M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
OCTOBER 23, 2001

1. CALL TO ORDER

A. Roll Call

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, Paul Lockeby, Keith Tarrer and Roland Via (arriving at approximately 7:02 p.m.).

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Development Code Administrator Tim Harbuck, Emergency Services Director Don Shinnamon, Assistant to the City Manager Greg Wood, Public Works Director Milt Hallman, City Planner Bob Keeth, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur recognized Mr. Ron Fussell in the audience, candidate for District Three's Commission Seat.

A. Certificates of Appreciation to Fireman Pension Fund Board of Trustees Members:

Charlie Cobb
Ron Spencer
John Starr
Teresa J. Thornton-Hill
Brenda Gubernator

Mayor Arthur presented these certificates to Ms. Thornton-Hill and Ms. Gubernator, who were present to receive theirs. He acknowledged the other members, who were unable to attend, as well.

B. Certificates of Appreciation to Police Pension Fund Board of Trustees Members:

Steve Aldrich
Jim Robertson
Russell Lathrope
J.D. Mellette
Joe Borelli

Mayor Arthur presented these certificates to Sergeant Aldrich and Mr. Robertson, who were present to receive theirs. He acknowledged the other members, who were unable to attend, as well.

3. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – October 9, 2001

B. Renewal of Median Maintenance Contract with Tif-Jen

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

Mr. Forte stated there was no cost involved in the Tif-Jen Median Maintenance Contract renewal, which is why it was placed on the Consent Agenda.

The motion **CARRIED** 5-0 on the following roll call: Tarrer – yes, Via – yes, Byrnes – yes, Lockeby – yes, Arthur – yes.

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

5. RESOLUTION 2001-R-66, ACCEPTING THE RESULTS OF THE GENERAL ELECTION AND CALLING FOR A RUNOFF ELECTION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING THE RESULTS OF THE GENERAL ELECTION HELD TUESDAY, OCTOBER 9, 2001; ANNOUNCING THE CANDIDATES FOR THE RUNOFF ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-66, seconded by Commissioner Byrnes.*

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

6. RESOLUTION 2001-R-67, APPOINTING A CANVASSING BOARD FOR THE RUNOFF ELECTION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A CANVASSING BOARD FOR THE CITY'S RUNOFF ELECTION TO BE HELD**

ON NOVEMBER 6, 2001; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The Commission discussed who would serve on this Board. Of the Commission members, Commissioner Byrnes expressed a desire to serve as a regular member and Commissioners Via and Lockeby stated they would like to serve as alternates. Commissioner Tarrer recommended Gilles Blais and Commissioner Via recommended Steven Correia. Mr. Forte referred to the list of people who had served in recent years, offering the names of Susan Burcham and George Davis.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-67 appointing Arthur Byrnes, Gilles Blais, Steven Correia, Susan Burcham, and George Davis as regular Canvassing Board Members and Roland Via and Paul Lockeby as alternates, seconded by Commissioner Via.*

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

7. RESOLUTION 2001-R-68, APPOINTING MEMBERS TO THE HISTORIC PRESERVATION BOARD

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE HISTORIC PRESERVATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte stated that they have recently had another vacancy occur on this Board and he asked Mr. Simpson if they could fill that vacancy tonight. Mr. Simpson advised that they could. The Historic Preservation Board has recommended that their alternate, Darlene Nolan-Call, be made a regular member. Gilles Blais has also applied for membership to this Board, as has Ormond Beach's City Planner, Jim Burnett – who lives in Holly Hill.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-68 appointing Darlene Nolan-Call to fulfill the remaining term of Carolyn Glass, Gilles Blais to fulfill the remaining term of Merle Warren, and Jim Burnett to fulfill the remaining term of Darlene Nolan-Call as an alternate, seconded by Commissioner Lockeby.*

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

8. SECOND READING OF ORDINANCE 2623, ANNEXING PROPERTY LOCATED ON NOVA ROAD, SOUTH OF LPGA BOULEVARD

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 Tarrer moved to ***APPROVE*** *the Second Reading of Ordinance 2623, seconded by Commissioner Via.*

Commissioner Byrnes reiterated his inquiry about the dirt road which is blocked-off by the County near this location on Hickory Avenue, which he understood to have been a right-of-way. Staff will look into this.

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

9. FIRST READING OF ORDINANCE 2624, REGARDING VENDOR LICENSING FOR SPECIAL EVENTS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING SECTION 114-902 (OUTSIDE SALES BY NONLICENSED OPERATORS.) OF THE HOLLY HILL CODE OF ORDINANCES TO PROVIDE A $200 FEE PER VENDOR; PROVIDING THAT THE BUSINESS OWNER MUST APPLY FOR SPECIAL EVENT PERMIT; PROVIDING FOR SUBMISSION REQUIREMENTS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tarrer moved to ***APPROVE*** *Ordinance 2624, seconded by Commissioner Lockeby.*

The Commission discussed this issue at length. Opinions varied. Some supported the increase and method of charging vendors, which this ordinance would provide. Mr. Harbuck stated that this would have no effect on most business owners but would affect about three businesses within the City. Some felt that our fees were high enough now and didn't want to have any increase or change the charging method. Some felt that a base fee and a small per vendor fee were best because they want to track the vendors more specifically. Christopher Gray, Daytona Fun Machines, advised that this type of change would hurt him because he does not pass along the expense to his vendors; he specifically invites them as a compliment to his business. The following amendment motions were made in an effort to find a agreeable alternative to the proposal before them.

*Commissioner Tarrer moved to **AMEND** his motion to state that vendor fees shall be two hundred dollars per parcel and fifty dollars for each additional vendor, Commissioner Lockeby **DID NOT AMEND** his second – motion* **DIED**

*Commissioner Via moved to **AMEND** the motion on the floor to state that vendor fees shall be one hundred dollars per parcel and twenty-five dollars for each additional vendor, no second was made – motion* **DIED**.

*Commissioner Tarrer **WITHDREW** his motion and Commissioner Lockeby **WITHDREW** his second – motion* **WITHDRAWN**.

No consensus was reached on this item. No action taken.

10. FIRST READING OF ORDINANCE 2625, REZONING PROPERTY LOCATED AT 649 6TH STREET FROM RESIDENTIAL TWO (R-2) TO AGRICULTURAL PLANNED UNIT DEVELOPMENT (APUD)

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 ELEVEN ACRES LOCATED ON THE SOUTH SIDE OF SIXTH STREET WEST OF CENTER STREET FROM R-2, SINGLE-FAMILY RESIDENTIAL DEVELOPMENT DISTRICT, TO APUD, AGRICULTURE PLANNED UNIT DEVELOPMENT DISTRICT; APPROVING THE WILSON MASTER DEVELOPMENT PLAN AND INCORPORATING IT INTO THIS ORDINANCE FOR THE PURPOSE OF REGULATING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.**

*Commissioner Tarrer moved to **APPROVE** the First Reading of Ordinance 2625, seconded by Commissioner Lockeby.*

Mr. Keeth advised that the Planning Board recommends approval of this with a few changes to its original form, which are noted within. Storage of bulk fertilizer is now expressly prohibited. Attorney Scott Simpson sent Mr. Keeth a letter requesting a few sections within the ordinance be clarified and tightened-up prior to second reading. These adjustments will not affect the title or nature of this project, so the Commission could proceed with first reading tonight.

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

11. PURCHASE OF TWO POLICE PATROL VEHICLES

*Commissioner Tarrer moved to **APPROVE** the purchase of two Ford Crown Victoria patrol vehicles for a total cost of $40,114, seconded by Commissioner Byrnes.*

These two vehicles were budgeted for this year. Commissioner Via inquired about the status of the jeeps; there are currently four jeeps still in use (VIP, patrol, CID, Animal Control). The vehicles that will be rotated out of service are two Crown Victorias in excess of 120,000 mile each. These will probably be surplused. A question was raised regarding the disablement of the interior light.

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

12. COMMUNICATIONS

Mayor Arthur recognized County Councilman Big John, 330 Mason Avenue.

1) Big requested the City appoint the County's representatives on the Interlocal Canine Recreation Club because the County Council does not want to make these appointments. Big asked that he, Salli Moore, and Dr. Buck be appointed in these slots.

*Commissioner Tarrer moved to **APPROVE** the appointment of Big John, Salli Moore, and Dr. Buck as County representatives on the Interlocal Canine Recreation Club, seconded by Commissioner Lockeby.*

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

Big asked Ms. Clauss to try to expedite a meeting for this Board.

2) Big advised that the Dog Fanciers would like to donate the funding to build a forty foot by forty foot pavilion at the Dog Park. They would like it to be open to the public except when they have their meetings, approximately three nights per week. Mr. Hallman will begin working with them to coordinate this into the plans.

3) Big stated that it was unfortunate that the County scheduled the discussion of a major road in Holly Hill on the night of the City's Commission meeting. However, they are going to bring a special presentation on this to them soon.

A. City Manager

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

B. City Attorney

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

C. Mayor and Commissioners

Commissioner Tarrer thanked everyone for attending tonight. He asked that they remember those that are serving our County, especially overseas, and utilize their right to vote on November 6^{th}.

Commissioner Via indicated he had nothing further to report.

Commissioner Byrnes stated that he was distressed to find the front doors locked tonight and would like for Staff to take whatever security measures are necessary to keep these doors unlocked during Commission Meetings – even if they have to pay a police officer to stand out front. Other Commission members expressed agreement. Commissioner Byrnes also encouraged everyone to utilize their right to vote on November 6^{th}.

Commissioner Lockeby thanked Big John and Joe Jaynes for coming tonight and for representing the City so well at the County level. He then wished everyone a nice evening.

Mayor Arthur advised that we have a workshop immediately following this meeting. He thanked everyone for attending and wished them well.

13. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:15 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk