

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

March 15, 2005 7:00 p.m.

Present were: Mayor Fred Costello, Commissioners Jeff Boyle, 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 Dr. V. Benford Friar, II, Faith Cathedral Church.
- 3) Pledge of Allegiance.
- 4) Approval of the Minutes of the March 1, 2005, meeting.
- 5) **PRESENTATIONS:**
 - A) Proclamation by Mayor Costello in honor of Ormond Beach Teachers Earning National Certification.
 - B) Proclamation by Mayor Costello proclaiming the month of April as Water Conservation Month in the City of Ormond Beach.
- 6) **AUDIENCE REMARKS:**
- 7) **INTERGOVERNMENTAL BOARD REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Smart Growth Implementation Committee
 - D) 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. 2005-53 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 the English Rose Tearoom II, Inc. (\$713.55)
- B) Resolution No. 2005-54 a contract with Executive Management Services, Inc., regarding the provision of janitorial services at the police facility.
- C) Resolution No. 2005-55 supporting and adopting the updated Volusia County Local Hazard Mitigation Plan; appointing representatives to serve on the Volusia Prepares Steering Committee and Government Agency Subcommittee.
- D) Resolution No. 2005-56 consenting to the assignment of a Continuing Engineering Services Agreement between the City and WCG, Inc.; assigning said agreement to Neel-Schaffer, Inc.; approving and authorizing the execution of an amendment to the Continuing Engineering Services Agreement for the limited purpose of acknowledging the correct identify of the entity providing engineering services under the agreement.
- E) Resolution No. 2005-57 accepting a bid from Progressive Contractors, Inc., for construction services regarding the Tomoka Avenue and South Washington Street Reclaimed Water Main Extension Project under Bid No. 2005-05; authorizing the execution of a contract and payment therefor; rejecting all other bids. (\$123,542)
- F) Resolution No. 2005-58 authorizing the execution of a Fireworks Display Contract with Fireworks by Santore, Inc. (\$36,500)
- G) Resolution No. 2005-59 approving an offer to reduce and satisfy all outstanding code enforcement liens imposed upon property owned by Samuel and Sylvia Hall on Hull Road for the sum of \$50,000; authorizing the City Attorney to prepare and execute any and all settlement documents deemed necessary to effect same.
- H) Resolution no. 2005-67 authorizing the submittal of a grant application in the amount of \$11,254 to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; authorizing the expenditure of \$1,746 from the Federal Law Enforcement Trust Fund (112); authorizing the acceptance of a grant award. (\$11,254 grant funding, \$0 City match)
- I) Review of FY 2004-05 budget status.

DISPOSITION: Approve as recommended in City Manager memorandum dated March 10, 2005.

J) Approval of travel by City Manager Isaac Turner to attend the Florida City/County Manager Association 59th Annual Conference in Tampa, Florida, May 11-14, 2005.

DISPOSITION: Approve as recommended in City Manager memorandum dated March 10, 2005.

9) **PUBLIC HEARING** on Resolution No. 2005-60 approving and authorizing the removal of an historic tree located at 567 North Beach Street.

10) **RESOLUTIONS:**

- A) Resolution No. 2005-61 accepting a proposal from McKim & Creed Engineers, P.A. to provide engineering services for an evaluation of the wastewater treatment facility; rejecting all other proposals; authorizing the execution of a work authorization thereto. (\$160,380)
- B) Resolution No. 2005-62 authorizing payment to Waste Management of Florida, Inc., regarding hurricane debris collection and disposal. (\$5,759,658.91)
- C) Resolution No. 2005-63 accepting a proposal from Glatting Jackson Kercher Anglin Lopez Rinehart, Inc., to provide consulting services for the Ormond Beach Sports

Complex Master Plan update; rejecting all other proposals; authorizing the execution of a Work Authorization thereto. (Not-to-exceed \$28,424)

- D) Resolution No. 2005-64 approving the form of a grant agreement between the City and the Federal Aviation Administration regarding the southeast quad project and airfield signage at the Ormond Beach Municipal Airport; authorizing the execution of an agreement.
- E) Resolution No. 2005-65 accepting a bid from D&W Paving, Inc., for construction services at the Ormond Beach Municipal Airport under Bid No. 200-14; authorizing the execution of a contract and payment therefor; rejecting all other bids. (FBO Access Road, T-hangar Taxi Lanes, Utilities and Runway 35 Run-up Area Project [Southeast Quad] - \$1,234,569.61)
- F) Resolution No. 2005-66 approving an amendment to the amended lease agreement between the City of Ormond Beach and M.A.C. Charter, Inc., d/b/a Sunrise Aviation, Inc., revising the shape and location of "FBO Lease Area 2"; authorizing the execution of a second amended lease agreement relative thereto.

11) **DISCUSSION ITEMS:**

- A) Central Business District Tax Increment Financing Fund projects.
- B) Nova Community Center improvement program.

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

13) Close the meeting.

Item #1 - Call to Order

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

Item #2 - Invocation

Commissioner Kelley gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led the Pledge of Allegiance.

Item #4 – Approval of Minutes

Mayor Costello advised the minutes of the March 1, 2005, meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

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

Mayor Costello stated he would be moving Item 11(B) up on the agenda unless an objection was made. No objection was noted.

Item #5(A) – National Board of Professional Teaching Standards Recognition Day

Mayor Costello read a proclamation honoring the following teachers who teach or live in Ormond Beach and have earned certification by the National Board for Professional Teaching Standards (NBPTS): Sue Ellen Gallico, who is a Reading Intervention teacher at Holly Hill Elementary; Mary Guidotti, who teaches Business and Web Design at Seabreeze High School; Sherilee Jarvis, who teaches seventh grade Language Arts at Ormond Beach Middle; Tracy Norman, who teaches Intensive Reading at Holly Hill Middle; Kathleen Roam, who is a fourth grade teacher at Walter A. Hurst Elementary; Harold Schellenbarg, who teaches Language Arts at Holly Hill Middle; and Barbara Tant, who teaches Fashion Marketing at Seabreeze High School.

Mayor Costello stated the NBPTS recognizes the contributions of exemplary teachers who set high expectations for themselves and their students and rewards them with salary and mentoring bonuses. He proclaimed Friday, March 18, 2005, as NBPTS Certification

Recognition Day and urged all residents to join in acknowledging these outstanding teachers for their many accomplishments and dedication to their profession.

Item #5(B) – Water Conservation Month

Mayor Costello read a proclamation indicating clean, safe and sustainable water resources and supplies were vital to Volusia County's economy, environment, and its people. He stated the State of Florida, Water Management District, Volusia County, Water Authority of Volusia, and member governments are working together to increase awareness about the importance of water conservation. Mayor Costello noted the City of Ormond Beach and the State of Florida have designated April, typically a dry month when water demands are most acute, as *Water Conservation Month*, to educate citizens about how they can help save precious water resources.

Ms. Deborah Green, Water Authority of Volusia (WAV), stated that WAV has supported a student poster contest each year to commemorate Water Conservation Month, and the entries could be seen on the WAV website. She called three winners of the poster contest, Tessa Gehringer, Catherine LaStarza and Lindsey Walsh, to the podium to be recognized. Ms. Green explained each would receive a \$50.00 gift certificate, and Tessa Gehringer would have her entry displayed on a billboard. Ms. Green advised that all three students attend Pine Trail Elementary, and she introduced their teacher, Ms. Rooy.

Ms. Green reported there were two winners of the City's first Watewise Landscape Award program, Elizabeth and Thomas Flynn, who won first prize, and B.J. Cunningham, who won second prize. She stated the entries were very unique and an excellent example of what WAV was trying to achieve with native landscaping that required less irrigation.

Mayor Costello congratulated the students and the homeowners for their achievements.

Item #6 – Audience Remarks

Request for Information

Mr. Rich Lemke, 2 Springwood Trail, stated he asked the City Manager about a fuel farm permit on Sunrise Aviation property, and he was notified the information was misplaced, lost, or succumbed to flood damage. He reported he was still waiting for any information relative to that fuel farm.

Mr. Lemke stated he had asked Mr. Tom Lipps, Support Services Director/Airport Manager, how much money FDOT and the City had spent on airport issues, and he had not received that information either.

Mr. Lemke reported he had also requested the building inspection reports from all shade hangars and T-hangars on Sunrise Aviation property. He noted these were to have been inspected every couple of years, but no records were found. Mr. Lemke asked that the entire area be re-inspected or the documentation be found.

Items for Discussion

Mr. Lemke requested Items D, E, and F be pulled from the Consent Agenda for discussion.

Walgreen's Development

Ms. Lucille Bornmann, 6 Windsor Drive, stated that at the last City Commission meeting the Commission discussed an item regarding the development of a Walgreen's on SR40 where the Planner and City Manager expressed concern that it would exceed the impact on that road, and the Commission's actions gave the Planner and City Manager a vote of no confidence. She noted that developers hire consultants, and nearly all reports provided by the consultants agree with the concept of those who hire them. Ms. Bornmann expressed a concern that this had set a precedent to approve any developer's paid consultant's report over the wishes of the Planner and the City Manager. She noted other stores would follow, making the road very dangerous. Ms. Bornmann questioned if the City could be liable if an accident resulting in a death would occur in that the Commission decided to oppose City staff in their recommendation.

Mayor Costello noted his vote was not a vote of "no confidence" in staff recommendations.

Budget

Glenn Jaspers, 160 Ocean Terrace, recommended adding a notation at the end of each agenda to indicate how much money was being spent in each agenda to better track what was being spent.

Item for Discussion

Mr. Rick Behnke, 15 Malayan Sun Bear Path, asked to speak on Item No. 10(E).

Recreation Facilities

Mr. Rick Boehm, 5 Springwood Trail, stated he moved to Ormond Beach in 1978 because of the quality of life in Ormond Beach. He stated a certain standard must be met for developments, homes, businesses, roads, and retention ponds within Ormond Beach, and he questioned why the same rules do not apply to Ormond Beach recreational facilities. Mr. Boehm questioned why no inspections were done on City facilities. He urged the Commission to add a repair, renewal, and replacement item to the budget. Mr. Boehm stated this was a larger issue than only the Nova Recreation area in that it was a Citywide issue that the Commission should consider when going through the budget process this year.

Mayor Costello noted the Commission made strides in the budget passed last year, but the complete job could not be done in one year. He concurred the City must do better in its inspections and maintenance.

Commission Assistance

Mr. Sandy Dunn, 5 Tomoka Trail, stated Mr. Lemke had asked for Commission help at several Commission meetings, and it had not been provided. He reported he asked for information through an e-mail a few months ago, and he had not received the information. Mr. Dunn noted it was the responsibility of the elected officials to inform those serving at their pleasure to provide information to the public.

Maintaining City Property

Mr. Sandy Dunn reported homeowners and businesses must maintain their property to a certain level, but the City ignores repairs on its own property, such as the loud speakers outside the Chambers that did not work properly during a meeting that had an overflow crowd. He noted it was mentioned that it was the fault of the electorate because they would not approve a bond issue, but the Commission should be working within the confines of the budget to pay for repairs and not pay 76% of the budget for employees.

Water Conservation

Mr. Sandy Dunn stated the City wanted water conservation, but any development that was requested was automatically approved.

Information Packets

Mr. Sandy Dunn stated staff provided the Commission with in-depth information packets, but the citizens can only obtain the agenda. He suggested more information be provided on the City's website.

Mayor Costello's Replies to Mr. Dunn's Comments

Mayor Costello advised Mr. Dunn that Mr. Lemke had received the requested information four times; however, he was not satisfied with the information provided. He asked Mr. Dunn to provide his questions again, and he would provide him with the answers. Mayor Costello reported the loud speakers were tested prior to the meeting and were working properly. He pointed out that the Commission had turned down developments, and noted that a development on Airport Road was recently rejected. He stated the packets are available in the library, on the Internet, and in City Hall.

Item #7(A)(B), and (C) – Metropolitan Planning Organization, Volusia Council of Governments, and Smart Growth Implementation Committee

Mayor Costello noted he reported on the Metropolitan Planning Organization (MPO), the Volusia Council of Governments (VCOG), and the Smart Growth Implementation Committee at the last meeting, and they have not met since that meeting.

Item #7(D) – Water Authority of Volusia

Commissioner Boyle stated the Water Authority of Volusia (WAV) would meet at 8:30 a.m. tomorrow and discuss the Master Facilities Plan and proposed legislation for water supply development.

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 stated there had been a request for Item Nos. 8(D), 8(E) and 8(F) to be pulled.

Commissioner Boyle noted Mr. Lemke was referring to Item Nos. 10(D), 10(E) and 10(F).

Mayor Costello explained that these items were not on the Consent Agenda; therefore, they did not need to be pulled since they would be discussed later in the meeting.

Commissioner Boyle requested Item Nos. 8(H), and 8(I) be pulled for discussion.

Commissioner Boyle moved, seconded by Commissioner Partington, for approval of the Consent Agenda, minus Item Nos. 8(H) and 8(I).

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

Item #8(H) – Authorizing the Submittal of a Grant Application

RESOLUTION NO. 2005-67
 A RESOLUTION AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION IN THE AMOUNT OF \$11,254 TO THE UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE; AUTHORIZING THE EXPENDITURE OF \$1,746 FROM THE FEDERAL LAW ENFORCEMENT TRUST FUND (112); AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2005-67, as read by title only.

Commissioner Boyle stated that last year this same situation occurred where the 30-day public approval vote was missed. He requested a written answer as to why the City was always missing the deadline on police grants.

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

Item #8(I) – Budget Report - Firefighter Overtime

Commissioner Boyle stated the Commission was receiving projections of firefighter overtime at \$478,000 or higher, and he requested a written answer, possibly in the Friday letter, as to why the Commission had not received reports on the positive impacts of the resolution of the Workers Compensation issues, which triggered a great deal of the overtime.

Mayor Costello noted the projection was over \$800,000, and the new projection was under \$500,000. He asked staff to explain this in greater depth.

Commissioner Boyle stated the figure was \$478,000, and it had not changed with the resolution of the Workers Compensation issues.

Commissioner Kent moved, seconded by Commissioner Boyle, to approve the report.

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

Item #11(B) – Nova Community Center Improvement Program

Mayor Costello noted staff had done an outstanding job and determined that a staff presentation was not necessary. He asked Mr. Boehm to respond to the report.

Mr. Rick Boehm, 5 Springwood Trail, commended the report detailing the history of the Nova Community Center. He noted the Nova Community Center was over 30 years old, but very little had been done other than installing air conditioning in that time. He reiterated the facility did not meet the standards the Commission set for private businesses, homes, or developments in Ormond Beach. Mr. Boehm applauded Ms. Judy Sloane, Public Works Director/City Engineer, for finding a way to divide the repairs into two phases to include stormwater and a drainage system since the drainage system at that site had totally failed. He stated that the drains are not routinely inspected or repaired. Mr. Boehm reported there was now a plan to correct this, but he questioned why this was not done earlier. He pointed out that there was no stormwater retention pond, and any other development would require a stormwater retention pond. Mr. Boehm asked why he, as a citizen, had been the one to provide a list of problems and not Code Enforcement or other City staff. He noted this plan was a good first step, but others would be needed; and he requested the Commission make a commitment to have the facilities inspected and money be made available for repairs.

Mayor Costello stated the City included \$862,500 for the Nova Community Center in the budget this year, and tentatively planned on \$730,000 for next year. He noted this did not excuse the lack of day-to-day maintenance, and the Commission did not want the citizens to have to find where maintenance was needed. He stated he informed the City Manager that he must task the Commission to provide a mechanism to accomplish the needed maintenance, and if the Commission did not accomplish that, it would be the fault of the Commission. Mayor Costello noted the Commission was well aware of the needs; and the City made significant headway last year on the large items. He noted there were other smaller residual items that also need to be addressed, but it was a question of priorities. He thanked the public for having raised the level of awareness of the Commission and staff as to what needed to be done.

Mr. Doug Thomas, 132 River Bluff, chairman of the Recreation Advisory Board and member of the Planning Board, stated this was not a new problem and had been evident since 1974. He pointed out past City Commissions and City Managers made promises, but promises were broken at the expense of the children. Mr. Thomas urged this Commission to not “drop the ball” as it had in the past. He stated if the millage had to be increased to allow for a dedicated funding mechanism for maintenance facilities, it should be done because the children deserved better.

Mayor Costello offered the Commission an opportunity to speak.

Commissioner Boyle advised he would prefer to speak after Mr. Dunn had spoken.

Commissioner Kent noted he grew up using the fields and was ready to proceed to make the needed positive changes.

Commissioner Kelley stated tremendous strides had been made in the baseball fields since his son played on them. He noted that what was at issue was not having funds for maintenance because the funds had been used elsewhere. Commissioner Kelley reported he was frustrated that things were not being maintained, but the Commission must be good stewards of the City's funds, and priorities must be established. He concurred that action was needed to assure this did not continue to occur.

Commissioner Partington reported he grew up using the Nova Recreation facility, and he was a big supporter of the positive impact recreation could have on youth. He expressed appreciation to the citizens bringing these issues to the forefront. Commissioner Partington urged a recreation manager be named who would be responsible for inspecting the fields and facilities, answering citizen questions and concerns, insuring safety for the children, and insuring the facilities meet Ormond Beach standards. He recommended improvements also be made to the Airport Sports Complex. Commissioner Partington concurred the City would not allow the parking at these facilities if it were a developer, and cities should be required to uphold the same regulations as is required of its citizens. He pointed out recreation always seemed to be considered less important than other items, but he wanted to elevate the importance of recreation in Ormond Beach.

Mr. Sandy Dunn, 5 Tomoka Trail, noted he appreciated what was being stated tonight, and he urged the Commission to apply this to every facility. He stated the City was amiss in not maintaining all City property. Mr. Dunn expressed disappointment that there was no staff

presentation, and the audience had no idea what was being discussed, which was not fair to the community. He stated the report included payroll, and he questioned how much was actually earmarked for repairs and improvements. Mr. Dunn urged that both projects at the Nova Center be done this fiscal year. He reported Ormond Beach was anticipating experiencing similar hurricanes this year, which would worsen the drainage problems.

Mayor Costello stated drainage was in the first portion of the project and paving of the parking lot was in the second portion.

Mr. Dunn stated not only were the City buildings being neglected, but the parks on the corner of Seville and South Ridgewood and Riverbend Park are not being maintained at all.

Mr. Glenn Jaspers, 160 Ocean Terrace, stated constructive criticism from citizens was good for the City. He urged the City to take money from such areas as the airport for recreation.

Commissioner Boyle thanked the citizens for attending and speaking to the Commission. He pointed out the Commission may only direct the City Manager and the City Attorney. Commissioner Boyle stated the Commission was responsible to the citizens, and they seem to be ready to commit. He urged the citizens to continue with the energy shown, and he asked that they compile a prioritized list of everything needed for recreational resources. He advised that while he did not favor paving parking lots for recreation fields, he would support whatever list the citizens presented. Commissioner Boyle asked that this list be brought directly to the Commission rather than to staff, and the Commission would find the needed money. Commissioner Boyle cautioned not to confuse the labor costs with this problem and to focus strictly on recreation.

Mr. Turner stated the City needed to hear from the community, and it was important that these people come to other meetings on this issue. He explained that he tried to judge when presentations would be helpful and when they were not necessary, and this issue should probably have had a staff presentation. He stated information was available at the library, at City Hall, and on the Internet. Mr. Turner reported the bond issue was the first effort made to try to bring these issues to the forefront. He noted staff would obtain inspections on an annual basis; however, this would not solve the majority of the recreation/leisure services problems. Mr. Turner conceded the City had not placed the resources in recreation over the years, as it should have done. He noted the Commission had already approved items for drainage, although the contracts would need to come back to the Commission, but the question was what should be the next step. Mr. Turner questioned whether the City should take the currently budgeted dollars with a substantial tax increase from last year, or if additional dollars should be budgeted. He reported some of this information would be brought back to the Commission during the budget process.

Mr. Turner pointed out that members of the Recreation Advisory Board have the opportunity to review and discuss Capital Improvements Projects (CIP) before they were included in the budget process. He stated every capital need should be in the CIP, either as a funded project or on the needs list of un-funded projects. Mr. Turner noted it would be logical for the Recreation Advisory Board to establish its own list to recommend to the Commission. He pointed out funding leisure services was not a problem unique to Ormond Beach in that public safety was normally the first priority of any city. Mr. Turner stated the City had been healthy in funding salaries, but there was a legitimate concern as to how the City was funding its recreational facilities and the facilities in general. Mr. Turner stated he was hopeful the Commission would be receptive to the broader need for all maintenance.

Commissioner Boyle stated he was not referring to the existing process, but a new process where people would not come to Commissioners individually, but to bring the list to the Commission in a public meeting as an agenda item.

Mayor Costello noted he would not object to this, but it should go through the board process, which has worked for years except that the Commission had not funded the board's requests.

Mr. Dwight DuRant, Zev Cohen and Associates, stated the issue was the Ormond Beach quality of life, and that had never been compromised. He reported what occurred in bond issues was that senior issues were normally implemented because they have a majority vote, but youth issues are turned down because they are a minority. Mr. DuRant offered his assistance for permit or design.

Mr. Charles Carter, 212 Arlington Way, stated the fire hydrants are in deployable condition. He noted the City spends a great deal of money on the tennis courts, but only six people were seen playing tonight at the courts by the Casements. Mr. Carter stated information was placed on the

Internet at the last minute. He stated there was no recreation on the peninsula, and he questioned why those children needed to be transported three to five miles for recreation. Mr. Carter reported millions of dollars are spent at the Nova Community Center and the Airport Sports Complex with nothing being spent on the peninsula; therefore, if recreation was to be examined, he urged the entire City be considered.

Ms. Lucille Bornmann, 6 Windsor Drive, stated the City needed a department of Parks and Recreation. She noted recreation should not be under the City Engineer. Ms. Bornmann recommended Mr. Alan Burton, Leisure Services Director, head that department, and a dedicated budget be provided for that department.

Ms. B.J. Cunningham, 188 Winward Lane, reported older people use the Nova Community Center as well as the youth, and the parking lot was in a bad condition.

Mayor Costello stated he had been working on trying to pave the parking lot for the five years he had been on the Commission, and he was excited that half was funded this year, and it would be completed next year.

Mr. Boehm stated he read the report, which addressed what the project was to include such as paving the dirt road from the entrance to the parking lot and paving the parking lot. He noted the most critical portion was the paving of the parking lot and the rerouting of the roof drains, which would be included in the first phase along with landscaped islands, lighting, and installation of a storm drain system. He questioned if this would occur without further Commission vote.

Mr. Turner replied this would have to come back to the Commission to approve the bids to construct the project. He noted this was an opportunity to decide whether the Commission should wait for full funding or to proceed with a partial project with part of the funding. Mr. Turner reported this packet showed what the Commission had approved in dollars for specific projects, but they must also approve the awarding of the actual contracts to accomplish that project.

Mayor Costello stated he wanted the items in the staff report accomplished. Mayor Costello noted he voted for funding the first part of this; but with a 34% tax increase, the Commission did not have the political support to fund all of the Nova Community Center and the Airport Sports Complex needs in a single year. He expressed pride in what this Commission did in funding what was being funded, and he would pledge that he would finish them at budget time. Mayor Costello stated if the majority of the Commission was ready to participate in completing the projects indicated, he would ask that the projects be placed together and bid out so the Commission could work on them in October. He asked that the drainage issue be worked on now so the gym would not flood. Mayor Costello explained that Capital Improvements Projects do not include staff dollars. He stated five to seven years ago the City spent 65% on employee costs, and that had increased to 75%, which meant that the City had only 25% of the budget for discretionary items. Mayor Costello reported the Commission must form a budget to place on top of staff costs, since staff must be paid. He pointed out that some may disagree to what level staff needed to be paid, but they must be paid. Mayor Costello reported staff and public safety must be a priority; but the Commission must decide what projects it was willing to fund. He noted this year the Commission will be faced with the decision to select a tax rate and add \$500,000 for the 3¼% added last year, and that figure would continue to increase. Mayor Costello pointed out that if more money was needed for maintenance, the citizens must come to the Commission and let their will be known should they want their facilities maintained at a higher standard. He noted that in the past, the Commission was not willing to fund higher than the 25% remaining after staff costs. Mayor Costello reported he had been hearing tonight and throughout the community that the residents expected a higher standard for Ormond Beach and were willing to pay for it. He noted he concurred with this concept that every facility should be maintained to a high level.

Commissioner Boyle noted the comment was made that previous Commissions did not fund recreation; however, the current budget was \$3.5 million per year, and the maintenance for fields was \$800,000 of that figure. He reported the Commission had undertaken the task to rebuild three fields at \$250,000 each; softball quads were built; and a skateboard park was constructed for \$250,000. Commissioner Boyle stated he believed the City was doing fine, and he did not know the problems until he was told by the citizens. He pointed out the City did fund the Oceanfront Park for \$250,000, replica cars, shrubbery for medians, and a command center for Police and Fire for \$50,000. Commissioner Boyle reported the current process had failed, or the citizens would not be here tonight. He reiterated he wanted a priority list presented to the Commission in a public meeting, and the Commission would then direct staff to "get it done." Commissioner Boyle reported he favored children playing for free, but he doubted he could get

the needed support to achieve that goal. He stated for the past ten years he had been asking for a park where children could go on a bike, not by car. Commissioner Boyle admitted the Commission had failed, and he would make a commitment to the people, but he would need the citizens' help on other recreational issues in the future.

Mayor Costello pointed out that he also wanted to find land in Zone 1 or Zone 2 to provide this kind of a recreational field.

Commissioner Boyle reported there was land available.

Mayor Costello requested Commissioner Boyle bring specific information for the Commission to consider. He recommended the City form a partnership with Daytona Beach, Holly Hill, and Volusia County regarding fields where children could ride their bikes for pick-up games.

Commissioner Kent noted he would support the children playing for free. He stated he was pleased to learn that any underprivileged child can and does participate in all City sports programs at no cost. Commissioner Kent pointed out he lived on peninsula as do a large number of his constituents, and he concurred there was not a great deal of recreation; however, he pointed out that Ormond Beach had a partnership with Osceola Elementary School for tennis courts, racquetball courts, and baseball fields. He pointed out that Zone 1 and Zone 2 also had the greatest recreation in Volusia County, which was the beach. Commissioner Kent reported he would welcome more areas for recreation in Zone 1 or Zone 2, but the Commission was discussing money it did not have to maintain what the City has already built, so there was no money for land acquisition. He reiterated he would support children playing for free and finding any land as well as approving the staff recommendations.

Commissioner Kelley expressed support for the staff recommendations. He urged the Commission to consider what it would cost to have all youth playing for free before supporting the concept.

Commissioner Boyle and Commissioner Kent reported they have considered the cost. Commissioner Boyle conceded the cost would be great, but the cost was not relevant.

Commissioner Kelley reported he would need to see actual numbers before he could support the possibility, especially when it was so difficult paying for what the City already had. He stated this would probably mean a tax increase, and the citizens would have to pay for what they wanted. Commissioner Kelley noted most of these problems could easily be solved by money. He suggested that a single person be responsible and accountable who had the authority and responsibility to take care of business on all City property. Commissioner Kelley recommended making the suggested improvements before anything else was considered. He explained the City had certain mandated requirements to provide certain recreational facilities. Commissioner Kelley noted the Commission could probably find the money, but it would probably mean a tax increase, and people must be prepared.

Commissioner Partington reported he continued to support the staff recommendations. He concurred with Ms. Bornmann, but rather than a Parks and Recreation Department, he would recommend a Static Parks and Leisure Services Department under Mr. Burton and a Recreation Manager or a Recreation Department with its own division head, and this person would be responsible for all recreation programs and facilities. Commissioner Partington stated his concept of a bond issue was one properly done; not one where the Commission ties staffs' hands on being able to "sell" it. He reported a bond issue was a campaign to educate the public why the money was needed. Commissioner Partington noted the prior bond issues failed except for the fire station because people understood the need for it; and if people understood the needs at the Nova Community Center, a bond issue could succeed. He expressed the importance of staff and the Commission backing bond issues to have any chance of success.

Mayor Costello noted he could not share Commissioner Partington's optimism. He stated Mr. Turner had been given clear direction that one person should be selected to inspect all facilities and questions could be directed to that individual. Mayor Costello reiterated he had been trying to get Nova Recreation paved for five years, but there were always other priorities. He noted everyone had worked very hard to do as much as possible to do everything on the top of the priority list; but because of financial constraints, the City had let maintenance slide.

Mr. Turner stated staff had maintained a list of unfunded projects, which could be used as a vehicle to consider the needs.

Mayor Costello pointed out the Commission had directed staff to accomplish those issues related to drainage in the funded and unfunded list in the next budget.

Mr. Turner noted he understood the direction to accomplish the funded tasks, and the drainage and roads were to be placed in a single contract for next year. He reported the Commission issue of a dedicated funding source would be discussed during the budget process.

Item #9 – Removal of an Historic Tree Located at 567 North Beach Street

RESOLUTION NO. 2005-60
A RESOLUTION APPROVING AND AUTHORIZING THE REMOVAL OF AN HISTORIC TREE LOCATED AT 567 NORTH BEACH STREET; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boyle moved, seconded by Commissioner Kent, to approve Resolution No. 2005-60, as read by title only.

Mr. Paul Holub, applicant, offered to answer any questions.

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

Mayor Costello reported he expected many on the Commission would probably not have voted for this resolution had staff not recommended approval for removing the tree after inspection of the tree.

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

Item #10(A) – Engineering Services for an Evaluation of the Wastewater Treatment Facility

RESOLUTION NO. 2005-61
A RESOLUTION ACCEPTING A PROPOSAL FROM MCKIM & CREED ENGINEERS, P.A. TO PROVIDE ENGINEERING SERVICES FOR AN EVALUATION OF THE WASTEWATER TREATMENT FACILITY; REJECTING ALL OTHER PROPOSALS; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Boyle, to approve Resolution No. 2005-61, as read by title only.

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

Item #10(B) – Hurricane Debris Collection and Disposal

RESOLUTION NO. 2005-62
A RESOLUTION AUTHORIZING PAYMENT TO WASTE MANAGEMENT OF FLORIDA, INC., REGARDING HURRICANE DEBRIS COLLECTION AND DISPOSAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boyle moved, seconded by Commissioner Kelley, to approve Resolution No. 2005-62, as read by title only.

Mayor Costello stated that Cpmgress had been lobbied regarding this issue. He asked if anyone had information relative to the \$651,555 for gated communities. Mayor Costello pointed out other cities were having this problem as well.

Mr. Turner explained that FEMA had changed its rules in the middle of the process. He noted the entire Florida National Legislative delegation met with FEMA executives to assure that money was provided by Congress to help with the disaster relief, and the perception was that that money would not make its way to the communities. Mr. Turner noted this was an issue the

City’s delegation discussed with the legislative staff members and Congressman Mica. He pointed out the Florida National Legislative delegation concurred this should be funded, this would be pursued further, and the City would be kept updated.

Mayor Costello asked if anything else needed to be done by the Commission.

Mr. Turner noted anything would help, but he believed the legislators had received the message.

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

Item #10(C) – Consulting Services for the Ormond Beach Sports Complex Master Plan Update

RESOLUTION NO. 2005-63
 A RESOLUTION ACCEPTING A PROPOSAL FROM GLATTING JACKSON KERCHER ANGLIN LOPEZ RINEHART, INC., TO PROVIDE CONSULTING SERVICES FOR THE ORMOND BEACH SPORTS COMPLEX MASTER PLAN UPDATE; REJECTING ALL OTHER PROPOSALS; AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2005-63, as read by title only.

Commissioner Boyle pointed out the cost of this update would leave a balance of \$21,500 in the master plan budget. He questioned if this could be used to apply to other issues.

Mr. Alan Burton, Leisure Services Director, stated these funds were from the Recreation Impact Fees and were restricted funds not to be used for maintenance and operations.

Mayor Costello asked the City to investigate whether the western residents want a separate recreational facility since the residents he was aware of were opposed to a separate facility. He urged staff to research what recreation impact fees may and may not cover. Mayor Costello noted he respectfully disagreed with the staff person who had indicated impact fees could not cover such items as a community center/gymnasium at the Airport Sports Complex. He reported that he believed that when the City grew to a certain level, the impact of those new residents would force the need for additional facilities. Mayor Costello urged staff to consider bike trails to existing sports facilities in this plan. He recommended a discussion of a cooperative effort with the new Hinson Middle School for pick-up fields. Mayor Costello suggested an investigation be done into the advantages and disadvantages, which would be evaluated against the cost of the reconfiguration of the Airport Sports Complex, as well as the championship field and an amphitheater for community events.

Commissioner Kelley stated the consultants provided facts that indicated impact fees could be used if it could be proven that growth necessitated the facilities. He stated he would be willing to expend funds; and if challenged, the City should fight the challenge.

Commissioner Boyle concurred with Commissioner Kelley.

Mayor Costello concluded that the City needed to upgrade the City’s existing facilities, not to acquire new land, and to have trails to connect them.

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

Item #10(D) – Southeast Quad Project and Airfield Signage

RESOLUTION NO. 2005-64
 A RESOLUTION APPROVING THE FORM OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL

AVIATION ADMINISTRATION REGARDING THE SOUTHEAST QUAD PROJECT AND AIRFIELD SIGNAGE AT THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF AN AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2005-64, as read by title only.

Mr. Adrian Thompson, 6 Dorado Beach Court, asked exactly what this grant would include. He stated this would be the southeast quad project with airfield signage, but he questioned if the environmental assessment was included in the resolution.

Mr. Tom Lipps, Support Services Director/Airport Manager, explained that at the previous City Commission meeting, staff was directed to remove the runway 17-35 extension project from the Capital Improvement Plan. He noted that in reviewing this with the FAA, it was discovered that the FAA would not participate in funding an environmental assessment without the 17-35 project in the plan. Mr. Lipps noted this resolution removed the funding for those components from this award with a request that the Commission authorize a revised document eliminating the environmental assessment. He requested the Commission give staff direction as to the environmental assessment and advised that staff had informed Hoyle Tanner to stop work on the contract. He advised that if the Commission wanted to terminate the environmental assessment contract, it would have to be done at another meeting.

Mayor Costello reported without the environmental assessment, the grant would be \$201,999. He explained that if the City wished to continue with the Hoyle Tanner contract for the environmental assessment, the City would have to fund the \$10,631, assuming funding could not be found elsewhere. He noted he favored obtaining the environmental assessment to gain information that could benefit the existing airport; but since the FAA would not allow that to go forward, he had changed his position and would accept the FAA's resolution. Mayor Costello stated that with the consent of the Commission, he would consider the environmental assessment aspect to be dead.

Mr. Thompson noted he already understood what Mayor Costello explained but pointed out that the Commission would be voting on three separate issues: abandoning an environmental assessment, additional funding to meet budget overruns on the southeast quad, and signage. He urged these issues be separated since the issues were not connected. Mr. Thompson stated the environmental assessment purely related to a runway extension, and that needed to be stopped; but the other two issues were totally separate issues. He reported staff had sought to complicate these issues by combining them.

Mayor Costello stated the Commission would be voting to accept a grant including those three issues unless it was amended.

Mr. Thompson stated he believed staff intertwined the issues intentionally to prevent this type of debate. He reported that for the next item, the Commission would be voting to spend \$1.2 of taxpayer money of which \$170,000 would come from the City. Mr. Thompson stated when the lease for FBO #2 was initially discussed, it was made clear that the tenant would release the existing T-hangar area at a time that the City would determine the area was needed for economic development and the full 14 UT-hangars had been constructed. He reported the City entered into a memorandum of understanding on November 19, 1994, but the legality of that document was in question. Mr. Thompson noted on June 30, 1999, the southeast quad project was significantly changed in that no City money was to be spent. He explained the City would provide a "taxiway" to the property; however, the term was changed to a "taxi lane" increasing the City cost to \$500,000. Mr. Thompson stated the third amended lease agreement in 2004 extended the agreement to 2033, and the newly amended lease agreement extended FBO #1 and FBO #2 to 2053. He reported what the City would be doing would be to authorize the City, FDOT, and FAA money be spent to fund the infrastructure for a commercial development of condominiums that would be sold privately. Mr. Thompson stated in past developments, such as those he occupied, the building had to provide its own taxi lanes and stormwater drainage at their own expense, which was amortized into the sale cost of the hangars. He noted the report included a cursory mention that there were negotiations occurring for extending leases.

Mr. Thompson stated the entire airport issue had been completely mismanaged. He reported the City built hangars multiple times with no access road. He stated the City just spent \$300,000 building one access road, and another \$300,000 was to be spent placing another access road; but there was no access road for his hangars or a plan to build one. Mr. Thompson noted he had no particular objection to an access road in this project. He urged

the Commission to table this entire issue and hold a workshop because the Commission did not understand this issue.

Mayor Costello called a short break at 9:09 p.m. and reconvened the meeting at 9:14 p.m.

Mr. Rich Lemke, 2 Springwood Trail, stated the FAA indicated they would do all improvements to the airport except on private, leased land. He warned the FAA could pull the grant money since this was going to be used for private development. Mr. Lemke noted the FAA would fund, taxiways, not taxi lanes, but the City was using the terms interchangeable when they were very different entities. He reported there was a desperate need for access roads, but the issues should be separated. He urged the Commission to split the vote and schedule a workshop before voting.

Commissioner Boyle noted his comments may refer to both Item Nos. 10(D) and 10(E). He pointed out there was a great deal of uncertainty as to what the Commission was being asked to vote on other than the environmental assessment issue. Commissioner Boyle stated the documents and reports from staff on this very complicated issue were not sufficient, and he was troubled by the reference in the staff report that indicated the negotiations for leases were ongoing. He noted the sequence was reversed where the Commission was asked to commit a great deal of money to benefit one economic entity when there was a cloud of uncertainty over the leases. Commissioner Boyle noted some would be willing to tear up their current leases and have new leases written for everyone with a level playing field. He stated the prerequisite should be negotiated with a certain irrevocable lease. Commissioner Boyle explained the current tenant was only obligated to build within 90 days of the City's construction of infrastructure, and then he could walk away with no penalty; but there was a potential for the City to spend money and be left with no tenant or way to recover the resources. He pointed out the model for the City's negotiations with the private sector he had witnessed repeatedly seemed to be that the City would make full monetary contractual commitments to a private entity, and the private entity would withhold its commitment to the City. Commissioner Boyle urged that this model be changed. He reported he did not see any urgency tonight in that the window was open for the grants until October.

Commissioner Boyle moved to table this issue and hold a workshop.

Mayor Costello asked if a motion could be made at this time.

Mr. Randal Hayes, City Attorney, stated there was a motion on the floor and a motion to table would take precedence over that motion. He asked if the discussion was completed; whereby, Commissioner Kelley indicated it was not. Mr. Hayes advised that a motion could be made after the current motion was closed.

Commissioner Boyle withdrew the motion.

Commissioner Kelley stated grouping the discussion on this and the next item on the agenda tended to be confusing. He reported the Commission should be permitted to make the decision on the environmental assessment and not discuss two resolutions because it made everything unclear.

Mayor Costello noted it was confusing as to which item should be discussed first, and he did not want anyone to think staff was trying to manipulate the issue.

Commissioner Kelley stated he understood the grouping of the taxi lane and road would save approximately \$40,000 rather than doing them individually.

Mr. Lipps clarified that clustering the elements was merely the way the FAA does business. He stated the signage element was not related to the southeast quad, and the Commission had previously approved the signage. Mr. Lipps stated the environmental assessment was previously approved. The third component, the southeast quad project, was the new component. He noted this resolution would delete funding for the environmental assessment and approve funding for the signage and southeast quad components, but it would not address the paving of the taxi lanes, which was the next item on the agenda.

Mr. Lipps stated that in the construction award, he decided to combine the design of the road and utilities and taxi lanes and taxiways as one large project. He explained this was done because of efficiencies in doing so, and it would provide a centralized stormwater system. Mr. Lipps noted the run-up area project was previously bid out twice with unfavorable responses. By including it in this bid and packaging the projects together, the project became large enough to achieve more interest, saving the City hard money.

Commissioner Kelley questioned where the issue of the condominiums being sold was noted in the packet to the Commission.

Mr. Lipps reported Sunrise Aviation has made a request to consider condominiums; but this was not included in this packet, since it was not to be voted on tonight. He advised it would come back to the Commission at a later date.

Commissioner Kelley asked if it were true that the FAA would not approve the grant for a taxi lane as opposed to a taxiway.

Mr. Lipps stated the FAA had all of this information and made no indication they would have a problem with approval.

Mr. Turner advised that staff could verify that with the FAA.

Commissioner Boyle stated that supplemental funding for Item No. 10(E) would be voted on first in Item No. 10(D).

Mr. Lipps advised that the process required that the supplemental funding be approved, then the contract would be awarded. The third item related to a necessary correction in the legal description for the Sunrise lease area.

Commissioner Boyle reported he would prefer to vote on the main issue and then the supplemental funding.

Mayor Costello noted this was the reason he was allowing both items to be discussed at the same time.

Commissioner Kelley stated Item No. 10(D) would have an effect on Item No. 10(E).

Mayor Costello noted a viable option would be to table a decision on Item No. 10(D) until after Item 10(E) was discussed.

Commissioner Boyle urged that the entire issue be tabled.

Commissioner Kelley moved to amend the motion to approve only the termination of the environmental assessment. Commissioner Boyle seconded the motion.

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

Mr. Lipps advised that the signage element was previously approved, and the City had already awarded a construction bid to perform that work. He explained the FAA combined all of these components into one document as a matter of convenience only.

Mr. Hayes explained this was basically a reaffirmation of what had been already approved.

Commissioner Boyle moved, seconded by Commissioner Kelley, to approve the signage portion of the grant and table the remainder of Item No. 10(D) until after discussion of Item No. 10(E).

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

Item #10(E) – Construction Services at the Ormond Beach Municipal Airport

RESOLUTION NO. 2005-65

A RESOLUTION ACCEPTING A BID FROM D&W PAVING, INC., FOR CONSTRUCTION SERVICES AT THE ORMOND BEACH MUNICIPAL AIRPORT UNDER BID NO. 2005-14; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT

THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Resolution No. 2005-65, as read by title only.

Mr. Rich Lemke, 2 Springwood Trail, stated this item would approve the taxiway lanes for the FBO access road to the T-hangars, and Item No. 10(F) would approve a lease amendment. He reported that he repeatedly questioned how much taxpayer money would be spent for the benefit of this one FBO, but he never received the information.

Mayor Costello answered the amount was \$173,660.

Mr. Lemke stated the taxpayers would pay \$100,000 for one FBO.

Ms. Lucille Bornmann, 6 Windsor Drive, stated the Commission did not appear to be certain of what they were voting on, how much it would cost the taxpayer, what it would accomplish, who would benefit, and of what benefit it would be to the general public. She reported the children need money for recreation, but everything seemed to be concentrated on the airport. Ms. Bornmann questioned why taxpayers' money was being used to benefit only a few people who own private planes or want to rent hangars.

Mr. Adrian Thompson, 6 Dorado Beach Court, displayed a rendering of the Ormond Beach Airport and pointed out the taxiway area for which the City would be paying \$700,000 and what the City originally agreed to in 1994 and 2000. He stated the word "taxi lane" cost the City another \$600,000. Mr. Thompson reported the tenant was not happy with a deal he negotiated in 1994, and he was trying to renegotiate a new deal. He displayed a letter from the tenant's attorney dated January 4, 2005. Mr. Thompson stated the lease for FBO #1 had a finite non-renewable expiration date of December 14, 2013, with no provision for amending, extending, or changing the lease; and the land and all improvements would become the City's property upon expiration of the lease. He reported that the tenant now wanted to change the expiration date to 2053; however, two qualified proponents and bidders as well as the incumbent tenant wanted to lease this property in 2013, and the City was bound by FAA regulations to offer it to all qualified proponents and bidders. Mr. Thompson stated City staff was already negotiating with the tenant, in breach of FAA regulations, to extend the lease that had no provision to be extended. He pointed out documentation indicating the tenant wanted to break the land up for condominiums and then lease them out, which could be described as "asset stripping"; but it can not be done without Commission approval. Mr. Thompson stated that if the Commission would approve this tonight, an amended lease agreement would follow, and on a common sense front the Commission would be bound to approve the lease after having already spent \$1.2 million. He urged the Commission to deal with the lease first and then consider spending the money.

Mr. Lipps stated the \$1.2 million was not all for this area. He clarified two areas were in question: FBO #1 and FBO #2. Mr. Lipps stated the hangars were located in FBO #2. He explained an item covered in the memorandum in some detail was the design of this project in which all of the stormwater would be placed in that area, and a significant portion of those stormwater costs were associated with the lease property that the City was trying to create. Mr. Lipps reported that in constructing those lease lots, some of the stormwater facilities would have to be replaced, which was why these costs would need to be incurred. He stated the existing lease for FBO #2 had 27 years to expiration, and there were delays in construction related to the City's not constructing their facilities. Mr. Lipps pointed out that the lease would not require Sunrise Aviation to initiate construction until the City had their infrastructure in place; and if they do not complete construction, they would terminate their interest in FBO #2, and it could be leased to someone else. Mr. Lipps stated that none of the expenses in this project relate to FBO #1. He reported the owner of FBO #1 was looking for an extension in exchange for a capital investment, but that decision did not relate to this issue tonight. Mr. Lipps clarified that the expenditures being considered tonight related to infrastructure to create new lease land, a stormwater area, the run-up area project, and fencing in FBO #2. He pointed out that if the Commission awards this contract, the City would need to have the FAA grant to fill the gap in the funding.

Commissioner Kelley asked if it would be a breach of contract to extend the FBO #1 contract.

Mr. Hayes stated he had not reviewed the contract and could not provide a definitive answer; however, he noted he was not aware of anything to prevent the City from negotiating new terms of any contract.

Mr. Turner noted that he has participated in many negotiations of FAA leases. He pointed out the Commission would make decisions based on the investment and value to the land, but the asset would belong to the City of Ormond Beach.

Commissioner Kelley stated he doubted that it would be a breach of FAA violations to lease land.

Mr. Hayes reported he would investigate this issue.

Commissioner Partington stated he was not comfortable voting at this point. He noted Mr. Thompson had previously made allegations against the City, with a formal complaint to the FAA, and it was dismissed without further action. Commissioner Partington reported that allegations were again being made without a good showing from City staff or from the applicant. He noted he would agree to table this in order to hold a workshop, allow Aviation Advisory Board review, or to hold a joint workshop with the Aviation Advisory Board.

Mr. Turner stated staff should probably have provided a staff presentation on this item as well. He offered Mr. Lipps the opportunity to respond and noted Mr. Lipps had answered probably two to three e-mails per day on this issue to the two gentlemen who had spoken tonight. Mr. Turner explained that these two individuals would like the opportunity to lease this property; therefore, there were competing interests involved, and the Commission was receiving only one side of the issue.

Commissioner Partington noted he could not obtain sufficient information from Mr. Lipps and would prefer the information from the Aviation Advisory Board or individuals supporting this project.

Mr. Turner noted the City a representative from Hoyle Tanner was available to answer questions.

Mr. Neil Tomlinson, 92 Hangar Way, reported he had a business at the airport since the early 1990s. He stated he built a hangar in 1997 or 1998 and was promised a road, but that road still does not exist. He noted the lack of infrastructure would eventually force him to leave, and he spent a lot of money on his business. Mr. Tomlinson disagreed that the airport did nothing for the community. He noted his company provided helicopter aerial surveys for power lines during the hurricanes and much more. Mr. Tomlinson stated that to not provide a road was economically disastrous, and it was more advantageous to build in today's dollars than to wait.

Mr. Russ Holliday, Hoyle Tanner and Associates, registered engineer, stated he supported the project, and he was professionally responsible for signing and sealing the design. He noted he had worked on the project since 1998, and further delay would put the City in jeopardy of not receiving grant funding in that it had been delayed previously and he was informed there would be no more delays possible. Mr. Holliday reported they have permits, a good bid, and support from the FAA and FDOT.

Mayor Costello asked for clarification of the terms "taxi lanes" and "taxiways." He also asked if Mr. Holiday envisioned any problem with the grant being accepted.

Mr. Holliday explained a "taxiway" was moving an aircraft off the primary runway or taxiway to a secondary, tertiary taxiway and a "taxi lane" was primarily to move an aircraft to a parking position. He reported he would imagine that the FAA was aware that taxi lanes and taxiways were part of the project. Mr. Holliday pointed out that one difference was that the City would be using FAA entitlement money rather than FAA discretionary money, which may have different rules.

Mr. Thompson stated that merely because both terms were used in the FAA grant application did not mean the FAA was aware of that fact. He questioned if it was noted in the grant application that the beneficiary would break the area into condominiums. Mr. Thompson offered to send a copy of the FAA document to Commissioner Kelley so he could read the section on leases. Relative to the FAA complaint he filed last year, Mr. Thompson indicated the complaint was not dismissed, but "no action" was taken by the local office, and it was not a judicial review.

Commissioner Partington stated the FAA was taking no further action.

Mr. Thompson indicated the local office stated it was not a judicial review, which left it open to go to Washington.

Commissioner Boyle concurred that a staff presentation would not sufficiently clarify this issue. He stated whether extending the lease for FBO #1 was a violation of FAA regulation or not, his question was why not allow the lease to expire, allow the land to revert back to the City, and open the land up for bids. Commissioner Boyle questioned what revenue the City would receive from the same tenant from FBO #2 to justify this major concession on FBO #1. He noted Ormond Beach had committed nearly \$2 million in capital improvements to an airport that barely broke even operationally. Commissioner Boyle reported he had not seen a business plan or a marketing plan. He recommended a workshop be scheduled with better staff reports.

Mayor Costello clarified that the Commission was considering Item No. 10(E), which would create a single stormwater system, open up six new lots, create taxi lanes, and create the ability to have 42 hangars, a run-up area, and fencing. He stated \$173,660 could be a capital investment to Sunrise Aviation to stimulate that development. Mayor Costello noted this was not related to renegotiating a lease for FBO #1 or a condominium.

Commissioner Kent reported there was a breakdown in communication. He advised he spent two hours with Mr. Lemke and Mr. Lipps who both did a fine job. Commissioner Kent shared Commissioner Partington's concerns relative to Mr. Thompson's allegations and pointed out that the City paid \$14,000 in attorney fees to defend itself from that attack. He stated the Commission was only hearing one side of the issue, and he would be more comfortable with Sunrise Aviation at a workshop within 60 days.

Mr. Russ Holiday warned that a 120-day construction period was needed and other actions must take place prior to that.

Mr. Lipps recommended a meeting within two weeks because the bids that have been accepted have a schedule, and more lead time on award of a bid was needed. However, he requested the Commission authorize the grant tonight because the FAA required a March 17 acceptance, and it may not be on the table if that date was not met. Mr. Lipps asked that the \$109,000 FAA grant be accepted tonight; however, the money would not be drawn down unless the City would award a construction contract.

Mr. Turner recommended a workshop be scheduled at the airport to show the Commission what was needed, where it was needed, and where the benefit would be to open new lease areas.

Commissioner Kent conceded to a shorter time frame requesting three weeks, but he could not attend a meeting in two weeks in that he would be out of town.

Mayor Costello stated if a meeting could not be set earlier, the Commission was already scheduled to meet on April 5 for a "Focus Workshop" and that could be postponed to discuss this item.

Mr. Turner recommended his staff contact the Commission to arrange a date.

Mayor Costello noted the April 5 meeting would be the last possible date, and if an earlier date could be arranged, that would be preferable. He recommended accepting the grant tonight, not spending the grant funds, and meeting in a workshop to discuss the issues in greater detail.

Commissioner Kent questioned if a one and one-half hour meeting would be sufficient. He recommended a four-hour meeting with the April 5 date to conclude discussions, if necessary.

Mr. Turner urged discussion be limited to these three items. He stated the lease negotiations have not been finalized. He pointed out that the Aviation Advisory Board had established priorities for lease agreements. Mr. Turner conceded discussing the lease agreement would require a lengthy meeting, but these three items may not require such a lengthy meeting.

Mayor Costello recommended the Commission participate on a tour of the airport even if it were one-on-one with staff. He requested the minutes from tonight be provided along with a response from Sunrise Aviation to better prepared the Commission.

Commissioner Kelley stated that the discussion regarding the leases and the condominiums had no bearing on the decision that had to be made tonight. He pointed out who would eventually obtain the leases was not pertinent to this discussion, and Sunrise did not have to be present for this discussion. Commissioner Kelley pointed out this vote related only to improving the structure of the airport, which was a simple issue. He noted merely because Mr. Thompson indicated the City would be obligated to give the lease to Sunrise Aviation after the improvements were made did not make it accurate since the Commission would make the decision as to who would receive the lease. Commissioner Kelley recommended the

Commission proceed and make a decision as to whether to apply for the grants to improve the situation for the stormwater and the roads, which he considered were needed.

Mr. Turner stated the City had been accused of violating and mismanaging issues. He noted the City had to obtain outside assistance, not only from an attorney, but from the State Fire Marshal's office and various State inspection agencies. Mr. Turner note inspections were completed, and some improvements were made; but as a rule, the City was operating under rules and regulations, and Mr. Lipps deserved a great deal of credit for doing an outstanding job. He reported many issues mentioned tend to distort the issue in question tonight. Mr. Turner stated opening up additional areas for lease had been worked on for many years, and he noted any improvements made would remain in City control.

Mayor Costello stated the Commission had the opportunity to accept infrastructure, delay infrastructure, or oppose infrastructure, but Item No. 10(F) may be the item to discuss in a workshop setting.

Commissioner Boyle stated that the City was two days away from a grant deadline. He stated the FBO #1 lease and condominium was in the report by staff as impacting this issue. Commissioner Boyle noted the requirements of this tenant would shut the other FBOs out of the bidding causing a domino effect that one decision would sequentially impact the next decisions. He reported this would violate the spirit of the FAA requirement, good business practices, and the future health of Ormond Beach.

Mayor Costello stated when facing the lease, the Commission must decide if the City would be provided enough value to provide a longer lease for the capital improvement the tenant would be willing to make; however, that was not on the table tonight.

Call Vote on Item No. 10(E):	Commissioner Kent	yes
	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Boyle	no
Carried.	Mayor Costello	yes

Mr. Lipps asked that the Commission address Item No. 10(D), the FAA grant.

Mayor Costello clarified Item No. 10(D) would only approve a grant to pay for what was just approved in Item No. 10(E).

Mr. Ted MacLeod, Assistant City Manager, advised that the Commission had already approved the \$15,708 for the signage and this would approve the \$196,922 for the southeast quad.

Call Vote on Item No. 10(D):	Commissioner Kelley	yes
	Commissioner Partington	yes
	Commissioner Boyle	no
	Commissioner Kent	yes
Carried.	Mayor Costello	yes

Item #10(F) – Correcting the Shape and Location of “FBO Lease Area 2”

RESOLUTION NO. 2005-66

A RESOLUTION APPROVING AN AMENDMENT TO THE AMENDED LEASE AGREEMENT BETWEEN THE CITY OF ORMOND BEACH AND M.A.C. CHARTER, INC., D/B/A SUNRISE AVIATION, INC., REVISING THE SHAPE AND LOCATION OF “FBO LEASE AREA 2”; AUTHORIZING THE EXECUTION OF A SECOND AMENDED LEASE AGREEMENT RELATIVE THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Kent, to approve Resolution No. 2005-66, as read by title only.

Mayor Costello explained that this would merely correct the coordinates or description of the property. He noted this was not approving a new lease.

Mr. Thompson stated the Commission had now changed from 40 T-hangars to 30 T-hangars and six corporate hangars to condominiums.

Mr. Lipps stated this was not the condominium issue; it was merely a change in the legal description; however, he noted Sunrise has requested condominiums and larger hangars be considered. He noted there could be 40 hangars, but only 37 hangars were contemplated.

Mayor Costello asked if passing this would commit the City to condominiums; whereby, Mr. Hayes and Mr. Lipps advised it would not commit the City to condominiums.

Mr. Lemke stated this new redesign would move it closer to the taxiway for better access for condominiums and hangars for the future.

Mayor Costello reiterated this would only approve a different legal description of the land. He noted the plan Mr. Lemke noted was only a suggested plan.

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

Mayor Costello asked Mr. Turner to schedule a workshop regarding lease and/or future improvements at the airport to provide the Commission comfort on the issues before those issues come before the Commission for consideration.

Mr. Hayes stated it would be helpful to know if the Commission would like to see a renegotiated lease. He questioned what the Commission's expectations were.

Mr. Turner asked Mr. Lipps how long they had been working on the lease, and Mr. Lipps answered approximately two years. Mr. Turner asked if negotiations were near completion; whereby, Mr. Lipps replied the negotiations were near completion. Mr. Turner requested the Commission allow this document to be completed, since discussions were difficult in a conceptual arena and it would be better to have an actual document in hand.

Mayor Costello suggested a workshop be held where specific entities would come before the Commission that would give the advantages of approving the new lease due to whatever capital improvements would be committed to, which would include the benefits to the City and to the tenant, or what benefits would be realized if the City were to wait, no additional capital improvements would be made, and the land would be bid out in 2013.

Commissioner Boyle stated any meeting that would clarify the issues would be acceptable. He noted he wanted an explanation to defend the City from the assertion that the Commission was being leveraged to grant a monopoly for building T-hangars to one tenant in order to obtain capital improvements. Commissioner Boyle reported that this was the perception in the Community.

Commissioner Kelley asked for clarification that the City funding that was allocated for the airport came from a fund that could only be used for this purpose; whereby, Mr. Turner advised that was correct.

Item #11(A) – Central Business District Tax Increment Financing Fund Projects

Mayor Costello stated three options were available regarding the Central Business District Tax Increment Financing (TIF) fund projects: approve \$200,000 additional TIF funds, approve an additional \$21,336 for Scotty's to receive a full grant, or no new dollars be approved and Scotty's would only receive \$78, 664.

Commissioner Boyle noted Option 4 would be to give one \$50,000 grant which was the spirit of what the Commission envisioned.

Mr. Mike Boucher, Chief Planner, explained that the criteria allowed for Scotty's to apply for separate grants for each of the buildings, but the Commission may certainly approve a single \$50,000 grant.

Commissioner Boyle questioned who wrote the criteria to allow more than one \$50,000 grant. He noted the Commission's intent and instruction to staff was clear to allow \$50,000 per entity. Commissioner Boyle questioned why Option 4 was not recommended as a staff option.

Mr. Turner stated staff felt it was important and prudent to inform them of all of the projects. He pointed out staff explained to the applicant the criteria and the rules. Mr. Turner noted staff

recognized that Scotty's was a major project in terms of the size and scope of the impact; the building was very old; and this was an excellent opportunity for redevelopment.

Commissioner Boyle stated staff allowed this application to proceed for Mr. Turner's reasons, not the Commission's reasons. He noted he understood the reasoning, but it deviated 180 degrees from what the Commission directed, and the applicant now legitimately believed he had the right to apply for two grants.

Mr. Turner noted he would check the minutes of the meeting, but he believed staff was told that if a project deviated, they were to bring it to the Commission. He reported staff informed the applicant they would take the request to the Commission, but they did not make any promises, and the applicant understood the limitations.

Commissioner Boyle asked if staff supported the applicant's request for two grants.

Mr. Turner stated staff routinely provided recommendations, and many times the Commission would deviate from those recommendations.

Commissioner Boyle reiterated that staff made a recommendation, the Commission rejected that recommendation, and now that recommendation was back.

Mr. Turner noted the Commission would also fault staff if there was a major project of this size, and staff told them they could not apply for the grant and did not take it to the Commission for consideration.

Commissioner Boyle noted he would only fault the City Manager when he failed to follow the policy directives of the Commission, which had clearly occurred on this issue.

Commissioner Kent stated this program was working well, and the City could reap the rewards for years to come. He questioned if Option 1 should be approved, if Scotty's would have to come back before the Commission for approval.

Mr. Boucher noted those applications were pending. He stated there were funds for the first applicant, but the Commission would have to approve additional funds for the second if they wished to do so.

Mayor Costello stated he originally favored limiting the amount to \$25,000; however, he thought the Commission established a higher threshold for special projects. He noted he would prefer to limit Scotty's to the \$28,000 that was remaining from the previous grant on top of the \$50,000, and the \$200,000 could be used for new projects. Mayor Costello stated he could not imagine another building, other than Rinkers, that would have as great an impact.

Commissioner Partington favored Commissioner Boyle's Option 4 and approving the remainder of the recommendations listed on page 5 of the report.

Commissioner Kelley expressed disagreement with the Lincoln Avenue streetscape and with the \$40,000 purchase of trees for Rockefeller Gardens. He stated he preferred to sell the four palm trees for \$40,000. He recommended investigating a longer range program for the corner of Granada Boulevard and US1, specifically the trailer park, which would make a real improvement to the downtown area. Commissioner Kelley noted Rinkers just sold property in South Daytona, and there may be a possibility for improvement on their Ormond Beach site.

Mr. Boucher stated this was a topic staff would be covering tomorrow in a briefing session with the Commissioner. He pointed out that these projects do not require an amendment to the Downtown Master Plan in that they were already contemplated in the existing plan, and the money was allocated in the TIF funds for the projects. Mr. Boucher explained that consideration of the broader redevelopment and consolidation of parcels would begin in May where staff would meet with the Chamber of Commerce, downtown landowners, and Ormond Main Street to establish a strategy to amend the Downtown Master Plan, which would address important intersections and underutilized parcels.

Commissioner Kelley pointed out there were already streetlights on Lincoln Avenue; and if there was an opportunity to improve other areas in the future, it would not make sense to approve this expenditure.

Commissioner Kent asked what kind of lighting was envisioned for this \$125,000.

Mr. Boucher explained the lights would be similar to that on Tomoka Avenue, which was green coach lantern lighting.

Commissioner Kent stated the Lincoln Avenue residents have been waiting for this signage and lighting for a long time, and he pointed out that this was in the City's historic district. He reported he would favor Option 4 as well as the other recommendations.

Commissioner Kelley noted the Commission had prior discussions regarding this issue that he was not privy to; therefore, he would concede to the wishes of the Commission.

Mayor Costello reported the consensus of the Commission was to approve the \$50,000 and add the additional redevelopment grant funding.

Commissioner Boyle noted he would approve the lighting on Lincoln Avenue.

Mayor Costello advised the consensus was to approve the lighting on Lincoln Avenue.

Commissioner Boyle noted he opposed the \$12,000 for the palm trees.

Commissioner Partington noted the \$12,000 was for the palm trees as well as other items that had already been approved in the master plan. He pointed out that if the City tried to sell the trees, they may not be able to sell them for \$40,000. Commissioner Partington stated he was in favor of the Rockefeller Gardens improvements.

Commissioner Kent concurred regarding the expenditure for the Rockefeller Gardens improvements.

Mayor Costello agreed with Commissioner Partington and Commissioner Kent relative to the Rockefeller Gardens improvements. He urged the City to seek a drainage plan for Rockefeller Gardens.

Item #12 - Reports, Suggestions, Requests

National League of Cities Conference

Commissioner Partington reported he had the opportunity to attend the National League of Cities conference in Washington, DC where he, Commissioner Kent, and Mr. Turner lobbied diligently, meeting with staff from Congressman Mica's office, Senator Nelson's office, and Senator Martinez's office as well as with Congressman Mica himself. He noted he believed the fruits of these meetings would become evident in the next few months. Commissioner Partington pointed out these legislative offices were in tune to Ormond Beach issues. He stated Mr. Turner took the lead in discussing FEMA funding where they changed rules as to what they would and would not pay for, and the legislative offices were very receptive. Commissioner Partington explained another topic of discussion was the Interchange study for Ormond Crossings, and they were also receptive to ideas presented on this issue. He stated discussion also included Central Park and all Ormond Beach recreation facilities in relation to the Land and Water Conservation fund grant process. Commissioner Partington noted there were a number of opportunities the City had to utilize that grant process, and information was received as to the best way to make successful applications.

Airport Manager

Commissioner Partington asked the Commission to send a request to the Aviation Advisory Board to study the possibility of hiring a full-time Airport Manager. He reported this was discussed last year and the concept was discarded due to budget concerns; but the problems and confusion experienced tonight would fully support the need for an Airport Manager to develop an intelligent plan for the airport that would satisfy the needs of the people using the airport and the needs of the City.

Commissioner Boyle stated an Airport Manager would cost the City \$1 million over the next ten years. He reported tonight would have gone better if there was more thinking on the agenda, and if some of the questions were answered in advance.

Bond Issue

Commissioner Boyle stated the bond issue failed because the Commission added many items to each of the questions; the materials that went out were very professionally done, making people distrustful of the process, and the date for the election was very carefully projected to be early February and due to concerns of objections to ballot language contrarians, it delayed the election date an additional two months.

Ormond Aviation Fuel Farm

Commissioner Boyle stated there was a hearing before the Special Master regarding the Ormond Aviation Fuel Farm on February 28, and he agreed to testify; however, once he agreed to do so, the City's Legal Department could not represent the City in that process. He noted staff made a decision to hire private counsel to represent the City, and the hearing ultimately decided in favor of the defendant company. Commissioner Boyle noted he found it troubling that the remedies that the Fire Chief was asking were estimated to cost \$600 to \$1,000, and the cost of the legal counsel, preparation for the hearing, staff time, and the cost for the Special Master far exceeded that amount.

Car Break-ins at Neptune Approach

Commissioner Boyle stated car break-ins continue on a daily basis at the Neptune approach. He reported a resident living at that approach was willing to place the monitors for a tape system on his property, and when a break-in would occur, the tapes would be made available to law enforcement. Commissioner Boyle stated that since this was an area with joint jurisdiction, both entities could pay for the equipment.

Beach Closings

Commissioner Boyle reported the beach was again being closed for soft sand making beach access worse than ever.

Jail Break

Commissioner Boyle reported he was not comfortable that the City was investigating itself on the issue of the jailbreak. He stated this should require an outside investigation.

Noise During Bike Week

Commissioner Boyle anticipated the noise situation on North Beach Street becoming progressively worse during Bike week. He stated the City needed help with speeders and the noise situation.

Traffic Citations

Commissioner Boyle reported he was trouble by the notice in the Friday letter relative to the drop in citations, that the City was poling officers, and that it was being asserted that because the contract had not been settled and their morale was low, that the officers were not writing as many citations.

Special Master Hearing

Commissioner Kent stated he was unaware Commissioner Boyle testified at the Special Master hearing. He asked for the exact cost to the City for outside counsel.

Commissioner Boyle replied the City had not yet been billed; therefore, that information was not yet available.

Mr. Hayes reported he just received the bill, which was about \$1,300 to \$1,400, and \$300 to \$400 for the Special Master fee.

Washington DC Trip

Commissioner Kent stated each time Mr. Turner requests permission to take a trip, he seems to be chastised; but he attested to the power in Mr. Turner's voice and walk and to his knowledge of the issues during these trips. He noted Mr. Turner had a great way of relaying Ormond Beach's needs. Commissioner Kent stated positive relationships have been formed between the legislators and Ormond Beach through Mayor Costello, Mr. Lipps, and Mr. Turner. He reported these legislators know Ormond Beach, and rely on Ormond Beach representatives to go to them and provide them with what was necessary to do what was right for Ormond Beach citizens. Commissioner Kent stated Ormond Beach was seeking \$500,000 for the Ormond Crossings study, but there was \$1.1 million coming to Ormond Beach on the house side and the senate side was also enthused. He reported Congressman Mica was quite formidable, and Ormond Beach was fortunate he was a friend. Commissioner Kent noted he was uncertain of the cost of the trip, but Mr. Turner was a great asset in acquiring the \$1.1 million. He stated the great positive relationship Ormond Beach enjoys with its representative and senators was evident.

"Coffee with the Commissioner"

Commissioner Kent noted "Coffee with the Commissioner" was growing. He noted the next "Coffee with the Commissioner" would be held at his home on April 4 where citizens would have the opportunity to share their thoughts and concerns.

Recreational Fields

Commissioner Kelley thanked Mr. Alan Burton, Leisure Services Director, and all of those associated with the improvements to the recreational fields. He thanked Mr. Ted MacLeod, Assistant City Manager, for his efforts in the improvements to the baseball field, parking lot, and roads.

Florida Memorial Hospital

Commissioner Kelley stated he received a mail out indicating that any negotiations with Florida Memorial Hospital were too late. He stated while he believed the hospital would have liked to stay in the area, they believed that staying in the same location would not be best for them no matter what the City would have done. Commissioner Kelley read a statement made by Commissioner Boyle and Mayor Costello from the December 2002 minutes. Commissioner Kelley noted that Commissioner Boyle stated that he was in agreement with everything except funding; that he had no problems with the height restrictions, the street vacations, or wetland impact because of the green space ideas, the isolation of areas and no significant residential impact. He reported Mayor Costello then stated that when he heard he was supported from four members of the Commission for everything except funding, he stated the City could assist in vacating roads, acquiring property by eminent domain, possibly providing effluent water, and moving of the underground utilities. Commissioner Kelley stated the Commission did a great deal at that time for the hospital.

Changes from Commissioner Kelley's Previous Term

Commissioner Kelley stated many things had changed since he last served as Commissioner in 1997, such as the meetings were longer, the books heavier, and the e-mail was incredible. He recommended the Commission consider converting to laptops for agenda packets and the Friday letters. Commissioner Kelley reported technology would allow highlighting areas of concern, a practice he and probably other Commission members favor. He stated the savings in staff time in assembling the books and in the productivity that could be gained would make the conversion worthwhile. Commissioner Kelley requested staff investigate this possibility.

Sheriff's Department Training Facility

Commissioner Kelley stated he visited the Sheriff's Department Training Facility where he shot guns, watched the dogs find drugs, learned about the dogs training procedures, and visited the communications center.

National League of Cities Conference

Mr. Turner stated he would provide a written report relative to the National League of Cities trip. He expressed his thanks to Commissioner Partington and Commissioner Kent for attending on Friday when they would have more time with the legislators and their staff. He also thanked Commissioner Kent for his comments. Mr. Turner concurred that it was important to build relationships, and the Commission had greatly improved in this area. He noted Ormond Beach was earning a reputation for being involved and looking for ways to improve the quality of life in Ormond Beach.

Hurricane Conference

Mr. Turner thanked the Commission for approving the conference tonight. He noted he received a notice relating to a hurricane preparedness conference for the first week in May. Mr. Turner reported he would provide the information for the next agenda regarding his attending this conference on such a vital topic.

Airport Manager

Mr. Turner noted the Aviation Advisory Board had consistently advocated hiring an airport manager.

Hiring Special Counsel

Mr. Turner stated the Commission was directly over both he and the City Attorney, and the City Attorney must also supply support to staff on a myriad of legal issues. He noted when the City Attorney's office indicated they had a conflict of interest at a Special Master's hearing, he wanted staff to have legal representation, and the cost for this was not known at that time.

Car Break-ins on the Neptune Approach

Mr. Turner stated he would investigate the situation of the car break-ins and the possibility of the City availing itself of the citizen's offer to place the monitors for a tape system on his property at the Neptune Approach.

Escapee

Mr. Turner stated the Commission would be provided a report on the escapee situation when it was completed. He stated Sergeant Kenny Hayes was responsible for conducting the internal

affairs investigation, and he expressed complete confidence in Sergeant Hayes' ability to conduct that investigation.

Drop in Traffic Citations

Mr. Turner noted the drop in traffic citations was of concern; however, Volusia County was also experiencing a drop in traffic citations throughout the County. He stated there was a reduction in the number of fines, but not in the number of traffic stops and warnings.

Grant Opportunity

Mr. Turner stated there was an item in the Friday letter regarding a grant opportunity with FDOT for infrastructure improvements on the southwestern quadrant at the airport. He noted staff would meet with the Commission on March 29 regarding this grant opportunity. Mr. Turner reported this grant opportunity only recently became available, and the grant application must be completed by April 1.

SR40 Bike Trails

Mayor Costello stated FDOT District 5 Secretary George Gilhooley provided information regarding SR40 bike trails. He urged staff to coordinate how the landowners would be approached regarding the possibility of having the land donated legally so the City could obtain federal funds for the bike trails. Mayor Costello noted he would work on this issue through the MPO as well.

Ace Hardware

Mayor Costello requested a report on why Ace Hardware was being treated differently than Lowe's or Home Depot relative to allowing outdoor displays.

Bike Week

Mayor Costello stated he enjoyed a ride-along during Bike Week with the Division Chief. He recommended making some requests of the Sheriff's Department, such as making the pedestrians wait longer to cross US1 to allow traffic to flow better and initiating a discussion for new roads. Mayor Costello stated SR40 from I-95 to Nova Road was backed up; Nova Road to Orchard Street flowed somewhat; and there was solid traffic from Orchard Street to A1A. He noted two solutions were to extend Hand Avenue across I-95 to the west and completing construction on Tymber Creek Road to LPGA. Mayor Costello requested this be placed on an agenda so the Commission could go on record favoring this recommendation so it could be taken to the MPO. He noted it would take years to accomplish, but the City should start working on it.

Co-consolidation

Mayor Costello noted Mr. Rick Lovell provided information regarding the co-consolidation issue in the Orlando area with the radio controllers. He stated if there was something the Commission needed to do to become involved in this issue, it should be done to keep those jobs in this area and possibly bring the Jacksonville and Orlando jobs to Volusia County.

Commissioner Boyle reported he did not receive the e-mail on this issue.

The other Commission members concurred they also had not received the e-mail.

Mayor Costello stated he thought the Commission received the e-mail and noted he would send it out tomorrow.

ECHO Grant

Mayor Costello requested the Commission be notified what ECHO grants the City would be applying for next year as soon as possible. He asked for the grant tracking to see what grants have been received and what grants could be applied for early in the process.

Walgreen's

Mayor Costello stated the staff and the boards were to be the defenders of code, and they need to be as diligent as possible in that pursuit; but it was a Commission decision when there were gray areas such as for Walgreen's.

Traffic Citations

Mayor Costello noted he would prefer the increased warnings and the decreased number of citations since the goal was traffic safety. He recommended budgeting less money next year from citations and urged the officers to be more flexible and more interested in safety than in generating revenues. Mayor Costello expressed a strong disappointment with the linkage of decreased citations to any bargaining or morale issues. He recommended personal business cards for all of the officers, since they were professionals and needed to be treated as such.

Mayor Costello reported he would vote the same way for the police contract as he had for the fire and general employees.

Florida Police Athletic League Magazine

Mayor Costello stated the Florida Police Athletic League Magazine had an article regarding the Ormond Beach PAL program. He asked that each Commission member be provided a copy.

Airport Manager

Mayor Costello stated he was not ready to approve the hiring of an airport manager, but he would listen to the Aviation Advisory Board's rationale for hiring one. He noted the current Airport Manager spent most of his time being a mediator between parties with differing opinions, and that would not change with the hiring of an airport manager.

Bond Issues

Mayor Costello stated he would like to believe the community would accept a bond issue, but he did not believe it would. He noted as was mentioned earlier, the people who vote on bond issues were not those who typically support bond issues.

Neptune Approach

Mayor Costello expressed support for Commissioner Boyle's recommendation and urged finding out who should fund the cameras at the Neptune approach.

Beach Permit

Mayor Costello stated if the City would need new resolutions or anything else to obtain the beach permit and have the poles moved, it should be done so no impediments would exist.

Commission Zone Meetings

Mayor Costello encouraged each Commissioner to have an annual town hall meeting in their zone similar to Commissioner Kent's "Coffee with the Commissioner."

Memorial Hospital

Mayor Costello stated the Commission agreed to concessions in the Memorial Hospital workshop, but at the first opportunity the City had to support the hospital, it was not taken. He considered bringing this issue up to be advantageous to Ormond Beach because either the Commission would go on record to support all necessary moves to keep the hospital where it was now, which would make it more difficult for the hospital to obtain their permit for the new site because the challenge from Halifax Hospital would be gaining strength, or Ormond Beach could help Memorial in the challenge from Halifax Hospital because Memorial could then legitimately indicate they had no other choice. Mayor Costello reported it was not known how long the Halifax Hospital challenge would take, and the delay would not be good for Ormond Beach residents.

Item #14 – Close the Meeting

The meeting was adjourned at 11:30 p.m.

APPROVED: _____ April 5, 2005

BY: _____
Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk