

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
OCTOBER 10, 2000**

1. CALL TO ORDER

Mayor William Arthur called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:00 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Keith Tarrer and Roland Via (who arrived at approximately 7:05 pm).

*Commissioner Byrnes moved to **EXCUSE** Commissioner Lockeby's absence (due to the seminar he is attending in Nashville), seconded by Commissioner Tarrer.*

Motion **CARRIED** 3-0 on the following roll call: Byrnes – yes, Tarrer – yes, Arthur – yes.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Public Works Director Milt Hallman, Economic Development Coordinator Ira Corliss, Code Development Administrator Tim Harbuck, Acting Police Chief Mark Barker, Acting City Clerk / Human Resources Director Diane England

2. INVOCATION

Mr. Hallman delivered the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Employee Service Awards

Timothy Harbuck	Chief Building Official	20 years
Robert Kondos	Fire Driver Engineer	10 years

Mayor Arthur presented an employee service award to Mr. Harbuck, stating that he has always enjoyed working with him. He thanked Mr. Harbuck for his service to the City. He also recognized Mr. Kondos, who was unable to attend tonight's meeting.

B. Proclamation Honoring Colonel Scott Horwitz (add-on item)

Mayor Arthur presented this award to Diane LaPorta for a breakfast to be held in honor of this former Hurst Elementary student who is now an astronaut.

5. CONSENT AGENDA

- A. Minutes of Regular Commission Meeting – September 26, 2000**
- B. Minutes of Commission Workshop – September 26, 2000**
- C. Annual Wage Adjustment for City Manager**
- D. Fuel Purchases**

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*Commissioner Via moved **APPROVAL** of the items on the consent agenda, seconded by Commissioner Tarrer.*

Motion **CARRIED** 4-0 on the following roll call: Via – yes, Tarrer – yes, Byrnes – yes, Arthur – yes.

6. AUDIENCE PARTICIPATION

Dale Gamache, 1703 Anniston Avenue, asked the Commission for assistance in the rectifying of an in-explainable water bill that he has recently received. His normal consumption is between six and seven thousand gallons and his latest water bill was for sixty-four thousand gallons. He has spoken with several key employees within the City and they have done their best for him, but cannot resolve this to his satisfaction. Mr. Forte has graciously offered to eliminate the sewage portion of the charge, which brings the bill down from six hundred dollars to three hundred dollars – but that is still more than he can afford. The house has been checked for leaks, meter breakage, etc and no problems could be found. The Commission discussed this at length and felt that the bill was too high to be believed – essentially 5 swimming pools worth.

*Commissioner Via moved to **REDUCE** the bill to show ten thousand gallons of water usage and to have the meter changed, seconded by Commissioner Byrnes.*

Motion **CARRIED** 4-0 on the following roll call: Via – yes, Byrnes – yes, Tarrer – yes, Arthur – yes.

7. SECOND READING OF ORDINANCE 2593, REZONING PROPERTY LOCATED AT 124 HIGHLAND AVENUE FROM R-5 TO B-1

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ORDINANCE NO. 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.26 ACRE LOCATED ON THE WEST SIDE OF HIGHLAND AVENUE APPROXIMATELY 240 FEET NORTH OF MASON AVENUE (S.R. 430) FROM R-5 TWO-FAMILY RESIDENTIAL DEVELOPMENT, TO B-1, PROFESSIONAL OFFICE / HOSPITAL - MEDICAL DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

*Commissioner Via moved **APPROVAL** of the second reading of Ordinance 2593, seconded by Commissioner Tarrer.*

Commissioner Byrnes asked for Staff to work with the attorneys to determine if there was a way to continue what appears to be a natural right-of-way from Oakridge. The house that is blocking this is currently on the demolition list.

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The motion **CARRIED** 4-0 on roll call: Via – yes, Tarrer – yes, Byrnes – yes, Arthur – yes.

8. SECOND READING OF ORDINANCE 2594, REGARDING POLICE PENSION

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 42 (PENSIONS AND RETIREMENT), ARTICLE II (POLICE OFFICERS), SECTION 42-31 (PENSION BENEFITS), SUBSECTION (G) TO CHANGE THE EFFECTIVE DATE OF THE \$100.00 PER MONTH MEDICAL BENEFIT FOR ANY POLICE OFFICER WHO RETIRES WITH 20 YEARS OF SERVICE FROM OCTOBER 1, 1998 TO OCTOBER 1, 1997 AND PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the second reading of Ordinance 2594, seconded by Commissioner Via.*

Mr. Forte explained that this is part of a settlement agreement between the City and former police chief Pat Finn – allowing him to receive a one hundred dollar medical stipend until age sixty-five. A letter stating that the actuarial impact is zero has been received from Foster & Foster.

The motion **CARRIED** 4-0 on roll call: Tarrer – yes, Via – yes, Byrnes – yes, Arthur – yes.

9. FIRST READING OF ORDINANCE 2595, REGARDING POLICE PENSION

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 42 (PENSIONS AND RETIREMENT) TO PROVIDE FOR THE MINIMUM BENEFITS REQUIRED UNDER CHAPTER 185, FLORIDA STATUTES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2595, seconded by Commissioner Byrnes.*

Mr. Forte explained that part of the requirement with the State is for periodic upgrades to our plan. This ordinance changes the frequency for their deposits into the pension fund.

The motion **CARRIED** 4-0 on roll call: Tarrer – yes, Via – yes, Byrnes – yes, Arthur – yes.

10. FIRST READING OF ORDINANCE 2596, AUTHORIZING A \$10,000 SENIOR HOMESTEAD EXEMPTION

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Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 62 (TAXATION) OF THE CODE OF ORDINANCES OF THE CITY OF HOLLY HILL TO CREATE ARTICLE I (ADDITIONAL HOMESTEAD EXEMPTION FOR SENIOR CITIZENS), SECTION 62-1 (AUTHORITY AND PURPOSE), SECTION 62-2 (DEFINITIONS), SECTION 62-3 (ENTITLEMENT TO ADDITIONAL HOMESTEAD EXEMPTION), SECTION 62-4 (ANNUAL ADJUSTMENT OF INCOME), SECTION 62-5 (REQUIREMENTS FOR CLAIMING ADDITIONAL HOMESTEAD EXEMPTION); DIRECTING THE CITY CLERK TO NOTIFY THE VOLUSIA COUNTY PROPERTY APPRAISER; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2596, seconded by Commissioner Byrnes.*

Commissioner Tarrer read the attached letter from the County Property appraiser into the record.

Gladys Harton, 831 8th Street, requested that the City Commission support the twenty-five thousand dollar homestead exemption.

Ruthie Sager, resident, stated that when she qualified for the senior's homestead exemption last year, she was shocked to find out that the City of Holly Hill had not passed it. She added that she was glad to see them reconsidering it this year.

Both Mayor Arthur and Commissioner Byrnes referred the struggling families in this City whose tax burden should not be increased, which is why they are currently considering a more gradual implementation of this.

Both Commissioner Tarrer and Commissioner Via indicated they would have preferred for this ordinance to have allotted the full twenty-five thousand dollar exemption.

The motion **CARRIED** 4-0 on roll call: Tarrer – yes, Byrnes – yes, Via – yes, Arthur – yes.

11. FIRST READING OF ORDINANCE 2597, AMENDING THE CITY CODE REGARDING CERTAIN STAE LAW VIOLATIONS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALING ORDINANCE 2575 AND AMENDING ORDINANCE 2574 AND SECTION 1-16 OF THE CITY OF HOLLY HILL CODE OF ORDINANCES BY DELETING CERTAIN STATE LAW VIOLATIONS AS MUNICIPAL CODE VIOLATIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2597, seconded by Commissioner Byrnes.*

The motion **CARRIED** 4-0 on roll call: Tarrer – yes, Byrnes – yes, Via – yes, Arthur – yes.

12. RESOLUTION 2000-R-55, RATIFYING AND AMENDING THE LIUNA CONTRACT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING AND AUTHORIZING AMENDMENTS TO ARTICLE 16 (BEREAVEMENT LEAVE), ARTICLE 26 (WAGES) AND ARTICLE 30 (ENTIRE AGREEMENT) OF THE THREE-YEAR CONTRACT WITH THE LIUNA, PUBLIC EMPLOYEES, LOCAL 678-AFL-CIO; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2000-R-55, seconded by Commissioner Via.*

The motion **CARRIED** 4-0 on roll call: Tarrer – yes, Via – yes, Byrnes – yes, Arthur – yes.

13. RESOLUTION 2000-R-56, RATIFYING AND AMENDING THE PBA CONTRACT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING AND AUTHORIZING AMENDMENTS TO ARTICLE 24 (WAGES) AND ARTICLE 35 (TERM OF AGREEMENT) OF THE THREE-YEAR CONTRACT WITH THE POLICE BENEVOLENT ASSOCIATION (PBA); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved to **APPROVE** Resolution 2000-R-56, seconded by Commissioner Tarrer.*

Mr. Forte stated that the only change to this, after their discussion in the Executive Session, was the addition of one opener in the final year of the contract.

The motion **CARRIED** 4-0 on roll call: Byrnes – yes, Tarrer – yes, Via – yes, Arthur – yes.

14. PLAYGROUND EQUIPMENT PURCHASE

Mr. Forte stated that this is for the purchase of Little Tykes playground equipment for North Sunrise Park – phase II for the existing playground area. The Commission discussed the cost versus the durability and the equipment has proven to be quite durable.

*Commissioner Tarrer moved to **APPROVE** the purchase of the custom kid builder playground equipment for a total cost of \$10,234.75, seconded by Commissioner Via.*

The motion **CARRIED** 4-0 on roll call: Via – yes, Byrnes – yes, Tarrer – yes, Arthur – yes.

15. COMMUNICATIONS FROM CITY MANAGER

- A. Mr. Forte referred to the effluent line, which runs under Ridgewood Avenue at Tenth Street, that has been in need of repair for several months. The repair cost was thought to be \$30,000 by the company currently repairing their sewer lines, however, the actual cost through them is twice that. Mr. Hallman has called several other reputable companies and found one (Zurk) that will perform the work for the anticipated \$30,000. Due to this being done by a different company, it is now considered a different project and cannot be added to the SRF loan. It will have to be paid out of the sewer fund.

*Commissioner Via moved to **APPROVE** the Zurk Company for performing the Tenth Street sewer repair work, seconded by Commissioner Tarrer.*

Commissioner Via inquired as to whether the bidding process was missing. Mr. Hallman stated that this is a specialty item, which is an emergency. It can be fixed within three to four weeks of the time the purchase order is issued.

Mr. Simpson stated that the reason they have to be concerned with the competitive bid process is because this is no longer viewed as an addition to their present contract. Reasons for not going through the formal bid process would be for an emergency or sole source type of item. This may fit into both of these categories but the motion needs to reflect that.

Mr. Forte requested that they also include in the motion to allow the Finance Director to pay for this out of the appropriate fund.

*Commissioner Via **AMENDED** his motion to say in this state of emergency and to allow the Finance Director to pay for this out of the appropriate fund, second amended by Commissioner Tarrer.*

The motion **CARRIED** 4-0 on roll call: Via – yes, Tarrer – yes, Byrnes – yes, Arthur – yes.

- B. Mr. Forte reminded the Commission that the deadline is approaching at the end of this month for the purchase of the engraved bricks in the front of the Chamber of Commerce. The cost is twenty-five dollars.

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16. CITY ATTORNEY

Mr. Simpson indicated that he had nothing further to report.

17. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Tarrer thanked Ms. Harton and Ms. Sager for voicing their support for the senior homestead exemption.

Commissioner Via commended the Commission for passing the first reading of the senior homestead exemption ordinance, especially Commissioner Byrnes for suggesting the democratic compromise of ten thousand dollars.

Commissioner Byrnes stated that it is good that they are on the road for the full twenty-five thousand dollar homestead exemption and that he hoped they would be able to do this full amount next year when the Property Appraiser's Office could give them the financial impact summary. He added that the reason the State did not make this mandatory was because they knew that each municipality was different. Though this is something fairly easy for a city like Ormond Beach, it has a greater impact on a city like Holly Hill. Commissioner Via asked for an update as soon as possible on how many people qualified for this and what the financial impact would be. Commissioner Byrnes thanked the police department for the professionally conducted prostitution sting they did last week.

Referring to the Senior Homestead Exemption, Mayor Arthur reiterated his point that it was very hard for him to support something for one specific group of people, but he also indicated that he felt this could benefit them all in time. He really felt that everyone should pay something.

18. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:20 p.m.

City of Holly Hill

William D. Arthur, Mayor

Attest:

Jeaneen P. Clauss, City Clerk