

CITY COMMISSION MEETING MINUTES
September 13, 2004

The meeting of the Winter Park City Commission was called to order by Mayor Kenneth "Kip" Marchman at 3:30 p.m. in the Commission Chambers, 401 Park Avenue South, Winter Park, Florida.

PRESENT: Mayor Kenneth "Kip" Marchman, Commissioners Douglas Storer, John Eckbert, Douglas Metcalf (arrived at 3:35 p.m.) and Barbara DeVane; City Manager James Williams; City Attorney Brent McCaghren and City Clerk Cynthia Bonham.

The invocation was offered by Mother Karen Egerton, All Saints Episcopal Church, followed by the Pledge of Allegiance.

MAYOR'S REPORT:

1. Mayor Marchman recognized Chip Gaines, Battalion Chief, Fire-Rescue Department as the September 2004 Outstanding Employee of the Month.
2. Mayor Marchman addressed the issue of healthy trees being removed by residents because of the fear of future storms. He announced that healthy trees are not to be removed. City Manager Williams provided comments about educating the public and the upcoming resolution regarding a matching grant for the purchase of trees. Attorney McCaghren addressed the removal of trees and possible ramifications of such removals. Mayor Marchman reminded the citizens about fines related to removing trees without a permit.

CITY ATTORNEY'S REPORT:

- a) RESOLUTION NO. 1883-04: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, AMENDING THE BUILDING PERMIT FEE SCHEDULE OF THE CITY TO WAIVE FEES FOR HURRICANE REPAIRS ON ONE AND TWO FAMILY DWELLINGS.

City Attorney McCaghren read the resolution by title. No public comments were provided.

Motion made by Commissioner DeVane to adopt the resolution, seconded by Commissioner Storer. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- b) RESOLUTION NO. 1884-04: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WINTER PARK, FLORIDA, TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY.

City Attorney McCaghren read the resolution by title. No public comments were provided.

Motion made by Commissioner DeVane to adopt the resolution, seconded by Commissioner Storer. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

CONSENT AGENDA:

- a) Approve minutes of 8/23/04 (as revised) and 8/30/04.
- b) Approve the following bid and purchase order:
 - 1) WP-5-2004, Auxiliary Generator Service to CJ's Sales and Service, Inc. (Budget: Utility Maintenance)
 - 2) Contract with Security One Systems for a new security system for the new Swoope Avenue Water Plant; \$40,360.53 (Budget: Utilities)
- c) Authorize the execution of Amendment VI to the Intergovernmental Agreement with the City of Orlando regarding the Iron Bridge Regional Water Reclamation Facility and the City's pro-rate share of the work for necessary improvements made to maintain the City's capacity.
- d) For Your Information-Approve the special event request of the Methodist School for Early Education, 125 N. Interlachen Avenue, to host a church Fall Festival and Silent Auction Fund Raiser on October 30, 2004, from 7:30 a.m. to 1:00 p.m. with street closure from Lincoln Avenue to Knowles and Interlachen Avenue (with conditions as attached)
- e) For Your Information-Approve the special event request of the American Walk for Diabetes to host a 3.1 mile walk to begin and finish at Lake Island Park on November 6, 2004, from 7:30 a.m. to 2:00 p.m., with conditions as attached.
- f) For Your Information-Approve the special event request of the American Cancer Society (Making Strides against Breast Cancer event) to host a 5K non-competitive walk to begin and end at Lake Island Park on October 2, 2004, from 7:00 a.m. to 12:00 p.m. with street closures as indicated.

Mayor Marchman asked for public comments. No comments were provided.

Commissioner DeVane noted that revised minutes from the 8/23/04 meeting have provided. Commissioner Metcalf inquired about b) 2) and if the City is using two different security companies to manage the City's water system. Utilities Director David Zusi stated that we currently have two companies but are phasing into the Security One system which is consistent with the 911 type equipment and design the City had when it first began the design of the Public Safety Complex. He stated it allows us to integrate a lot more computer controls and monitoring capabilities than we have with the current security system.

City Manager Williams addressed the addition of another item regarding the External Audit Services (RFP-9-2004) needing approval. **Motion made by Commissioner Metcalf to approve staff's recommendation to award the bid to Moore, Stephens, Lovelace for External Audit Services, seconded by Commissioner Eckbert and carried unanimously.**

Mayor Marchman asked for public comments. No comments were provided.

Motion made by Commissioner DeVane to approve the Consent Agenda with the revision made to the 8/23/04 minutes, seconded by Commissioner Storer. The motion carried unanimously.

PUBLIC HEARINGS:

- a) Request of Regent International Hotels to amend the plans and development agreement for

the Regent Hotel property at New England and Interlachen Avenues, to increase the hotel rooms from 158 to 197 and parking accordingly.

Planner Briggs spoke about the outstanding issues from the previous meeting being resolved concerning the slip lane and the outdoor dining patio smoker and noise concerns. He stated the applicant has agreed to make alterations into the interior to change the layout of the restaurant and shift the bar to the other side so the outdoor smoking activity takes place on the pool patio and will be enclosed. He stated the issue of the slip lane has also been resolved and there is enough room between the existing sidewalk and the travel lane to pave another travel lane with a stripe so cars can leave the front of the hotel and not interfere with the travel lane on New England.

Minter Schenck, 201 Chase Avenue, and on behalf of neighbors she could reach, thanked the developer for the changes made.

Attorney McCaghren commented about the applicant either withdrawing their request for the outdoor dining and slip lane or the Commission needs to take action on these issues.

Attorney Hal Kantor, representing the developer, stated there is a fourth amendment to the developer's agreement which was revised after the last meeting to eliminate the information that was not approved. Planner Briggs responded that he has reviewed and agrees with the changes.

Motion made by Commissioner Metcalf to approve the fourth amendment to the developer's agreement, seconded by Commissioner Storer and carried unanimously.

Commissioner DeVane stated she would like to see a plan that shows where the slip lane will go and how pedestrian traffic will be addressed on New England. Attorney McCaghren stated he believed the slip lane will be in the City right-of-way so it is not a part of the developer's agreement and that the Commission is only approving at this time the hotel room increase and glass enclosed dining area. He stated the internal slip lane and external dining smoking area has been removed from the applicant's request.

- b) ORDINANCE NO. 2601-04: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, AMENDING CHAPTER 58 "LAND DEVELOPMENT CODE" ARTICLE III, "ZONING" SO AS TO AMEND THE R-1AAA, R-1AA, R-1A AND THE WINDSONG PURD ZONING DISTRICTS AND "GENERAL PROVISIONS" TO PROVIDE ALTERNATE REGULATIONS FOR SITE AND BUILDING IMPROVEMENT REGULATIONS WHICH ALLOWS AN INCREASE IN FLOOR AREA RATIO WHERE LARGER SECOND FLOOR SETBACKS ARE UTILIZED AND ALLOWS LARGER FLOOR AREA FOR ONE STORY DWELLINGS SUBJECT TO CERTAIN CRITERIA, PROVIDES FOR DETERMINATION OF FRONT SETBACKS, PROVIDES CRITERIA FOR RESIDENTIAL ATTICS AND PROVIDES SITE DEVELOPMENT STANDARDS FOR CANTON PARK HOMES. Second Reading

Attorney McCaghren read the ordinance by title. No public comments were made.

Motion made by Commissioner Eckbert to adopt the ordinance, seconded by Commissioner DeVane. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- c) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO MUNICIPAL ANNEXATION; PROVIDING A REQUIREMENT THAT A SEPARATE REFERENDUM BE HELD IN THE CITY WHEN THE PROPOSED ANNEXATION EXCEEDS A CERTAIN SIZE; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney McCaghren read the ordinance by title. No public comments were made. Planner Briggs displayed the percentage statistics of prior annexations and prospective future ones previously discussed by the Commission to use in discussing the 5% threshold.

No public comments were made. Commissioner DeVane asked that the ordinance be tabled because of residents she spoke with who could not attend the meeting because of the storms.

Motion made by Commissioner DeVane to table the ordinance until the next meeting, seconded by Commissioner Storer. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously.

- d) ORDINANCE NO. 2602-04: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO ABANDONMENT OF A PORTION OF RIGHT-OF-WAY; ABANDONING A PORTION OF THE WESTERN 15 FEET OF THE RIGHT-OF-WAY OF VIA TUSCANY LYING EAST OF 2499 VIA TUSCANY, MORE PARTICULARLY DESCRIBED HEREIN; RESERVING A UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney McCaghren read the ordinance by title. Planner Jeff Briggs explained that the issue of the setback on Via Tuscanly has been resolved with the owner and builder so the current text eliminating the special setback works for all involved parties. No public comments were made. Attorney McCaghren clarified the ordinance being adopted is the one that includes the physical address.

Motion made by Commissioner Metcalf to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- e) ORDINANCE NO. 2603-04: AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA RELATING TO CITY DEPARTMENTS; CREATING A NEW DEPARTMENT OF WATER AND WASTEWATER UTILITIES; CREATING A NEW DEPARTMENT OF ELECTRIC UTILITIES; PROVIDING FOR THE SERVICES AND FUNCTIONS OF THE DEPARTMENTS; PROVIDING AN EFFECTIVE DATE. Second Reading

Attorney McCaghren read the ordinance by title. No public comments were made.

Motion made by Commissioner DeVane to adopt the ordinance, seconded by Commissioner Eckbert. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

- f) AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, RELATING TO ITS WATER AND SEWER UTILITY SYSTEMS; AMENDING SECTION 102-56 "RATES AND CHARGES" TO ADJUST

THE MONTHLY RATES AND FEES FOR WATER SERVICE BOTH INSIDE AND OUTSIDE THE CITY; AMENDING SECTION 102-132 "SCHEDULE OF FEES" TO ADJUST THE MONTHLY RATES AND FEES FOR SANITARY SEWER SERVICE BOTH INSIDE AND OUTSIDE THE CITY; PROVIDING FOR ADMINISTRATIVE AUTHORIZATION FOR ADJUSTMENT OF READINESS TO SERVE CHARGES; PROVIDING AN EFFECTIVE DATE. First Reading

Finance Director Wes Hamil explained the intent of the ordinance to increase water and sewer fees by 8% each year for the next three years beginning October 2004. He stated the notice was provided on the water bills throughout the month of August as required by State Statute. He explained that these are the same rates discussed last month and recommended by CH2M Hill to meet the requirements of funding the operations and Phase II water improvement programs, improvements at Iron Bridge, and the South Seminole North Orange County Wastewater Treatment Authority improvements. He stated the ordinance also eliminates the 12,000 gallon cap on sewer charges for customers that utilize an alternative water source. No public comments were provided.

Motion made by Commissioner DeVane to accept the ordinance on first reading, seconded by Commissioner Metcalf. Upon a roll call vote, Mayor Marchman and Commissioners Storer, Eckbert, Metcalf and DeVane voted yes. The motion carried unanimously with a 5-0 vote.

CITY MANAGER'S REPORT:

- a) Update regarding the Florida Trust for Public Lands purchase of the Howell Branch Preserve property.

Attorney McCaghren addressed the City receiving a favorable ranking for eligibility for \$1,170,000 for the acquisition of the Howell Branch Preserve property as a result of the presentations made by Commissioner DeVane, Lindsey Hayes and Cory Clarke in Tallahassee. He stated as a result of that, City Manager Williams pursuant to prior approval of the Commission, executed the contract with the Trust for Public Lands. TPL also executed the contract and returned it to the City. He stated he will meet with the City surveyor because it appears the title work developed by TPL failed to contain two easements which the City will review. He commented that there needs to be small adjustments made to the TPL survey. He stated under the current contract, the City has a due diligence period which we had to let TPL know by the end of September 15 if the City wanted to back out of the contract. He stated he needs to know of any reason now if the Commission wishes to change their mind to acquire the property.

No public comments were made. Commissioner DeVane thanked staff for their work on this and stated she is meeting with Mr. Clayton to discuss his involvement. She addressed the additional \$300,000 received from the TPL's diligent work and that this funding source needs to be looked at and utilized as often as possible. Consensus was to move forward with the acquisition.

- b) Resale of 301 S. Capen Avenue and transfer the "covenant to resale" to Ms. Daphne Daniels.

Planner Jeff Briggs explained the proposed resale of the property at 301 S. Capen Avenue. He addressed the homes built under the Affordable Housing Program where the homes were sold for the cost of construction and were not charged for the value of the land. He stated this would ensure

they were sold as affordable homes and so the buyer could not immediately profit and capitalize on receiving a free lot. He further explained the 10 year covenant on the resale that states if you have to sell, the profit will be split 50/50 with the City and is reduced by 10% for each of the 10 years.

Mr. Briggs explained that Ms. Lisa Lane, owner of 301 S. Capen Avenue, has a personal situation with a family member causing her to move out of state and that she wants to sell the home to her friend for way less than the market value of the home. He stated they can not do this if the City insists upon ½ of the profit so they are asking that either the covenant be waived, transfer over the balance of the time, or begin another 10 year cycle with the new home owner Ms. Daniels. He stated that staff recommends any of these options to make this happen.

Ms. Lisa Lane, 301 S. Capen Avenue, spoke in favor of the approval to transfer the remainder of the 10 years (5 years more) to Ms. Daniels and to resell the property to her at the low market rate. Discussion ensued whether the new owner should take over where Ms. Lane has left off or if the new owner should begin again with the 10 year cycle. Ms. Daniels was not present. Commissioner DeVane stressed the need for the 10 year commitment because of her desire for residents to remain in the community. In the interest of fairness, Attorney McCaghren offered two options: 1) to impose the same resale provision with 5 years left but compute the profit of the sale back on the sale to Ms. Lane; or 2) begin a new period of 10 years.

Motion made by Commissioner DeVane to reestablish the 10 year sharing at the new sale price of \$85,000. The motion failed for a lack of a second.

Further comments were provided regarding the options and if the profit is being split with the City. It was verified that the profit is not being split. Attorney McCaghren further addressed the issue of profit and sharing the profit between the owner and the City.

Motion made by Commissioner Eckbert to follow staff's recommendation (transfer the covenant to resale to Daphne Daniels for the remaining five years), seconded by Commissioner Metcalf and carried with a 4-1 vote. Commissioner DeVane voted no.

- c) Engineer, Procure, Construct (EPC) Contract with G.E. for the design and construction of the Winter Park and new Aloma substations.

Assistant City Manager Randy Knight addressed the memorandum provided to the Commission describing the contract with G.E. for the two substations; a new substation next to the Aloma substation on the east side of the City (property currently owned by Interlachen Country Club) and the other one is to split the substation next to the Winter Park Village (built on the Progress Energy site). No public comments were provided.

Motion made by Commissioner Eckbert to approve the EPC contract with G.E., seconded by Commissioner Metcalf and carried unanimously.

NEW BUSINESS:

1. Commissioner DeVane addressed the scheduling of the CRA Agency meetings being problematic to the residents. **Motion made by Commissioner DeVane to schedule the CRA Agency meetings as follows: Quarterly on the 3rd Monday of the month at 3:30 p.m.;**

seconded by Commissioner Storer and carried unanimously.

BUDGET PUBLIC HEARING:

Commissioner Storer was not present. Mayor Marchman opened the first public hearing for the 2005 fiscal year budget at 5:01 p.m. He stated that the millage rate needed for fiscal year 2005 to generate the same property tax revenue for the City as in 2004, based on the Property Appraiser's certification, is 3.5063 mills. The budget proposed by the staff with amendments that were generally agreed to by the City Commission requires a millage of 4.654 mills. This proposed millage of 4.654 mills would represent an increase in property taxes not counting new construction of 32.73%. In addition, a .306 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 2001 approved by the citizens of Winter Park at the May 16, 2000, bond referendum; and a .130 mill voted debt service is levied to cover the debt service of the General Obligation Bonds, Series 1996 approved by the citizens of Winter Park at the June 4, 1996, bond referendum.

Mayor Marchman opened the public hearing on the City's budget for the fiscal year starting October 1, 2004, and ending September 30, 2005. Attorney McCaghren read both ordinance titles to set the millage for 2005 and to adopt the fiscal year 2005 budget.

Finance Director Wes Hamil explained the five spreadsheets he provided for review: 1) requests likely to be funded from consensus at last meeting (he pointed out that \$145,000 needs to be trimmed from this list to keep the millage within a one mill increase); 2) requests unlikely to be funded; 3) frozen positions; 4) water and sewer fund; and 5) stormwater capital projects.

Commissioner Metcalf asked Mr. Hamil if there was a total amount spent on salaries at this point. Mr. Hamil responded he would have to check on that figure. Commissioner Metcalf stated he would like to take that figure and give the City Manager the flexibility to decide which positions are the most important and decide what he believes needs to happen with those positions. Discussion ensued on the need to deduct \$145,000 from the list of funded items to keep the millage within the one mill increase.

Bob Kingsland, 555 Sylvan Drive, asked for funding for lake improvement and treatment because of road water flowing into the lakes (stormwater concerns). Mayor Marchman clarified that monies for lake improvements and restoration is included within the proposed budget.

Terry Bangs, Via Lugano, spoke against the proposed millage increase and that the City should be able to live within the limits of the current millage rate.

Linda Keen, 1312 Bridgeport Drive, representing the Friends of Mead Garden, spoke in favor of a millage increase to fund the cost of the Mead Garden project.

Joe Terranova, 700 Melrose Avenue, spoke in favor of the proposed millage increase due to the increase in prices. He spoke about the need for the City Manager to decide which projects/organizations should be budgeted and the need to maintain the current level of services. He spoke in favor of the proposed library budget.

Gary Williams, 1950 Laurel Road, spoke against the millage increase. He commented about his interest in hearing about the impact of the hurricanes with respect to this procedure and what the highest millage increase has been over the last 10-20 years. Mayor Marchman addressed the City making cuts for several years and are at the point where it is necessary to increase the millage to maintain the level of service that citizens are used to receiving.

Deborah Gardner, 2230 Cady Way, addressed the need for a new facility for the Showalter Field maintenance workers. Parks Director Holland responded that the cell tower company has put the project on hold, not the City.

Gary Sarcasion, 1351 College Point, addressed the need for the City Manager to solve the facility issue at Showalter Field.

Lurline Fletcher, 790 Lyman Avenue, asked for practice fields and restrooms for the Little League football teams for the Westside because they are unable at this time to utilize Lake Island because of the hurricane debris at the site. Mayor Marchman assured Ms. Fletcher that this is temporary.

No other public comments were made.

Commissioner DeVane suggested overall guiding principals to help with this process of increasing the millage. She suggested to use last year's funding with a 2% or 3% increase as a possible guiding principal to use to evaluate the list and if it cannot all fit into this year's budget, that everyone takes the same cutback so we make it to the one mill. She reminded the organizations present that it was suggested last year to come before the Commission every quarter to see if excess funding exists from projects coming in at a lower cost.

Discussion ensued regarding items that could be cut or reduced from the budget. Mayor Marchman addressed the possible postponement of funding the train whistles for year or so. Commissioner DeVane expressed her concerns with cutting this from the budget. Public Works Director Troy Attaway stated there is nothing they found that is going to limit the ability of the City to implement a quiet zone after the December deadline. Commissioner Metcalf suggested splitting the funding between two budget years. Mayor Marchman suggested budgeting \$200,000 this year to stop the train whistles and the remaining \$150,000 in next year's budget. Commissioner DeVane expressed her concerns with the funding cut that has already occurred with this item. She also spoke about the other projects where funding was already cut.

Commissioner Metcalf summarized the history of millage increases in the past 10 years and the deteriorating infrastructure and projects that are now behind because of the millage rate minimally being increased over the past years. He also addressed the Historical Society who requested more funding this year. Commissioner Eckbert stated he had reservations concerning the entire budget process that he will share later on. Commissioner DeVane stressed the importance of the full millage increase to avoid a serious decline in the level of service.

Terry Hotard, 1461 Palmer Avenue, stated he believed it is unfair to critique prior Commissions for the dilemma the Commission finds itself in today. He stated the Commission needs to make the decision regarding any cuts. He addressed the importance of retaining the School Resource Officers at Winter Park High School.

Mayor Marchman closed the public hearing.

Suggestions were made by Commissioner DeVane to cut funding from the quiet zones (\$50,000), Bach Festival (\$10,000), traffic signal at Glenridge (\$20,000), lobbyist (\$25,000) and library (\$75,000). There was further discussion regarding the suggestion to cut funding from the library, quiet zones and the signal at Glenridge (Public Works Director Troy Attaway explained the upgraded traffic signals proposed for Glenridge east and west).

Motion made by Commissioner DeVane for the City Manager to reduce \$145,000 from the "Likely To Be Funded" list and bring back his suggestions to the next Commission meeting, seconded by Commissioner Metcalf and carried unanimously with a 4-0 vote.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, ADOPTING A 4.654 MILL AD VALOREM TAX LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE GENERAL OPERATING EXPENSES OF THE CITY; A .306 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2001; AND A .130 MILL VOTED DEBT SERVICE LEVY UPON ALL REAL AND PERSONAL PROPERTY FOR APPROPRIATION TO THE CITY OF WINTER PARK, FLORIDA GENERAL OBLIGATION BONDS, SERIES 2004. First Reading

Motion made by Commissioner DeVane to accept the millage ordinance on first reading, seconded by Commissioner Metcalf. A roll call vote was taken with Mayor Marchman and Commissioners Metcalf and DeVane voting yes. Motion carried with a 3-1 vote. Commissioner Storer was not present to vote. Commissioner Eckbert voted no.

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING SEPTEMBER 30, 2005; APPROPRIATING FUNDS FOR THE GENERAL FUND, STORMWATER UTILITY FUND, AFFORDABLE HOUSING FUND, COMMUNITY REDEVELOPMENT FUND, LAW ENFORCEMENT TRUST FUND, DEBT SERVICE FUND, WATER AND SEWER FUND, GOLF COURSE FUND, ELECTRIC UTILITY FUND, FLEET MAINTENANCE FUND, VEHICLE/EQUIPMENT REPLACEMENT FUND, EMPLOYEE INSURANCE FUND, GENERAL INSURANCE FUND, CEMETERY TRUST FUND, GENERAL CAPITAL PROJECTS FUND, AND STORMWATER CAPITAL PROJECTS FUND; PROVIDING FOR MODIFICATIONS; PROVIDING FOR AMENDMENTS TO SAID ANNUAL BUDGET TO CARRY FORWARD THE FUNDING OF PURCHASE ORDERS OUTSTANDING AS OF SEPTEMBER 30, 2004; AND AUTHORIZING TRANSFER OF FUNDS HEREIN APPROPRIATED WITHIN DEPARTMENTS SO LONG AS THE TOTAL DEPARTMENTAL APPROPRIATION SHALL NOT BE INCREASED THEREBY. First Reading

Motion made by Commissioner DeVane to accept the budget ordinance on first reading, seconded by Commissioner Metcalf. A roll call vote was taken with Mayor Marchman and Commissioners Metcalf and DeVane voting yes. Motion carried with a 3-1 vote. Commissioner Storer was not present to vote. Commissioner Eckbert voted no.

Mayor Marchman announced the next public hearing date of September 27, 2004 at 5:01 p.m.

Mayor Marchman adjourned the meeting at 6:12 p.m.

Mayor Kenneth R. Marchman

ATTEST:

City Clerk Cynthia Bonham