

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

October 16, 2012

7:00 PM

Commission Chambers

Present were: Mayor Ed Kelley, Commissioners James Stowers, Troy Kent, Rick Boehm and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted MacLeod, City Attorney Randy Hayes, and Assistant City Clerk Lois Towey.

A G E N D A

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. PRESENTATIONS AND PROCLAMATIONS**
 - A. Employee Appreciation Day
- 5. AUDIENCE REMARKS - REGARDING ITEMS NOT ON THE AGENDA**
- 6. APPROVAL OF MINUTES**
 - A. Minutes from City Commission meeting – October 2, 2012
- 7. 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. 2012-145** : A RESOLUTION ACCEPTING A BID FROM HALIFAX PAVING, INC., FOR CONSTRUCTION SERVICES REGARDING THE TAXIWAY ALPHA RELOCATION AND GENERAL AIRFIELD IMPROVEMENTS PROJECT AT THE ORMOND BEACH MUNICIPAL AIRPORT, UNDER BID NO. 2011-25; AUTHORIZING THE EXECUTION OF A CONTRACT AND PAYMENT THEREFOR; REJECTING ALL OTHER BIDS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joe Mannarino, Economic Development Director
(386-676-3266)*

- B. RESOLUTION NO. 2012-149** : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ORMOND BEACH, VOLUSIA COUNTY, FLORIDA, OPPOSING PROPOSED AMENDMENT 4 TO THE FLORIDA CONSTITUTION THAT WOULD REDUCE THE CURRENT REASSESSMENT LIMITATION ON NON-HOMESTEAD RESIDENTIAL PROPERTY AND CERTAIN RESIDENTIAL AND NON-RESIDENTIAL PROPERTY AND WOULD PROVIDE AN ADDITIONAL HOMESTEAD EXEMPTION FOR FIRST-TIME FLORIDA HOMESTEADERS; PROVIDING DIRECTIONS TO THE CITY CLERK; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joyce Shanahan, City Manager (386-676-3200)*

- C. RESOLUTION NO. 2012-150** : A RESOLUTION URGING AND ENCOURAGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION BANNING THE MARKETING, POSSESSION, TRAFFICKING AND FURNISHING OF "BATH SALTS" CONTAINING DANGEROUS SYNTHETIC DRUGS; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: *Joyce Shanahan, City Manager (386-676-3200)*

D. Riverside Drive Closures

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

Disposition: Approve as recommended in the City Manager memorandum dated October 2, 2012.

8. PUBLIC HEARINGS

A. RESOLUTION NO. 2012-146 : A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF THE SIXTH AMENDED DEVELOPMENT ORDER FOR THE "WAL-MART SUPERCENTER" PLANNED BUSINESS DEVELOPMENT APPROVING A SPECIAL EXCEPTION TO ALLOW TEN SEASONAL STORAGE TRAILERS ANNUALLY FROM NOVEMBER 1ST THROUGH JANUARY 7TH; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE

Staff Contact: Ric Goss, Planning Director (386-676-3238)

B. RESOLUTION NO. 2012-147 : A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC ACCESS AND UTILITY EASEMENT DEED FROM TRIEBEL FAMILY ENTERPRISES, INC., D/B/A "JIMMY JOHN'S GOURMET SANDWICHES" ON PROPERTY LOCATED AT 300 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

9. FIRST READING OF ORDINANCES

A. ORDINANCE NO. 2012-35 : AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2011-2012 BY AMENDING THE GENERAL FUND; THE DOWNTOWN REDEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION PASS THROUGH FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE BEACHFRONT PARK FUND; THE WATER/WASTEWATER VEHICLES FUND; THE WATER/WASTEWATER CAPITAL PROJECT FUND; THE WATER SYSTEM CONSTRUCTION FUND; THE WATER PLANT CONSTRUCTION FUND; THE SOLID WASTE FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Kelly McGuire, Finance Director (386-676-3226)

B. ORDINANCE NO. 2012-36 : AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS; SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBPARAGRAPH T, TELECOMMUNICATIONS TOWERS AND ANTENNAE; SUBSECTIONS 2 AND 3; BY DELETING REDUNDANT LANGUAGE, DELETING REFERENCE TO THE TERM "GRANADA/BOVARD STREETScape" AND SUBSTITUTING THE TERM "DOWNTOWN," ESTABLISHING SETBACKS FOR TELECOMMUNICATION TOWERS WITHIN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; AND ADDING A NEW SUBSECTION 16 TO BE TITLED OUTSIDE CONSULTANT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEPARABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

- C. **ORDINANCE NO. 2012-37** : AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +4.6-ACRES LOCATED AT 1634 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0021), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Ric Goss, Planning Director (386-676-3238)

10. STAFF ACTION ITEMS

- A. **RESOLUTION NO. 2012-148** : A RESOLUTION NAMING THE T-BALL FIELDS LOCATED AT THE ORMOND BEACH SPORTS COMPLEX THE "DOUG WIGLEY T-BALL FIELDS"; AND SETTING FORTH AN EFFECTIVE DATE.

Staff Contact: Robert Carolin, Leisure Services Director (386-676-3279)

11. DISCUSSION ITEMS

- A. **Harcros Chemical Letter**

Staff Contact: Theodore MacLeod, Assistant City Manager (386-676-3200)

- B. **Water Additive Accountability Ordinance**

Staff Contact: Joyce Shanahan, City Manager (386-676-3200)

12. REPORTS, SUGGESTIONS, REQUESTS

13. ADJOURNMENT

Item #1 – Meeting Call to Order

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

Item #2 – Invocation

Pastor Joseph Kim, Riverview United Methodist Church, gave the invocation.

Item #3 – Pledge of Allegiance

Mayor Kelley led the Pledge of Allegiance.

Item #4A – Employee Appreciation Day

Mayor Kelley asked all of the city employees present to stand. He stated that the week of October 21 to October 27, 2012, had been designated as Florida City Government Week, which was part of the Florida League of Cities' ongoing effort to raise public awareness about the services that cities perform and to educate the public on how city government worked. He stated that the employees of the City of Ormond Beach were the city's ambassadors who provided important community services on a daily basis during both routine and emergency situations. He stated that the City Commission recognized the employees of the City of Ormond Beach as the city's most valuable assets and desired to recognize and honor all city employees as they joined in celebrating Employee Appreciation Day. He stated that the City Commission proclaimed Wednesday, October 24, 2012, as City of Ormond Beach Employee Appreciation Day in honor of the outstanding achievements of the city employees and urged all citizens to thank them for their efforts over the past year.

Ms. Shanahan thanked the Mayor and Commission and stated that it was greatly appreciated.

Mayor Kelley stated that he was always excited when he received an email that was passed on from a citizen complimenting the efforts of one of the city's employees.

Item #5 – Audience Remarks

Ms. Cathy Applegarth, 154 Pine Cone Trail, stated that she felt that her privacy and safety had been comprised by a water pipe reconstruction project. She stated that she lived in the largest subdivision of The Trails. She stated that more than half of the 64 units in that subdivision had unfortunately become rental properties. She stated that the driveways in her six-unit group were one right after another. She stated that 16 years ago when she purchased her unit there were seven-foot bushes that acted as a privacy fence and that they worked well since the next door unit had become a turnover rental unit. She stated that she was informed by the city in August that the pipes were being strangled by the oak tree in that strip of land. She stated that it was a huge project which dug up her driveway, the next driveway, and a good portion of the street. She stated that she now had no privacy and that the teens currently in the adjacent unit were using the driveway as a gathering place. She stated that her motion detector lights were always on. She stated that she parked her car with her work equipment in it in her driveway and it was a sitting duck, as was she. She stated that she called and spoke to Mr. Ken Russell, Systems Maintenance Supervisor. She stated that he said he was not used to taking down bushes and replacing them, which surprised her. She stated that he put in a 14-inch bush in place of a seven-foot bush, which did her no good at all. She stated that she received a call this morning saying that nothing else would be done so she was asking for help.

Mayor Kelley asked Ms. Applegarth to contact City Manager Joyce Shanahan and that she would see what she could do.

Mr. Jay Magrane, 2245 Lipizzan Trail, stated that an article in the Daytona Beach News-Journal brought to light that some police and fire employees were retiring with \$90,000 and \$100,000 retirements. He stated that the fire employees had received a 16% pay increase in one particular year. He stated that he felt that the city was paying those employees too much and that the Commission needed to start checking things out. He stated that he did not know if it was fair, right, or legal for the Commission to get the backing of the fire department and then thank them by giving them a 16% increase in salary. He stated that if that actually happened, it was basically payola and maybe the City Attorney should check that out. He stated that he would not receive \$100,000 when he retired. He stated that the fire employees worked 48 hours on and 24 hours off. He stated that some of them had second jobs and were competing with him for work. He stated that if one of them got hurt, they were also on the city's insurance company and that cost him money. He stated that he worked for D.G. Meyer and if he got a second job after hours, he would be fired.

Mayor Kelley stated that the firefighters actually worked 24 hours on and then had 48 hours off. He stated that Mr. Magrane was absolutely right and the city was in on-going negotiations. He stated that some adjustments had been made in the pension plans of the police and general employees. He stated that there was about \$40 million in unfunded pension liabilities and that was hurting not only Ormond Beach but just about every city in the United States. He stated that was why all private companies had changed to a defined contribution instead of a defined benefit plan. He stated that a defined benefit plan was unsustainable. He stated that the Commission realized the situation they were dealing with and even if they negotiated to the betterment of the tax payers, a Commission two years from now could change it. He stated that none of the current Commission was serving when the 16% pay increase was given, and it was given without a contract even in negotiations.

Ms. Tanya Sterling, 6 Ocean Edge Drive, appeared with her five-year old son, Gabriel. She thanked the Commission for hearing her speak and stated that she knew that they worked very hard and had a lot of other issues to contend with. She stated that she and her son were both born and raised in Ormond Beach. She stated that they would like to ask the Commission to consider taking fluoride out of the water. She stated that she would request that they would ask the chemical company to verify and declare that it was safe for human consumption. She stated that the city could use the \$20,000 spent on fluoride for other things. She stated that she loved the city and did not plan on leaving and wanted to raise her son here. She stated that she wanted to be able to pour water out of their tap and take a bath without having to buy an extra filter. She stated that she could say a lot more and many people told her not to waste her time speaking. She stated that she went through radiation the previous year because of a thyroid issue that had been linked to fluoride in some cases. She stated that the issue mattered.

Item #6 – Approval of the Minutes

Mayor Kelley advised that the minutes of the October 2, 2012, regular meeting had been sent to the Commission for review, and were on the city’s website for public viewing. He asked for any corrections, additions, or omissions. He stated that hearing no corrections, the minutes would stand approved as presented.

Item #7 – Consent Agenda

Mayor Kelley advised that the actions proposed for the items on the Consent Agenda were so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any items separately.

Commissioner Kent moved, seconded by Commissioner Partington, for approval of the Consent Agenda.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Item #7B – Amendment 4 Opposition

Mayor Kelley stated that he received something in the mail requesting support for Amendment 4. He stated that it lead one to believe that they would be suffering, using taxpayer money against taxpayers. He stated that the amendment actually would give tax breaks to out-of-state buyers buying property in Ormond Beach. He stated that someone would have to make up that difference in taxes. He stated that he hoped that the state legislature in the next two years would go forward with some true tax reform instead of just picking at pieces of the tax code.

Item #8 - Public Hearings

Mayor Kelley opened the public hearing.

Item #8A – Wal-Mart Special Exception for Seasonal Storage Trailers

Assistant City Clerk Lois Towey read by title only:

RESOLUTION NO. 2012-146
 A RESOLUTION AUTHORIZING THE EXECUTION AND ISSUANCE OF THE SIXTH AMENDED DEVELOPMENT ORDER FOR THE “WAL-MART SUPERCENTER” PLANNED BUSINESS DEVELOPMENT APPROVING A SPECIAL EXCEPTION TO ALLOW TEN SEASONAL STORAGE TRAILERS ANNUALLY FROM NOVEMBER 1ST THROUGH JANUARY 7TH; ESTABLISHING CONDITIONS AND EXPIRATION DATE OF APPROVAL; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2012-146, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
Carried.	Mayor Kelley	Yes

Item #8B – Jimmy Johns Easement Modification

Assistant City Clerk Lois Towey read by title only:

RESOLUTION NO. 2012-147
 A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PUBLIC ACCESS AND UTILITY EASEMENT DEED FROM TRIEBEL FAMILY ENTERPRISES, INC., D/B/A “JIMMY JOHN’S GOURMET SANDWICHES” ON PROPERTY LOCATED AT 300 WEST GRANADA BOULEVARD; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2012-147, as read by title only.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes
Carried.	Mayor Kelley	Yes

Mayor Kelley closed the public hearing.

Item #9A – Budget Amendments

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2012-35

AN ORDINANCE AMENDING THE ANNUAL BUDGET FOR FISCAL YEAR 2011-2012 BY AMENDING THE GENERAL FUND; THE DOWNTOWN REDEVELOPMENT FUND; THE ORMOND CROSSINGS FUND; THE STORMWATER FUND; THE AIRPORT FUND; THE PENSION PASS THROUGH FUND; THE GRANT FUND; THE FACILITIES RENEWAL & REPLACEMENT FUND; THE GENERAL CAPITAL IMPROVEMENTS FUND; THE GENERAL VEHICLE REPLACEMENT FUND; THE TRANSPORTATION FUND; THE RECREATION IMPACT FEE FUND; THE BEACHFRONT PARK FUND; THE WATER/WASTEWATER VEHICLES FUND; THE WATER/WASTEWATER CAPITAL PROJECT FUND; THE WATER SYSTEM CONSTRUCTION FUND; THE WATER PLANT CONSTRUCTION FUND; THE SOLID WASTE FUND; AND THE GENERAL LIABILITY FUND; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2012-35, on first reading, as read by title only.

Mayor Kelley stated that this item was basically an accounting function to make sure that everything that was in the budget was now adjusted so that any items that were not expended were adjusted to conform to the budget that was on record.

Call Vote:	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
Carried.	Mayor Kelley	Yes

Item #9B – Telecommunications Tower Amendment to Land Development Code

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2012-36

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, OF ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS; SECTION 2-57, CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION, SUBPARAGRAPH T, TELECOMMUNICATIONS TOWERS AND ANTENNAE; SUBSECTIONS 2 AND 3; BY DELETING REDUNDANT LANGUAGE, DELETING REFERENCE TO THE TERM "GRANADA/BOVARD STREETScape" AND SUBSTITUTING THE TERM "DOWNTOWN," ESTABLISHING SETBACKS FOR TELECOMMUNICATION TOWERS WITHIN RESIDENTIAL, COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS; AND ADDING A NEW SUBSECTION 16 TO BE TITLED OUTSIDE CONSULTANT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEPARABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Stowers moved, seconded by Commissioner Boehm, for approval of Ordinance No. 2012-36, on first reading, as read by title only.

Call Vote:	Commissioner Stowers	Yes
	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
Carried.	Mayor Kelley	Yes

Item #9C – 1634 N. W. US Highway 1 (Super 8 Motel)

Assistant City Clerk Lois Towey read by title only:

ORDINANCE NO. 2012-37

AN ORDINANCE AMENDING THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP TO CHANGE THE DESIGNATION OF ONE (1) PARCEL OF REAL PROPERTY TOTALING +4.6-ACRES LOCATED AT 1634 NORTH US HIGHWAY 1 (PARCEL ID NO. 3136-01-64-0021), FROM VOLUSIA COUNTY "COMMERCIAL" TO ORMOND BEACH "TOURIST COMMERCIAL"; AUTHORIZING TRANSMITTAL; PROVIDING FOR CONFLICT; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Partington, for approval of Ordinance No. 2012-37, on first reading, as read by title only.

Call Vote:	Commissioner Kent	Yes
	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
Carried.	Mayor Kelley	Yes

Item #10A – Naming of T-ball Fields in Recognition of Doug Wigley

Assistant City Clerk Lois Towey read by title only:

RESOLUTION NO. 2012-148

A RESOLUTION NAMING THE T-BALL FIELDS LOCATED AT THE ORMOND BEACH SPORTS COMPLEX THE "DOUG WIGLEY T-BALL FIELDS"; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Boehm moved, seconded by Commissioner Stowers, for approval of Resolution No. 2012-148, as read by title only.

Commissioner Boehm stated that Mr. Doug Wigley was and had been the Commissioner of the Ormond Beach Baseball and Youth Softball Association (OBYSBA) since the late 1990s. He stated that Mr. Wigley had served on the board prior to becoming Commissioner. He stated that he had overseen tremendous growth in the program. He stated that even though his children were grown, Mr. Wigley dedicated his life to the children of Ormond Beach. He stated that he had the privilege of serving on the Leisure Services Advisory Board with Mr. Harry Wendelstedt, Mr. Doug Thomas, and Mr. Andy Romano, all of whom had recreational facilities and parks named after them. He stated that all of them dedicated their lives to the people and to the children of Ormond Beach as Mr. Wigley did. He stated that he could think of no finer honor to give Mr. Wigley than to name the place after him where the children would start to play baseball.

Mayor Kelley stated that he had probably known Mr. Wigley for 37 years. He stated that he had done a great job and was a giving individual. He stated that he had always been very frugal with not only his money but the money that he was responsible for with OBYSBA. He stated that Mr. Wigley had taken an organization that was without funding and was able to contribute \$40,000 for the project of the t-ball fields through his management, raising donations, and contributions so that any child that wanted to play softball or baseball in the City of Ormond Beach was able to do so. He stated that Mr. Wigley had also gone out and acquired scholarships. He stated that he could not think of anyone better to name the t-ball fields after, after all he had done for the community.

Call Vote:	Commissioner Boehm	Yes
	Commissioner Partington	Yes
	Commissioner Stowers	Yes
	Commissioner Kent	Yes
Carried.	Mayor Kelley	Yes

Item #11A – Harcros Chemical Letter

Ms. Shanahan stated that staff had made a few changes to the letter and it would require the signature of all of the Commission members based on their request. She stated that she did have one additional change, on line 37 and 38, where it read “*I seek the following...*” it should be changed to “*we seek the following...*” She stated that in large part the letter mirrored the letter that Commissioner Kent had already sent on his own. She stated that if the Commission had any changes she would be happy to make them.

Mayor Kelley stated that he believed he was the one that suggested that the letter be brought back for the entire Commission to sign. He stated that there was one person who had filled out a card requesting to speak. He asked the speaker if she had read the letter that was being discussed.

Ms. Tanya Sterling, 6 Ocean Edge Drive, stated that she had not read the letter. She stated that she was instructed to fill out a separate card because she supported having the water additive accountability ordinance for safety purposes. She stated that she did not believe that anything should be done to the water other than cleaning it. She stated that it was her understanding that 97% of what the city paid for ended up going down the drain. She stated that she heard the Commission really working hard to make the community better and putting money towards helping children.

Mayor Kelley stated that he would ask Ms. Sterling to stay focused on the issues being discussed regarding the letter.

Ms. Sterling stated that she wanted the manufacturer to say that the water was safe for humans. She stated that she wanted anything put in the water to just be for cleaning it.

Mayor Kelley stated that the water in Ormond Beach was safe in his opinion and safe according to the Health Department. He stated that it was tested and he felt that it was as good as in any municipality. He stated that the taste was fantastic and it was chemically safe.

Mayor Kelley stated that he had made notes on what adjustments he would like to see in the letter. He stated that lines 23 through 25 should be removed. He read as follows:

“These adjustments and the news that other communities in Florida, and across the country, are revisiting their positions on fluoridation have prompted the Commission to assess what we know about our own program.”

Mayor Kelley stated that he felt that was irrelevant. He stated that he would also request that lines 30 through 31 be removed. He read as follows:

“...to use only such fluoridation product for which we have assurances that it specifically will safely and effectively fulfill our city’s intent of reducing the incidence of tooth decay.”

Mayor Kelley stated that he was not sure that line 36 was correct. He read as follows:

“As there are no federal safety standards for direct water additives and no government agency has the authority to make statements for your specific product, I seek the following specifics concerning your product...”

He stated that he was quite happy that the federal government did not set standards for the water supply of a local government. He stated that the responsibility had been given to the state of Florida to determine what was added to the water. He stated that he would also request that line 119 be removed. He read as follows:

“The representatives of various agencies supporting fluoridation go to great effort to assert that the public policy of fluoridation is safe for all consumers, and is effective at reducing the incidence of tooth decay.”

Mayor Kelley stated that he had prepared a draft with those adjustments that he thought would be acceptable. He stated that he was willing to listen to the rest of the Commission’s comments and discussion as well but that he was actually not really sure why the letter was needed.

Commissioner Partington stated that he was not sure that the letter needed to be sent and that he saw it as a futile effort. He stated that he was confident that the company would not respond to it. He stated that the bottom line was whether or not the fluoride would be kept in the water. He stated that he had said before that he was ready to vote to take it out provided there was a mechanism in place for kids who could not afford topical fluoride to receive that treatment. He stated that he envisioned a voucher system for dentists to provide that service to children who fell under some indigence standard that would be determined by the city. He stated that the money saved by not purchasing fluoride could fund that program. He stated that by all accounts the topical treatment was most effective. He stated that the other way to approach it would be a referendum vote of the citizens.

Commissioner Partington stated that times changed and it had been 50 years since it was put in the water. He stated that maybe now it was not such a good idea. He stated that the people had decided that question before and he would be in favor of letting them decide again. He stated that the citizens could educate themselves as much as possible and make their own informed decision. He stated that sending the letter and adopting the ordinance seemed like a slow trickle but he would rather cut to the chase and either vote to take it out and provide vouchers for children who could not afford fluoridation treatment or put it to a referendum and let the citizens vote on whether they wanted that chemical in their water.

Mayor Kelley stated that he agreed with Commissioner Partington.

Commissioner Stowers stated that he would echo the comments of Commissioner Partington. He stated that the issue began with Commissioner Kent sending out the initial letters which started down the path to remove fluoride from the water, despite some saying that was not the case. He stated that last year there was the John Anderson Drive controversy. He stated that the Commission wanted to go through the pain of the process to make sure that they were transparent and that the voters had a say in that matter. He stated that despite having unanimously approved that item, it was sent back to Zev Cohen & Associates and went through another public process, which he had heard no one complain about. He stated that doing due diligence and having citizens get a say was never the wrong way to go.

Commissioner Stowers stated that he would absolutely be open, as he had said since the beginning, to a referendum so that the voters could have a say. He stated that if that was not palatable, he would be open to a straw referendum which would put the issue out for a vote so that the Commission could get a better gauge of what was wanted by Ormond Beach residents. He stated that he had received a lot of emails from around the country and state but had not heard much from Zone 1 residents. He stated that a referendum would decide the issue. He stated that a straw referendum would allow the Commission to look at an assemblage of figures and say that a majority were in favor or opposed and allow them to make a decision having all of the information.

Commissioner Boehm stated that he was in favor of a referendum as he had been from the beginning. He stated that the people spoke once and it resulted in fluoride being put into the water. He stated that he agreed that times had changed in the last 50 years and there was a great deal more information available. He stated that he thought that giving people the right to decide whether they did or did not want fluoride in the water was the right way to go. He stated that he was in agreement with Commissioner Partington and Commissioner Stowers. He stated that he agreed with Commissioner Partington about the futility of the letter.

Commissioner Boehm stated that he did some research on his own and found that Commissioner Kent had a kindred spirit in Seward, Alaska, who sent out similar letters and received the same lack of response. He stated that he found that Harcros Chemical, Inc. ("Harcros") was a major producer and distributor of industrial chemicals and produced thousands of chemical products with 28 branches in 20 states. He stated that Harcros had sales estimated between \$200 and \$500 million a year; of which Ormond Beach represented \$19,900. He stated that the letter would be asking them to declare this product safe for all human beings for their lifetime. He stated that would then be in the public record and could be used across the country with regard to Harcros Chemicals. He stated that there was not one chance in a thousand that Harcros would answer that letter. He stated that as far as he was concerned the whole issue was to fluoride the water or not. He stated that it should be put to a vote of the people to let them decide.

Commissioner Kent stated that he was not saying that he was against letting the people vote and that he had in fact been quoted as saying *let* the people vote. He stated that he was perplexed because the item before them was a discussion item on a letter and not about a referendum. He stated that the item was before them because the Mayor had said that the letter that he sent was signed by only one Commissioner and that maybe the entire Commission should sign a letter and sent it. He stated that he thought that the letter was before them so that they could have time to review it before sending it. He asked what the harm would be in sending the letter to Harcros. He stated that if it was that they would not respond, then he felt that that was kind of telling. He stated that Harcros would not say that the chemical was safe for all human beings in their lifetime.

Commissioner Kent asked if the Commission accepted that. He asked if they were comfortable putting a chemical in the water that was not used to treat the water to make it more potable but was used to treat human beings. He asked if the Commission was comfortable with a company not responding and not saying that their product was safe for human consumption. He stated that was not good enough for him. He stated that it was not good enough four months ago, it was not today, and would not be next year. He stated that he was perplexed because he thought the Commission was discussing the letter and not a referendum. He stated that he did not know how the discussion went to a referendum, as he did not see anything on the discussion item related to a referendum, except that the Mayor ran the meetings and let the discussion go in that direction. He stated that he wanted to get back to some of the things the Mayor had said regarding the letter.

Mayor Kelley stated that the reason he let the discussion progress to that point was because he thought that it was Commissioner Kent's desire to remove fluoride from the water. He stated that Commissioner Partington referenced the referendum and Commissioner Stowers and Commissioner Boehm agreed. He stated that he would also be willing to put the issue out for a vote. He stated that if the Commission could agree to let there be a vote of the people, then there would be no need for the letter. He stated that would save a lot of time and get them down the road instead of going through the same issues again that they had already gone through two different times.

Mayor Kelley stated that he really believed that Commissioner Kent's ultimate goal was to take the fluoride out of the water, directly or indirectly. He stated that the three lawyers on the City Commission believed that there would not be a response from Harcros. He stated that he was wrong initially and that this was the first chance they had had to discuss the sending of the letter together since he had made the suggestion. He stated that no company would answer the letter and would rather walk from the city's business than do so. He stated that he thought that the water was safe. He stated that Commissioner Kent did not think the water was safe. He stated that Commissioner Kent had lived in Ormond Beach his whole life.

Commissioner Kent asked Mayor Kelley not to speak for him. He asked Mayor Kelley to not tell him what he thought about the water being safe or not. He stated that he had the floor and that the Mayor took it over.

Mayor Kelley stated that he was right. He stated that the discussion had gone to a different view. He stated that the referendum discussion could come back on the printed agenda.

Commissioner Kent stated that it should and he would love to talk about it at that time. He asked Mayor Kelley not to speak for him and not to say that he was saying that the water was not safe. He stated that if you went back and read the minutes you would see that he said that he would never want to look someone in the face and tell them that the water was unsafe. He stated that he could not get answers from the chemical supplier to tell him what was mixed in with the hydrofluorosilicic acid. He stated that the bid showed they would receive 23% to 25% hydrofluorosilicic acid. He wanted to know what was in the other 75%. He stated that he did not see the harm in sending the letter other than some people might get their feelings hurt that they signed the letter as elected officials from the City of Ormond Beach and did not get responded to. He stated that Harcros would take the city's money for the chemicals but not respond to the questions that they had regarding it. He stated that for him it was not good enough, and he asked that words not be put in his mouth. Commissioner Kent stated that he wanted to go back to some of the Mayor's comments regarding the letter. He read lines 30 and 31:

"...that it specifically will safely and effectively fulfill our City's intent of reducing the incidence of tooth decay."

Commissioner Kent stated that if the company would not assure them that it would safely and effectively fulfill the city's intent of reducing the incidence of tooth decay he did not know why they would put the chemical into the water. He stated that fluoride was not going in the water to make it safer but was going in the water to treat people. He stated that Commissioner Partington had said that no one had argued with the fact that fluoride was more effective as a topical solution. He stated that 95% of the product that the city bought went back into the drain and back into the ecosystem. He stated that if Mr. Dave Ponitz, Utilities Manager, wanted to take the hydrofluorosilicic acid and get rid of it, he could not dump it in the waterway or in a backyard and that he could not even take it to any hazardous waste site without them asking for all of the contaminants that were in it. He stated that he would have told them that he did not know all of the contaminants because the chemical company would not disclose them. He stated that that made him feel like Waste Management had higher standards than he did because they wanted to know what they were accepting, but he did not get to know.

Commissioner Kent stated that NSF would not take responsibility and that the first thing in their supplied documents was a disclaimer. He stated that he heard that they could not take the fluoride out because it was voted on by the people. He stated that the amount of fluoride that was put in the water was changed because the Centers for Disease Control and Protection (CDC) and American Dental Association (ADA) recommended it. He stated that he would accept deleting lines 23 through 25. He stated that he did not want to omit line 31. He stated that the chemical company needed to state that the product would perform its duty in reducing tooth decay. He stated that he did not think that was too much to ask. He stated that the Mayor had said he was not sure about line 36, which read as follows:

"As there are no federal safety standards for direct water additives, and no government agency has the authority to make statements for your specific product..."

Commissioner Kent stated that the Commission had been in possession of the letter he sent for months. He stated that in doing their homework they would see that statement was true. He stated that there were other letters very similar to his out there and he was thankful that there were. He stated that he was still in favor of sending the letter. He stated that if after hearing from him the Commission was still not comfortable with sending it, then it would not change anything because he had already sent the letter out on his own and did not get a response. He stated that he thought that the letter was before them because he had been told that he was just a Commissioner and that if it was sent from the entire Commission, then maybe they would receive a response. He stated that now he was hearing that it was futile and that the chemical company would not respond. He stated that was not good enough.

Mayor Kelley stated that Commissioner Boehm and Commissioner Partington had both stated that the letter need not be sent. Mayor Kelley stated that he also was in favor of not sending the letter.

Commissioner Stowers stated that there was a year's supply of fluoride had been approved in the prior year as it had been the last 50 years before that. He stated that the item before them a few weeks back was to set the contract price. He stated that he kept hearing that the Commission was voting to put fluoride in the water which was simply not true. He stated that he understood from city staff that there was still about four or five months left of the batch that was approved a year ago. He stated that he thought that the letter may not be necessary if a referendum process was pursued inside that time and the voters of Ormond Beach vote to take fluoride out of the water. He stated that in that event, the letter would not be necessary. He stated that was something for him that furthered his thoughts on the whole referendum concept.

Commissioner Kent asked Mayor Kelley if he could ask Commissioner Stowers what harm would be done in sending the letter.

Mayor Kelley stated that they would not receive an answer.

Commissioner Kent asked how he could know that unless they sent the letter.

Mayor Kelley stated that it would not be answered because of its content. He stated that the company would not guarantee that the product was 100% going to reduce cavities.

Commissioner Kent asked why they would put it in the water if that was the case.

Mayor Kelley stated that fluoride was in the water because the people voted to have it in there. He stated that he felt that the issue needed to come down to the vote of citizens and whether they wanted to keep it in or take it out. He stated that if that happened, then the other things did not need to happen.

Commissioner Kent stated that he hated to bring it back on topic but a referendum was not on the agenda that night. He stated that he would love to talk about a referendum but was trying to bring the discussion back to the letter that was on the agenda.

Mayor Kelley stated that there were three people who did not want to send the letter. He stated that they would not be sending the letter if three people did not want to.

Commissioner Kent stated that majority ruled and that was how government worked.

Mayor Kelley stated that he allowed the discussion to go to the issue of fluoride in the water in deference to Commissioner Kent because of what he perceived to be his desire to remove it from the water.

Commissioner Kent stated that he would never have wanted to remove fluoride from the water if he had a chemical company tell him that the product they sold the city actually worked and what the 75% of other stuff that came with the hydrofluorosilicic acid was. He stated that he would be thrilled if that happened and maybe there was a company out there that would do that for them. He stated that the next item on the agenda went right into that discussion. He stated that maybe they could find a company that would say that their product worked. He stated that he did not understand what the harm would be in sending the letter, even if there was a referendum. He stated that maybe the company would respond before the vote, but even if they did not there would be no harm done.

Mayor Kelley stated that the company would not answer. He stated that he felt they needed to move beyond the issue as they could just keep talking about fluoride. He stated that he was at Hinson Middle School for the Teacher of the Quarter and in a media class the students were checking references on statements. He stated that one of the statements that they were checking was made in Wikipedia about a product within water that was dangerous. He stated that the students found that the source of the statement was from a high school student in California, who made the statement with no data to support it. He stated that the students had checked fact, opinion, and perception. He stated he had checked and cross-checked statements. He stated that Mr. Jim Schultz had brought in information where he had copied and pasted information. He stated that dentists and the National Institutes of Health (NIH) had said that the product was safe. He stated that others said that it destroyed enamel which was not true. He stated that you had to check and cross check your sources. He stated that the simplest way was to proceed to a referendum.

Commissioner Kent stated that he loved what Mayor Kelley had said because he mentioned that the students were looking at *facts*. He stated that he could swear that was what he was trying to get, the facts. He stated that he did not want to hear from dentists or people that were anti-fluoride. He stated that he had yet to have one dentist, health department, or a chemical supplier tell the Commission that they would be liable for dental fluorosis. He stated that all they would say was how great and wonderful the product was, but without liability. He stated that he felt the liability would then land on the Commission because they were the ones deciding to put fluoride in the water. He stated that he never went for the he-said, she-said and never called anyone up to rail on how bad fluoride was. He stated that he did not listen to Mr. Schultz for seven years and was not saying he was listening to him now. He stated that Mr. Schultz had his opinion and that was all it was to him, an opinion. He stated that if a dentist came in and spoke, what he said would be his opinion. He stated that he wanted facts and wanted the facts from the chemical supplier. He stated that if they would not answer the letter then there was no harm. He asked how that would be any different than where they were that day.

Mayor Kelley stated that he felt that they needed to move on.

Commissioner Partington asked how long it would take to get the referendum in place.

Ms. Shanahan stated that she thought that it was 120 to 160 days. She stated that there had to be an ordinance adopting the language approved by the Commission, which would be sent to the Supervisor of Elections, and then it would have to be mailed out.

Commissioner Kent stated that there was nowhere in the proposed accountability ordinance where it said to take fluoride out of the water.

Commissioner Kent stated that the ordinance referenced any chemical that you added to the water that was not to make it potable. He stated that if it was not treating the water and was treating humans, then the company would state that they would be accountable. He asked why the city would do business with a company if they could not do that.

Commissioner Boehm stated that the ordinance was designed so that you would then do a public nuisance and abate it by taking the fluoride out of the water without a vote. He stated that it would not happen. He stated that he would not vote for the ordinance.

Commissioner Kent stated that they were not discussing the ordinance yet as the Mayor had not yet led them to that item.

Mayor Kelley stated that he felt that Commissioner Partington had his answer. He asked Ms. Shanahan if they could draft the ordinance to do a mail referendum as quickly as possible.

Item #11B – Water Additive Accountability Ordinance

Mayor Kelley stated that the ordinance would go by the wayside. He stated that he did some additional research that weekend and even called Grand Rapids, Michigan, where there had been a trial study in 1962. He stated that the study was performed because that city had been putting fluoride in their water since 1945, and they said it was harmful and damaging the African Americans in their community. He stated that they had not provided any statistics, but they had still not taken the fluoride out today, because what they had found by their own studies was that the fluoride in the lower economic areas was beneficial to reducing cavities. He stated that Grand Rapids had been putting fluoride in the water for the past 67 years, and bones were not falling apart and people were not having problems because of it. He stated that almost every time that someone spoke on fluoride, he had asked for someone in Ormond Beach to come forward with fluorosis and show them the damage. He stated that one person in the city had spoken on fluoride for seven years and that was it. He stated that they would come back with a referendum and the people would be able to decide for themselves.

Ms. Shanahan stated that staff would plan to bring back the referendum ordinance at the first meeting in December. She stated that the City Attorney would be out of town so they could not bring it back for the next meeting.

Item #12 – Reports, Suggestions, and Requests

Upcoming Meetings

Ms. Shanahan stated that the Tuesday, November 6, 2012, meeting had been moved to Wednesday, November 7, 2012, due to the elections. She stated that on November 20, 2012, there would be a welcome reception held at 5:30 p.m. in the atrium followed by the City Commission Organizational Meeting at 6:00 p.m. She stated that there would be no other items on that meeting agenda other than rules of procedure and swearing in of the Commission.

Upcoming Workshop

Ms. Shanahan stated that she would like to possibly schedule a Commission workshop on Tuesday, November 13, 2012, at 5:30 p.m., regarding the Environmental Learning Center. She stated that they were preparing to apply for an ECHO grant and had a conceptual drawing of the center. She stated that they currently had someone estimating the cost before it would be put out to bid. She stated that it had not been received yet, but she wanted the Commission to be able to look at it before they sent it to ECHO. She stated that she also thought that the doggy dining ordinance could be tacked on to that meeting as well.

Projects

Ms. Shanahan stated that there had been some hiccups on the Hand Avenue Reconstruction Project and staff had been working with the contractor and the school board administration to ensure safe travel for children. She stated that the Andy Romano Beachfront Park was taking shape and that the restroom buildings were almost complete and the picnic shelters were starting to get their roofs.

Senior Games

Ms. Shanahan stated that the Senior Games kicked off at 12:00 p.m. on Friday at the Senior Center.

Employee Appreciation Luncheon

Ms. Shanahan stated that the Employee Appreciation Luncheon would be in Rockefeller Gardens from 11:30 a.m. to 1:30 p.m.

Leather Shop on US1

Ms. Shanahan stated driving up US1, there was a leather shop that was now called the Outlaws' Leather Shop, which looked more like the Outlaws' clubhouse now. She stated that the fence had been painted black and white and they had their emblem over the door. She stated that the City Attorney was speaking with the County Attorney on the issue. She stated that the property was issued a business license for a retail leather shop and there was no semblance of any ongoing retail initiative there. She stated that she, Chief Osterkamp, and Mr. Hayes were working to get the county to look into it and see if they could look at the business license because they did not think that it was appropriate for what was being done in that location.

Mayor Kelley stated that it was a county business license.

Ms. Shanahan stated that it was not a city license, but it was in the city and not being appropriately used as indicated by the business license. She stated that she did not want them to drive by and wonder what was going on there and what the city was doing about it.

Cameron Brenneman Memorial Playground Dedication

Commissioner Kent stated that Mr. Robert Carolin, Leisure Services Director, and the Leisure Services Department, did a fantastic job at the Cameron Brenneman Memorial Playground Dedication. He stated that he thought that it was done perfectly. He stated that Mr. Carolin spoke with such sincerity and compassion and it was a wonderful thing that the city did. He stated that he wanted to thank Mr. Carolin.

Synthetic Drugs

Commissioner Boehm stated that he wanted to mention that the Commission had passed a resolution on the consent agenda requesting that the Florida legislature take action to permanently ban synthetic drugs and stop their sale within the state of Florida. He stated that it had been discussed at their last meeting and it needed to be done so he hoped that the legislature would take it up.

Doggy Dining

Commissioner Boehm stated that he had received a number of emails on doggy dining from restaurants seeking to allow it. He stated that he thought it was something the Commission should look at very closely because he felt it was something that could help the business community, as they seemed to be in favor of it.

Ormond Beach Main Street

Commissioner Boehm stated that he wanted to recognize Ormond Beach Main Street who had been awarded the Florida Main Street Program of the Month by the Florida Secretary of State. He stated that it was outstanding recognition that in a state of 22 million people, little Ormond Beach's Main Street program had been recognized as one of the best.

Mayor's Health & Fitness Challenge

Commissioner Boehm stated that he wanted to give 'mad props' to Mayor Kelley for creating his Mayor's Health & Fitness Challenge. He stated that it was already underway, as he was walking through city parks. He stated that anything to encourage citizens to take better care of themselves was well worth doing. He stated that he would encourage everyone to join in the challenge as it kicked off in January.

Ormond Beach Community Foundation

Commissioner Boehm stated that he also wanted to give the Mayor credit as he had read that he had joined with Former Mayors Fred Costello, Dave Hood, and Carl Persis, as well as businessman, Mr. Chuck Strasser, to form the Ormond Beach Community Foundation. He stated that the foundation would seek to help those who were otherwise unable to get help. He stated that it was a great initiative by the city's former and present elected officials to reach out to the community.

Election

Commissioner Boehm stated that tonight was the last meeting before the election on November 6, 2012. He stated that the right to vote was one of the greatest assets of democracy. He encouraged everyone to do so. He stated that he would also encourage patience as Ormond Beach was far down the ballot. He stated that there was an election for the Zone 1 Commissioner. He stated that the Commission had appointed a Charter Review Committee the previous year to review the charter and make recommendations for changes, who had made two recommendations which were adopted and would appear on the ballot. He stated that one dealt with the Commission having the ability by super majority to cancel a meeting several times a year. He stated that the other dealt with reapportionment and allowed staff to follow natural flows of the land rather than go down the middle of streets which was what they had to do presently. He stated that the amendments may sound vague but they were pretty important to the city and that was why the Commission agreed to include them. He stated that he would encourage voters not to give up on the ballot before they got to the Ormond Beach referendums at the end.

City Hall Parking lot

Commissioner Boehm noted that the city hall parking lot had been paved. He stated that it was a significant improvement. He congratulated the effort made in getting it paved over the weekend so that there was no interference with city hall's operation.

Designated Turn Light

Commissioner Stowers stated that he wanted to thank city staff. He stated that he had a resident approach him in August about the traffic light at US1 and Airport Road. He stated that in the past year during the previous bike event, a resident of Bear Creek failed to navigate that turn lane properly and hit a motorcyclist who subsequently passed away. He stated that he had been working with staff to push the Florida Department of Transportation (FDOT) to push Volusia County to get a designated turn light there. He stated that it was previously a green light that turned yellow and then green. He stated that there was an odd topography that rose and was difficult to navigate the turn into southbound traffic on US1. He stated that through a lot of follow up they were able to not only get a designated red turn light installed, but more importantly were able to have it completed before Biketoberfest 2012. He stated that he wanted to thank Volusia County and FDOT, as well as their consultant, for moving the item up the list because they recognized it was a past safety issue.

Sign Removal

Commissioner Stowers stated that he also wanted to thank staff for their effort with another issue. He stated that a woman had been walking on Ocean Shore Boulevard and literally walked into a sign in the middle of the sidewalk. He stated that he emailed staff and within a day or two the sign was gone and the pavement was replaced.

Cameron Brenneman Memorial Playground Dedication

Commissioner Stowers stated that he also attended the Cameron Brenneman Memorial Playground Dedication. He stated that he would echo Commissioner Kent's comments about Mr. Carolin. He stated that he thought that he did a fantastic job with his speech in a very difficult moment.

Mayor Kelley stated that he thought that Mr. Carolin knocked it out of the park. He stated that he was so sincere and it showed how much he cared about what he was doing, the memorial to the young man, and what the girls did to make it happen.

Senior Games

Mayor Kelley stated that he was asked by the Senior Games to request volunteers. He stated that they needed someone to supervise the Senior Games swim competition for about four hours, which would be on Saturday, October 27, 2012, from 8:00 a.m. to about 1:00 p.m. He stated that they would have a lot of help. He stated that he had to read a proclamation and do some dedications. He stated that he had to throw a bowling ball to welcome the state bowling tournament.

Synthetic Drugs

Mayor Kelley stated that the day before yesterday a young man driving under the influence of K2, which was synthetic marijuana, killed a 57-year old bicyclist in Orlando. He stated that he thought how timely that unfortunate incident was with the action they were taking. He stated that hopefully it would be prohibited to keep young people, who were the predominant users, safe.

Election

Mayor Kelley encouraged everyone to exercise their right to vote.

Item #13 – Adjournment

The meeting was adjourned at 8:13 p.m.

APPROVED: November 7, 2012

BY:

Ed Kelley, Mayor

ATTEST:

J. Scott McKee, City Clerk