M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
NOVEMBER 14, 2000

1. CALL TO ORDER

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, Public Works Director Milt Hallman, Economic Development Coordinator Ira Corliss, Code Development Administrator Tim Harbuck, Code Enforcement Officer Ed Lee, Acting Police Chief Mark Barker, Recreation Director Chuck Beach, and City Clerk Jeaneen Clauss.

2. INVOCATION

Mr. Hallman delivered the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Certificates of Appreciation for Police Explorer Advisors

Corporal Forrest Currie
Penny Currie
Debbie Fant

Mayor Arthur presented certificates of appreciation to the Police Explorer Advisors.

B. Employee Service Awards

Joseph Borelli	**Police Officer**	**15 Years**
Thomas Maccio	**Fire Driver Engineer**	**10 Years**

Mayor Arthur recognized the service of these employees, who were unable to attend tonight's meeting.

C. Swearing-In of New Police Officers

Officer Thomas Alfano
Officer Steven Buro
Officer Pasquale Calandro
Officer Brian Carman
Officer Carmine Celico
Officer Sam Cooper
Officer James Keonitzer
Officer John Landi
Officer Brianna Mathis

The City has added a new procedure of having the Mayor swear-in new police officers. This meeting was the first ceremony of such. Mayor Arthur swore-in the above officers. Many other officers were in attendance.

5. REORGANIZATION OF CITY COMMISSION

Vice-Mayor **Chamber of Commerce Liaison**
Finance Liaison **Personnel Liaison**

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

*Commissioner Via moved **APPROVAL** of the Mayor's recommendation, seconded by Commissioner Lockeby.*

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

There was a discussion regarding having a staff member as an alternate to attend the Chamber of Commerce meetings.

*Commissioner Byrnes moved **APPROVAL** of having the City Manager serve as the alternate Chamber of Commerce Liaison, seconded by Commissioner Via.*

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

6. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – October 24, 2000
B. Minutes of Commission Workshop – October 24, 2000

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

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

7. AUDIENCE PARTICIPATION

None.

8. RESOLUTION 2000-R-58, PAL/RECREATION BOARD APPOINTMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING AN ALTERNATE MEMBER TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (Jeff Miller, term expires Jan 2001)**

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-58, seconded by Commissioner Byrnes.*

Officer Miller was present for appointment.

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

9. RESOLUTION 2000-R-59, BEAUTIFICATION BOARD APPOINTMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE ALTERNATE MEMBER TO THE BEAUTIFICATION ADVISORY BOARD; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (Jack Driscoll, term expires Jan 2001)**

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-59, seconded by Commissioner Byrnes.*

Mr. Driscoll was present for appointment.

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

10. PUBLIC HEARING
TO DECLARE 1571 HAMMOCK DRIVE AS A PUBLIC NUISANCE

Mayor Arthur opened the Public Hearing and explained the hearing process.

Mr. Harbuck presented pictures of the above property, which he stated has fallen into a state of disrepair in addition to the fire damage. The owner has been contacted several times and attempts have been made to bring the property into a safe and sanitary condition. Mr. Harbuck stated that the property is very unsafe and poses a threat to the surrounding areas and the City at large. Mr. Forte stated that though the concrete block may appear to be okay, when you have fires that reach the temperature that this one did, the mortar between them tends to fail. Mr. Hallman stated that it would take a certified structural engineer to validate the structural integrity of the bricks. Mr. Harbuck's request for demolition of the structure and clearing of debris does not include the garage behind the house, as that did not suffer fire damage.

This property has been under construction since 1994 for additions to the original house. Building permits were renewed as needed since that time, but this shows one of the problems with this property is the history of no completion - which leaves it in a continuous state of disrepair.

A second problem with this property has been the operation of a business on it. The property is zoned R-5, yet Mr. Verne has conducted his business requiring heavy equipment on the property.

Bill Verne, occupant, explained the financial devastation that he has faced since the fire and indicated he has faced roadblocks with the Code Administration department in his attempts to clean-up the debris without demolishing the entire structure. He asked the Commission to allow him to remove the debris from the property and have the bricks tested by a structural engineer. His attorney, Henry Ducket, who is representing him pro bono, asked the Commission to grant his clients this request. He verified that Mr. Verne's daughter (who is the actual owner of the property) desired this, as her father requested.

Mr. Simpson advised that the Commission could pass a finding that this property is a nuisance and then order a demolition with a stay, pending the fire damage be cleaned-up within a time certain and then for a building permit to be obtained within a time certain. The building permit acquisition would require the inspection of the bricks.

*Commissioner Via moved **APPROVAL** of finding the property a nuisance and ordering a demolition with a stay, pending the debris is removed within 30 days and a building permit obtained within 60 days, no second made. Motion* **DIED***.*

*Commissioner Tarrer moved **APPROVAL** of having the debris removed within two weeks and have the walls inspected for the building permit within 30 days, no second made. Motion* **DIED***.*

*Commissioner Lockeby moved **APPROVAL** of leveling it now, no second made. Motion* **DIED***.*

*Commissioner Byrnes moved **APPROVAL** of finding the property a nuisance in its current state and ordering a demolition with a stay, pending the debris is removed within 2 weeks and a building permit obtained within 30 days**,** seconded by Commissio*ner Tarrer.

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

-----5 Minute Recess-----

11. SECOND READING OF ORDINANCE 2598, AUTHORIZING THE USE OF A HEARING OFFICER FOR PARKING VIOLATIONS

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE REFERRAL OF VIOLATIONS OF PARKING ORDINANCES TO A HEARING OFFICER; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** the second reading of Ordinance 2598, seconded by Commissioner Via.*

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

12. FIRST READING OF ORDINANCE 2599, ANNEXING THE GILL PROPERTY LOCATED AT 1190 ALABAMA 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 Tarrer moved to **APPROVE** the first reading of Ordinance 2599, seconded by Commissioner Byrnes.*

Mr. Corliss utilized the overhead projector to show the proposed property annexation.

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

13. FIRST READING OF ORDINANCE 2600, ANNEXING THE GILL PROPERTY LOCATED AT 760 ORCHARD 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 Tarrer moved to **APPROVE** the first reading of Ordinance 2600, seconded by Commissioner Byrnes.*

Mr. Corliss utilized the overhead projector to show the proposed property annexation.

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

14. FIRST READING OF ORDINANCE 2601, REGARDING THE FIREFIGHTERS PENSION PLAN

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, CHAPTER 11 (FIRE PREVENTION AND PROTECTION), ARTICLE II (FIRE DEPARTMENT), DIVISION 2 (FIREFIGHTERS' PENSION PLAN), OF THE CODE OF ORDINANCES FOR THE CITY OF HOLLY HILL, FLORIDA; AMENDING SECTION 11-21 (DEFINITIONS), TO PROVIDE THAT MILITARY SERVICE CREDIT SHALL COMPLY WITH THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT; AND AMENDING SECTION 11-22 (MEMBERSHIP), TO PROVIDE FOR COMPLIANCE WITH STATE LAW AND TO PROVIDE THAT THE FIRE CHIEF MAY OPT NOT TO PARTICIPATE IN THIS RETIREMENT PLAN; AND AMENDING SECTION 11-22.1 (BENEFITS AMOUNTS AND ELIGIBILITY) TO PROVIDE FOR COMPLIANCE WITH STATE LAW CONCERNING RECOVERY AND REEMPLOYMENT AFTER DISABILITY AND CONTINUATION OF SPOUSAL BENEFITS AFTER REMARRIAGE; AND AMENDING SECTION 11-22.2 TO PROVIDE COMPLIANCE WITH STATE LAW CONCERNING OPTIONAL BENEFITS; AND AMENDING SECTION 11-22.3 TO PROVIDE FOR COMPLIANCE WITH STATE LAW CONCERNING DEPOSIT OF EMPLOYEE AND STATE CONTRIBUTIONS INTO THE PLAN; AND AMENDING SECTION 11-23 TO PROVIDE FOR GENDER NEUTRAL LANGUAGE AND AUTHORIZATION TO ESTABLISH A DEFERRED RETIREMENT OPTION PLAN AND DELETING EXPULSIONS PROVISIONS; AND AMENDING SECTION 11-23.1 TO PROVIDE FOR GENDER NEUTRAL LANGUAGE; AND AMENDING SECTION 11-23.2 TO PROVIDE FOR CLARIFICATION OF VESTING AT TERMINATION OF THE PLAN; AND AMENDING SECTION 11-23.3 TO PROVIDE FOR A MEDICAL BOARD TO REPLACE THE MEDICAL EXAMINER; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING OF POSTING OF THIS ORDINANCE.**

*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2601, seconded by Commissioner Byrnes.*

Referring to the deletion of the removal provision within the body of the ordinance, Commissioner Byrnes inquired as to how they would remove members for cause. Mr. Forte indicated that the resolution that we have regarding excessive absences should take care of that but he will look into this further before the second reading.

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

15. RESOLUTION 2000-R-60, AUTHORIZING A UTILITY AGREEMENT WITH FDOT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte stated that this is part of the new construction / DOT expansion that will occur north of Flomich at our City limits on Nova Road. As part of this, we will be running some water and reuse lines into this area. This is a resolution from DOT requiring us to put $200,000 into an interest bearing account as a promissory note for the work that we will have done when that construction work takes place.

*Commissioner Tarrer moved to **APPROVE** Resolution 2000-R-60, seconded by Commissioner Lockeby.*

The City will be sending a letter with the attorney recommended inclusions along with a signed copy of this resolution to DOT. Due to the fact that this is a state agreement, we are unable to make changes to the body of it. We do however have the ability to back out of this agreement.

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

16. RESOLUTION 2000-R-61, AUTHORIZING A FUNDING AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION FOR FISCAL YEAR 2000/2001

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2000-R-61, seconded by Commissioner Lockeby.*

Commissioner Via inquired as to how the MPO has been funded previously and why a change is needed? Karl Welzenbach, Executive Director of the MPO, explained that their funding has come exclusively from the federal government. This has been barely adequate as long as they remained under-staffed. Now that their staffing is where it should be, they will be broke within a few years if they don't receive additional funding. In most other areas, MPO's are funded by the cities they represent.

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

17. RESOLUTION 2000-R-62, ESTABLISHING A FEE FOR TREE REMOVAL PERMITS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING A TREE REMOVAL PERMIT FEE; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2000-R-62, seconded by Commissioner Tarrer.*

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

18. RESOLUTION 2000-R-63, ESTABLISHING A FEE FOR RENTAL HOUSING OCCUPATIONAL LICENSES

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING A RENTAL HOUSING OCCUPATIONAL LICENSE FEE; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2000-R-63, seconded by Commissioner Tarrer.*

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

19. PURCHASE OF NEW VEHICLES

Mr. Forte stated that the Ford Taurus vehicles they are requesting be purchased are for the Public Works Director, the Building Official, and the new Emergency Services Director. During the Budget process, Mr. Forte had suggested that the City purchase Crown Victorias for the Department Heads and then after two years rotate them into the Police Department fleet. However, since that time, Bruce Hobbs (fleet manager) has found a State contract where we can purchase Ford Taurus vehicles and give them to Department Heads, where they should be able to get about twelve years use out of them. The process of purchasing one Crown Victoria each year for the police department will continue. This works out very well overall because the former police chief's vehicle (Crown Victoria) will be rotated into fleet and replaced with a Taurus. The Crown Victoria on tonight's agenda is to replace the one that was totaled in an accident recently. The City will purchase the totaled vehicle and use it for parts.

On a side note, the selling of future vehicles is being examined in an effort to obtain better prices for them.

Commissioner Tarrer moved to ***APPROVE*** *the purchase of three (3) 2001 Ford Taurus vehicles and the shop manual from Duval Ford / Mercury and one (1) Ford Crown Victoria vehicle to replace a police car for a total amount of $65,257, seconded by Commissioner Lockeby.*

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

20. LIBRARY RE-ROOF BID

Mr. Forte explained that this would be a contract between the City and R&R Industries, however, the County has agreed to pay for half of the cost.

Commissioner Tarrer moved to ***APPROVE*** *the low bidder, R&R Industries, Inc. to proceed with the re-roof of the Library Building for a total amount of $27,500, seconded by Commissioner Byrnes.*

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

21. SCADA SYSTEM UPGRADE

Mr. Forte explained that this is the last phase of the instrumentation and control system we have been doing on the Wastewater Treatment Plant. This completes the instrumentation system from a proprietary system to a generic system that can be repaired by any instrumentation and control supplier / maintenance company.

Commissioner Tarrer moved to ***APPROVE*** *the negotiated price of $21,430 to Rocha Controls, 4847 North Florida Avenue, Tampa, Florida 33603, seconded by Commissioner Lockeby.*

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

22. WASTEWATER TREATMENT PLANT BLOWER / COMPRESSOR

Commissioner Tarrer moved to ***APPROVE*** *the purchase of two (2) Hoffman Blowers / Compressors to Hoffman c/o TSC Jacobs, 5421 Beaumont Center Boulevard, Suite 600, Tampa, Florida 33634 for a total amount of $43,952, seconded by Commissioner Byrnes.*

Mr. Forte explained that the blowers for the aeration system for the Wastewater Treatment Plant have been re-built to keep them working several times over the years and now they are working at a mere thirty-five percent of their original capacity.

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

23. COMMUNICATIONS FROM CITY MANAGER

Mr. Forte gave an update of the progress of the preliminary stage of the Recreation Project, Phase III. As it turns out, the church may be interested in selling the back of their property to the City. Discussion transpired as to whether a wellness center was an affordable consideration. They will have to do an RFP on this in order to make that determination.

Commissioner Via moved ***APPROVAL*** *of moving forward with the RFP for an architect, seconded by Commissioner Tarrer.*

Commissioner Lockeby stated that he has had senior citizens ask him about a sauna room, too. Commissioner Byrnes suggested another workshop to determine exactly what that room is going to be. Mayor Arthur suggested that the present shower rooms could probably be converted into a sauna room. This will be looked at further.

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

24. CITY ATTORNEY

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

25. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Byrnes referred to the presidential delay and stated that he appreciated that the system was attempting to correct things. Our founding fathers created a document that has held up and is doing its job. There is much historical significance here. He wished everyone a Happy Thanksgiving.

Commissioner Lockeby stated that he felt they needed a Commission budget for training, etc… This will be brought up during the next budget planning session. He also wished everyone a Happy Thanksgiving.

Commissioner Tarrer referred to the horrible fire in Holly Forest, the donations made by neighbors afterwards, and thanked the Police and Fire Departments for their quick response. He thanked Mr. Forte for coming out to speak to the residents there today. He also wished everyone a Happy Thanksgiving.

Commissioner Via wished everyone a Happy Thanksgiving and thanked the Police and Fire Departments for their service during the Holly Forest fire. His thoughts and prayers went to Linda Coleman and her family. Commissioner Via stated that he has a recount solution and suggested Mr. Rogers for president, as he is now available.

Mayor Arthur reminded everyone that he needs the VCOG priority sheets back so that he can present their opinions at the next meeting on the 27^{th}. He complimented the Beautification Board for their work on the newly dedicated Heyman Park. The reception went real well. Mayor Arthur stated that we desperately need a Goals Setting Session. The Commission indicated that they wanted to get through the Holidays first.

26. ADJOURNMENT

The meeting officially adjourned at approximately 9:45 p.m.

City of Holly Hill

____
William D. Arthur, Mayor

Attest:

____
Jeaneen P. Clauss, City Clerk