M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
NOVEMBER 13, 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, Substitute City Attorney Kit Korey, Development Code Administrator Tim Harbuck, Emergency Services Director Don Shinnamon, Assistant to the City Manager Greg Wood, Finance Director Brenda Gubernator, Human Resources Director Diane England, Public Works Director Milt Hallman, City Planner Bob Keeth, Administrative Assistant to the City Manager Virginia Vainella, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. SWEARING-IN CEREMONY

Mayor William D. Arthur
Commissioner Arthur J. Byrnes, District 1
Commissioner Keith Tarrer, District 3

Mr. Korey swore-in the above members of the City Commission, as they begin their new terms in office.

3. REORGANIZATION OF CITY COMMISSION

Mayor Arthur stated that he felt the six-month rotation of their positions was too frequent and asked if the Commission would mind changing it to one year.

*Commissioner Tarrer moved **APPROVAL** of the Mayor's recommendations for an <u>annual</u> reorganization of the City Commission, seconded by Commissioner Via.*

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

Mayor Arthur recommended that Commissioner Byrnes serve as Vice-Mayor, Commissioner Lockeby serve as Finance Officer, Commissioner Via serve as Chamber Liaison, and Commissioner Tarrer serve as Personnel Officer.

*Commissioner Tarrer moved **APPROVAL** of the Mayor's recommendations for Commissioner Byrnes serve as Vice-Mayor, Commissioner Lockeby serve as Finance Officer, Commissioner*

Via serve as Chamber Liaison, and Commissioner Tarrer serve as Personnel Officer, seconded by Commissioner Via.

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

4. PRESENTATIONS & PROCLAMATIONS
Presentation from Volusia County on the Planned Improvements for LPGA Boulevard, between Nova Road and Jimmy Ann Drive

Volusia County Engineering representatives Scott Martin, Bill Grey, and Chris Fox gave this special presentation to the Commission because of the scheduling conflict that prevented them from being able to attend the Public Meeting held October 23, 2001 on this. They showed the Commission the three options that the County is currently exploring for the widening of this segment of roadway, from two lanes to five lanes. The option with the lowest cost projection is to expand northward and would cost approximately 2.8 million dollars. The schedule for this project is to complete the Design phase this year, Purchase properties for the following two years, and then begin Construction the year after that. Inquiry was made about continuing this project all the way down to Ridgewood Avenue. This is currently on the Metropolitan Planning Organization's Plan. A study is scheduled for this east half of LPGA Boulevard in five years by both the County and the State. The County is hoping for State funding assistance on that segment.

5. CONSENT AGENDA
A. Minutes of Regular Commission Meeting – October 23, 2001
B. Minutes of Commission Workshop – October 23, 2001

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

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

6. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Ruthie Sager, 1000 Walker Street, referred to the presentation by Volusia County and inquired as to whether purchasing that property to widen LPGA Boulevard will reduce City revenue. It will not affect the City's budget because that area is unincorporated. She also inquired as to the status of the new tennis courts. The City has already sent this project out for bid so it is forthcoming.

7. RESOLUTION 2001-R-69, ACCEPTING THE RESULTS OF THE NOVEMBER 6TH, 2001 RUNOFF ELECTION

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING THE RESULTS OF THE RUNOFF ELECTION HELD TUESDAY, NOVEMBER 6TH, 2001; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-69, seconded by Commissioner Byrnes.*

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

8. RESOLUTION 2001-R-70, APPOINTING MEMBERS TO THE INTERLOCAL CANINE RECREATION CLUB

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING INITIAL MEMBERS TO THE INTERLOCAL CANINE RECREATION CLUB AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-70, seconded by Commissioner Via.*

The appointees present were as follows: Clifford Benjamin, Mary Motley, Dr. Joe Whitenton, Dr. James Buck, Salli Moore and Big John. Jack Schwartz was unable to attend. Big confirmed that this board would be meeting soon to hear a fabulous presentation from the Dog Fanciers.

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

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

Mr. Korey 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 Second Reading of Ordinance 2625, seconded by Commissioner Lockeby.*

Mr. Keeth advised that there are a few minor errors in the name of the applicant and the owner. This is due to the property being held in trust. Mr. Wilson has a letter from the trustee authorizing him to submit this rezoning application. As a measure of caution, the Commission was advised to make the approval of this ordinance contingent upon the their attorney's review of the trust document.

*Commissioner Tarrer **AMENDED** his motion to include that approval of this Ordinance is contingent upon our attorney's review of the trust applicable to this property in order to confirm that the applicant has the authority to make this rezoning request, second amended by Commissioner Lockeby.*

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

10. RESOLUTION 2001-R-71, AUTHORIZING THE COUNTY MUTUAL AID AGREEMENT

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE EXECUTION OF A MUTUAL AID AGREEMENT WITH THE VOLUSIA COUNTY SHERIFF'S OFFICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-71, seconded by Commissioner Lockeby.*

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

11. RESOLUTION 2001-R-72, SUPPORTING SENATE BILL 100 AND HOUSE BILL 141 TO INCREASE FUNDING FOR THE TRANSPORTATION DISADVANTAGED TRUST FUND

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, SUPPORTING PASSAGE OF SENATE BILL 100 AND HOUSE BILL

141 TO INCREASE FUNDING FOR THE TRANSPORTATION DISADVANTAGED TRUST FUND; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-72, seconded by Commissioner Via.*

Commissioner Byrnes expressed some concern over the rate increase but accepted it for the greater good that it is proposed for.

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

12. A. RESOLUTION 2001-R-73, AUTHORIZING THE PURCHASE OF PROPERTY FOR RETENTION PONDS

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE ACQUISITION OF PROPERTY FOR STORMWATER SYSTEM IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-73, seconded by Commissioner Byrnes.*

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

B. RESOLUTION 2001-R-74, AUTHORIZING THE PURCHASE OF PROPERTY FOR RETENTION PONDS

Mr. Korey read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE ACQUISITION OF PROPERTY FOR STORMWATER SYSTEM IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-74, seconded by Commissioner Lockeby.*

The title information for this packet was presented to the Commission tonight because it was late coming in. Commissioner Via confirmed that this was one of the nine pieces of property that we planned to purchase for the stormwater improvement plan.

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

13. APPROVAL OF SETTLEMENT AGREEMENT – LYNN NEWELL

Mr. Forte stated that this settlement was reached after lengthy negotiations and the out-of-pocket cost to the City is $6,500. The Commission expressed interest in pushing harder to fight claims that they considered outrageous but Mr. Forte explained that if the City were to take matters into their own hands and go against the recommendations of the insurance company than they would be responsible for the full cost of any settlement and attorney fees. Staff is working with our labor attorney to try improve our position as the employer.

*Commissioner Tarrer moved to **APPROVE** a conditional settlement agreement reached on October 23, 2001 totaling $23,500 with Lynn Newell, seconded by Commissioner Via.*

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

14. INTERCONNECTION OF POTABLE WATER SYSTEMS IN HOLLY HILL, ORMOND BEACH, AND DAYTONA BEACH

*Commissioner Tarrer moved to **APPROVE** authorizing the City Manager to negotiate and sign Grant papers for fifty percent funding of the potable water interconnects at an estimated cost of $35,250, seconded by Commissioner Byrnes.*

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

15. CHANGE ORDER TO UTILITY INSTALLATION ON NOVA ROAD, NORTH OF FLOMICH STREET

*Commissioner Via moved to **APPROVE** authorizing the consultants to proceed with the engineering and construction of a reuse main for irrigation of the medians, seconded by Commissioner Lockeby.*

Mr. Forte advised that this is a change-order to the re-use line that is coming down from Ormond Beach to Holly Hill. Holly Hill will take it from the north City limits to Flomich. This change-order allows for Holly Hill’s line to be eight inches. Ormond Beach is planning for theirs to be eight inches but may increase to ten inches to feed some other places on the way down. Eight inches will meet all our needs.

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

16. NEW VEHICLE PURCHASES FOR DRAINAGE DIVISION AND BUILDINGS AND GROUNDS DIVISION

*Commissioner Tarrer moved to **APPROVE** authorizing the purchase of two (2) 2001 Ford Pickup Trucks from Duval Ford for a total cost of $37,685, seconded by Commissioner Byrnes.*

Mr. Forte advised that both of these vehicles were budgeted for their departments.

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

17. NEW MOWERS PURCHASE FOR BUILDING AND GROUNDS DIVISION

*Commissioner Tarrer moved to **APPROVE** authorizing the purchase of two (2) mowers from A-1 Lawn Mower Center, Inc. at $6,318 each for a total cost of $12,636, seconded by Commissioner Via.*

One of these is for the dog park addition and the other is to replace one that is worn-out.

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

18. COMMUNICATIONS

A. City Manager

Mr. Forte advised that the water retention project between State Avenue and 15th Street on Espanola requires additional work and he is requesting a change-order in the amount of $4,215. Mr. Hallman explained how the St John's River Water Management District regulations which necessitated this. Mayor Arthur asked if this would help the area behind SunTrust which floods so badly – this study is focused on that area.

*Commissioner Via moved to **APPROVE** a change order to Water Retention Project between State Avenue and 15th Street on Espanola for $4,215, seconded by Commissioner Tarrer.*

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

B. City Attorney

Mr. Korey indicated that he had nothing further to report but stated that it was nice to see them all again.

C. Mayor and Commissioners

Commissioner Via sent his thoughts and prayers to Ray Beltrami and his family, with the loss of Mr. Beltrami's father. He thanked the Canvassing Board for their time on Election Night and clarified that the new people that were on this Board were not meant to vote-off any citizens that had previously served in this capacity – they simply expressed interest in being appointed and were present the night of these appointments. He also thanked the American Legion Post 120 for the great job they did with the Veteran's Day celebration. In jest, he suggested that if a wine were to come from Mr. Wilson's new vineyards, it could be named Holly Swill.

Commission Byrnes thanked the Mayor and the Commission for his Vice-Mayor appointment. He added that he is looking forward to the next four years as City Commissioner for District One.

Commissioner Lockeby spoke to County Councilman Big John in the audience and asked him to look into having all of LPGA widened at once.

Commissioner Tarrer thanked his friends, supporters, and the citizens who voted – especially the sixty percent that voted for him. He stated that his seventeen months on the Commission have been some of the best of his life and he looks forward to continuing to work with all of them. He listed things that he would like to see the City accomplish in the near future: 1) fire engine in the northwest part of the City (especially wit the 500 plus people who will be moving into Charleston Place), and a 2) skate park, maybe at Hollyland Park.

Mayor Arthur agreed with Commissioner Tarrer's concern about fire / medical response time to the north west part of the City. Mayor Arthur thanked Al Plienis for the bible his church gave in his name. He then invited everyone to join them for a small reception after this meeting.

19. ADJOURNMENT

The meeting officially adjourned at approximately 8:10 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk