M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
OCTOBER 12, 2004

1. CALL TO ORDER
A. Roll Call

Mayor Arthur called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:10 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Gilles Blais, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant to the City Manager Greg Wood, Public Safety Director Don Shinnamon, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Wood delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

None.

3. CONSENT AGENDA
Minutes Regular Commission Meeting – September 26, 2004
Report of Purchase Orders over $5,000

- **Volusia County Unleaded Fuel - $14,021.85**
- **Clay Oil (Diesel Fuel) - $12,445.99**
- **Central City Bags (Sandbags) - $5,525**
- **Daytona Lincoln Mercury (Police car engine) - $7.036.14**

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

The motion **CARRIED** 5-0 on roll call: Via – yes, Schmitt – Yes, Blais – yes, Byrnes – yes, Arthur – yes.

4. COMMITTEE REPORTS
Members of the Commission are encouraged to give a brief report from the various committees on which they serve.

Commissioner Schmitt stated that the Chamber of Commerce has a Board meeting tomorrow for anyone who would like to come.

Commissioner Via stated that the Water Authority of Volusia will hold their next meeting on the 20th. They are asking to have a joint workshop with the City Commission to determine the Municipal Service Taxing Benefit Unit (MSTBU) before the end of the year. WAV will be discussing a millage rate with the County as a funding alternative.

Commissioner Byrnes stated that the Volusia League of Cities meeting has not had a meeting.

Commissioner Blais stated that the Collegiate Events Task Force has not had a meeting; next meeting on the 19th.

Mayor Arthur relayed some sad news that the FDOT / MPO liaison had passed away Saturday.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. RESOLUTION 2004-R-60, PAL / RECREATION BOARD APPOINTMENTS

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Schmitt moved to **APPROVE** Resolution 2004-R-60 appointing Sarah Rone and Donald Moore as regular members and Amy Pantages as an Alternate, seconded by Commissioner Via.*

The motion **CARRIED** 5-0 on roll call: Schmitt – yes, Via – yes, Byrnes – yes, Blais – yes, Arthur – yes.

7. PUBLIC HEARING / SECOND READING OF ORDINANCE 2711, INCORPORATING CHARTER AMENDMENTS APPROVED BY THE ELECTORS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA INCORPORATING INTO THE CHARTER AMENDMENTS APPROVED BY THE ELECTORS AT THE AUGUST 31ST, 2004 SPECIAL ELECTION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved to **APPROVE** the Second Reading of Ordinance 2711, seconded by Commissioner Via.*

The motion **CARRIED** 5-0 on roll call: Byrnes – yes, Via – yes, Schmitt – yes, Blais – yes, Arthur – yes.

8. RESOLUTION 2004-R-61, ESTABLISHING THE COMMISSION'S ANNUAL ORGANIZATIONAL MEETING

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING AN ANNUAL ORGANIZATIONAL MEETING OF THE CITY COMMISSION; PROVIDING FOR CONFLICTING RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** Resolution 2004-R-61, seconded by Commissioner Via.*

Questions were raised regarding whether any appointments other than vice-mayor were established in a written form. None have been so the Commission can continue to do them or any others as they deem appropriate each year.

The motion **CARRIED** 5-0 on roll call: Schmitt – yes, Via – yes, Blais – yes, Byrnes – yes, Arthur – yes.

9. PUBLIC HEARING / SECOND READING OF ORDINANCE 2712, ANNEXING PROPERTY LOCATED ADJACENT TO 1732 RIDGE AVENUE

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** the Second Reading of Ordinance 2712, seconded by Commissioner Blais.*

The motion **CARRIED** 5-0 on roll call: Schmitt – yes, Blais – yes, Byrnes – yes, Via – yes, Arthur – yes.

10. FIRST READING OF ORDINANCE 2713, AMENDING THE CITY'S PURCHASING POLICY

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING THE CITY'S PURCHASING PROCEDURE TO INCREASE THE CITY MANAGER'S PURCHASING AUTHORITY FROM $10,000 TO $25,000; AMENDING THE DOLLAR AMOUNTS FOR THE PROCEDURE FOR OPEN MARKET PURCHASES; DELETING THE REQUIREMENT FOR COMMISSION APPROVAL IN ADVANCE OF NEGOTIATING A CONTRACT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** the First Reading of Ordinance 2713, seconded by Commissioner Blais.*

Mr. Forte mentioned that he noticed one omission to this proposed ordinance which he had intended be specified and stated that he would like to add (b)(5) which will state that any amounts between ten and twenty-five thousand must receive prior approval from the City Commission. Commissioner Byrnes confirmed that this ordinance amendment is legal, in that it allows bargaining / competitive negotiation instead of the procedures that the formal bid process requires.

The motion **CARRIED** 5-0 on roll call: Via – yes, Blais – yes, Byrnes – yes, Schmitt – yes, Arthur – yes.

11. RESOLUTION 2004-R-62, AUTHORIZING AN INTERLOCAL AGREEMENT FOR FIRE AND EMS SERVICE TO THE WEST SIDE OF THE CITY

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN WITH THE COUNTY OF VOLUSIA FOR FIRE AND EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2004-R-62, seconded by Commissioner Blais.*

Mr. Forte and Chief Shinnamon explained this proposed agreement, which was developed to comply with the Commission's goal of several years to establish a west side fire station. This is a joint staffing agreement where the City will provide one-third of the staff for this station and the County will provide two-thirds. This will provide faster response for the homes on the west side of the City and address the possibility of a train preventing a response from the east side.

Donald Moore, 1585 Riverside Drive, opposed this because the County is responsible for covering the west side already and he felt it is too much for the City to take on this additional work (mentioning the addition of Ormond by the Sea as part of their response area). The Commission discussed this situation and Mr. Forte explained that for the possible nine times per year they will be called that far out of the City, their citizens will receive better service on a daily basis. The Commission felt that Ormond Beach should be working with the County to cover Ormond by the Sea but the majority indicated that they felt this was better for the City than what we currently have. The term of this initial agreement is until September 30th, 2005. It has a one hundred eighty day notice of termination clause.

The motion **CARRIED** 4-1 on roll call: Via – yes, Blais – yes, Schmitt – yes, Byrnes – no, Arthur – yes.

12. NON-UNION EMPLOYEE VACATION SELL BACK

Mr. Forte explained that last year the Commission authorized employees to sell back vacation hours, up to one year, if their accrual balance exceeded 640 hours. This year, they have four employees that are eligible to request this but only two of them have. He asked the Commission if they would authorize this again this year for Chuck Beach and himself at a total cost of $8,337.60.

*Commissioner Via moved to **APPROVE** authorizing non-union employee vacation sell back for Fiscal Year 04/05, seconded by Commissioner Schmitt.*

The motion **CARRIED** 5-0 on roll call: Via – yes, Schmitt – yes, Byrnes – yes, Blais – yes, Arthur – yes.

15. COMMUNICATIONS

A. City Manager

Mr. Forte stated that late this afternoon Pit Stop Tire met the deadline to bring their retention pond back into compliance.

Mr. Forte also commended the outstanding work of the Police Department on the Cataneo murder investigation.

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Byrnes complimented Ms. Clauss on her reliably good work for the City. He will miss her but wished her the best in her new position with Titusville.

Commissioner Blais thanked Ms. Clauss for all her help when it was his first turn to write the Heartbeat newsletter article. He mentioned that he attended the Bethune Cookman College Homecoming Parade and, after seeing the mess that the throwing of candy makes, he would prefer that they no throw candy in the Christmas Parade.

Commissioner Schmitt expressed his appreciation of Ms. Clauss and stated that she would be hard to replace.

Commissioner Via echoed the earlier sentiments but said that he's still too mad a Ms. Clauss for leaving. He welcomed Mr. Wood back from his military tour of duty and expressed great respect for the work he did over there. Commissioner Via stated that he was very impressed with the incredible murder solving success they had last week. He then mentioned that he has felt frustrated by the negative individual opinions over the proposed Swerdlow development and that all anyone has are individual opinions at this time. A collective decision will be made by the Commission at the appropriate time. Commissioner Via asked about the November 7th Veterans Parade. Mr. Forte advised that he has a meeting on the 27th with the coordinator. He knows that port-o-johns are required. The parade will begin at 5th Street and end at Hollyland Park. The City is neither the host nor the coordinator but simply supplementing as appropriate. The Commission will be invited to be participants.

Mayor Arthur referred to a letter he received from Jennifer Shaw opposing the proposed Swerdlow development. He agreed with some of what she said and disagreed with other parts but what he liked most of all was that she stated "in my view" because that is what each of us has - our own view. He then expressed how much he will miss Ms. Clauss and wished her well in Titusville.

16. ADJOURNMENT

The meeting officially adjourned at approximately 8:40 p.m.

Attest:	City of Holly Hill, Florida
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Jeaneen P. Clauss, CMC City Clerk	William D. Arthur Mayor