REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
JANUARY 6, 2015

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Allen Green at 6:30 p.m.

Pledge of Allegiance

Silent Invocation

Roll Call:	Present:	Councilman Bob Ford Councilman Donald Burnette Councilman Scott Stiltner Vice Mayor Drew Bastian Mayor Allen Green
	Also Present:	David Harden, Interim City Manager Margaret T. Roberts, City Attorney Robin Fenwick, City Clerk

SPECIAL RECOGNITION AND PROCLAMATIONS

4. Former Council and Staff Retiree Recognition and Proclamations

Mayor Green presented proclamations to the employees who retired from the City of Port Orange in 2014. Council Members thanked them all for their service.

Mayor Green presented Former Council Member Dennis Kennedy with a plaque and artwork for his service to the City of Port Orange. Council Members thanked Mr. Kennedy for his service.

Mayor Green read a proclamation for First Responders Appreciation Week.

AGENDA APPROVAL

David Harden, City Manager, explained the modifications to the agenda, including the "Agenda Approval" section that allows for changes in order of the agenda items, as well as additions or deletions from the agenda. Routine resolutions have been added to the Consent Agenda. A roll call vote will need to be taken for those resolutions pursuant to the Charter.

Motion to withdraw Items #19 and 28
per the respective applicants was made

by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

Items #17, 18, 20, 22, 23, and 24 were pulled from the Consent Agenda for further discussion.

Motion to approve items pulled above was made by Councilman Ford, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

PUBLIC HEARING

5. First Reading - Ordinance No. 2015-2 - 11th Amendment to Development Agreement; Cypress Head PUD; property generally located at 6231 Palm Vista St.

Mayor Green read Ordinance No. 2015-2.

ORDINANCE NO. 2015-2

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE ELEVENTH AMENDMENT TO THE CYPRESS HEAD (SPRUCE HAMMOCK) PLANNED UNIT DEVELOPMENT AGREEMENT REGARDING PERMITTED USES; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2015-2 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote after no public comments.

6. Second Reading - Ordinance No. 2014-31 - 2014 Comprehensive Plan Capital Improvements Element (CIE) Annual Update Case No. 14-27500001

Mayor Green read Ordinance No. 2014-31.

ORDINANCE NO. 2014-31

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE

PLANNING; PROVIDING FOR ADOPTION OF THE FY2015-2020 FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS AS SET FORTH IN THE COMPREHENSIVE PLAN, CAPITAL IMPROVEMENTS ELEMENT AND SUPPORTING DATA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2014-31 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Councilman Ford will be working to get projects planned ahead of time to avoid surprises throughout the year.

Motion carried unanimously by roll call vote after no public comments.

7. Second Reading - Ordinance No. 2014-24 - Amendment to the Police Pension Ordinance - Section 54-122 of Article V of Chapter 54 of the Code of Ordinances

Mayor Green read Ordinance No. 2014-24.

ORDINANCE NO. 2014-24

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, AMENDING CHAPTER 54, ARTICLE V, CODE OF ORDINANCES, CITY OF PORT ORANGE, FLORIDA, ENTITLED "POLICE PENSION FUND"; AMENDING SECTION 54-122, DEFINITIONS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING RIGHTS OF CERTAIN SEPARATED EMPLOYEES NOT AFFECTED; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2014-24 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Ted Noftall, citizen, asked if the actuarial statement was received prior to second reading. Mayor Green said yes.

Motion carried unanimously by roll call vote.

CORPORATE MEETING

8. Port Orange Business Park Property Owner's Association, Inc.

Council recessed at 6:57 p.m. to hold a Port Orange Business Park Property Owner's Association, Inc. meeting, minutes of which are under separate cover.

Council reconvened at 7:02 p.m.

CITIZEN PARTICIPATION (Agenda)

9. Frankie Raley - Water Bill issue at 101 Palm Castle Drive

Ms. Raley did not attend. Mayor Green asked how the City handled this water bill issue. Mr. Harden explained that Staff waived the sewer portion. The water meters in the trailer park are privately owned. Staff reads the meters but they don't belong to the City. The meters are not working right and Staff cannot get in to test them. Staff believes the bill should stand and the Park owner should be responsible for the payment. The park should be on a master meter owned by the City.

Motion to continue until January 20, 2015 to allow the homeowner to attend was made by Councilman Burnette, and Seconded by Vice Mayor Bastian. Motion carried unanimously by voice vote.

10. Pop Warner Football club update

Bobby Ball provided an update to Council regarding the Pop Warner Football club. The speedway is donating 500-600 seats. The Club has applied for a grant from the speedway property landlord. Mayor Green and Council Members thanked Mr. Ball for his service with the community.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Mr. Schaefer addressed Council regarding the financial reports posted on the website. He would like to see the September, 2014 report posted on the website, as well as the final yearly report. Mr. Harden said the reports will be posted as soon as they are ready.

Newton White, citizen, addressed Council regarding public records requests and fees attached to them. He encouraged Council to fund a project to scan the records so they are available for citizens to search from the website. He also said the search engine on the website needs work. The results are not accurate.

Carlos Marchbanks, citizen, addressed Council regarding the outstanding utility lien on a short sale at 94 Woodlake Drive. He asked for a reduction on the $3,400 lien. Mayor Green asked Mr. Harden to look into the issue and help out.

Dianne Gardner, citizen, addressed Council regarding contract issues with City projects. She thanked Council for tabling the Chamber of Commerce contract so that due diligence could take place.

Mike Gardner, citizen, addressed Council regarding clarity of the agenda items.

Mr. Noftall addressed Council regarding transparency of the City. He asked Council to get involved in the process. He encouraged Council to make some Charter changes as to the City Manager's authorities.

COUNCIL COMMENTS

11. Comments/Concerns from Council Members

Councilman Ford discussed his concern with there not being a central after-hours number for citizens. He understands additional staff may be needed. He suggested the community service office man the police department 24 hours a day. He asked Mr. Harden to investigate options. He also would like the Emergency Management Plan brought up to date. Mayor Green agreed.

Councilman Burnette also agreed. He suggested checking with surrounding communities to see what they are doing. He asked for the status of the Public Utilities and Public Works Director positions. Mr. Harden advised that he has not worked on the Public Works Director position. He has another strong candidate he is working with for the Utilities position. Councilman Burnette asked what the status is of the walk lights on Dunlawton Avenue. Mr. Harden will provide a report. Councilman Burnette wants materials early for the flooding workshop.

Vice Mayor Bastian echoed his concern with the lights on Dunlawton Avenue. He read the proclamation for Florida's First Responders Awareness Week. Mayor Green thanked the support staff as well. Vice Mayor Bastian showed pictures of damage along the sides of Yorktowne Blvd. from vandalism.

Councilman Stiltner thanked Brandon Galbreath and Aunt Catfish for their service to the City Staff before the holidays.

Mayor Green believes the Staff does a great job with public records requests. He doesn't believe there has been a refusal of information.

Margaret Roberts, City Attorney, advised that there is no impact relating to the Police Pension Ordinance No. 2014-24. The actuarial statement was received by Staff.

12. Council Discussion on Goals

Councilman Stiltner's goals are as follows:

1) Complete search and hiring process for the new City Manager of Port Orange.
2) See that all vacant and interim Department Head positions within the City are filled.
3) Develop succession plans for the Police Department to replace Chief of Police, Assistant Chief of Police, and Patrol Division Captain upon their retirements during CY 2015.
4) Continue to implement changes in the City's Finance Department to include;
    - Achieve full staffing levels in the Finance Department
    - Stream line accounts structure
    - Receive concise and accurate monthly finance reports
    - Upgrade software and technology as needed
5) Develop and revise ongoing plans to improve City flooding / drainage issues.
6) Develop comprehensive plans to maintain and replace key elements of the City's Water and Utilities infrastructure, to include identifying funding for future repairs and replacements.
7) Begin ground breaking and development of Riverwalk phase #1. Keep plans on track.
8) Revise, develop and implement plans to improve City aesthetics and beautification of main corridors, medians, parks, common areas, government buildings, etc. (includes maintenance)
9) Develop plans to begin utilizing the old police department as a City Services Complex to better serve our residents.
10) Work with community groups and Parks & Recreation to develop, promote and implement 3 - 4 new festivals or events for our residents to enjoy at the City Center complex.

Vice Mayor Bastian discussed the priorities from the visioning workshop held in January 2014, as follows:

1) Clear, representative quarterly report (tracked monthly) to council on financial status of city (P&L, balance sheet, etc.)
2) Develop annual plan for funding long term obligations – pensions, bonds, etc.
3) Review and revise as needed codes and zoning for consistency with comp plan and council approval (clarity, uniformity)
4) Finalize and implement plan for River Walk

5) Develop a plan to improve internal communication
   Timeliness
   Council/staff – 2-way
   Council – intra
   Employees – 2-way
6) Develop master plan for Parks and Recreation (visionary with advisory committee; needs assessment)
7) City wide succession planning
8) Update emergency management plan and relocation of EOC
9) Study of distribution of officers geographically and tasks – staffing levels and standards of cover study for Fire Department
10) Develop beautification plan for entire city – medians, rights of way, city facilities, etc. (including maintenance)

Councilman Burnette agreed with some of the goals mentioned above and provided the following:

1) Hire a director for Public Utilities & Public Works
2) Flooding solutions and infrastructure repair and replacement plans
3) Succession planning
4) Hire an outside realtor to market the properties in Eastport
5) Riverwalk Park continuation and events
6) Cancel the grandfathering of properties on Ridgewood Ave.
   Continue offsite retention throughout Ridgewood corridor
   Improve gateway features, signage, and medians
7) Work with community groups and Parks & Recreation to develop, promote and implement 3 - 4 new festivals or events for our residents to enjoy at the City Center complex.
   To include discussion on a Sports Complex
8) Riverside trail
9) Median improvements and walk light improvements on Dunlawton
10) Monitor landscaping contracts

Councilman Ford would like the goals transcribed for the new City Manager. He wants Council to be more serious about their goals. Most of the goals from last year still need to be handled. He offered the following as his goals for 2015:

1) Quality financial reporting on a quarterly basis that tracks reserves and is open to citizens
2) Continue efforts to improve Ridgewood Corridor and lower Dunlawton
3) Continue Riverwalk Park development
4) Update Riverwalk corridor plan

5) Landscape south Ridgewood
6) Continue purchasing distressed properties
7) Increase law enforcement presence in the Ridgewood corridor
8) Plan riverside urban trail
9) Stabilize neighborhoods – particularly Commonwealth
10) Ensure quality public safety services (succession plans)

Mayor Green asked that the goals be provided in one document to each Council Member. He wants each goal to be tied to funds for implementation. He wants to ensure Finance is properly equipped to do their jobs. Mr. Harden will provide a comprehensive list of the goals.

TABLED ITEMS

13. Services Agreement with Port Orange/South Daytona Chamber **(Tabled 12/9/14)**

This item remained on the table.

14. Resolution No. 14-82- Adopting New Water, Wastewater and Reclaimed Water Rates **(Tabled 12/9/14)**

This item remained on the table. It is scheduled to be brought back to Council on January 20, 2015.

CONSENT AGENDA

15. Approval of Minutes
    a. December 2, 2014 - Regular City Council Meeting
    b. December 9, 2014 - Regular City Council Meeting
    c. December 16, 2014 - Special City Council Meeting
16. November 2014 Project Manager's Summary Report
17. Resolution No. 15-1 - Authorizing Grant Application to Walmart Foundation
18. Resolution No. 15-2 - Budgeting $1,297,500 of State Funds from the Department of Environmental Protection (DEP) for Cambridge Canal Phase II & III
19. 1st Amendment to Waters Edge Phase XII Subdivision Improvement Agreement for property located north of Pioneer Trail, west of Waters Edge Phase VIII, east of Airport Road
20. Riverwalk Park
    a) Resolution No. 15-3 - Proposed ECHO Grant Application - Riverwalk Park Phase I
    b) Resolution No. 15-4 - Budgeting Florida Inland Navigation District (FIND) Grants for Riverwalk Launch & Boardwalk North A and for Riverwalk Boardwalk & Waterfront Park North B Design
21. Settlement in the case of Jose Ortiz vs. City of Port Orange – Case No. 2012-32510 CICI

22. Resolution No. 15-5 - Budget Amendment for City Clerk Personnel, Walmart Foundation Grant and Police Education Trust Fund
23. FY15 Fleet Purchases
    a) Purchase of Valve Maintenance Trailer for Public Utilities
    b) Purchase of a Pierce Impel FR Custom PUC Pumper
    c) Purchase of a 2015 Freightliner M2 Chassis with Grapple Loader & Body
    d) Purchase of Landscape Maintenance equipment from John Deere & Co.
    e) Purchase of Toro Landscape Maintenance equipment from Wesco Turf
    f) Purchase of John Deere 5065E Tractor from South Daytona Tractor
    g) Purchase of lights and accessories for Police & Fire Vehicles from Morganelli & Associates
24. Waive bid irregularities and award contract for T-shirts and uniforms for sports teams and staff in various departments
25. Major Special Event Request - Volusia Flagler Family YMCA 5K @ Aunt Catfish Restaurant at 4009 Halifax Dr.
26. Correction of Dealer Identification for Three Vehicle Purchases

Motion to approve Consent Agenda Items #15, 16, 21, 25, and 26 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

Item #17 – Resolution No. 15-1 - Authorizing Grant Application to Walmart Foundation

Mayor Green read Resolution No. 15-1.

Motion to approve Resolution No. 15-1 was made by Vice Mayor Bastian and Seconded by Councilman Burnette.

Mayor Green thanked Walmart for the grant. Councilman Burnette asked that someone report to Council after the grant is received and that there be some sort of marketing campaign for public notification.

Jerry Monahan, Police Chief, advised Council that the MedReturn Drug Collection Unit will be located at the Police Department.

Mr. Schaefer asked if there will be other expenses. Chief Monahan said the unit is completely paid for by the grant from Walmart and there are no marketing expenses to the City. Mr. Schaefer is concerned with the temptation of the prescriptions being received. He believes there may be temptation for evidence to disappear. He has had issues with the Port Orange Police Department in the past. Chief Monahan told him to put it in writing if he has a complaint against the Police Department and it will be completely investigated. He advised Council that the Port Orange Police Department is nationally accredited, which requires evidence audits. Port Orange has been #1 in the amount of drugs that have been dropped off but the program is ending. This unit and grant will fill that void.

Mr. Gardner was happy to hear the details of the program and placement of the unit. He was concerned about the unit being outside. He asked for more details on agenda items.

Motion carried unanimously by roll call vote.

Item # 18 – Resolution No. 15-2 - Budgeting $1,297,500 of State Funds from the Department of Environmental Protection (DEP) for Cambridge Canal Phase II & III

Mayor Green read Resolution No. 15-2.

Motion to approve Resolution No. 15-2 was made by Vice Mayor Bastian and Seconded by Councilman Burnette.

Mr. White expressed his frustration for the flooding at his property.

Mr. Noftall agreed with Mr. White's concerns. He asked if there is any opportunity to move this money to another project within the City. Mr. Harden believes the project change would need to go back to the legislature.

Motion carried unanimously by roll call vote.

Item #20(a) – Resolution No. 15-3 - Proposed ECHO Grant Application - Riverwalk Park Phase I

Mayor Green read Resolution No. 15-3.

Motion to approve Resolution No. 15-3 was made by Vice Mayor Bastian and Seconded by Councilman Burnette.

Mr. Noftall asked for an annual budget amount for maintenance costs of Riverwalk Park.

Motion carried unanimously by roll call vote.

Item #20(b) – Resolution No. 15-4 - Budgeting Florida Inland Navigation District (FIND) Grants for Riverwalk Launch & Boardwalk North A and for Riverwalk Boardwalk & Waterfront Park North B Design

Mayor Green read Resolution No. 15-4.

Motion to approve Resolution No. 15-4 was made by Vice Mayor Bastian and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote, after no public comments.

Item #22 – Resolution No. 15-5 - Budget Amendment for City Clerk Personnel, Walmart Foundation Grant and Police Education Trust Fund

Mayor Green read Resolution No. 15-5.

Motion to approve Resolution No. 15-5 was made by Vice Mayor Bastian and Seconded by Councilman Burnette.

Councilman Ford asked if the City Clerk personnel will help prepare minutes quicker. Robin Fenwick, City Clerk, advised that all minutes are prepared for the next meeting agenda for all Board meetings and most Council meetings. Councilman Ford suggested assigning due dates for minutes. Ms. Roberts advised that draft minutes are available as soon as they are completed. Ms. Fenwick encouraged Councilman Ford to contact her anytime he needs records.

Motion carried unanimously by roll call vote.

Item #23(a) – FY15 Fleet Purchases

a) Purchase of Valve Maintenance Trailer for Public Utilities

Mr. Noftall asked if this is new equipment or replacement. Mr. Harden advised that it is a new machine and is needed for more efficiency in valve maintenance.

Motion to approve the purchase of valve maintenance trailer for Public Utilities was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

Item #23(b) - Purchase of a Pierce Impel FR Custom PUC Pumper

Vice Mayor Bastian asked if this equipment is replacing another truck. Ken Burgman, Deputy Chief, advised that this truck is replacing two other vehicles. The truck will do two jobs in one vehicle.

Motion to approve the purchase of a Pierce Impel FR Custom PUC Pumper was made by Vice Mayor Bastian, and Seconded by Councilman Bastian. Motion carried unanimously by voice vote.

Item #23(c) – Purchase of a 2015 Freightliner M2 Chassis with Grapple Loader & Body

Mr. Harden advised that this is a replacement. It is used to pick up tree trimmings and other yard waste of the City..

Motion to approve the purchase of a 2015 Freightliner M2 Chassis with Grapple Loader & Body was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote after no public comments.

Item #23(d) - Purchase of Landscape Maintenance equipment from John Deere & Co.

Councilman Ford asked why this equipment is needed since there was leftover equipment after the landscaping contract was awarded. He also wanted to know why Port Orange Mower was not being used. Mike Silvey, Interim Public Works Director, advised that this is a piggyback purchase for equipment that Port Orange Mower doesn't sell. He advised that this equipment is added for the golf course.

Vice Mayor Bastian asked why additional mowers are needed after five were purchased last year. Mr. Silvey advised that the purchases last year were in the Capital Improvement Plan but were accelerated. This mower is a specialty mower for the golf course.

Mr. Noftall asked what equipment is being purchased and where will they be used. Mr. Silvey said two Gators are being purchased; one will be used by Parks and Recreation and the other will be used at Cypress Head Golf Course. Mr. Noftall asked how these golf course expenses are tracked back to the golf course. Mr. Harden said there is a rental line item in the golf course budget. Tracey Riehm, Interim Finance Director, said the funds are transferred monthly.

Motion to approve the purchase of landscape maintenance equipment from John Deere & Co. was made by Vice Mayor Bastian, and Seconded by

Councilman Burnette. Motion carried unanimously by voice vote.

(e) Purchase of Toro Landscape Maintenance equipment from Wesco Turf

Motion to approve the purchase of Toro Landscape Maintenance equipment from Wesco Turf was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

(f) Purchase of John Deere 5065E Tractor from South Daytona Tractor

Motion to approve the purchase of John Deere 5065E Tractor from South Daytona Tractor was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Mr. Silvey stated this is new equipment going to Parks.

Mr. Noftall asked why Staff is buying more lawn equipment if Council wants to get out of the lawn care business.

Susan Lovallo, Parks & Recreation Director, advised that the athletic fields are mowed and maintained by City Staff because of the huge investment of the sod.

Jon Cheney, citizen, expressed his concerns with the City mowing the ball fields. He believes it should be done by a contractor in the business and overseen by City Staff.

Motion carried unanimously by voice vote.

(g) – Purchase of lights and accessories for Police & Fire Vehicles from Morganelli & Associates

Motion to approve the purchase of lights and accessories for Police and Fire vehicles from Morganelli & Associates was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

Item #24 – Waive bid irregularities and award contract for T-shirts and uniforms for sports teams and staff in various departments

Motion to waive bid irregularities and award contract for T-shirts and uniforms for sports teams and staff in various departments was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

REGULAR AGENDA

27. Reject All Bids for Cambridge Canal Bank Armoring and Pump Station Improvements Bid #15-07.

Motion to reject all bids for Cambridge Canal Bank armoring and pump station improvements was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Vice Mayor Bastian asked what happened with the bids.

Andrew Gianinni, Quentin L. Hampton & Associates, explained the need to reject the bids.

Councilman Burnette is concerned that the project was not shovel-ready when he reported it was to legislature representatives.

Mr. Noftall asked if the design has been paid for. Mayor Green said yes.

Mr. Cheney asked if items will be deleted and added or just deleted. Mr. Gianinni said the re-bid will not include the debris rake and will include the base bid wall and repairing the pumps with the outlet cones. Mr. Cheney is concerned the new bid will result in price changes because bidders have seen other's prices.

Motion carried 3-2 by roll call vote with Councilman Burnette and Ford voting no.

28. Atlantic Marine Site Improvement Agreement for property at Dunlawton Ave and Lemon St, west of FEC Railroad

This item was withdrawn by the applicant prior to the meeting.

29. Totem Pole location

Mayor Green supports the Adult Center location. John Carlton, Wood Carving Club, said they have a preference for the City Hall complex.

> Motion to place the totem pole at City Center's east side to include the maintenance of the totem pole was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

A ribbon cutting will be held with proclamations/recognition at that time.

30. Soccer field re-leveling project
    a. Contract award for soccer field re-leveling

> Motion to approve the contract award for soccer field re-leveling was made by Vice Mayor Bastian, and Seconded by Councilman Ford.

Ms. Lovallo believes both fields are a priority and she would like the projects to be approved with the funds allocated by Finance.

Councilman Ford expressed disappointment with the increase in costs for the re-leveling.

Councilman Burnette wants to do both fields.

Councilman Stiltner asked if grading is included. Bobby Ball, Zev Cohen, said it is under item #6, fill dirt.

Mr. Gardner suggested postponing the golf course renovations to fund parks and fields for the kids.

Mr. Noftall asked for clarification regarding the budgeting of the fields. Councilman Ford said he discussed the fields for a few months before the soccer club appeared before Council. He walked the fields and agreed it needs to be fixed. Mr. Noftall asked how Parks Staff didn't catch the need to be refurbished. Mayor Green said they were going to be refurbished but they moved it forward faster. Ms. Lovallo said this project was deferred as long as it could be. It has been in the CIP but was unfunded.

Motion amended to approve option #4 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette as amended. Motion carried 4-1 by roll call vote with Mayor Green voting no.

b. Resolution No. 15-6 - Budgeting Additional Funds for Soccer Field Re-Leveling

Mayor Green read Resolution No. 15-6.

Motion to approve Resolution No. 15-6 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried 4-1 by roll call vote with Mayor Green voting no.

31. Lobbying Services Agreement with Pittman Law Group

Motion to approve the agreement with Pittman Law Group was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Vice Mayor Bastian supports this lobbyist because of his success in recent years.

Councilman Burnette supports having a lobbyist.

Councilman Ford doesn't support having a lobbyist and doesn't believe Mr. Pittman helped get the recent funds. He believes the Council Members did it themselves.

Mr. Noftall agreed with Councilman Ford. He believes Council Members should go to Tallahassee themselves.

Motion carried by 3-2 roll call vote, with Councilman Stiltner and Councilman Ford voting no.

32. Pumpkin Festival Agreement

Ms. Roberts asked Council to discuss fee waivers. The proposed agreement prepared by the City Attorney's Office includes the Council's direction of waiving $12,000. The event planner is requesting that more fees be waived.

Ms. Lovallo said she spoke to the event planner and he is reviewing the document with his attorney.

Motion to table pending review of the event planner and/or his legal staff was made by Councilman Ford, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

COMMENTS

33. City Attorney Comments

Ms. Roberts discussed past practices relating to the following items that are handled by the City Attorney without being taken to Council:

1. Utility or Stormwater Easements being released or replaced with another that is in conformance with the City's Code.
2. Subdivision Improvement Agreement and Site Improvement Agreement when they are assigned to a new developer with no other changes to the plans.
3. Satisfaction/Release of Liens
4. Funds being released under a contract (i.e.: escrow funds) once the contract terms are complied with.

Councilman Ford requested some time to think about the items discussed. He'd like to look at some of the types of documents. He asked for something in writing. Ms. Roberts will bring something back to Council for consideration.

34. Interim City Manager Comments

Mr. Harden advised Council that Skip Irby has agreed to accept the Fire Chief position effective February 1, 2015.

He has chosen Pegasus Engineering firm to study the berm issue. There is no agreement at this time but there will be one shortly.

He advised Council that using reserves for one-time projects is an appropriate usage.

Mr. Harden advised that he and the City Clerk are well versed in the public records laws and asked that requests be funneled through the City Clerk's Office to ensure they are handled properly and the appropriate fees are charged and collected. Staff understands these requests are important but they are also time-consuming. Requests for records that do not exist are frequently received but there is no requirement to create records or do research. Staff does their best to provide records that exist in a timely manner. He asked citizens to contact the City Clerk if there are any problems.

<u>ADJOURNMENT:</u> 9:52 p.m.

Mayor Allen Green

Attest:

Robin Fenwick, CMC
City Clerk