

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

July 17, 2007 7:00 p.m.

Present were: Mayor Fred Costello, Lori Gillooly, Troy Kent, Ed Kelley, and Bill Partington, City Manager Isaac Turner, Assistant City Manager Ted MacLeod, City Attorney Randal Hayes, and City Clerk Veronica Patterson.

- 1) Meeting call to order by Mayor Costello.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) **AUDIENCE REMARKS:**
- 5) **APPROVAL OF THE MINUTES** of the July 3, 2007, meeting.
- 6) **INTERGOVERNMENTAL REPORTS:**
 - A) Metropolitan Planning Organization
 - B) Volusia Council of Governments
 - C) Water Authority of Volusia
- 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. 2007-99 authorizing the execution of two Joint Participation Agreement Amendments, Number 2, between the City and the State of Florida Department of Transportation regarding the Nova Road Median Landscaping project. (Nova Road,

Arroyo Parkway to Wilmette Avenue - Extension in agreement time; 100% FDOT funding)

- B) Resolution No. 2007-100 approving and authorizing the execution of a Subordination Agreement regarding the Right of First Refusal Agreement for 160 East Granada Boulevard.
- C) Resolution No. 2007-101 authorizing the execution of an agreement between the City of Ormond Beach, Marion County, Lake County, County of Volusia, Putnam County, City of Daytona Beach, Ocala/Marion Transportation Planning Organization, Lake/Sumter Metropolitan Planning Organization, Volusia County Metropolitan Planning Organization, East Central Florida Regional Planning Council, Withlacoochee Regional Planning Council, Northeast Florida Regional Council, United States Forest Service, Florida Division of Forestry, Florida Department of Environmental Protection, Office of Greenways and Trails, Florida Department of Environmental Protection, Division of Recreation and Parks, Florida Fish and Wildlife Conservation Commission, St. Johns River Water Management District, Barberville Pioneer Settlement for the Creative Arts, Astor Area Chamber of Commerce, Silver Springs Nature Theme Park, River of Lakes Heritage Corridor, Volusia Speedway Park, West Volusia Tourism Advertising Authority, Ocala National Forest Association in Support of the Florida Black Bear Scenic Byway Corridor Management Plan; designating a City representative; authorizing transmittal.
- D) Appointing a delegate to serve at the Florida League of Cities Annual Conference.

DISPOSITION: Approve as recommended in City Manager memorandum dated July 12, 2007.

8) **PUBLIC HEARINGS:**

- A) Ordinance No. 2007-23 relative to business tax receipts, amending Chapter 1, Article I, Preamble, Article II, Administration and Enforcement, Article III, Definitions and Acronyms, Chapter 2, Article II, District Regulations, Article III, General Regulations, Article IV, Conditional Uses and Special Exceptions, Article V, Nonconformance, Chapter 3, Article II, Environmental Protection Standards, Article IV, Sign Permit Required, Article V, Utility and Infrastructure Design Standards, and Chapter 4, Article I, Site Plan Review Procedures, of the *Land Development Code* by changing the reference from occupational licenses to business tax receipt; repealing all inconsistent ordinances or parts thereof; providing for severability; and setting forth an effective date.
 - B) Ordinance No. 2007-24 amending Chapter 2, Article VI, Overlay Districts, Section 2-71, Historic Landmarks and Districts, of the *Land Development Code* by amending the demolition review date for historic structures; repealing all inconsistent ordinances or parts thereof; providing for severability; and setting forth an effective date.
 - C) Ordinance No. 2007-25 relative to building height limits and restrictions, amending Chapter 1, Article III, Definitions, Section 1-22, and Chapter 2, Article II, District Regulations, Sections 2-08 through 2-10, 2-28, 2-35, 2-36 and 2-40, Chapter 2, Article III, General Regulations, Section 2-50 of the *Land Development Code* by amending regulations regarding maximum building height; repealing all inconsistent ordinances or parts thereof; providing for severability; and setting forth an effective date.
- 9) **FIRST READING OF ORDINANCE** No. 2007-26 relative to the office of Mayor and City Commissioners by providing and calling a Regular Election of the registered electors of the City of Ormond Beach to be held on October 9, 2007; providing and calling a Runoff Election of the registered electors of the City of Ormond Beach to be held on November 6, 2007, if necessary; providing qualifying and election procedures; establishing a date for taking office; designating the location of polling places; providing for severability; and setting forth an effective date.
- 10) **RESOLUTION** No. 2007-102 authorizing the execution of an agreement between the City and the Volusia County Sheriff's Office regarding consolidated police dispatch services. (Two-year cost of about \$756,000, a decrease of \$160,000 from the current two-year cost)

11) **DISCUSSION ITEMS:**

- A) City/County partnership on widening of Clyde Morris Boulevard.

- B) Assistance to grieving families.
 - C) “Yellow Flag” program honoring U.S. troops.
- 12) **REPORTS, SUGGESTIONS, REQUESTS:** Mayor, City Commission, City Manager, City Attorney.
- 13) **CLOSE THE MEETING.**

Item #1 - Call to Order

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

Item #2 - Invocation

Mr. Ted MacLeod, Assistant City Manager, gave the invocation.

Item #3 - Pledge of Allegiance

Mayor Costello led in the Pledge of Allegiance.

Item #4 - Audience Remarks

Pep Tank System at Hunter’s Ridge

Ms. Caroline Lacurto, 28 Foxfords Chase, stated there was an ongoing problem in Hunter’s Ridge due to the Pep tank system. She noted City staff comes out two to three times each day to pump from a tank at the end of a cul-de-sac. Ms. Lacurto advised there was now a sewage odor, and she questioned what the City’s long-term plan was to correct this situation.

Ms. Lisa Pafford, 20 Foxhunter Flat, stated the residents could not use the water. She noted City staff was very friendly and helpful, but they were constantly telling residents not to use the water.

Mayor Costello suggested an e-mail be sent to him regarding these types of issues, and he would try to obtain a good answer to the problem. He noted he would obtain information from the Public Works Director after allowing time to do the proper research.

Mr. Isaac Turner, City Manager, requested the speakers consult with Ms. Judy Sloane, Public Works Director, regarding this issue before they leave this evening.

Ms. Pafford reported an employee relieved pressure on the line, but did not have a tank with him so he released it into the conservation area next to her home. She expressed concern that this sewage was seeping into the ground, and the residents are being forced to inhale it.

Mayor Costello reiterated the City Manager’s request for her to speak to Ms. Sloane because no one wanted this problem to continue.

Water Outside City Limits

Mr. John Bornmann, 6 Windsor Drive, noted that according to a newspaper article, the City had been holding meetings with Volusia County regarding providing water to subdivisions outside of the City limits, and these subdivisions wanted the water at a reduced rate. He pointed out the north peninsula residents pay an increased rate for City water because they live outside of the City limits, and he questioned why subdivisions who did not want to annex into Ormond Beach and pay City taxes should have a reduced rate for Ormond Beach water.

Mayor Costello stated he would have someone contact Mr. Bornmann regarding this issue after the negotiations were finalized. He assumed when the reduced rate was mentioned it was reduced from the 150% rather than the rate that Ormond Beach residents would pay. Mayor Costello assured Mr. Bornmann he would not vote to allow these subdivisions to pay less than City residents.

Advisory Board Seminar

Mr. Bob Behnke, 15 Malayan Sunbear Path, thanked the City for the invitation to attend the citizen’s advisory board committee workshop in St. Augustine a few weeks ago. He stated he attended the workshop and gained a great deal of information that would allow him to offer more

City Commission – July 17, 2007

to the board on which he served. Mr. Behnke provided a copy of the literature to the City Clerk to share with other advisory board members who were unable to attend.

Mayor Costello thanked Mr. Behnke for attending the meeting, noting this was a similar experience the Commission had when attending the Florida League of Cities and similar meetings.

Riverbend Nature Park

Mr. Behnke stated it took the City only two days to replace the missing rail cap on the fishing dock at the Riverbend Nature Park even when it was not a safety issue. He pointed out this occurred during Mr. David Abee's, Leisure Services Director, absence, and he commended staff for doing a great job by acting so quickly.

Item #5 - Approval of Minutes

Mayor Costello advised the minutes of the July 3, 2007, meeting had been sent to the Commissioners for review and asked if there were any corrections, additions, or omissions.

Mayor Costello stated that the minutes were approved as submitted.

Item #6(A) - Metropolitan Planning Organizations and Item #6(B) - Volusia Council of Governments

Mayor Costello reported there would be no Metropolitan Planning Organizations (MPO) or Volusia Council of Governments (VCOG) meetings scheduled in July.

Item #6(C) - Water Authority of Volusia

Commissioner Kelley stated each of the Commission members were provided information in their packet from the general worksheet along with input from the Water Authority of Volusia (WAV) members. He asked if anyone have anything specific they wished to add so he could present it at the WAV meeting tomorrow.

Mayor Costello stated it appeared those who deal with these issues on a monthly basis have already added what needed to be added.

Commissioner Kelley stated the major issue that WAV would be stressing was the education of conservation as well as the new minimum flows and level from the St. Johns River Water Management District.

Item #7 - Consent Agenda

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

Commissioner Kelley moved, seconded by Commissioner Partington, for approval of the Consent Agenda, as presented.

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

Item #8(A) – Business Tax Receipts

ORDINANCE NO. 2007-23

AN ORDINANCE RELATIVE TO BUSINESS TAX RECEIPTS, AMENDING CHAPTER 1, ARTICLE I, PREAMBLE, ARTICLE II, ADMINISTRATION AND ENFORCEMENT, ARTICLE III, DEFINITIONS AND ACRONYMS, CHAPTER 2, ARTICLE II, DISTRICT REGULATIONS, ARTICLE III, GENERAL REGULATIONS, ARTICLE IV, CONDITIONAL USES AND SPECIAL EXCEPTIONS, ARTICLE V, NONCONFORMANCE, CHAPTER 3, ARTICLE II, ENVIRONMENTAL PROTECTION STANDARDS, ARTICLE IV, SIGN PERMIT REQUIRED, ARTICLE V, UTILITY AND INFRASTRUCTURE DESIGN

STANDARDS, AND CHAPTER 4, ARTICLE I, SITE PLAN REVIEW PROCEDURES, OF THE *LAND DEVELOPMENT CODE* BY CHANGING THE REFERENCE FROM OCCUPATIONAL LICENSES TO BUSINESS TAX RECEIPT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Kelley, to approve Ordinance No. 2007-23, on first reading, as read by title only.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #8(A).

Item #8(B) – Reducing Age for Historic Landmarks

ORDINANCE NO. 2007-24
AN ORDINANCE AMENDING CHAPTER 2, ARTICLE VI, OVERLAY DISTRICTS, SECTION 2-71, HISTORIC LANDMARKS AND DISTRICTS, OF THE *LAND DEVELOPMENT CODE* BY AMENDING THE DEMOLITION REVIEW DATE FOR HISTORIC STRUCTURES; REPEALING ALL INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Gillooly moved, seconded by Commissioner Kent, to approve Ordinance No. 2007-24, on first reading, as read by title only.

Commissioner Kelley stated this would reduce the age of structures from 75 to 50 years old to be considered as historic landmarks.

Mayor Costello clarified this would actually increase the age by four years going from 1950 to 1946, which would add 600 to 700 structures.

Mr. Ric Goss, Planning Director, reported approximately 600 structures would be included. He clarified the age of the structure would be moved up from January 1, 1946, to January 1, 1950, increasing the total inventory from 388 to approximately 1,000 structures.

Commissioner Kent stated it was moved up from 1946 to 1950; therefore, the homes build from 1946 to 1950 would be added, enlarging the window.

Commissioner Kelley asked for clarification that this would include houses anywhere in Ormond Beach, not only in the historic district.

Commissioner Gillooly noted criteria other than just the age of the structure had to be met as well.

Mr. Goss advised this applied only for those structures on the historic list or within the Lincoln Avenue Historic District. He noted if not in those two categories they would only be considered for demolition if built before 1950 which would add a number of buildings outside of the historic district that could be reviewed for demolition only, but not for exterior renovations.

Commissioner Kelley questioned what impact this would have on anyone outside of the historic district with a dilapidated building, which may not be historically significant.

Mr. Goss noted this would give the Historic Landmark Preservation Board the opportunity to review the structure to determine if it was a contributing structure to the heritage of Ormond Beach. He stated if it was determined not to be contributing, the demolition would be permitted; but if it was contributing, it would be considered to be relocated.

Commissioner Gillooly stated the year was the starting point, which would give staff and the board the opportunity to consider the structure; but other criteria would be used to determine its historic value.

Mr. Goss stated the impact on staff would be four or five buildings per year.

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

Hearing no objection, Mayor Costello closed the public hearing on Item #8(B).

Item #8(C) – Building Height Limit

ORDINANCE NO. 2007-25
AN ORDINANCE RELATIVE TO BUILDING HEIGHT LIMITS AND RESTRICTIONS, AMENDING CHAPTER 1, ARTICLE III, DEFINITIONS, SECTION 1-22, AND CHAPTER 2, ARTICLE II, DISTRICT REGULATIONS, SECTIONS 2-08 THROUGH 2-10, 2-28, 2-35, 2-36 AND 2-40, CHAPTER 2, ARTICLE III, GENERAL REGULATIONS, SECTION 2-50 OF THE *LAND DEVELOPMENT CODE* BY AMENDING REGULATIONS REGARDING MAXIMUM BUILDING HEIGHT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kent moved, seconded by Commissioner Partington, to approve Ordinance No. 2007-25, on first reading, as read by title only.

Mr. Clay Ervin, Chief Planner for Special Projects, advised that Mr. Bornmann had pointed out an inconsistency between the staff report and the ordinance. He explained page 8 of the ordinance in Section 6, stated that aircraft hangars may be constructed to a height of a maximum of 125 feet, which was shown as a new section; however, this was incorrect and should be consistent with the staff report on page 13 where the entire section was struck. He stated all structures would have to comply with the 75-foot height restriction.

Commissioner Kent moved, seconded by Commissioner Gillooly, to amend the motion to delete Section 6 on page 8 of the ordinance.

Mr. Ervin reported Mr. Gregory Avakian sent an e-mail requesting this item be continued in that he would like to express concerns and would not be able to attend this meeting. He noted he explained to Mr. Avakian that he would be able to speak at the second reading of the ordinance.

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

Commissioner Kelley objected to the language because the term “average median” does not exist. He stated to be correct it would be either “average” or “median.” He stated he could not approve something knowing the language was incorrect. Commissioner Kelley asked if staff was confident there would be no residential structures that would be nonconforming based upon the definition of the measure of height as “average median.”

Mr. Ervin acknowledged Commissioner Kelley’s concern with the terminology; however, for the purposes of implementing the Charter, the City should be able to provide some type of definition in the Land Development Code that would, while not being mathematically correct, would be able to provide staff with the requirements to implement the Charter. He noted it was important to use the same terms as the Charter so there would be no opportunity for staff interpretation or any inconsistencies between the Charter and the Land Development Code. Mr. Ervin reported it was staffs’ understanding of the Charter that it was focusing solely on a maximum height standard to be established throughout the City. He stated the other standards currently being implemented would not be affected by this. Mr. Ervin reported he was confident that by establishing a bifurcated method of defining building heights there was a situation where the City could continue to maintain conforming single-family homes of two stories and still be able to measure how building heights had traditionally been measured while implementing the concerns identified by the residents in the Charter amendment.

Commissioner Kelley stated he could appreciate that, but it included all buildings without clarifying if they were residential or non-residential. He noted this may not legally be able to correct, but he could not approve something that could affect residential houses that would become nonconforming.

Commissioner Gillooly noted she understood the desire to have something workable for staff to use to implement the intent, but she questioned the legal implications of the definition when the Commission was aware the term “average median” does not exist and that it may be creating nonconforming existing structures.

Mr. Randal Hayes, City Attorney, stated this ordinance was trying to harmonize the regulations in the Land Development Code and the Charter, so the Commission must come up with a definition. He noted there may not be a true technical or mathematical definition for the term, but for the purposes of implementing the Code, what the Commission would establish for a definition would become the definition, and it would be enforceable. Mr. Hayes reported there would have to be some areas where some discretion must be used to define terms to allow staff to better implement the height regulation.

Commissioner Kelley reasserted his concern.

Commissioner Gillooly stated she understood Commissioner Kelley’s points and appreciated that staff and the Planning Board tried to create a situation to implement what was placed in the Charter.

Mayor Costello requested that Mr. Ervin and Mr. Goss come up with a working definition for “average median” that the Commission could adopt that would accomplish the intent of the term for the second reading. He asked if it were possible that the language placed in the Charter would not imply that other maximum heights for residential areas would be measured the same way. Mayor Costello explained it should be specified that this was strictly related to the maximum height, and that any alternate ways of measuring other zoning category heights would not change.

Mr. Hayes stated the term “average median height” was used in the Charter, but it was not defined in the Charter; therefore, this ordinance was to provide that definition. He noted this may not be mathematically correct, but it was the best definition the Planning staff could come up with that would be consistent with the intent of the Charter. Mr. Hayes noted if the Commission was asking for something different, that direction would be needed because the ordinance contains the definition of average median lots. He read the definition noted in the ordinance as follows: “Average median lot elevation - The average of the final elevations established for a parcel based on compliance with the minimum standards established in this Land Development Code. The average median elevation shall be based on the average of the highest and lowest elevations for the development of a parcel, stormwater ponds, and other stormwater conveyances such as swales, inlets, and drains shall not be used in calculating the average median lot elevation.”

Mayor Costello stated his goal was to clarify the term and have no gray areas.

Mr. Ervin explained that staff needed some policy guidance from the Commission to insure that they were implementing the Charter amendment into the Land Development Code as the Commission believed it was approved. He reported the terminology to arrive at a correct term could be difficult.

Mayor Costello stated if staff believed any clarification was necessary they should bring it to the Commission, but if the definition given was adequate nothing more was needed. He noted he wanted to make certain that this method of measuring was only appropriate for the maximum building height and would not translate that same mechanism of measurement to other building heights.

Commissioner Kent advised he was satisfied with the definition staff provided.

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

Mayor Costello thanked Mr. Bornmann for discovering the discrepancy between the ordinance and the staff report.

Hearing no objection, Mayor Costello closed the public hearing on Item #8(C).

Item #9 - Regular Election

ORDINANCE NO. 2007-26

AN ORDINANCE RELATIVE TO THE OFFICE OF MAYOR AND CITY COMMISSIONERS BY PROVIDING AND CALLING A REGULAR ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH TO BE HELD ON OCTOBER 9, 2007; PROVIDING AND CALLING A RUNOFF ELECTION OF THE REGISTERED ELECTORS OF THE CITY OF ORMOND BEACH TO BE HELD ON NOVEMBER 6, 2007, IF NECESSARY; PROVIDING QUALIFYING AND ELECTION PROCEDURES; ESTABLISHING A DATE FOR TAKING OFFICE; DESIGNATING THE LOCATION OF POLLING PLACES; PROVIDING FOR SEVERABILITY; AND SETTING FORTH AN EFFECTIVE DATE.

Commissioner Kelley moved, seconded by Commissioner Partington, to approve Ordinance No. 2007-26, on first reading, as read by title only.

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

Item #10 – Consolidated Police Dispatch Services

RESOLUTION NO. 2007-102

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY AND THE VOLUSIA COUNTY SHERIFF'S OFFICE REGARDING CONSOLIDATED POLICE DISPATCH SERVICES; SETTING FORTH AN EFFECTIVE DATE.

Commissioner Partington moved, seconded by Commissioner Gillooly, to approve Resolution No. 2007-102, as read by title only.

Commissioner Kent asked how much the three dispatch consoles would cost if the Sheriff's office had to purchase them.

Police Chief Michael Longfellow stated he could not provide the value of these consoles, but new consoles would cost \$25,000. He pointed out these consoles were six generations behind what would be purchased.

Mayor Costello noted the City would be receiving approximately \$10,000 each.

Commissioner Kent asked if the consoles would be utilized; whereby, Chief Longfellow advised they would be used as backups in the mobile command post and the EVAC center.

Commissioner Kent advised he wanted to save the money, but he expressed concern regarding the police facility being closed at night.

Mayor Costello reported a phone would be available for a citizen to obtain help. He stated there would also be an operating camera. Mayor Costello advised obtaining 40% for a used computer that was six generations behind was incredible. He advised this did not save \$160,000 over two years as indicated in the staff report because it also saved the City from spending \$300,000 to \$600,000 in technology upgrades and it also improved the level of service. Mayor Costello noted the Commission had discussed this needed technology upgrade to better serve the residents for some time. He reported he was excited this would improve the level of service.

Commissioner Kelley agreed the additional savings would improve the service for the officers in the field as well as for the residents. He noted it was a shame Ormond Beach had to wait this long for this technology in the Police Department.

Commissioner Kent asked if the motion was for Option 1 or Option 2.

Mayor Costello asked the Commissioner who made the motion which option was being recommended. In that it could not be determined who made the motion, Mayor Costello asked for a new motion and second.

Commissioner Kelley moved, seconded by Commissioner Gillooly, to approve Option 2.

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

Item #11(A) – City/County Partnership on Widening of Clyde Morris Boulevard

Mayor Costello reported the fund balance was estimated at 19.9% and would go down to 17.6% if \$650,000 were used for this widening project partnership.

Mr. Turner advised there would also be \$100,000 used from the Water and Sewer Fund for the utilities for a total of \$750,000.

Commissioner Kelley stated this would be a great opportunity to complete this project.

Mayor Costello described this as an outstanding partnership between the City and the County. He requested a resolution be brought to the Commission in that the Commission unanimously supported the project.

Ms. Judy Sloane, Public Works Director, stated staff would bring a joint project agreement with the County to the Commission that would formalize all of the conditions and payment information.

Item #11(B) – Assistance to Grieving Families

Commissioner Gillooly stated Mr. Jean Jenner had provided an e-mail in response to Mayor Costello’s request regarding ideas as to how the Commission may respond to grieving families in the community in the wake of a tragedy. She advised Mr. Jenner recommended adopting the concepts in the “Companionate Friends” website, which was a worldwide candle lighting on the second Sunday of December at 7:00 p.m. local time where people were asked to light a candle on their porch in memory of any children who were lost. Commissioner Gillooly reported she would support this program.

Mayor Costello urged the faith-based community be provided with this information to encourage their congregations to become aware of this program.

Chief Longfellow stated this had been discussed with the City’s volunteer chaplains, and he reported they would go back to their churches to start working on such a program.

Commissioner Kent noted he got the impression that Mayor Costello was hesitant to step in on the City’s behalf by what he indicated at the last meeting, but he offered his authority for the Mayor to act as he believed appropriate in these types of situations.

Mayor Costello clarified he was not certain what to do for the people.

Item #11(C) – “Yellow Flag” Program Honoring U.S. Troops

Mr. Barry Barnett, Palm Coast, stated he was a former Ormond Beach resident and an artist who worked with the military families and interests. He commended Ormond Beach for the “heart” and caring spirit it possesses. Mr. Barnett advised five cities have adopted the “Yellow Flag” program, and one city was struggling with a decision. He noted he was also speaking to four counties, and a flag may be presented to a member of congress. Mr. Barnett noted the yellow flag concept began four to five weeks ago. He explained he asked Palm Coast Commissioner Mary DiStefano to fly the city flag at half mast every Monday until the troops come home from harm’s way, but he was informed only the President and Governor could rule it be done. Mr. Barnett then asked if a yellow pennant could be flown with the words, “We Stand the Wall With You,” and he was informed that it could not be done, but a flag could be flown. He advised the design of the flag would include the words “Our Yellow Flag” at the top of the flag and a line stating “Remembers Our Armed Forces” along with a line stating “We Stand the Wall With You.” Mr. Barnett reported this flag was not a political statement other than to honor those

City Commission – July 17, 2007

who served and their families. He stated the cost was possibly as low as \$50, but the City logo could be added for an additional cost.

Mayor Costello stated there was an anonymous donor who was willing to pay for the first flag. He noted he would prefer to know the cost of the flag to include "City of Ormond Beach" instead of "Our Yellow Flag."

Commissioner Gillooly and Commissioner Kelley offered to donate personal funds for a flag.

Mr. Barnett stated if a flag could be sent to a designated group, they could fly the flag in Iraq and return it to the City at a later date. He noted all five services were mentioned on the flag.

Commissioner Partington asked where the flags would fly and if the flag Mr. Barnett had displayed at the meeting would be the actual size.

Mayor Costello stated the flag would be the same size as the State flag.

Mr. Barnett urged obtaining a backup set for when the flag begins to fade.

Mayor Costello advised the entire Commission would support flying the flag; however, he would prefer the City of Ormond Beach be included.

Item #12 - Reports, Suggestions, Requests

Fire Service Budget

Commissioner Kelley stated at the budget meeting last night it was indicated that the cost of fire service was 20% of the General Fund budget; however, it was actually 60% of all property tax revenue.

July Fourth Celebration

Commissioner Gillooly stated the Commission discussed at the budget meeting a tier two plan that would eliminate some of the special events. She noted she attended this year's Fourth of July celebration. Commissioner Gillooly advised walking around it made many people feel gratitude for those who serve this country. She thanked staff for the excellent event.

Halifax Habitat for Humanity Dedication

Commissioner Gillooly thanked Mayor Costello for attending the Halifax Habitat for Humanity dedication.

Invocation

Commissioner Kent commended Mr. MacLeod for the invocation he gave tonight.

Skateboarding at City Hall

Commissioner Kent noted Ormond Beach had a great skate park, but he noticed bicycle tire and skateboard marks on the City Hall grounds. He asked that general reminders be given that this was not appropriate at City Hall.

Advisory Board

Commissioner Kent thanked Mr. Behnke for bringing the packet information from the advisory board seminar. He recommended sending the information out to all advisory board members if staff would deem it to be appropriate.

Mayor Costello recommended scanning the information and e-mailing it to the board members.

Ribbon Cutting

Mr. MacLeod reminded the Commission there would be a ribbon cutting ceremony tomorrow afternoon at 5:30 at the Ormond Sports Park.

Dolphin Statues

Mayor Costello stated he noticed the bottom dolphin on the dolphin statue at City Hall was coated and should be cleaned.

Item #13 - Close the Meeting

The meeting was adjourned at 8:02 p.m.

City Commission – July 17, 2007

APPROVED: August 8, 2007

BY: Fred Costello, Mayor

ATTEST:

Veronica Patterson, City Clerk