

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

September 16, 2004 8:00 p.m.

Present were: Mayor Fred Costello, Commissioners Jeff Boyle, Troy Kent, Scott Selis, 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 City of Ormond Beach Ambassador Joyce High.
- 3) Pledge of Allegiance.
- 4) Second Public Hearing to adopt the FY 2004-2005 proposed millage rates and budget.
 - A) Resolution No. 2004-146 establishing the millage rates to be levied for Fiscal Year 2004-2005; directing certification; expressing legislative intent. (Operating millage rate of 3.28531 and debt service millage rates of 0.56283 and 0.04624.
 - B) Second Reading of Ordinance No. 2004-38 adopting the Annual Budget of the 2004-2005 Fiscal Year beginning October 1, 2004, and ending September 30, 2005. (\$92,104,326)
- 5) **ORDINANCE** No. 2004-41 enacting temporary emergency administrative procedures to provide for the expeditious and coordinated management of building permit applications and fees; waiving specific permits and fees issued for the removal of certain trees; establishing a method of enforcement of the Florida Building Code such that on-site permits may be issued by appropriate City staff for repair of damage caused by Hurricane Charley and Hurricane Frances; providing for the repeal of all ordinances in conflict herewith; superseding Ordinance No. 2004-37; providing for severability, and setting forth an effective date. (First and Only Reading)
- 6) **RESOLUTIONS:**
 - A) Acceptance of airport grants:
 - 1) Resolution No. 2004-141 approving the form of a grant agreement between the City and the Federal Aviation Administration regarding the extension of Runway 17/35 at the Ormond Beach Municipal Airport, authorizing the execution of an agreement (\$38,673).
 - 2) Resolution No. 2004-142 authorizing the execution of a Joint Participation Agreement between the City and the Florida Department of Transportation to perform an updated environmental assessment at the Ormond Beach Municipal Airport (\$625)

- 3) Resolution No. 2004-143 authorizing the execution of a Supplemental Joint Participation Agreement between the City and the Florida Department of Transportation to construct electrical and signage improvements at the Ormond Beach Municipal Airport (\$392)

7) **DISCUSSION ITEMS:**

- A) Review of ordinances relative to nuisance animals.
- B) Pond maintenance at 49 Pine Trail.
- C) Central Park Upcoming Grant Applications.

- 8) Close the meeting.

Item #1 - Call to Order

Mayor Costello called the meeting to order at 8:00 p.m.

Item #2 - Invocation

City of Ormond Beach Ambassador Joyce High gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led the Pledge of Allegiance.

Item #4 – Second Public Hearing – FY 2004-2005 Millage Rates/Budget

Mayor Costello stated, per *Florida Statute*, he was required to advise the public the proposed millage rate for the City of Ormond Beach necessary to fund the FY 2004-2005 budget was 3.28531 mil which was a 33.77% tax increase over the rollback rate. He stated this is a public hearing, and the audience would be allowed to speak.

Mayor Costello stated the Finance Department advised the principle reasons for the tax increase were increases in personal services of \$1.6 million with ½ employee position added (salary adjustments, pension costs and insurance increases), increases in operating costs of \$680,000 for fuel, electricity for City facilities, transfers of \$200,000 for Fire Station No. 1 relocation, technology equipment lease, increases in capital improvement spending supported by tax revenues of approximately \$402,000 for the Nova Community Center, Airport Sports Complex, South Ormond Neighborhood Center and Osceola Park. He stated the Budget Advisory Board recommended a 36% increase and the Commission added \$450,000 for salary increases increasing the proposed tax increase to 46%. He noted at the last meeting he recommended splitting the Nova Community Center paving into two years for a savings of \$437,500, delaying Granada Boulevard and Granada Bridge landscaping improvements and the welcome signage of \$77,000. He stated the Commission did not support delaying the lightning protection at the Airport Sports Complex. He stated Commissioner Selis recommended delaying the MacDonald House repairs of \$25,000 and delaying the sealing of City parking lots for \$23,000, and Commissioner Partington recommended decreasing the contingency fund by \$31,000. He stated the Commission had added \$256,171 to the staff recommended budget to keep the Fund Balance at 12%.

Mayor Costello stated at the last meeting some of the issues brought forward were:

- Rollback

- Save Our Homes
- Why some of the projects turned down on the bond referendum were coming before the Commission at this time
- Grading versus paving of roads
- Growing services and expanding government
- Sales and increase of rates
- Impact fees
- Airport
- Nova Road
- Nova Community Center
- Football stadium
- Spin doctoring
- Stick to the facts
- Dollars from new growth
- Increased assessments
- Squandering dollars
- Timing of last week's meeting
- Bankers
- Customers
- We, the residents, are the customers of the government
- No gumption to say no
- That is what got you elected
- Quality of life?
- Helicopter pad
- Runway extension
- Welcome signs, no or yes?
- What is going to happen at the next election based on how you vote
- Citizens for Ormond Beach recommended delaying some projects
- 2% versus 6% raises
- Voting
- What items raised, what items are necessary
- Hurricanes and the services about them
- Pensions
- Rescheduling
- Staff recommended 15%, why are we going beyond 15%
- Facts, figures and solutions
- Free fire protection outside our borders
- More density on our borders
- Service area to Daytona Beach
- FEMA impact, help for Charlie and Frances
- Fiscally and morally irresponsible
- Wish list items
- Pay increase
- Overreaching projects
- Median beautification and maintenance
- Increases at Airport Industrial Park
- Water and sewer rate increases
- Pass a resolution

- Bureaucracy--I resent it
- \$300,000 traffic signal at Neptune
- Some issues are not exactly accurate, but it is what the people said.

Mr. Tony Welch, 81 Dianne Drive, applauded Mr. Joe Radcliffe, Public Information Officer for the information provided on the website. He suggested people using the facilities such as The Casements, playing fields and Senior Center should consider raising money for the facilities and CIP items.

Ms. Dot Moore, 170 Lindenwood Circle, stated she supported the tax increase in order to maintain the quality of life in Ormond Beach, and she challenged the Commission to move forward with vision for the future.

Mr. Stan Stockhammer, 24 Shadow Creek Way, stated the ball fields were flooded and damaged after the recent hurricanes. He stated his opinion that a comprehensive road and maintenance plan was necessary. He stated he supported the Commission's efforts in the rate increase. He asked the Commission to think about the kids in their budget.

Mr. Doug Wigley, 35 Forest View Way, stated he supported the tax increase as it showed vision for the children. He stated Ormond Beach Youth Baseball and Softball Association (OBYBSA) was a volunteer organization which paid for its program. He stated for ten years they have anticipated the roads and parking lot being paved, stormwater management, and quality on the ball fields. He stated the children must come first as they are the future of Ormond Beach.

Mr. John Restuccia, 63 South St. Andrews Terrace, stated the recreation facilities were state of the art ten years ago but have not been refurbished. He noted 50 loads of sand had been trucked into Ball Field #3 for rain water runoff. He stated about 800 children were involved in OBYBSA and that it was disheartening when needed improvements were turned down.

Mr. Ray Diggle, 10 Lost Spring Way, stated his primary concern was prioritization of projects and the spending of the budget to keep it in the realm so it was affordable for all citizens. He stated he was in favor of funding facilities such as The Casements through some type of admission. He suggested utilizing alternatives as mentioned by Commissioner Boyle and trying to be reasonable in the tax increase.

Mr. Helmut Rothenbuecher, 387 Muddy Creek Lane, stated there was a shortfall of income versus expenditures, which he stated could eventually bankrupt the City. He stated the Commission owed the public a clear cut explanation of the budget, because nobody understands what is going on in the City.

Mr. Adrian Thompson, 6 Dorado Beach Court, stated he had not received information on airport budget matters to date. He stated the Commissioners were amateurs functioning under the advice of the City Manager and department heads who were responsible for the City's financial state. He suggested the City Manager and directors should be rewarded by cutting their pay by the amount of the tax rate or resign from their positions.

Mr. Charles Rouse, 209 Rio Pinar Trail, expressed his appreciation to Commissioner Boyle for trying to keep the tax increase at a reasonable level. He stated his opinion that Commissioner Boyle was a champion of the people.

Ms. Marilyn Patricia Hayes, 458 Triton Road, stated her opinion that now was not the time to raise taxes, and she stated she favored rollback. She stated City construction caused damage to her driveway, and the recent hurricanes caused major damage to her home.

Mr. Rick Orfinger stated his opinion that a tax increase was necessary in order to maintain the quality of life in Ormond Beach. He stated the lightning detection system was important to him, and he favored installing this system at all facilities for the protection of our children and grandchildren.

Mr. Glen Jaspers, 160 Ocean Terrace, stated this City has spent more money within the last ten years on parks, leisure services and recreation than any other city. He stated his opinion that there had been poor fiscal responsibility since 2000.

Mr. Sandy Dunn, 5 Tomoka Trail, stated his opinion that the defined benefit pension plan would eventually bankrupt the City. He suggested reconsideration of staff's recommendation for salary increases could provide extra money, and he urged the Commission to compromise on it.

Mr. Robert Greenwood, 900 South Atlantic Avenue, spoke strongly against the proposed tax increase as he considered many of the projects not necessary or timely.

Ms. Joyce High, 38 Oakbrook Drive, stated the Commission settled for a smaller tax increase last year, and the problems were facing them again today. She stated a 20% increase with additional increases in the next two years could possibly be a solution. She suggested implementing a suggestion box from the citizens about six months ahead of the first budget meeting in the future.

Ms. Rae Mastropierro, 595 Riverside Drive, requested the Commission to cut the tax increase and do the right thing.

Ms. Eva Moore, 8 Woodridge Drive, stated she was very upset about the tax increase and asked the Commission to stand up for the elderly people of the community.

Mr. Jesse Cotton, 528 Fred Gamble Way, stated he was not in favor of the proposed tax increase, but he stated he understood there had to be an increase. He further stated much of the tax bill went for schools, and he stated the children should not be overlooked. He asked the Commission to be reasonable in the tax increase.

Ms. Alice Henry, 193 Bosarvey Drive, stated this was not the time for a large tax increase, and she suggested cutting or delaying projects for another year or so.

Mr. Mark Monroe, 8 Woodridge Drive, stated he did not agree with the tax increase and suggested money could be raised other places.

Mr. Gregory Avakian, 161 Heritage Circle, noted 35 million Americans lived in poverty, and he favored scrapping the tax increase this year, because he stated his opinion that not enough thought had been put in cost saving measures. He suggested providing a suggestion box to the employees for cost saving ideas.

Mr. Larry Volenec, 77 Sycamore Circle, complimented the City on its website simulcast of City Commission meetings and the clearing of the streets after the recent hurricanes. He stated he favored increasing property taxes now rather than spreading it out over multiple years and multiple Commissions.

Ms. Sue Drummond, 751 Calle Grande, suggested several ways to fund various costs other than from property taxes, and she suggested that a citizens' group be established to brainstorm an alternative funding to supplement property taxes. She stated the City should better inform the public of expenditures throughout the year. She stated she favored a parks system for the disabled citizens.

Mr. John Bornmann, 6 Windsor Drive, stated he did not favor a tax or water rate increase as it would impact the low-income residents.

Ms. Lucille Bornmann, 6 Windsor Drive, stated she did not agree with adding new CIP projects to the top of the list or doing the projects all in one year. She stated she favored a 10%-15% increase on the condition that the Commission and staff prove themselves to the public before coming back next year for a tax increase.

Ms. Frances Todd, 45 Wisteria, asked the Commission to consider the impact of the tax increase on the business owner, to reallocate some of the line items, to review salary increases, new projects and maintenance of facilities, and they would support their decision.

Mr. Randy Crabtree, 86 South Yonge Street, suggested the City could save money by doing some work in-house, and he suggested that staff might want to look at this possibility.

Mr. Will Buchanan, 131 Wilmette Avenue, recommended the Commission look for areas to cut costs instead of increasing taxes, as he stated this was not the year to increase taxes.

Mr. Cliff Martin, 934 Northbrook, stated he was proud to have Jeff Boyle as his Commissioner. He stated his opinion that this was not the time to increase taxes and that any new projects should be thoroughly reviewed in order to keep the budget increases as low as possible.

Mr. G. G. Galloway, 1305 Oak Forest Drive, stated he was very proud of the City of Ormond Beach, the Commission and staff. He stated salaries should be competitive, but he stated his opinion that a pension plan should not be guaranteed unless there was a profit side to the organization. He requested the Commission to thoroughly think through the decision to raise taxes.

Mr. Mike Demchak, 71 Sounders Trail Circle, stated it should be perfectly clear to the Commission what the citizens have to say.

Mr. Richard Rice, 9 Palmetto Dunes Court, stated there was no good year for an increase, and he suggested the defeated bond referendum CIP projects were being recalled.

Ms. Briana Keister-Walsh, 14 Queen Anne Court, stated she agreed with the tax increase for the sports complexes and playgrounds for the welfare of the children.

Mr. Rick Boehm, 5 Springwood Trail, stated his opinion that the Commission had an obligation to repair and maintain the facilities. He stated the Commission should “bite the bullet” on pay raises and would save money in this area.

RESOLUTION NO. 2004-146

A RESOLUTION ESTABLISHING THE MILLAGE RATES TO BE LEVIED FOR FISCAL YEAR 2004-2005; DIRECTING CERTIFICATION; EXPRESSING LEGISLATIVE INTENT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Selis moved, seconded by Commissioner Kent, to approve Resolution No. 2004-146, as read by title only.

Commissioner Selis asked Finance Director Paul Lane that if the Commission kept the same tax rate, would there be a zero percent tax increase. Mr. Lane stated it would not be a zero percent tax increase based upon the roll back formula; it would actually be an 11.12% increase. Commissioner Selis asked if the Commission were to select the millage rate proposed at the last meeting, what the increase would be over the tax rate currently being used. Mr. Lane responded that with the 34.9% increase, there would be a 16.45% increase over last year's tax rate.

Commissioner Selis questioned what the tax rate would be if the Commission would go back to rollback; whereby, Mr. Lane replied that the figure would be 2.45601 mills. Commissioner Selis asked how long it had been since the City had a tax rate that low. Mr. Lane advised that in 2001-2002 the rate was 2.583 and in 2000-2001 the rate was 2.7. He reported he did not see a lower rate for operating purposed in the past ten years.

Commissioner Selis stated that the City Commission was not raising taxes to the extent being advertised, and he pointed out that those rates were required by the State Legislature, as some believe to protect the property appraiser's office from being accused of increasing taxes due to increased property values. He noted that in seven of the past ten years the Commission has not raised the tax rates at all; and in some of those years, the taxes were actually lowered. Commissioner Selis reported that under the Truth in Millage (TRIM) law, as the value of a home increases, the City must actually lower the property tax rate in order to keep the same amount of income to the City. He stated that at some point, the property values would be raised so high that the City would have to roll back the tax rate to zero mills in order to have the same level of income. Commissioner Selis pointed out that it was unfair and inherently untruthful to measure a tax increase from a number that has not existed in ten years. He stated the actual tax increase would be 16.45% over the current millage. Commissioner Selis noted he would propose \$1.53 million in cuts. He stated he would listen to the public but would also do what was best for the City.

Commissioner Selis stated numerous budget meetings were held with numerous opportunities for recommended cuts. He proposed cutting the repaving of roads from the budget, saving \$655,000, and he encouraged that it be determined which projects needed to be repaved and which did not. Commissioner Selis reported it may be stated

that this cut would not affect the tax increase because funding would come from the Transportation Fund; but if the City did not need these projects, they should not be done, and the overage from the Transportation Fund should be transferred into the General Fund. He recommended cutting the Central Park improvements for this year, saving \$145,000. Commissioner Selis stated the City was not adequately maintaining the current parks; and until this was accomplished, the City should not expand into other areas. He stated he previously recommended cutting the Osceola Park improvements, saving \$28,000. Commissioner Selis stated increasing salaries compared to neighboring cities feeds increases because then those cities would have to keep up with Ormond Beach, and the cycle would continue. He pointed out that a number of people recruited by and supportive of Commissioner Boyle have stated that the Commission needed to say “no” to salary increases, and he agreed; therefore, he recommended accepting the City Manager’s proposal of the 3.25% salary increase saving \$450,000, for a total savings of \$1.53 million. Commissioner Selis stated that last year he proposed over \$1 million in tax cuts, and this year in the operating budget meetings, the Commissioner who was now proposing cuts did not make a single proposal. He noted this Commissioner also publicly reported a stadium was being considered when it was actually never publicly discussed. Relative to the items listed in Commissioner Boyle’s letter of proposed cuts, he agreed with the recommendation to cut reimbursed travel expenses by \$20,000, the Birthplace of Speed banners for \$7,700, creating a new methodology for firefighter overtime for \$120,000, and employee pay raises, saving \$400,000 by making the effective date on the employee’s anniversary date instead of October 1st; however, Commissioner Boyle no longer supported that proposal.

Mayor Costello summarized that Commissioner Selis’ proposed cuts were \$655,000 for repaving roads, \$145,000 for Central Park, \$28,000 for Osceola Park, and \$450,000 for employee raises. He noted that did not equal \$1.53 million but was actually \$1,278,000.

Commissioner Selis stated he may have erred in his calculations, but he was also supporting those items recommended by Commissioner Boyle.

Commissioner Boyle stated the public seemed to believe the question was whether or not to raise taxes when the Commission was in agreement to raise taxes by a significant amount. Commissioner Boyle explained the question was what that amount would actually be. He thanked his colleagues for their hard work, creative ideas, and receptiveness to the ideas of others. Commissioner Boyle expressed his appreciation to Mayor Costello for his fairness and conduct at these public hearings. He noted that while there was disagreement in some points between his assessment and Mayor Costello’s sheet, there was also much common ground. Commissioner Boyle stated that he was personally and professionally grateful that Mayor Costello was mayor and that he had such a great love for the City.

Commissioner Boyle stated that at the previous millage hearing, he tried to find the money to justify a lower tax rate, producing the document Commissioner Selis alluded to with some ideas that could be implemented short term, but some would not be implemented. Relative to the anniversary pay date, Commissioner Boyle noted that the current system has been entrenched over many years, and this could have been bargained for in negotiations in lieu of monetary considerations. He stated that while he proposed the change, he discovered it could not be changed since the City was currently at the bargaining table with two of the unions and about to ratify the third union contract.

Commissioner Boyle advised that this could not be deducted from this year's property tax increase, but it could still be implemented in the future.

Commissioner Boyle stated that certain intangibles should be factored in before the Commission would arrive at a final figure, such as hurricanes with \$350 million in damages estimated to Volusia County, much suffered by small businesses. He reported Governor Bush stated that small family-owned businesses and the jobs they create are the backbone of Florida's economy; and that while residents were a strong and resilient people, in a time of crisis, government needed to be available to give back to people with compassion and a helping hand to start the rebuilding. Commissioner Boyle stated one out of four households in Ormond Beach earned less than \$25,000 per year. He reported that due to two hurricanes each household lost money, food supplies twice, money to preparations or repairs, income or jobs, and all suffered hardships to some extent along with optimism and confidence to overcome obstacles. Commissioner Boyle urged the City to always balance taxation so it would not put too much of a burden on any one group. He expressed concern for low-income seniors, small businesses, and those with damaged properties. Commissioner Boyle stated it was difficult to try to validate these budget reductions at this point because it was the "eleventh hour," and the budget was very complicated. He implored the Commission to use the compassion Governor Bush suggested to help restore this community's confidence and optimism and to lower the tax increase to 15% over rollback, which was what the law would define as the increase, by using the contingencies and temporarily lowering the emergency reserve to 10%. Commissioner Boyle explained that the 12% figure was an arbitrary number that should be adjusted in this emergency situation that currently exists.

Commissioner Boyle advised that the \$7,700 total expenditure reported on the list he had provided was actually \$7,000, but he has been advised that this could not be subtracted from the property tax increase because it was not in next year's budget. Commissioner Boyle noted the median income on the advertising on the ballfield fences was predicted to be \$15,000; however, this was earmarked for a special fund, thus it could not count toward the property tax. He stated four of the top five projects he recommended deleting equaled \$485,000, and there was only \$402,000 allocated toward them; therefore, if all of the cuts would be made, the City would still be short \$83,000. Commissioner Boyle reported that the City Manager put out a letter relative to an annual pay raise cap; but after it was estimated to be \$100,000 for employees earning \$50,000 or more, it was noted that these were only employees not in the bargaining unit. He noted his intent was directed toward managers and supervisors. Commissioner Boyle stated Mr. Turner indicated he believed merit pay to be too difficult, and it may not save any money. He advised the Commission was precluded by the bargaining process from amending the anniversary date in time to affect this property tax increase. Relative to the lightning detection system, Commissioner Boyle stated this was not proposed for the Nova Recreation Center or South Ormond Neighborhood Center, and it was unknown if this system would work. He reported the lightning system could not be placed at the proposed location if the runway extension were completed. Commissioner Boyle concurred that Commissioner Selis offered a number of proposed cuts, but neither he nor management had a copy of the proposals for the Commission to follow along with and no way to evaluate the recommendations. He stated he may have supported some of the cuts if there had been time to study them and obtain staff's reaction to them.

Mayor Costello stated the Commission would probably arrive at an increase percentage, but some of the cuts would have to be worked out at a later date. He urged the Commission to relate any cuts they would like considered tonight.

Commissioner Kent stated there was a need to keep up the infrastructure of the City and to provide services that the citizens were accustomed to receiving. He noted that in his nine months in office, he has become very aware of the financial problems of the City. Commissioner Kent reported he has studied the figures and examined the problems the City faced, and he hoped the Commission could work together to provide the taxpayers a compromise, noting that he would examine any proposal presented. He stated the Commission was losing focus on what had been discussed for two months and was contemplating trying to solve the problems with “quick fixes” rather than long-term solutions.

Commissioner Kent stated people complained about the News-Journal editorial which stated: “The cities were governed in recent years by conservative majorities who preferred to spend reserves, delay incremental tax increases, or in Ormond Beach’s case, lower rates and put off big-ticket repairs or upgrades. Ormond Beach and Port Orange are serving sprawling middle-income to up-scale residential neighborhoods whose demands for services often cost city governments more than their property taxes produce in revenue. Few who pick up the cry to cut expenses and waste usually offer responsible suggestions for where to cut. With rare exception there are few places left to cut and still meet growing demand for essential services. Sooner or later, and later just knocked on the door to collect. Taxpayers have good reason to be frustrated with elected leaders who procrastinate on needed tax increases. Sound fiscal practices preclude depleting reserves except in harsh economic times, and it should be noted that this recommended tax increase was before the back-to-back hurricanes. Sound fiscal policies assure incremental increases in tax rates to keep pace with operating costs and prepare for eventual capital outlays. Sound fiscal policies do not hold back tax increase or lower rates to curry political favor with current constituents leaving the cleanup of the resulting fiscal mess to the next Commission or Council. But property owners should also insist that the elected officials who monitor those services and their costs never again put off until tomorrow what they should be taxing today.”

Commissioner Kent stated the City spent excess reserves to balance the budget rather than making incremental tax increases in tax rates to keep pace with rising operating costs from 29% to 11.8%; but if incremental tax increases had been made, reserves could have been spent on critical maintenance and Capital Improvement Program (CIP) projects, but instead many projects were postponed. He reported these decisions have left the City with its savings depleted and more than \$10 million in unfunded CIP projects, and this problem must be fixed. Commissioner Kent noted the Budget Advisory Board recommended a 36% tax increase over the rollback rate, allowing for a 3.25% employee pay raise, maintaining a 12% General Fund reserve; and it insured that no funds would need to be appropriated from reserves with a balanced budget. He stated this created \$500,000 in revenue to be dedicated to CIP projects and grant matching funds. Commissioner Kent reported the current proposal being considered by the Commission was for a 33.761% tax increase over the rollback rate with 3.89438 mills, which would result in an 11.8% General Fund reserve and it would postpone CIP projects. He explained that the current millage rate proposal and associated budget items would not make the City’s fiscal situation any worse; but without additional revenues, the City would continue to struggle to find ways to pay for necessary

maintenance and repairs for existing facilities as well as improvements to the City's infrastructure. Commissioner Kent pointed out that suggestions have been made for additional ways to reduce the proposed millage rate even further that would save the City money this year, but do nothing for future needs. He stated if savings could be found in this year's budget, those monies would be better spent on critical CIP projects that the Commissions for the past 10 to 15 years have postponed. Commissioner Kent reported the CIP list will never get smaller if projects keep being postponed, and this trend must stop. He stated the 33.761% increase along with any additional savings would go a long way to put the City back on a secure fiscal footing, and he urged the Commission to focus on the City's fiscal future with a dedicated fund that provides for repairs. Commissioner Kent reported new facilities need to add an associated millage for the projects and their upkeep.

Commissioner Kent agreed with Mr. Bornmann relative to the water increase. He explained that taxes provided safe borders on a federal level, and on a more local level, people could appreciate the roads, the firefighters and police staff, and the water and sewer services. Commissioner Kent reported he understood no one wanted to pay for these services. He noted people indicated that this was not the year for a tax increase, but there was never a good year for a tax increase. Commissioner Kent noted that he would consider several of the cuts mentioned earlier.

Commissioner Partington thanked Commissioner Boyle and Commissioner Selis for their leadership during this budget year. He stated hearing the public speak made him realize how much the public was unaware of the issues involved, because they have not spent the many hours of study regarding this complicated issue that the Commission and staff have spent. Commissioner Partington concurred that the TRIM law was very misleading and recommended changing the rollback formula as a legislative priority to allow an amendment to change the definition of rollback to allow no more than 3% or the cost of inflation, whichever was lower, each year to be included in the definition. He stated he favored an 18% to 22% tax increase, maintaining City facilities, and moving the City forward. Commissioner Partington noted if this goal would mean delaying projects for one to two years, he could support that; but the projects need to be done eventually. He advised he could support a 10% reserve balance, noting many cities operate with a 5% reserve. Commissioner Partington reported the general benchmark for setting a reserve rate was two to three month's salary, and beyond that figure, the county, state, and federal governments would have funds available to assist cities in disaster situations. He noted if the financial situation would improve, the reserve could be increased in future years.

Mayor Costello reported that for the five years he has been on this Commission he has questioned labor costs, voting against contracts that provided a 37% retirement incentive; and he noted that due to overtime, the top three of four paid employees were firefighters. He asked if the Commission could legally inform all three bargaining units that the contract negotiations would be completely started over. Mayor Costello stated in 1997-98 employee costs were 65%, and in 2004-05 employee costs were 75%; therefore, 10% has been taken away from the General Fund in seven years. He noted there would be no maintenance issues if the City had not had the raises that were approved. Mayor Costello pointed out that he wanted City employees to be well paid; but he was concerned when the second highest paid employee had a \$62,602 annual salary but was currently receiving \$117,719 at this point in the year, and the third highest paid employee had a \$59,000 annual salary and earned \$115,000 so far this year. He

noted he was ready to make hard decisions regarding overtime, which he could not obtain support for previously. He commended the firefighters' union leaders for helping management reign in some expenses, but stated the City needed to go further.

Mr. Randal Hayes, City Attorney, advised that at this point, the Commission has not formally approved any of the contracts; however, the process has progressed quite a long way. He stated this would cause major complications and would require going back to the table. Mr. Hayes noted it would have been better to negotiate the positions earlier in the process because the negotiations were currently in the final analysis.

Mayor Costello stated Mr. Hayes' answer was that it was not too late, but it would be difficult. He suggested another option was to approve a one-year contract rather than a three-year contract. Mayor Costello noted he was prepared to save the \$450,000 Commissioner Boyle recommended be added to the budget to make the increase from 3.25% to 6.5% for raises.

Mr. Hayes stated Mayor Costello was proposing major deviations from the course the negotiation team began with many months ago at the direction of the Commission. He reported that while the Commission may have the legal ability to do as Mayor Costello was proposing, practically, he was not sure this was the wisest decision.

Mayor Costello stated State workers received 1% and teachers received 3%. He noted in 1999 the City paid \$448,000 in pension costs, and five years later the cost was over \$2 million.

Mr. Isaac Turner, City Manager, stated that the Commission could technically change the terms of the agreements being negotiated. He noted the process being followed was by State statutes. Mr. Turner reported that should this occur, there would most likely be an impasse with the labor unions. He cautioned that the Commission would have to stay firm in a room filled with police and firefighter supporters. Mr. Turner stated he wanted the solid support of the Commission should they decide to take this action before staff would go to the unions.

Mayor Costello stated if a third Commissioner would be willing to consider this action, he would then propose adopting the anniversary pay raise Commissioner Boyle mentioned as part of all three bargaining agreements, which would result in a savings of about \$318,000 per year. He clarified that if he had the support of a third Commissioner willing to go to the 3.25% raises, unless all three bargaining units would change the anniversary date saving \$318,000 this year, he would then not push saving the \$450,000 for the raises.

Mr. Hayes advised the Commission was mixing the negotiation process with the union contracts and the budget process. He stated there was a statutory obligation in the collective bargaining process to negotiate in good faith, and some of the decisions being contemplated may impact the ability of the negotiating team to accomplish the Commission goals. Mr. Hayes reported he would need to investigate if the Commission could impose these terms as part of the budget process without first negotiating them with the union. He advised the Commission should not specifically address the union contracts during this process in that it would have to be done as part of the collective bargaining process. Mr. Hayes stated that the millage rate and budget would have an impact on the collective bargaining agreements; however, the Commission should not

negotiate those terms away without providing an opportunity for the unions to discuss them.

Mayor Costello stated he was willing to propose a 25% tax increase if the Commission would agree to pursue a more reasonable labor contract, more reasonable overtime provisions, and anniversary date pay raises. He noted without Commission support on this, he would have to support the 34% increase so the City could maintaining its property, invest in the youth, and have funding for the other needed items. Mayor Costello reported he favored cutting the budget in the areas that have escalated in the past seven years, not in areas that have been ignored over the past seven years. He stated the firefighter overtime was bankrupting the City.

Mr. Hayes advised the Commission should address the budget and millage rate and keep in mind the City was not through the negotiation process, and they had a legal obligation to negotiate in good faith. He expressed concern relative to making unilateral decisions this evening that would affect the ability of the negotiation team to achieve the goals they were directed to achieve. Mr. Hayes advised the Commission to consider the process and the timing.

Commissioner Selis noted he understood the difficulties this option would create, but when choosing between the concerns raised by the unions and those raised by the citizens, he would echo Commissioner Boyle that the Commission was elected by the people and must listen to the people over anyone else. He suggested saving the \$318,000 for anniversary date pay raises, a new methodology for overtime for firefighters saving \$120,000, and \$450,000 for pay increases for a total of \$888,000.

Mr. Lane stated the Fire Department had \$724,000 in overtime this year, and the proposed budget for next year was already cut to \$527,000; therefore, he suggested the Commission allow staff and the union time to work together to try and find a method to further reduce the overtime.

Mr. Turner stated Commissioner Boyle's letter referenced agreements already made between management and the bargaining unit in the proposed contract that would come before the Commission on September 21st; therefore, this was not something new, and he explained that staff has been working on this with the bargaining unit. He stated \$100,000 was cut from that figure as a starting point. Mr. Turner expressed concern in making another \$120,000 cut, although staff would attempt to cut as much as possible. He stated it was double counting to consider the \$318,000 for the anniversary date and the \$450,000 for the reductions in the raises.

Mr. Lane advised that \$175,000 of the firefighter overtime represented FLSA overtime which was guaranteed; therefore, it could not possibly be cut below that figure since a certain amount of overtime was built into the firefighters' schedules.

Mayor Costello noted the Commission may have to instruct the Chief to have the firefighters work different schedules.

Mr. Turner stated this was something the Commission did not have the authority to change in that it was legislatively and statutorily promised.

Mr. Lane reported it may be possible to work the firefighters on different shifts.

Mr. Turner stated if that were done, the City would need to hire more people; therefore, the \$175,000 was mostly set.

Mayor Costello noted he could not accept that, and he stated that he would favor the City hiring more firefighters at straight time rather than paying the current staff overtime. He expressed concern with the tremendous overtime paid to firefighters. Mayor Costello pointed out that firefighters were the highest paid employees due to overtime. He reiterated that he would go to a 25% tax increase if the cuts would come from the employee costs.

Commissioner Selis reported he would be willing to cut below 25% if it were to come from employee costs. He stated he did not want to sacrifice the quality of life for the citizens any longer by ignoring the City's structures.

Mayor Costello noted he was not comfortable that the City could save the entire \$888,000, since management would have to go into bargaining in good faith. He stated there was a way to give flexibility to the bargaining units.

Commissioner Boyle stated the Commission had numerous meetings where a consensus was determined. He noted that at the shade meeting, he understood that that the Commission could not talk about the anniversary date recommendation he made; whereby, Mr. Hayes concurred Commissioner Boyle was correct in his assumption. Commissioner Boyle stated all of the raises combined would not equal the Nova Recreation Center paving project. He noted he did not favor renegeing on what was brought to the negotiation table to the staff that serves and protects the citizens. Commissioner Boyle stated people did not want to work for Ormond Beach in that it has a bad reputation, and 60% of the dollars in the raises were management dollars, as opposed to collective bargaining dollars. He stated some of the overtime dollars were triggered by hurricanes and special events, but he noted that management scheduled the overtime. Commissioner Boyle pointed out that the residents opposed projects such as the Nova Recreation Center paving in the bond issue and they favored fire stations, and some Commissions now want to delete the fire stations and pave the Nova Recreation Center. He noted some Commission members want to be the best in everything except paying the workers, which sends the wrong message. Commissioner Boyle stated in the 2000 goal setting meeting there were 56 items on the "wish list," and the Commission has been spending ever since, and that was the problem.

Commissioner Boyle stated he did not recruit anyone to come to this meeting. He reported he was trying to do what was right and fair for this City, not in a knee-jerk reaction, but using a business approach. Commissioner Boyle pointed out 16 medians from Nova Road to I-95 were costing the City \$125,000 a year and Nova Road has a 30-inch wide grass strips with irrigation pipes. He noted that was where the money went, but the workers were being blamed. Commissioner Boyle stated this would set collective bargaining and Interest Based Bargaining back 20 years.

Commissioner Kent stated he had concerns with the firefighter overtime amount, but he stated he would not go back on the 6% raises, not at this late date.

Mayor Costello reported that he never stated Ormond Beach employees were paid too much, he simply stated that the funding came from the wrong place, which was from reserves. He stated the Port Orange Fire Department had a 36% salary increase over seven years while Ormond Beach has had 55%; and this may be where they should be on the pay scale now, but he had difficulty believing they were behind when a 37% retirement incentive was given and three out of four of the top salaries were firefighters.

Mayor Costello summarized that Commissioner Boyle favored a 15% tax increase, he favored a 25% tax increase if employee costs were addressed or 34% if employee costs were not addressed, Commissioner Kent favored 34% with 6% raises, and Commissioner Partington favored 18% to 22%.

Mayor Costello stated the \$145,000 for Central Park would only delay the problem, which caused the current situation the City now faced. Relative to travel, he stated he had previously indicated that he could be a better mayor by attending certain functions that instructed him on certain issues, and he indicated that he would stop paying for them himself because he did not want to set a precedent for a future mayor; but he was now, once again, willing to pay for them himself because they were important to him, and it would help with the \$20,000 allocated for travel.

Commissioner Partington expressed frustration at this entire process, noting he was astounded to learn firefighters were making \$117,000; however, the Commission had put its word on the line in negotiations with the bargaining unit. He noted he was frustrated the public was not heard from months ago, and a great deal of information was dumped on the Commission at the last minute.

Mayor Costello explained that a rate must be set and cuts could be discussed at a future workshop. He stated going to the 10% reserve would save \$250,000. He favored a reserve of 12%; but for the purpose of approving a balanced budget, he could accept a 10% reserve with adjustments to be made later.

Commissioner Boyle stated the total difference between a 12% and 10% reserve was actually \$420,000, not \$250,000.

Mr. Lane stated 1% of fund balance was equivalent to \$250,000; therefore, the figure would be \$500,000.

Mayor Costello clarified that he would only make that concession if labor was considered.

Commissioner Selis stated when he came on the Commission a 12% reserve was the threshold, and he considered that a low figure. He noted the reserve fund was designed for such items as cleanup after the storms, not employee salaries. Commissioner Selis stated it was fiscally irresponsible to lower the reserve to pay for recurring employee costs. He stated he would vote against the budget if the reserve was lowered below 12%.

Commissioner Boyle suggested withholding management raises since Ormond Beach was 11% over in management salaries.

Mayor Costello reported he would consider any salary issues, noting he had favored merit raises for years but was told the step plan was the only possibility. He asked if any other Commission member wanted to discuss management raises.

Commissioner Boyle asked Mr. Lane to confirm that those top employees were 60% to 70% of the raises.

Mr. Turner explained that the reason the list of top salaries was provided was to provide a clear picture as to what was occurring in the organization relative to what employees were grossing along with their annual salaries. He stated negotiations have been occurring since the beginning of the year and have been advertised as public meetings in the newspaper. Mr. Turner reported he suggested a 3.25% salary increase, which was conservative. He stated whatever decision the Commission made, he urged consistency amongst the groups, not penalizing a person for being a manager as opposed to a line employee. Mr. Turner pointed out Police and Fire personnel are important, but if the Public Works personnel did not clean the drains or pump the retention ponds, there would have been more problems with the storms. He noted management directed personnel, prepared the maps, and spent two nights in the emergency operations center (EOC). Mr. Turner stated there are a number of fire personnel who make more than the Fire Chief, which should be addressed globally; and management was talking to the unions relative to this issue. He noted compression issues would be compounded if the Commission limited the raises for the managers. Mr. Turner pointed out Ormond Beach was having difficulty hiring a Budget Director for the past six to eight months, but the salaries are not out of line compared to other cities. He stated upper level positions have a great deal of responsibility where they must take leadership rolls, specifying that Ormond Crossings, which would save Ormond Beach a great deal of money in the future, was led by this management team.

Commissioner Boyle asked what was causing the firefighter overtime and questioned if it was management vacancies, management policy, union contracts, or workers.

Mr. Turner stated there were two major issues: vacancies and contracts. He stated the contracts have certainly been part of the problem; but to the credit of the management, Fire Chief, and union some concessions have been made in the proposed contract to reduce the overtime amount. Mr. Turner noted there was also a medical vacancy in the Fire Department. He explained management did not have control over overtime.

Commissioner Boyle asked if his \$120,000 recommendation too conservative.

Mr. Turner suggested a reasonable goal for overtime would be \$400,000 to \$500,000.

Commissioner Boyle asked how much better the City could expect to do next year.

Mr. Lane suggested a goal of \$200,000 for next year, but that had already been deducted.

Mr. Turner noted there had been discussions relative to fire overtime in this chambers and several letters were provided, and he stated that management was working on the issue.

Commissioner Kent stated that he would not agree to a reserve below 12% because it was a quick fix and would cause more problems in the future. He pointed out the Budget Advisory Board spent months studying these issues and provided possible solutions. Commissioner Kent noted if this was lowered, the next Commission would inherit the same problems, which he refused to do when this Commission could fix the problem with a millage that would provide for CIP funds and grant matching funds. He noted he was ready to vote on a 34% tax increase.

Commissioner Selis noted it was obvious the City would not save the \$450,000 tonight, and he noted that he respected the concept that the Commission has committed to this position and two Commission members were uncomfortable making changes now. He stated the firefighter overtime was already in the proposed millage rate, so there was no savings in that; therefore, the only item remaining was the date for making the employee pay raises effective.

Commissioner Boyle questioned that the \$1.2 million in the budget that people voted against would not be deleted.

Commissioner Selis stated from the time the vote took place to the time of the budget, all he heard was that the 6% to 7% of Ormond Beach's population that voted the bond issue down was because the City should not be funding maintenance items with bonds. He reported the message he took from that vote was that the City still needed to fund maintenance of the City's facilities, and he agreed with that message. Commissioner Selis stated he was not convinced that those who opposed the bond issue suggested that the citizens did not want the facilities maintained, because if the citizens truly did not want them maintained, they should be shut down and sold. He suggested privatizing The Casements with an easement to use the gardens for public events, but this was not to be decided tonight. Commissioner Selis pointed out that the citizens have not indicated they wanted to get rid of these City facilities, and if the City did not get rid of them, it must maintain them. He stated he supported his fellow Commission members who wanted to give the raises by voting for the 34% tax increase.

Commissioner Boyle stated he assumed Commissioner Selis withdrew some of his cuts.

Commissioner Selis clarified he withdrew none of the cuts he recommended, but the only cut he heard support for was the repaving of roads with only one other Commissioner in favor. He stated this had been debated for four hours tonight and months prior to this meeting and the public had been heard, but he was not receiving the support needed to implement the cuts.

Mayor Costello stated he was not in favor of delaying road paving because it would cost more later; but if paving could be deleted, he would support it. He explained the Pavement Management Program was a scientific plan deciding which streets needed to be repaved and resurfaced.

Commissioner Selis stated he was recommending deleting the paving of certain streets and reanalyzing the need.

Commissioner Boyle asked if road paving was paid for out of property taxes.

Mr. Lane stated it came from the Transportation Fund and the gas tax funding source in the Transportation Fund was restricted from a statutory standpoint. He advised this could not be transferred to the General Fund.

Commissioner Boyle pointed out this would not save anything in property taxes.

Mayor Costello explained the City can not legally transfer gas tax money into the General Fund.

Commissioner Boyle asked how many employees were not paid out of property taxes; whereby, Mr. Lane replied that there were about 70-80 employees in the water, sewer, stormwater, airport, and solid waste departments, or approximately 20% not paid from property taxes. Commissioner Boyle questioned how many employees were not in the bargaining unit, other than these employees.

Mr. Lane reported most of the aforementioned employees were in the bargaining unit.

Mr. Hayes advised Mayor Costello to state the debt service millage rate for the public record.

Mayor Costello stated the proposed operating millage rate was 33.77% over the rollback millage rate. The resolution also included the adoption of the proposed debt service millage rate of 0.56283 for the 2002 General Obligation Refunded Bond Sinking Fund and .04624 for the 2003 General Obligation Bond Sinking Fund.

Commissioner Selis moved, seconded by Commissioner Kent, to approve the proposed operating millage rate was 33.77% over the rollback millage rate. The resolution also included the adoption of the proposed debt service millage rate of 0.56283 for 2002 General Obligation Refunded Bond Sinking Fund and .04624 for 2003 General Obligation Bond Sinking Fund.

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

Mayor Costello stated the operating millage rate was set at 3.28531 mills, which was 33.77% above the millage rate.

Item #4(B) – Annual Budget

Mayor Costello asked the City Clerk to read Ordinance No. 2004-38 to adopt a budget of \$92,104,326.

ORDINANCE NO. 2004-38

AN ORDINANCE ADOPTING THE ANNUAL BUDGET FOR THE 2004-2005 FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Selis, to approve Ordinance No. 2004-38, on second reading, as read by title only.

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

Item #5 – Hurricane Permitting Procedures

ORDINANCE NO. 2004-41

AN ORDINANCE ENACTING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE CHARLEY AND HURRICANE FRANCES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWTH; SUPERSEDING ORDINANCE NO 2004-37; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boyle moved, seconded by Commissioner Kent, to approve Resolution No. 2004-41, on first and only reading, by title only.

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

Item #6A(1) – Airport Grants

RESOLUTION NO. 2004-141

A RESOLUTION APPROVING THE FORM OF A GRANT AGREEMENT BETWEEN THE CITY AND THE FEDERAL AVIATION ADMINISTRATION REGARDING THE EXTENSION OF RUNWAY 17/35 AT THE ORMOND BEACH MUNICIPAL AIRPORT; AUTHORIZING THE EXECUTION OF AN AGREEMENT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, to approve Resolution No. 2004-141, as read by title only.

Commissioner Boyle moved to table this item. The motion died for lack of a second.

Commissioner Boyle expressed concern of a recent FAA complaint and the effect it would have on any future grants. He expressed concern of an overlay district issue, and he stated he did not understand how this application could be before them because of it.

Support Services Director Tom Lipps advised the complaint would not jeopardize the receipt of the grant as long as the City was showing good faith efforts to work with the FAA to resolve the issues. Regarding the overlay district, he stated the purpose of the overlay district was to establish a boundary and ensure any incompatible development did not get too close to the airport. He stated the methodology for drawing the line was based on the current noise contours, not the runway extension.

Commissioner Boyle stated the Planning Board felt they had insufficient information to make a decision, and there was significant landowner opposition to the overlay district on the table at the time. Mr. Lipps stated there was opposition, but staff failed to communicate what it was trying to accomplish on this issue.

Commissioner Boyle stated his opinion that the City was premature in applying for this grant, and he strongly urged the Commission to take another look at the runway extension. He noted Jean Jenner, former Chairman of the Aviation Advisory Board, was in favor of the runway extension until one of the airplanes flew over his home and shook his foundation.

Mr. Lipps advised the FAA had combined the runway extension and electrical rehabilitation into one grant.

Mr. Adrian Thompson, 6 Dorado Beach Court, stated he opposed the runway extension because he stated he did not feel it was necessary, and economic data presented was out of date and incorrect. He questioned if the available take off distance and landing distance were the same with the extended runway. He stated an aircraft required more distance to take off because of its weight and fuel load than it did to land. He stated for little extra money a starter extension could be built onto the runway making it more flexible, and it could accommodate larger aircraft. He suggested this was not being addressed by the advisory board or consultants.

Commissioner Boyle stated he attended the Airport Advisory Board where it was unanimously agreed that it would be reviewed.

Mr. Glen Jaspers, 160 Ocean Terrace, stated he contacted Cessna for information on take-off distances. He suggested Mr. Thompson might have the right idea and that maybe the City should contact someone without a vested interest in the airport.

Mayor Costello inquired if Hoyle Tanner gave a reason for the starter extension; whereby, Mr. Lipps stated the Airport Advisory Board had not met again on this issue to date.

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

Item #6A(2) – Agreement with FDOT for Updated Environmental Assessment

RESOLUTION NO. 2004-142

A RESOLUTION AUTHORIZING THE EXECUTION OF A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO PERFORM AN UPDATED ENVIRONMENTAL ASSESSMENT AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Boyle, to approve Resolution No. 2004-142, as read by title only.

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

Item #6A(3) – Supplement JPA to Construct Electrical and Signage Improvements

RESOLUTION NO. 2004-143

A RESOLUTION AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY AND THE FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT ELECTRICAL AND SIGNAGE IMPROVEMENTS AT THE ORMOND BEACH MUNICIPAL AIRPORT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Selis, to approve Resolution No. 2004-143, as ready by title only.

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

Item #7A – Enhancement of City’s Animal Control Ordinance

Mayor Costello and Commissioners Boyle and Partington stated they favored Option 1, and Commissioner Selis stated he favored Option 2.

Mayor Costello stated he intended it to be a nuisance for the owner and not the animal with high fines after the first offense.

Commissioner Partington noted a young woman and child were terrorized by five Rottweilers in his zone, and the City had been effective in helping these people. He stated he had a statement from one of the homeowners that he would provide to the City Clerk to distribute to the Commission.

Commissioner Boyle moved, seconded by Commissioner Partington, to approve Option 1 to enhance the City’s animal control ordinance.

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

Item #7B – Pond Maintenance Issue – 49 Pine Trail

Commissioner Boyle noted that Mr. Apicella was not present at this late hour, and he suggested tabling it until Mr. Apicella was in attendance.

Commissioner Partington moved, seconded by Commissioner Kent, to table this issue until October 5 and to have staff notify Mr. Apicella of the date.

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

Item #7C – Central Park Upcoming Grant Application (Volusia ECHO)

Mr. Lipps advised the local cash match was from recreation impact fees.

Mr. Joyce High, 38 Oakbrook Drive, stated sweat equity had been invested by staff and volunteers for the past year, and she encouraged the Commission to make their mark and finish the project.

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

Reports, Suggestions, Requests

Mr. Turner expressed his gratitude to staff, especially to Paul Lane and Jackie Carkhuff, Accounting Manager, who worked around the clock for the past six months to complete the budget process.

Commissioner Boyle noted that two managers approached him to ask how they could refuse their pay raise. He stated his opinion that the budget process progressed badly tonight, and he was not happy with their handling of it.

Commissioner Kent stated he felt he did the right thing tonight.

Commissioner Partington stated he was frustrated with the process, but he was confident he did the right thing.

Commissioner Selis stated he was not happy with his vote tonight, but he made it in order to support the budget in a timely manner. He personally thanked Mr. Turner, Mr. MacLeod and Mr. Lane and his staff during this budget process.

Mayor Costello agreed with Commissioner Boyle about the budget process tonight, and he personally thanked the fire union for working to reduce the overtime

Item #8 – Close the Meeting

The meeting adjourned at 12:55 a.m.

APPROVED: _____

BY: _____
Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk