M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
December 10, 2002

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, Paul Lockeby, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant to the City Manager Greg Wood, Public Works Director Milt Hallman, Emergency Services Director Don Shinnamon, Recreation Director Chuck Beach, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur welcomed Mrs. Neilson's American Government class from Mainland High School. He explained to them the purpose of commission meetings.

3. CONSENT AGENDA
A. Minutes of Regular Commission Meeting – November 26, 2002
Minutes of Commission Workshop – November 26, 2002
B. Report of Purchase Orders between $5,000 and $10,000
- Central Florida Controls $9,828

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

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

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

At the end of the meeting, Ruthie Sager, 208 LPGA Boulevard, asked if the Commission would consider a sidewalk from Daytona Avenue to the Halifax Shopping Center. The Commission stated that they have a five-year plan for sidewalks that is probably within it – the map of these is available for the public to review anytime. Ms. Sager was told that the Menorah was ordered to express Happy Hanukkah. It may not arrive in time for this year, but it will be part of our display in future years. She expressed her appreciation for that. Ms. Sager asked about the used car lot at the corner of LPGA and Ridgewood, which is not looking very good. This was a trial variance, which was granted in August of this year. The Commission expressed their dissatisfaction with this as well and asked Staff to speak to the business about this.

5. RESOLUTION 2002-R-74, BEAUTIFICATION ADVISORY BOARD APPOINTMENTS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA RE-APPOINTING MEMBERS TO THE BEAUTIFICATION ADVISORY BOARD; SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.** (Beverly Krause and Susan Burcham – January 2005)

*Commissioner Lockeby moved to **APPROVE** Resolution 2002-R-74, seconded by Commissioner Byrnes.*

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

6. RESOLUTION 2002-R-75, APPOINTING A MEMBER TO THE PAL / RECREATION BOARD

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA RE-APPOINTING MEMBERS TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.** (John Blanton, Briana Mathis, and Charlie Sharp – January 2005)

*Commissioner Via moved to **APPROVE** Resolution 2002-R-75, seconded by Commissioner Schmitt.*

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

7. RESOLUTION 2002-R-76, CIVIL SERVICE BOARD APPOINTMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA RE-APPOINTING A MEMBER TO THE CIVIL SERVICE BOARD; SETTING**

FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (Arthur Desautels – January 2007)

*Commissioner Lockeby moved to **APPROVE** Resolution 2002-R-76, seconded by Commissioner Schmitt.*

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

8. RESOLUTION 2002-R-77, POLICE PENSION BOARD APPOINTMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RE-APPOINTING A MEMBER TO THE POLICE PENSION BOARD OF TRUSTEES; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (Russell Lathrope – January 2005)

*Commissioner Via moved to **APPROVE** Resolution 2002-R-77, seconded by Commissioner Byrnes.*

Mr. Forte explained that they still have one Commission appointment vacancy on this Board. If they do not have anyone in mind for that appointment, they could appoint the person that currently serves as the fifth member (Jim Robertson) as the Commission designee and allow the Board to select another member. Mr. Robertson has previously served as the City's appointee. The Commission indicated they were not ready to make their second selection at this time. There was some discussion as to whether elected officials could serve on boards – to determine this they would have to look at each board individually.

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

9. RESOLUTION 2002-R-78, HISTORIC PRESERVATION BOARD APPOINTMENTS

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING TWO REGULAR MEMBERS TO THE HISTORIC PRESERVATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE. (Jim Burnett – May 2005 and Mary Gordon – May 2004)

*Commissioner Lockeby moved to **APPROVE** Resolution 2002-R-78, seconded by Commissioner Schmitt.*

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

10. RESOLUTION 2002-R-79, INTERLOCAL CANINE RECREATION CLUB (DOG PARK BOARD) APPOINTMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE INTERLOCAL CANINE RECREATION CLUB AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.** (Ron Balduf – November 2005)

*Commissioner Via moved to **APPROVE** the Resolution 2002-R-79, seconded by Commissioner Byrnes.*

Mr. Forte stated that Mr. Balduf is a member of the Dog Fanciers Club and he is the contractor that built the pavilion they donated.

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

11. RESOLUTION 2002-R-80, HISTORIC PRESERVATION GRANT APPLICATION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING APPLICATION FOR THE HISTORICAL RESOURCES GRANT; AUTHORIZING MATCHING FUNDING FOR SAID GRANT; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Lockeby moved to **APPROVE** Resolution 2002-R-80, seconded by Commissioner Via.*

Mr. Wood explained that this would present us with a document (Historic Preservation Survey) that would outline the historic value throughout the City. Mr. Forte stated that this was not budgeted but could comfortably be paid from the contingency fund. However, most of our part of this grant fund match would be made in-kind (donation of time from staff and other professional volunteers). Application for this grant does not obligate the City to accept it, if granted.

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

12. RESOLUTION 2002-R-81, AGREEMENT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS TO CONTRACT WORK LABOR GROUP

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR A WORK LABOR GROUP; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved to **APPROVE** Resolution 2002-R-81, seconded by Commissioner Byrnes.*

Commissioner Byrnes explained to the audience that this is how the City hires prisoners to perform labor jobs. Mr. Forte stated that the contract will cost about $42,000/year and the purchase of a 9-passenger van (which will remain under our care). For this, we will receive eight inmates, five days per week.

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

13. FDOT RESOLUTION / AGREEMENT TO WIDEN I-95 FROM U.S. 92 FROM U.S. 92 TO 1000 FEET NORTH OF LPGA BOULEVARD

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AS PART OF THE WIDENING OF I-95 FROM US 92 TO 1000 FEET NORTH OF LPGA BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved to **APPROVE** the Florida Department of Transportation Resolution for a joint project, seconded by Commissioner Schmitt.*

Mr. Forte explained that this is a required formality to acknowledge that the City has a water line crossing their right-of-way. No construction work is anticipated near our line.

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

14. SECOND READING OF ORDINANCE 2649, ANNEXING PROPERTY LOCATED AT 1532 NOVA ROAD

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 Schmitt moved to ***APPROVE*** *the Second Reading of Ordinance 2649, seconded by Commissioner Lockeby.*

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

15. SECOND READING OF ORDINANCE 2650, ANNEXING PROPERTY LOCATED NORTH OF GOLF AVENUE ON NOVA ROAD

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 Via moved to ***APPROVE*** *the Second Reading of Ordinance 2650, seconded by Commissioner Lockeby.*

Commissioner Via stated that he had spoken to the petitioner and though the annexation petition that he submitted states that his zoning request is I-1, that is actually his current zoning and he will be requesting a change to BPUD.

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

16. WASTEWATER TREATMENT PLANT REPAIRS AND REPLACEMENTS

Mr. Hallman explained the process required in wastewater treatment and how this will make things much more efficient with a twenty year life expectancy. This came in at twenty-one thousand dollars under budget.

*Commissioner Via moved to **APPROVE** the expenditure of $156,356 to U.S. Filter / Davco Products for the repair and replacement of BTU disk aerators support channels, rehabilitate of sand filers, filter pumps / controllers and DAF units, seconded by Commissioner Schmitt.*

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

17. WASTEWATER TREATMENT PLANT / BTU DRIVE REPLACEMENTS

Mr. Forte explained that this goes hand-in-hand with the previous item.

*Commissioner Via moved to **APPROVE** the expenditure of $19,875 to replace, realign, and balance the wastewater treatment plan BTU drive motor, seconded by Commissioner Lockeby.*

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

18. STORMWATER SYSTEM IMPROVEMENTS – PHASE I, ENGINEERING FEES

Mr. Forte stated that these fees are party of the stormwater improvements project, which they took out the SRF loan for. This came in at approximately thirty thousand dollars under budget.

*Commissioner Byrnes moved to **APPROVE** the expenditure of $105,600 to Quentin L. Hampton Associates, Inc. to proceed with the technical services for the stormwater system improvements, seconded by Commissioner Via.*

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

19. LAW ENFORCEMENT TRUST FUND EXPENDITURE REQUEST

Mr. Forte stated that this is to purchase six Smith & Wesson Glock 40 caliber weapons for officers hired that need some time before they can afford to purchase their own guns. This could also be a step towards having all officers carry the same type of handgun, which would save money in ammunition expense.

*Commissioner Via moved to **APPROVE** the expenditure of $2,499 from the Law Enforcement Trust Fund for the purchase of items to enhance and improve service delivery, seconded by Commissioner Byrnes.*

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

20. LAPTOP PURCHASE

Mr. Forte stated that this is to replace the laptop computers that are in the police vehicles now.

*Commissioner Via moved to **APPROVE** the purchase of 6 laptops with COPS MORE 2002 funds totaling $10,482 from Gateway computers on a state contract, seconded by Commissioner Byrnes.*

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

21. COMMUNICATIONS & COMMITTEE REPORTS

A. City Manager

None.

B. City Attorney

Mr. Simpson wished everyone Happy Holidays.

C. Mayor and Commissioners

Commissioner Schmitt thanked everyone who came to the parade. He was very impressed with how it all turned-out. He wished everyone Happy Holidays and stated that he hoped to see many of them at the upcoming Christmas parties. On a different topic, Commissioner Schmitt mentioned that that Nancy Loman, from the Ormond Funeral home had a new county title – St. Pal.

Commissioner Via stated welcomed County Councilman Big John to the meeting. Commissioner Via advised that he too was very happy with the parade and thanked Staff for all the hard work they put into it. Basketball season started and the gym is packed full of kids. He's looking forward to their Christmas party. He gave kudos to the police department for their actions in the armed robbery – especially Corporal Jessica Paugh. Tomorrow is *Round 3* for the Water Entity Team; every city has put in their questions on the seven points, which will be discussed in detail at the meeting. He wished everyone Happy Holidays.

Commissioner Byrnes referred to an issue previously discussed by making the following motion:

*Commissioner Byrnes moved **APPROVAL** of giving all the employees the opportunity to use a vacation day to take Friday, December 27th off and have a five-day weekend, seconded by Commissioner Via.*

There was some delay in taking a vote on this item while the attorney researched whether item had to be considered. Mr. Simpson advised that under certain circumstances the Mayor could deny consideration of an item but no determination was made about whether these circumstances applied here.

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

Commissioner Byrnes advised they had the Legislative breakfast last week and he seized that opportunity to speak to each representative on how important it is to the small cities to have the boundary leveling representation and the MPO representation. He was very pleased with how the parade went, especially the Santa Claus with the snow blower.

Commissioner Lockeby wished everyone a Merry Christmas and a Happy New Year.

Mayor Arthur encouraged everyone to attend the play at the United Brethren Church.

22. ADJOURNMENT

The meeting officially adjourned at approximately 8:00 p.m.

City of Holly Hill, Florida

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk