M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
OCTOBER 9, 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.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Development Code Administrator Tim Harbuck, Emergency Services Director Don Shinnamon, and Human Resources Director / Deputy City Clerk Diane England.

B. Invocation

Commissioner Byrnes delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur welcomed the Mainland Senior High School government class and former Mayor Don Wiggins.

Proclamation for City Government Week – October 21st-27th, 2001

Mayor Arthur asked Ms. England to read this proclamation before presenting it.

3. CONSENT AGENDA

Minutes of Regular Commission Meeting – September 25, 2001

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

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

4. AUDIENCE PARTICIPATION

Regarding items not on the agenda.

Wanda Roth, 124 LPGA Blvd., complained to the Commission about her neighbor, Nancy Myers, and her repeated trespassing on her property. She also complained that Ms. Myers hedges obstruct their view and they cannot safely back-out of their driveway. She gave the Commission her notes outlining these complaints. She has been told by the City that some of these would have to be resolved through the Attorney General's Office. She felt these could all

be resolved at the City level. Mayor Arthur advised that Staff would look further into this and make every attempt to resolve it.

5. SECOND READING OF ORDINANCE 2619, AMENDING THE FUTURE LAND USE MAP DESIGNATION OF PROPERTIES ANNEXED AT NOVA ROAD, ALABAMA AVENUE, & GOLF AVENUE FROM MIXED USE (VOLUSIA COUNTY) TO GENERAL RETAIL COMMERCIAL (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 9.7 ACRES LOCATED ON THE EAST AND WEST SIDES OF NOVA ROAD (S.R. 5A) IN THE VICINITY OF ALABAMA AVENUE AND GOLF AVENUE FROM MIXED USE (VOLUSIA COUNTY) TO GENERAL RETAIL COMMERCIAL; 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 Second Reading of Ordinance 2619, seconded by Commissioner Lockeby.*

Commissioner Lockeby stated that he had received three phone calls on this and they requested clarification on this item with concerns about loss of tax dollars. Commissioner Byrnes stated that he had a few questions from citizens on this one too and once he explained that they were simply giving this a City zoning similar to that of the County, there wasn't a problem.

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

6. SECOND READING OF ORDINANCE 2620, REZONING PROPERTIES ANNEXED AT NOVA ROAD, ALABAMA AVENUE, & GOLF AVENUE FROM I-1 AND B-5 (VOLUSIA COUNTY) TO CC-1, COMMERCIAL CORRIDOR ZONING DISTRICT (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 9.7 ACRES LOCATED ON THE EAST AND WEST SIDES OF NOVA ROAD (S.R. 5A) IN THE VICINITY OF ALABAMA AVENUE AND GOLF AVENUE FROM I-1 (VOLUSIA COUNTY) AND B-5

(VOLUSIA COUNTY) TO CC-1, COMMERCIAL CORRIDOR ZONING DISTRICT; 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 Second Reading of Ordinance 2620, seconded by Commissioner Via.*

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

7. SECOND READING OF ORDINANCE 2621, REZONING PROPERTIES LOCATED AT UNABELLE &ALICE AVENUES FROM R-4 TO R-3

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 12.5 ACRES LOCATED WEST OF CENTER AVENUE ON WALKER STREET, UNABELLE AVENUE, ALICE AVENUE AND 15TH STREET FROM R-4, CLUSTER SINGLE-FAMILY RESIDENTIAL DISTRICT, TO R-3, MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT; 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 Second Reading of Ordinance 2621, seconded by Commissioner Lockeby.*

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

8. SECOND READING OF ORDINANCE 2622, INCREASING THE ADDITIONAL HOMESTEAD EXEMPTION FOR SENIOR CITIZENS FROM $10,000 TO $25,000

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, ARTICLE I (ADDITIONAL HOMESTEAD EXEMPTION FOR SENIOR CITIZENS), SECTION 62-3 (ENTITLEMENT TO 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 Second Reading of Ordinance 2622, seconded by Commissioner Via.*

Commissioner Byrnes stated that with the recent events of the September 11th tragedy he is very concerned about the economy and hopes that the property appraiser's estimate of a $21,000 reduction in tax revenue is correct and that the City doesn't have to raise taxes for the rest to make this up. Mayor Arthur expressed the same concern and inquired of Mr. Simpson whether a term of residency requirement could be placed on this and perhaps other City determined restrictions. Mr. Simpson will have to research this and report back. Commissioner Tarrer stated that there are already restrictions in place. Commissioner Via referred to the hard times ahead as being even more of a reason that qualifying seniors need this and agreed that if they find this is being abused they will take action to either correct or eliminate this additional exemption.

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

9. FIRST 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 First Reading of Ordinance 2623, seconded by Commissioner Lockeby.*

Mr. Forte utilized the overhead projector to show the proposed annexation. The property is currently vacant. They are anticipating bringing in either a lube shop or a U-Haul rental place on that property, which are permitted uses. Commissioner Byrnes inquired about the dirt road which is blocked-off by the County near this location, which he understood to have been a right-of-way. They will look into this.

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

10. RESOLUTION 2001-R-65, ACCEPTING THE LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDING

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE ACCEPTANCE OF AND DESIGNATING THE USE FOR THE LOCAL LAW ENFORCEMENT BLOCK GRANT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-65, seconded by Commissioner Lockeby.*

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

11. WALKER STREET GRADE CROSSING REHABILITATION

*Commissioner Tarrer moved to **APPROVE** the expenditure of $89,232 from the General Fund fund balance for rehabilitation of the grade crossing at Walker Street – payable in quarterly payments, seconded by Commissioner Byrnes.*

Commissioner Byrnes inquired as to whether there was some recourse or due-process that they have in order to have input into this because there are some expenditures that are listed that are purely for the benefit of the trains. Mr. Simpson advised that they can attempt to negotiate and take the position that some of the items listed are unrelated and not necessitated by the fact that a vehicle is crossing their track. This would require engineering input and would likely be an uphill argument. Commissioner Via asked how often this type of work needs to be done and whether there is a schedule. Mr. Forte advised there is no set schedule beyond the on-going maintenance. These major expenditures are sudden and unplanned. The Commission considered delaying this but felt it would be futile and perhaps more costly. Mr. Simpson suggested they send the Railroad a letter stating that they accept the option to make quarterly payments however we would like to question the necessity of some of the items on the invoice, as it relates to vehicle traffic crossing. They decided that they would approve this tonight and then question the bills on specific items, as they come in.

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

12. COMMUNICATIONS

A. City Manager

1. Mr. Forte gave the preliminary results, which do not include absentee ballots:

Mayor's Race:

Bill Arthur	1010
Gillis Blais	241

Mayor Arthur complimented Mr. Blais for his fine campaign. It was clean and gentlemanly.

District 3:

Jeff Delanoy	209
Ron Fussell	480
Keith Tarrer	595

This will probably require a runoff election. The half-cent tax passed in Holly Hill.

2. Mr. Forte advised that Legislative Day plans are underway and he will put the information for that in the Commissioners' mailboxes tomorrow. He will need to turn in a date by Oct. 17th.

B. City Attorney

None.

C. Mayor and Commissioners

Commissioner Lockeby stated that he heard a rumor today that terrorists would attack during Octoberfest. He wanted the City to be extra-cautious as this approaches.

Commissioner Tarrer stated that they were having some problems on 10th Street with too many trucks traveling down this road at high speeds. Also, there are no lines on the street. Mr. Forte will look into this. Trucks are allowed on this road for the purpose of making deliveries on Carswell and State Avenues but they are not allowed to use this road as a through street. The worst offender is a tow company that should be using 11th Street. Commissioner Tarrer also requested a workshop on the employee discipline that was recently done to employees in the Public Works Department. Mr. Forte expressed his opposition to this being done in a Commission Workshop format because it's not a Commission decision. It is the City Manager's area. Commissioner Via stated that the only role the Commission plays in this is setting the policy and if they feel that any of their policies need to be amended, or if the feel the process was not followed properly, they could look at that but not at the particular employee(s) case.

Commissioner Via referred to his radio prediction that the School Tax would pass, and it appears that it has. He thanked Mrs. Neilson's class for coming tonight and they got to see part of an electoral process. The most important thing is to remember how important it is to vote. He felt the winner in this election is Holly Hill, not an issue or candidate, for having a good voter turn-out. He made note of the members of the armed forces who are away and cannot cast their ballot today.

Commissioner Byrnes acknowledged the Mainland visitors. He said it will be good to have new schools but he disagreed with making Mainland face ISB because the u-turn traffic will conflict

with DBCC. He expressed concern for the reserves and guards who have left their homes, families, and jobs to protect us.

Mayor Arthur asked everyone to sign the Certificate for Brad and Linda Attaway, who took care of them when they were stranded in San Francisco during the September 11th tragedy. He also read a neat newspaper article on Holly Hill from March 21, 1960. Barbara Waight (now Sandburg) was featured as the City's hostess. He thanked the citizens for their support in this election – being re-elected is truly an honor.

13. ADJOURNMENT

The meeting officially adjourned at approximately 7:53 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk