

solution, and a copy of the recommendations be forwarded to Mr. and Mrs. Edwards. Commissioner Bates requested that the Engineer review the Stormwater Management Plan and comment also. Mrs. Edwards requested that the City create a moratorium on building in their area. Mr. Hoover requested a copy of the engineering study that was done before the swale and paving were done. Mr. Hoover stated that the culverts need to be cleaned. He continued stating South 23rd Street acts as a dam in their area. Discussion continued and Mr. Hoover was referred to the City Manager and the City Engineer for a response to his questions. Discussion ensued. Commissioner Bates requested that the Engineer make recommendations for an ordinance revision regarding expanding the boundaries of the overlay district and have it for the next regular Commission meeting. Discussion turned to the 100 year flood plain and expanding the boundary of the Mirror Lake District. Commissioner Bates requested that the City Engineer provide recommendations for an ordinance revision to the Mirror Lake ordinances. Mr. Edwards provided the City Engineer with a damage assessment list.

The meeting recessed at 12:01 a.m. and reconvened at 12:08 a.m.

14. CONSIDER A REQUEST FROM FRANK RHAME REGARDING UNDERGROUND ELECTRIC CABLES: This item was removed from the agenda.

15. RESOLUTION 2004-24, AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FLORIDA RECREATION DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR FEDERAL FISCAL YEAR 2005, PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE: Attorney Cino read the title of the resolution into the record. Mr. Fox explained the activities that were planned for Wickline Park. Discussion ensued. Commissioner Busch requested a drawing of the planned activities. Mr. Fox responded that the grant requires a drawing done by an architect. **Motion** by Commissioner Feind, seconded by Commissioner Vath, that we adopt Resolution 2004-24. Commissioner Mish brought forth inquiries and they were responded to by Mr. Fox. The **motion** carried unanimously, after a roll call vote.

16. RESOLUTION 2004-26, REQUESTING THE FLORIDA DEPARTMENT OF TRANSPORTATION TO POST "NO PARKING" SIGNS EAST OF A1A FROM NORTH 10TH STREET TO 3 PARKING SPACES SOUTH OF MOODY BOULEVARD; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF: Attorney Cino read the title of the resolution into the record. Commissioner Mish explained the reasons for requesting the resolution. He read a document submitted by Don Spence, Environmental Specialist, who has been retained by the City to oversee the FDOT Landscaping Grant. Commissioner Mish stated that 110 parking spaces would be removed by this resolution. He spoke of the need to provide direction to the Environmental Specialist so he may proceed with the preliminary plan, so the strict time schedule can be met. Discussion ensued. The Mayor noted his intentions to veto this resolution if it should pass. Comments of dissention were heard from the public.

The meeting was recessed at 10:47 and reconvened at 10:48.

Motion by Commissioner Mish, seconded by Commissioner Bates, that we approve Resolution 2004-26. The **motion** passed 3 to 2 with Commissioners Feind and Vath voting Nye.

The Commission moved back to item 10.

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17. RESOLUTION 2004-27, DECLARING CERTAIN PROPERTY TO BE SURPLUS AND PROVIDING AN EFFECTIVE DATE Attorney Cino read the title of the resolution into the record. City Clerk Apperson requested that item 114 and 172 be removed from the exhibit as they have been moved to other departments. **Motion** by Commissioner Vath, seconded by Commissioner Bates, to accept Resolution 2004-27 with the two cited amendments. The **motion** carried unanimously, after a roll call vote.

CONSENT AGENDA

18. APPROVE THE MINUTES FOR THE REGULAR MEETING OF SEPTEMBER 9, 2004, AND THE SPECIAL MEETING OF AUGUST 11, 2004: **Motion** by Commissioner Vath, seconded by Commissioner Bates, to approve the consent agenda. The **motion** carried unanimously.

REPORTS

19. REPORTS (BOARD AND COMMITTEE REPORTS FOLLOWED BY STAFF REPORTS.): Mayor Jones reported no meetings due to postponements.

Commissioner Feind reported on the Historical Museum Meeting.

Commissioner Vath commented on his attendance at the TDC meeting.

Attorney Cino commented that the grant application for the Ocean Walk Park, the City did not make the first list, but he felt that we would still get funded on the project.

Attorney Cino commented on the request from the commission to research the purchase of the vacant property owned by the DAV. He requested and received consensus to move forward with an appraisal.

Mayor Jones questioned the signing of ordinances or resolutions by Commissioners when they voted Nye. A discussion ensued and included changing the current policy that has all Elected Officials sign ordinances and resolutions to having only the Mayor sign them attested by the City Clerk. The City Clerk requested the policy change take effect in January 2005. It was a consensus of the Commission to start this policy effective January 1st.

Mayor Jones stated that he vetoed Resolution 2004-26.

City Engineer Rick Whalen spoke of the situation regarding Ms. Halleran's property. Direction was given for the Engineer to provide the City Manager and the Commission with a report.

City Manager Ciummo stated she has decided not to stay with the City until April and she planned to resign in December. She indicated she is providing the City sufficient notice, as legally she is to provide 60 days and she is giving almost 90 day notice. She will provide the Commission with a formal letter. City Attorney Cino stated the item will need to be on the October 14th agenda.

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