

**ORMOND BEACH CITY COMMISSION MEETING  
HELD AT CITY HALL COMMISSION CHAMBERS  
April 6, 2010 7:00 p.m.**

Present were: Mayor Fred Costello, Commissioner Lori Gillooly, Commissioners Ed Kelley, Troy Kent, and Bill Partington, City Manager Joyce Shanahan, Assistant City Manager Ted 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 Reverend Gary Powell, Oasis Christ Fellowship.
- 3) Pledge of Allegiance.
- 4) **PRESENTATION:** Employee-of-the-Quarter award to Steven Spraker, Senior Planner.
- 5) **AUDIENCE REMARKS:**
- 6) **APPROVAL OF THE MINUTES** of the March 16, 2010, meeting.
- 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. 2010-34 appointing a member to serve on the General Employees' Pension Board. (Dr. Greg Parr) (City Clerk)
  - B) Resolution No. 2010-35 authorizing participation in the National League of Cities Prescription Discount Card Program; authorizing implementation of the program. (Human Resources Director)
  - C) Resolution No. 2010-36 supporting and adopting the updated Volusia County Local Hazard Local Mitigation Plan. (Grants Coordinator)
  - D) Resolution No. 2010-37 authorizing the execution of a contract between the City of Ormond Beach and Hall Construction Company, Inc., regarding the Press Box at the Ormond Beach Sports Complex project. (\$58,226) (Leisure Services Director)
  - E) Resolution No. 2010-38 authorizing the execution of a Release and Satisfaction of Special Master Administrative Fine/Lien for code violations on property located at 84 Black Hickory Way (Parcel ID 4123-04-00-0530), Ormond Beach, Volusia County, Florida. (\$126) (Neighborhood Improvement Manager)
  - F) Resolution No. 2010-39 accepting a public utility and access easement deed from Hand & Yonge, LLC, a Florida Limited Liability Company, for property located at 321 Hand Avenue, Ormond Beach, Volusia County, Florida. (Acting City Engineer)
  - G) Resolution No. 2010-40 authorizing the execution of a quitclaim deed in favor of Creekside Development of Volusia County, LLC, releasing a portion of a ten-foot utility easement located on Lots 18, 20, 21, 22, 44, 47, 48, 55, 59, 61, 63, 64, 65, and 66, Creekside Planned Residential Development. (Planning Director)
  - H) Resolution No. 2010-41 authorizing the execution of a Project Agreement with the United States Department of Agriculture Natural Resources Conservation Services for funding assistance regarding the May 2009 flood; authorizing the execution of all documents incidental thereto, including any contract necessary for the City to accept the grant award. (\$274,455 estimated total project cost; \$205,841.25 grant funding) (Grants Coordinator)
  - I) Resolution No. 2010-42 authorizing the execution of Change Order Number One (1) to that contract awarded to Censtate Contractors, Inc., regarding the Wastewater Treatment Plant Rehabilitation project, by increasing the contract price by \$33,171.97. (\$3,685,150.90 total contract price) (Acting City Engineer/Grants Coordinator)
  - J) Resolution No. 2010-43 accepting a bid from Saboungi Construction, Inc., for construction services regarding the Rima Ridge Well Field Expansion project, (Wells 54, 55 & 56) under Bid No. 2010-12; authorizing the execution of an agreement and payment therefor; rejecting all other bids. (\$1,141,254) (Acting City Engineer)

- K) Resolution No. 2010-44 accepting a bid from Masci General Contractors, Inc., for construction services regarding the US1 and SR40 Utility Relocates project under Bid No. 2010-13; authorizing the execution of an agreement and payment therefor; rejecting all other bids. (\$297,425) (Acting City Engineer)
- L) Purchase of a Reach-out Mower:
- 1) Resolution No. 2010-45 authorizing the approval and execution of a Purchase Authorization (Requisition 0000006792) for the purchase of a Challenger Boom Mower under Florida Sheriffs Association Bid No. 09-17-0908. (\$131,107.81) (Public Works Operations Manager)
  - 2) Resolution No. 2010-46 authorizing the execution of a Governmental Equipment Lease-Purchase Agreement with Caterpillar financial Services Corp. and all other papers necessary and incidental thereto, regarding the purchase of a Challenger Boom Mower MT525B. (Public Works Operations Manager)
- 8) **PUBLIC HEARINGS:**
- A) Ordinance No. 2010-22 establishing uses and dimensional standards for manufactured and mobile home communities currently zoned as T-1 and deleting the requirement for a rezoning to Planned Manufactured Home Community (PHMC) by amending Chapter 2, District and General Regulations, Article I, Establishment of Zoning and Official Zoning Map, Section 2-02, Future Land Use Map Designations and Zoning Districts, Table 2-2, Future Land Use Map Designations and Compatible Zoning Districts; amending Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-20, Reserved (T-1) by re-establishing the T-1 Zoning District; deleting Chapter 2, District and General Regulations, Article II, District Regulations, Section 2-39, Planned Manufactured Home Community (PHMC) in its entirety and reserving the section; and amending Chapter 2, District and General Regulations, Article IV, Conditional and Special Exception Regulations, Section 2-57(M), Criteria for Review of Specific Conditional and Special Exception, to establish conditions for Manufactured Home Community (MAHC) and Mobile Home Community (MOHC). (2<sup>nd</sup> Reading) (Planning Director)
  - B) Ordinance No. 2010-23 amending Chapter 2, District and General Regulations, Article VI, Overlay Districts, Section 72, Airport Overlay District, of the *Land Development Code* by adding the Airport Overlay District Map 10-2. (2<sup>nd</sup> Reading)(Planning Director)
- 9) **SECOND READING OF ORDINANCE** No. 2010-24 amending Chapter 14, Offenses-Miscellaneous, of the Code of Ordinances, by adding Article X, Vehicle Parking/Nuisances, and Sections 14-103, Front Yard and Street-Side Yard Parking, thereunder; by establishing terms and conditions relative thereto. (Neighborhood Improvement)
- 10) **FIRST READING OF ORDINANCES:**
- A) Garage sale permits:
    - 1) Ordinance No. 2010-25 amending Chapter 2, District and General Regulations, Article III, General Regulations, Section 2-50, Accessory Uses, of the Land Development Code by amending Paragraph P, Garage Sales, providing for an additional annual garage sale at no cost to the citizens, and clarifying the process for holding a garage sale. (Planning Director)
    - 2) Ordinance No. 2010-26 amending Chapter 8, Building and Construction Regulations, Article I, In General, of the Code of Ordinances of the City of Ormond Beach; by amending Section 8-10, Application Processing Fees, Paragraph G, Miscellaneous, Subparagraph 5, Garage or Yard Sales, to provide for a third event at no cost to the citizens. (Planning Director)
  - B) Ordinance No. 2010-27 amending Chapter 14 of the Code of Ordinances of the City of Ormond Beach, Florida, by creating Article V, titled "Abandoned Real Property"; providing for purpose and intent; providing definitions; providing for notification procedures; providing for the registration of abandoned real property by mortgagees; requiring mortgagees to inspect and maintain abandoned real property; providing for enforcement and penalties. (Neighborhood Improvement)

- 11) **DISCUSSION ITEM:** Sprinkler system legislation. (Fire Chief)
- 12) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 13) **CLOSE THE MEETING.**

Item #1 – Meeting Call to Order

The meeting was called to order by Mayor Costello at 7:00 p.m.

Item #2 – Invocation

The invocation was giving by Chaplain Art Lohman, Oasis Christ Fellowship.

Item #3 – Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Costello.

Item #4 – Presentations – Employee-of-the-Quarter

City Manager Joyce Shanahan announced the Employee-of-the-Month was Steven Spraker, whose wife Becky, and his sons Andrew and Josh were with him; but his daughter Morgan, could not be at the meeting because she was playing softball. City Manager Shanahan stated Mr. Spraker first joined the City while he was completing his internship for a Masters in Public Administration at the University of Central Florida; he was a planner with the City before going to Daytona Beach, returning to the City as a Senior Planner. She stated Mr. Spraker has earned the respect of his fellow staffers, as well as numerous accolades from citizens and board members with whom he has worked.

Mayor Costello congratulated Mr. Spraker, and he presented a plaque and city seal watch. Spraker.

Item #5 – Audience Remarks

Airplane Noise

Homer Langley, 16 Landers Street, stated planes from the airport practicing takeoffs and landings were coming over his house all day.

Mayor Costello explained electrical upgrades on one of the runways required the use of another runway, but the work was to be completed as of June 1.

Freedom to Walk Golf Courses

Daniel Zurla, 3751 Long Grove Lane, Port Orange, stated the Civil War and the Civil Rights Movement worked to secure freedoms for the individual; unfortunately, once again, governments will not secure freedom for Americans that want to walk public golf courses when playing the course. He stated public facilities must allow the freedom to walk the course. He stated it was illegal to deprive citizens the freedom to walk.

Mayor Costello stated because of those freedoms, the tenant of Riverbend Golf Course was free to chose the rules of the course, including mandating the use of golf carts and not allowing walking the course.

Parking on Front and Side Yards

Laura Jones, 59 Amsden Road, stated the parking ordinance was written too loosely regarding how much mulch or how many rocks were required. She stated the door was open to too many interpretations.

Flashing Signs at Churches

Laura Jones, 59 Amsden Road, stated the City was a special place to live, and flashing signs at churches would look like Las Vegas. She expressed that it would cause distractions to drivers in a very congested area and look very tacky.

Mayor Costello stated flashing signs were never contemplated nor would they be acceptable.

City Manager Shanahan stated a sign demonstration would be presented when the issue came back to the Commission, and Mrs. Jones would be notified when the demonstration would be.

Item #6 – Approval of the Minutes

Mayor Costello advised the minutes of the March 16, 2010, regular meeting had been sent to the Commission for review and asked for any corrections, additions, or omissions. The Mayor stated the minutes were approved as printed without objection.

Item #7 – Consent Agenda

Mayor Costello advised the action proposed for each item on the Consent Agenda was so stated on the agenda. He asked if any member of the Commission had questions or wished to discuss any item separately.

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

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

Commissioner Gillooly stated it was great a local firm with local workers received the award of contract regarding Item #7J, Rima Ridge Wellfield Project; and she acknowledged the City Manager and staff for Item #7B, Prescription Drug Discount Program, which would be a benefit for the citizens.

Commissioner Kelley stated the engineering estimate for Item #7J was \$1.12 million; the City estimated \$1.02 million, and the budget came back at \$1.141 million. He stated the lower estimate should have been used.

Assistant City Manager Ted MacLeod explained the lower estimate was budgeted before the final design was completed, and the decision was made to wait to change the budget until the process was completed. Mr. MacLeod stated well drilling was a very specialized area, so there was not a wide variation in the bids.

Mayor Costello thanked Dr. Parr for volunteering to serve on the Pension Board, and suggested anyone interested in serving on a board could contact the City Clerk. Mayor Costello stated Item #7D, the new press box, was Seabreeze High School’s number one request. The Mayor pointed out the cost quote from three years ago was \$88,000, but was actually costing \$58,000 due to Economy Electric and Hall Construction waiving their fees, which was a real community effort. Mayor Costello stated Item #7H was a grant to alleviate some of stormwater issues, and he was pleased the grants had started to be awarded. The Mayor stated the closure of traffic lanes at night in Item #7K, Utilities Relocation, was worth the additional \$20,000 to keep the businesses open.

Item #8A – LDC Amendments: T-1 Zoning District

ORDINANCE NO. 2010-22

AN ORDINANCE ESTABLISHING USES AND DIMENSIONAL STANDARDS FOR MANUFACTURED AND MOBILE HOME COMMUNITIES CURRENTLY ZONED AS T-1 AND DELETING THE REQUIREMENT FOR A REZONING TO PLANNED MANUFACTURED HOME COMMUNITY (PHMC) BY AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE I, ESTABLISHMENT OF ZONING DISTRICT AND OFFICIAL ZONING MAP, SECTION 2-02, FUTURE LAND USE MAP DESIGNATIONS AND ZONING DISTRICTS, TABLE 202, FUTURE LAND USE MAP DESIGNATIONS AND COMPATIBLE ZONING DISTRICTS, AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-20, RESERVED (T-1) BY RE-ESTABLISHING THE T-1 ZONING DISTRICT, DELETING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2-39, PLANNED MANUFACTURED HOME COMMUNITY (PHMC) IN ITS ENTIRETY AND RESERVING THE SECTION, AND AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL AND SPECIAL EXCEPTION REGULATIONS, SECTION 2-57(M), CRITERIA FOR REVIEW OF SPECIFIC CONDITIONAL AND SPECIAL EXCEPTION TO ESTABLISH CONDITIONS FOR MANUFACTURED HOME COMMUNITY (MAHC) AND MOBILE HOME

COMMUNITY (MOHC); REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated this was a public hearing and stated there were no requests from the audience to speak. He stated the Planning Board unanimously recommended approval on a vote of 6-1 of Ordinance No. 2010-22.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, for approval of Ordinance No. 2010-22, on second reading, as read by title only.**

Commissioner Kelley commended the Planning Board for being very diligent in reviewing this issue by discussions of each proposal, resulting in a recommendation that was well thought out.

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

Mayor Costello closed the public hearing without objection.

Item #8B – LDC Amendments: Airport Overlay District Map

ORDINANCE NO. 2010-23

AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE VI, OVERLAY DISTRICTS SECTION 2-72, AIRPORT OVERLAY DISTRICT, OF THE *LAND DEVELOPMENT CODE* BY ADDING THE AIRPORT OVERLAY DISTRICT MAP 10-2; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated this was a public hearing with no requests to speak. He stated the Planning Board approved recommendation by a 6-1 vote.

**Commissioner Kelley moved, seconded by Commissioner Gillooly, for approval of Ordinance No. 2010-23, on second reading, as read by title only.**

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

Mayor Costello stated with no objection the public hearing was closed.

Item #9 – Front Yard Parking Residential Properties

ORDINANCE NO. 2010-24

AN ORDINANCE AMENDING CHAPTER 14, OFFENSES-MISCELLANEOUS, OF THE CODE OF ORDINANCES, BY ADDING ARTICLE X, VEHICLE PARKING/NUISANCE, AND SECTIONS 14-103, FRONT YARD AND STREET-SIDE YARD PARKING, THEREUNDER; BY ESTABLISHING TERMS AND CONDITIONS RELATIVE THERETO; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated this was a public hearing, and at her request, invited Ellen Orfinger to come forward to speak.

Ellen Orfinger, 1527 Oak Forest Drive, stated the standards of our community were high and those standards should apply to residential parking. She stated she understood that economic times necessitated families living together, but her new neighbors had two vans, one boat, three cars, and four motorcycles. She stated it was not an economic issue that they parked in the front yard and parked in the side yard with a tire preventing the gate from closing, while leaving the boat attached to a tow vehicle. Mrs. Orfinger expressed her support for the ordinance which would eliminate the eyesore in her neighborhood.

Mayor Costello asked Mrs. Orfinger to meet with Neighborhood Improvement Supervisor Joanne Naumann on these particular violations.

**Commissioner Partington moved, seconded by Commissioner Kent, for approval of Ordinance No. 2010-24, on second reading, as read by title only.**

Commissioner Kent stated that leaving a boat out more than 16 hours was against code, and he was voting in favor of the ordinance.

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

Item #10A(1) – Additional Annual Garage Sale

ORDINANCE NO. 2010-25  
AN ORDINANCE AMENDING CHAPTER 2, DISTRICT AND GENERAL REGULATIONS, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50, ACCESSORY USES, OF THE *LAND DEVELOPMENT CODE* BY AMENDING PARAGRAPH P, GARAGE SALES, PROVIDING FOR AN ADDITIONAL ANNUAL GARAGE SALE AT NO COST TO THE CITIZENS, AND CLARIFYING THE PROCESS FOR HOLDING A GARAGE SALE; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Costello stated the Planning Board voted 5-0 to deny recommending approval of the ordinance.

**Commissioner Kent moved, seconded by Commissioner Partington, to discuss approval of Resolution No. 2010-25, on first reading, as read by title only.**

Commissioner Gillooly stated it was a good idea to help citizens, and she would support it.

Commissioner Kent stated his support to approve the ordinance.  
Commissioner Kelley stated he would support the Planning Board’s recommendation to deny approval because people were using Craig’s List to move their unwanted items, rather than garage sales.

Mayor Costello stated it was interesting that the Orlando Sentential had reduced the days that classified were published due to the reduced demand for ads.

Commissioner Partington stated he supported the ordinance.

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

Item #10A(2) – Third Annual Garage Sale

ORDINANCE NO. 2010-26  
AN ORDINANCE AMENDING CHAPTER 8, BUILDINGS AND CONSTRUCTION REGULATIONS, ARTICLE I, IN GENERAL OR THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH; BY AMENDING SECTION 8-10, APPLICATION PROCESSING FEES, PARAGRAPH G, MISCELLANEOUS, SUBPARAGRAPH 5, GARAGE OR YARD SALES TO PROVIDE FOR A THIRD EVENT AT NO COST TO THE CITIZENS; PROVIDING FOR SEVERABILITY; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

**Commissioner Kent moved, seconded by Commissioner Gillooly, to discuss approval of Resolution No. 2010-26 on first reading, as read by title only.**

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

Item #10B – Foreclosure Registry Program

ORDINANCE NO. 2010-27

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF ORMOND BEACH, FLORIDA, BY CREATING ARTICLE V, TITLED “ABANDONED REAL PROPERTY”; PROVIDING FOR PURPOSE AND INTENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTIFICATION PROCEDURES; PROVIDING FOR THE REGISTRATION OF ABANDONED REAL PROPERTY BY MORTGAGEES; REQUIRING MORTGAGEES TO INSPECT AND MAINTAIN ABANDONED REAL PROPERTY; PROVIDING FOR ENFORCEMENT AND PENALTIES; PROVIDING FOR INCLUSION IN CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Costello pointed out the Commission had three options: to approve a contract with Federal Property Registry Corporation; to approve a six month trial with Federal Property Registry Corporation; or to handle the registry in-house.

Rodney Brace, Federal Property Registry Corporation (FPRC), Melbourne, commended the City for entertaining the ordinance, and for seeing the benefit of a registry. He stated that due to the increase in foreclosures, many properties were being abandoned and neglected, creating multiple eyesores in the communities. He stated FPRC was a tool for the City to use to manage these properties, making it easier for the City. Mr. Brace stated FPRC services included tracking notices of lis pendens, which indicated a potential foreclosure; contacting the mortgage holders regarding registering the property; and auditing the database of properties to insure compliance with local ordinances.

City Manager Shanahan stated staff could handle the registry in-house at this point, and the proposed fee to be charged would cover the costs of management of the properties. She stated these properties were currently being tracked by staff, therefore, it would not be any additional work for staff.

Mayor Costello stated that if partnering with an outside firm would free up staff time, he would support a partnership with FPRC.

Commissioner Gillooly stated she had dealt with a number of code enforcement issues in her zone, and staff had responded quickly to correct the violations. She stated staff was dealing with these properties anyway, and staff had already established a database.

**Commissioner Partington moved, seconded by Commissioner Kent, to approve Option 2 of Ordinance No. 2010-27 on first reading, as read by title only.**

City Manager Shanahan stated the situation would be closely monitored, and should the situation become too much for staff, the issue would be brought back to the Commission for further action.

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

Item #11 – Residential Fire Protection Sprinklers

Commissioner Partington stated the City should oppose House Bill 7095 because the residential fire sprinklers should be included in the building code.

Commissioner Gillooly stated the benefits from live saving and property preservation far outweighed the costs.

Mayor Costello pointed out the fact that fire sprinklers increased the burn time on a residence from 3 minutes to 17 minutes, resulting in lives and property saved.

Commissioner Kent stated the residents he spoke with opposed requiring residential sprinklers, due to the increased cost of building a house, and they felt smoke alarms were sufficient.

Commissioner Kelley stated a 2,000 square foot home would cost about \$3,500 for a sprinkler system. He stated safety was important, but he saw that in the future the law would be changed to require any home that was sold or exchanged to retro-fit for sprinklers; and although he appreciated the life saving factor, it was a lot of additional cost to homeowners.

Commissioner Gillooly stated Commissioner Kelley made some valid points, but building standards were always being improved, and the lifesaving benefits of this proposal made it necessary. She stated that for the record, just because this would become a requirement for future building, this would not negate the need for a fire department.

Commissioner Kelley stated he did not reference not needing a fire department.

Commissioner Partington stated the statistics clearly showed substantial lifesaving and property saving of homes with fire sprinklers, while allowing wider spacing between fire hydrants and protecting firefighters.

Commissioner Kent stated he did not necessarily agree with the residents he spoke with, and Commissioner Kelley’s points needed to be considered; but he was leaning towards a residential fire sprinkler requirement for new construction.

Mayor Costello stated he supported writing a letter in opposition to this resolution, while conversely, he would not support writing a letter to ask it be included. He stated the building code experts and the fire departments should determine any action in this regard, rather than the politicians.

City Attorney Randy Hayes stated that if the Mayor was going to sign the letter, a vote should be taken.

**Commissioner Kent moved, seconded by Commissioner Partington, to write a letter opposing House Bill 7095.**

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

Item #12 - Reports, Suggestions, Requests

Temporary Signs

Commissioner Kent stated he was pleased that \$20,000 was being spent to keep businesses open on Granada by doing the utilities relocate at night, which was another example of what made Ormond Beach a special place. He stated his point was temporary signage took something away from our special place; he was bothered by people dressed up waving signs; and he was not swayed by someone waving a sign.

Off-Beach Parking

Commissioner Kent stated he fully supported the off-beach parking the County provided on the west side of A1A, and suggested the City approach the County to request a traffic light be installed that would be activated when an individual pressed a button. He stated he would support all off-beach parking within walking distance of the beach.

Assistant City Manager MacLeod reported the issue had already been proposed, and the staff was working with FDOT and the County to resolve the situation.

Mayor Costello stated he heard a rumor the County was not renewing the lease with the Lutheran Church for off-beach parking.

City Manager Shanahan reported that as a cost cutting measure by the County, it had been proposed the County not renew the parking lease with the Lutheran Church; but she was not aware of the status of the proposal. She stated a letter was sent from staff expressing the City did not support that solution.



**Commissioner Kent moved, seconded by Commissioner Gillooly, to write a letter under the Mayor's signature to the County to continue the lease with the Lutheran Church and all others for off-beach parking.**

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

Commissioner Kent suggested a 100 foot wide swath for a half mile of the state park property along A1A on either side could be used for public parking.

Mayor Costello reported the Trust for Public Lands made an offer for the Surfside property, which was turned down. He stated an offer had been accepted on the four acre site; and if the purchase was completed, the purchase price might establish a current market value for beachfront property. He asked for a motion to write a letter to the County requesting their purchase of the four acre site as a county park, and the City could purchase a two acre site for another park, or possibly, the Surfside property later, because beachfront property would probably not go any lower in price. The Mayor requested the City Manager distribute copies to the Commission of Parker Mychenberg's drawing of what the four acre site could look like with a couple of hundred parking spaces, restrooms, and kiddy park. He stated it would make a great county park, and the City could have another park. The Mayor explained that on a \$200,000 house, the additional tax for the bond would be about \$50; and he asked the City Manager to get something in writing from the Volusia County Tax Assessor Morgan Gilreath verifying it that could be listed separately on the tax bill.

City Manager Shanahan stated a contract had been signed for a phone survey, and the questions were being developed to be presented to the Commission. She explained the Trust for Public Land was working with the City for the purchase of the four acre site, therefore, she was concerned about writing a letter to the County asking them to fund the park, when Trust for Public Lands was under the impression they were working to obtain the property for the City. She stated the City certainly wanted to partner with the County on the park, but she was concerned how it would affect the City's relationship with Trust for Public Lands, at this point, if the City approached the County regarding purchasing the four acre site. She stated she would discuss the issue with Bob Guido from the Trust for Public Lands.

Mayor Costello stated he felt there was growing interest in the County to purchase beachfront property for off-beach parking, but he would yield to the City Manager's judgment; and the issue could be discussed at the next meeting. He stated his objective was to get as much land as possible.

#### Electronic Signs

Commissioner Kelley clarified he supported not just three houses of worship that had 20 acres or more, but for other churches as well, to have electronic, changeable signs. He stated the issue was for electronic, changeable signs for houses of worship, not flashing lights.

Commissioner Partington suggested publicizing the presentation of the electronic, changeable sign for interested parties to view.

Mayor Costello expressed his support for houses of worship to be permitted the electronic, changeable signs because they have multiple activities for the community, but he would not support businesses having the signs. The Mayor suggested approaching these houses of worship to post the City events on their signs.

#### Volunteers

Commissioner Gillooly thanked the Commission for their support and approval of Dr. Parr's appointment to the General Employees Pension Board. She stated the City was fortunate that so many citizens, such as Dr. Parr, were willing to serve on the various City boards; and thanked Dr. Parr for volunteering.

#### PAL

City Manager Shanahan reported 12 PAL kids were playing in the Florida Basketball tournament the weekend of April 10 at Disney's Wide World of Sports.

Park Clean-Up Days

City Manager Shanahan reported Central Park Clean-Up Day was April 10, 8:00 am to 12:00 pm.; Sanchez Park Clean-Up was April 17, 8:00 am to 12:00 pm.; Nova Community Park Clean-Up was April 24, 8:00 am to 12:00 pm.; and Bailey Riverbridge Gardens Park was May 8, 8:00 am to 12:00 pm.

Volusia League of Cities Dinner

Mayor Costello stated the Volusia League of Cities event was fabulous, and he thanked staff. He stated everyone enjoyed themselves at the dinner on the river.

Census

Mayor Costello stated the latest figures show the City had a 71% response to the census questionnaire. He stated that was too low, and suggested staff or volunteers contact the citizenry to encourage them to respond.

City Manager Shanahan stated she would contact our representative on the County Census Count Committee to determine what could be done. She reported the condos had been contacted.

Item #13 – Close the Meeting

The meeting was adjourned at 8:35 p.m.

APPROVED: April 20, 2010

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk