006

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk