M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
OCTOBER 28, 2003

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 7:00 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Lou Schmitt, and Roland Via. Commissioner Paul Lockeby arrived at approximately 7:25 p.m.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant to the City Manager Greg Wood, City Planner Bob Keeth, Building Official Tim Harbuck, IT Manager Scott Gutauckis, Public Safety Director Don Shinnamon, Public Works Director Milt Hallman, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Diane Cole, citizen and Human Resource Director, presented Mayor Arthur with a Certificate of Heroism for saving her youngest daughter (Kristi England) when she fell off his boat last Friday evening.

3. CONSENT AGENDA

Minutes of Special Commission Meeting – October 14, 2003
Minutes of Regular Commission Meeting – October 14, 2003
Minutes of Commission Workshop – October 14, 2003
Purchase Orders Issued between Five and Ten Thousand Dollars

- **Water Treatment & Controls (chlorinators) - $8,525**
- **Chloroteck Systems (cylinder scales) - $5,400**
- **Sanders Company (recycle pump repair materials) - $6,790**

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

The motion **CARRIED** 4-0 on roll call: Via – yes, Schmitt – 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 reminded everyone about the Halloween in the Park event scheduled for October 31st from 5:30-7:30 p.m. They have thirty merchants signed-up so far (room for fifty). The next Chamber Breakfast will be November 13th at Bishop's Glenn.

Commissioner Via stated that the Water Authority of Volusia met in Deltona and reviewed the applications for Executive Director. They have had eighty-nine inquiries and received twenty-four applications, so far. Mr. Forte will be serving on the Short List Committee for reviewing these applications. Mayor Vandergrift of New Smyrna Beach has appointed Commissioner Via to the Executive Committee of WAV. The next WAV meeting will be the 3rd Wednesday of November at 9:00 a.m. in Deltona.

Commissioner Byrnes stated that he became the new President for the Volusia League of Cities last Thursday at their meeting in New Smyrna Beach.

Mayor Arthur stated that he participated in White Cane Day during Bike Weekend. He was walked blindfolded across Ridgewood Avenue in Daytona Beach. It was scary but very interesting.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Mayor Arthur introduced candidate Gilles Blais, running for District 2.

6. SECOND READING OF ORDINANCE 2677, CHANGING THE NAME OF FIFTEENTH (15TH) PLACE TO WAITE PLACE

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, CHANGING THE NAME OF A STREET IN THE CITY OF HOLLY HILL FROM FIFTEENTH PLACE TO WAITE PLACE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Schmitt moved to ***APPROVE*** *the Second Reading of Ordinance 2677, seconded by Commissioner Via.*

Barbara Sandberg, daughter of Dr. and Mrs. Waite withdrew her request for the street name change – because of the objection from most of the residents of this street. Suzanne Holy, 163 15th Place, stated that she gathered the signatures on the petition against changing the name of this street because of the inconvenience that would cause the residents. She agreed that Dr. and Mrs. Waite should be recognized for their significant historical contribution to this area and suggested that Big Tree Park be re-named Waite Park. This park exists today in part because of the work of Mrs. Waite. Everyone indicated that they were in favor of this idea. Mark Reed, 140 15th Place, spoke on behalf of him, his wife, and his neighbor Bonnie Jackson who lives at 139 15th Place. They did not have any problem with the street name change but clearly the majority does (he added that he thought another lady worthy of this type of recognition is Rose Schuhmacher). The Commission indicated that they would vote "no" on this and then like to see a resolution for the park name change at the next meeting.

The motion **CARRIED** 0-5 on roll call: Schmitt – no, Via – no, Byrnes – no, Lockeby - no, Arthur - no.

7. PUBLIC HEARING
DETERMINATION OF NUISANCE AT 703 UNABELLE AVENUE

Mayor Arthur opened the Public Hearing for determination as to whether or not a nuisance exists at 703 Unabelle Avenue. Mr. Harbuck explained that this residence is abandoned, dilapidated, structurally unsound and a hazard to surrounding property owners. Josephine Cogil, next door neighbor, stated that she has been complaining about the state of this residence for quite some time even taking pictures of it and giving them to the City. She indicated she felt demolition was the best remedy. Mr. Simpson expressed a concern that due to a recent change in ownership the current property owner had not been officially notified by the City of tonight's meeting and he felt they should hold-off on taking any action until such notification had been provided and they had given the new owner the thirty days allowed by Code to come into compliance. The Commission indicated that they wanted to make sure the property owner knows they are very serious about taking action and to make sure that anyone who buys the property in the meantime is aware that this type of action is pending.

8. FIRST READING OF ORDINANCE 2658, AMENDING THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 7.35 ACRES LOCATED ON THE SOUTHWEST CORNER OF EIGHTH STREET AND HOLLY AVENUE FROM "URBAN MEDIUM DENSITY" (COUNTY) TO "WHOLESALE COMMERCIAL AND INDUSTRIAL" (CITY)

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2265, THE COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, BY REVISING FIGURE II-6, THE FUTURE LAND USE MAP, TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 7.35 ACRES LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF EIGHTH STREET AND HOLLY STREET FROM URBAN MEDIUM DENSITY (VOLUSIA COUNTY) TO "WHOLESALE COMMERCIAL AND INDUSTRIAL"; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

*Commissioner Byrnes moved to **APPROVE** the First Reading of Ordinance 2658, seconded by Commissioner Lockeby.*

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

9. FIRST READING OF ORDINANCE 2659, REZONING APPROXIMATELY 7.35 ACRES LOCATED ON THE SOUTHWEST CORNER OF EIGHTH STREET AND HOLLY AVENUE FROM R-7 (COUNTY) TO INDUSTRIAL PLANNED UNIT DEVELOPMENT (CITY)

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 7.35 ACRES, LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF EIGHTH STREET AND HOLLY STREET, FROM R-7, MULTI-FAMILY RESIDENTIAL CLASSIFICATION (VOLUSIA COUNTY), TO IPUD, INDUSTRIAL PLANNED UNIT DEVELOPMENT DISTRICT; APPROVING A 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 Schmitt moved to **APPROVE** the First Reading of Ordinance 2659, seconded by Commissioner Byrnes.*

Jim Morris, 420 South Nova Road, attorney for the adjacent property owner, spoke in favor of this PUD. They appreciate the City's cooperative effort in this.

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

10. FIRST READING OF ORDINANCE 2678, INCORPORATING CHARTER AMENDMENTS APPROVED BY THE VOTERS

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 OCTOBER 7, 2003 GENERAL ELECTION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Schmitt moved to ***APPROVE*** *the First Reading of Ordinance 2678, seconded by Commissioner Via.*

Commissioner Via stated that this leaves us just short of the term of the vice-mayor. Mr. Forte advised that he has placed before them the legal opinion of Scott Simpson regarding this issue. At some point, they will need to address that. This ordinance reflects the changes made by the voters.

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

11. RESOLUTION 2003-R-66, RATIFICATION OF THE P.B.A. UNION CONTRACT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING A THREE-YEAR CONTRACT WITH THE POLICE BENEVOLENT ASSOCIATION (PBA); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Via moved to ***APPROVE*** *Resolution 2003-R-66, seconded by Commissioner Schmitt.*

This contract is retroactive to October 1st. Mr. Forte mentioned that the vote for whether the Police Officers wanted to stay with the PBA union or go with the Teamsters union was a tie, so there will be no change from the PBA.

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

12. PURCHASE OF NETWORK UPGRADE EQUIPMENT FROM DELL COMPUTERS AND TEK-RESOURCE

Mr. Forte advised that these are both budgeted upgrades that they anticipated for this year. Mr. Gutauckis explained that about four years ago they voted to go with a Citrix system and now that equipment has become outdated because newer software is requiring more from our hardware. This will bring our equipment up to where it can provide the needed capacity. Commissioner Byrnes was very pleased with the raid control provision. Commissioner Lockeby indicated that he felt that they should explore local merchant options. Mr. Gutauckis advised that he has found that to be more costly and pieced together. The current proposal is from a State contract.

Commissioner Via moved to ***APPROVE*** *the purchase of network upgrade equipment from Dell Computers for $9,890.29 and Tek-Resource for $19,100 for a total cost of* <u>*$28,990.29*</u>*, seconded by Commissioner Byrnes.*

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

13. PURCHASE OF VEHICLES FOR PUBLIC WORKS, POLICE, AND CODE ENFORCEMENT

Commissioner Via moved to ***APPROVE*** *the purchase of vehicles for the Public Works, Police, and Code Enforcement Departments for $34,658, $38,599, and $14,065 (respectively) for a total cost of <u>$87,322</u>, seconded by Commissioner Schmitt.*

Mr. Forte advised that he combined all the vehicles budgeted for each department into one agenda item. Commissioner Lockeby indicated that he felt they should shop around at some of the local used car dealerships in the City. These are new vehicles and are being purchased off the State contract.

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

14. CENTENNIAL PARK IMPROVEMENTS

Mr. Forte advised that they have been working on multiple grants for phase II for Centennial Park and part of this incorporates the multi-purpose field. When they went out for bid on that part, they received one bid in the amount of $184,000. They felt this was far too high and asked that the Commission reject this bid and authorize Staff to negotiate the pertinent parts to get phase II accomplished and still qualify for the grant. Some of this can be done in-house.

Commissioner Via moved to ***REJECT*** *the bid from Allen Green Construction Company due to being over budget, seconded by Commissioner Byrnes.*

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

Commissioner Byrnes moved to ***APPROVE*** *authorizing Staff to negotiate contracts for the electrical and reuse water main portions of the work needed for phase II of Centennial Park, seconded by Commissioner Lockeby.*

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

15. PURCHASE OF MOWING EQUIPMENT

Commissioner Via moved to ***APPROVE*** *the purchase of three mowers from A-1 Lawn Mower Center, Inc. for a total cost of <u>$14,032.20</u>, seconded by Commissioner Schmitt.*

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

16. RESOLUTION 2003-R-65, ACCEPTING THE BYRNE LAW ENFORCEMENT GRANT

Mr. Forte advised that this item was placed on the agenda as an add-on because it arrived after the packets had been sent and the acceptance certificate needs to be sent back rather quickly.

*Commissioner Schmitt moved to **APPROVE** Resolution 2003-R-65, seconded by Commissioner Via.*

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

17. COMMUNICATIONS

A. City Manager

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

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Lockeby advised that VCOG voted to set-in a statute of seven hundred seventy-seven dollars for charge for contract negotiations for mutual fire help. Mayor Bill Hoak of Ponce Inlet was voted-in to take Mary's place. Joint executive director discussions are continuing.

Commissioner Schmitt thanked everyone for coming and wished everyone a safe Halloween. Commissioner Schmitt mentioned that their next meeting is their Organizational Meeting and he would base his decision on who should serve as vice-mayor according to how this next vote transpires.

*Commissioner Schmitt moved to **APPROVE** reinstating a chaplain program in the police department and appointing Ron Fussell to serve as chaplain, seconded by Commissioner Lockeby.*

The Commission discussed this and accusations of political pay-backs were made. The history of the chaplain program was considered.

The motion **CARRIED** 2-3 on roll call: Schmitt – yes, Lockeby - yes, Byrnes – no, Via – no, Arthur - no.

*Commissioner Lockeby moved to **APPROVE** authorizing the police department to set-up a chaplain program if needed and desired, seconded by Commissioner Via.*

Commissioner Byrnes stated that he would want to see verification of the need for this, should the police department decide to pursue this. Mr. Forte advised that if they decide to do this, he would treat it as he would any other position and an advertisement with a request for qualifications would be placed and background checks would be conducted on anyone selected.

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

Commissioner Via advised that today was RESPECT day for teachers and other school workers. He encouraged everyone to send a note to their kids' teachers thanking them for the job they do. Commissioner Via stated that he is looking forward to "Trunk or Treat" at Hollyland Park and reminded everyone to vote on November 4th. He inquired if they had really made a decision on Sica Hall – Mr. Forte advised they should probably discuss that again at a workshop. Commissioner Via stated that the canal at LPGA and Nova is looking terribly overgrown. They haven't been able to motivate the County to take care of this and it's a gateway to our City, so he'd like us to look into taking care of this. He referred to the area around the junk yard on Center Street stating that we really need some teeth in our junk yard ordinances because this is a dangerous spot where children walk by everyday.

Commissioner Byrnes stated that he is looking forward to the Halloween Event and that he agrees with Commissioner Via on the junk yard issue – he hears a lot of complaints from citizens about junk yards in the City.

Mayor Arthur reminded everyone about the Celebrity Waiter event this weekend at the Ormond Beach Olive Garden – a benefit for the blind. He advised everyone that the MPO is now discussing doing a study for lowering the speed limit on Nova Road. This is something that the City has pushed for a long time.

18. ADJOURNMENT

The meeting officially adjourned at approximately 8:45 p.m.

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