

MINUTES

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA**

DECEMBER 11, 2007

1. CALL TO ORDER

A. Roll Call

Mayor Via called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:05 p.m. Attending with Mayor Via were Commissioners John Penny, Rick Glass, and Liz Towsley.

Absent: City Commissioner Mark Reed.

Also attending were the following staff members: City Manager Joe Forte, Assistant City Attorney Scott Simpson, Public Safety Director Don Shinnamon, Public Works Director/City Engineer Chris Hurst, Finance Director Kurt Swartzlander, Financial Technical Advisor Brenda Gubernator, Information Technology Director Scott Gutauckis, Community Redevelopment Area Coordinator Marsha Radulovich, and City Clerk Valerie Manning.

B. Invocation

Mayor Via delivered the invocation.

*Commissioner Glass made a motion to **EXCUSE** Commissioner Reed from the meeting, seconded by Commissioner Penny.*

The motion **CARRIED** 4-0 on roll call: Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

C. Pledge of Allegiance to the Flag

2. PROCLAMATIONS AND PRESENTATIONS

None.

3. CONSENT AGENDA

- Minutes from the City Commission Workshop – November 27, 2007
- Minutes from the Regular City Commission meeting – November 27, 2007
- Minutes from the City Commission Workshop – November 27, 2007
- Alabama Avenue Reuse Main – Low Bid Award – J. D. Weber Construction Company – \$208,848.50

*Commissioner Glass moved **APPROVAL** for the Consent Agenda, seconded by Commissioner Towsley.*

The motion **CARRIED** 4-0 on roll call: Glass – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

4. AUDIENCE PARTICIPATION Regarding items not on the agenda.

The following individuals came forward to express and share their opinions to the Mayor and City Commissioners about the Community Redevelopment Area (CRA) Master Plan: Russell Benett, Copy Cat Printing, Inc., 1678 Ridgewood Avenue (business)/880 Old Mill Run, Ormond Beach (residence); Sharon Parker, owner of Magnolia Antique Village, 1078 Ridgewood Avenue (business)/545 Burleigh Avenue (residence); Curtis Miller, 1730 Birmingham Avenue; Peter Myrick, owner of Collision Technology, 505 Carswell Avenue; 1750 Aniston Avenue (residence); Michael Hill, owns a business located at 821 N. Nova Road/184 Pines Wood Road (residence)/parents have practiced a business located at 1609 Ridgewood Avenue for approximately 30 years – Hill's Quality Plumbing; Bob Cates, Cates Lighting Center, Inc., 1750 Ridgewood Avenue (business); 840 Blackwelder Road, DeLeon Springs; Gilles Blais, 708 Magnolia Avenue; Glenn Landau, 770 Herbert Street, Port Orange (residence)/one of the owners of Fryer's Towing Services located at 722 North Seagrave Street, Daytona Beach; and Jim Legary, 342 Burleigh Avenue.

Mayor Via asked Mr. Forte where the City is at for the Wrecker Service contract.

Mr. Forte informed the Mayor and City Commission that staff has not gone out and advertised yet; he worked with Chief Shinnamon on the proposals; bids have not gone back out yet because staff is still trying to work out the details of it. Any questions that somebody may have will contact Chief Shinnamon's office.

There was discussion about the Wrecker Service Agreement that was on the November 27, 2007 agenda and it was discussed about the Commission rejecting all bids and going out for rebid; not accepting the bid from Fryer's Towing Services amongst the Mayor, City Commission, and staff.

*Commissioner Penny made a motion to receive the original Wrecker Service Agreement with Fryer's Towing Services, but motion **FAILED FOR LACK OF SECOND.***

5. **PUBLIC HEARING** – SECOND READING OF ORDINANCE 2820, POLICE PENSION AMENDMENTS

Attorney Simpson read by short title:

ORDINANCE NO. 2820

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA; AMENDING CHAPTER 42 (PENSIONS AND RETIREMENT), ARTICLE II (POLICE OFFICER) AMENDING THE ORDINANCE TO INCORPORATE CHANGES TO THE POLICE OFFICER PENSION PLAN NEGOTIATED THROUGH THE COLLECTIVE BARGAINING PROCESS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte mentioned between the first and second reading of this, he ordered an updated actuarial impact statement and the new impact statement came back at .6% more which is roughly \$8,031 impact to the fund and the reason it came back higher is because anyone that is hired over the age of 45, they have a shorter distance between a six year vesting and the time they can actually start to collect their pension at age 55 or early retirement at age 50. If they are a younger person and they put their six year vesting in and they are 27 years old, there are a greater number of years for their money to earn interest before they start collecting on that.

Sgt. Joe Borelli, Chairman of the Police Pension Board, spoke briefly. What Mr. Forte was referring to and the change to the actuarial impact statement is correct and it is a fluid statement that changes from year to year. It's based on the information for the fiscal year that the study was done on and this particular study was done on 2005-2006 figures.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** the Second Reading of Ordinance 2820, seconded by Commissioner Towsley.*

The motion **CARRIED** 4-0 on roll call: Glass – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

6. **PUBLIC HEARING – SECOND READING OF ORDINANCE 2822, CHARGES FOR FIRE PROTECTION SYSTEMS**

Attorney Simpson read by short title:

ORDINANCE NO. 2822

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING SECTION 70-129 (CHARGES FOR FIRE PROTECTION SYSTEMS) TO PROVIDE THAT THE RATES WILL BE ESTABLISHED BY RESOLUTION, TO PROVIDE FOR AUTOMATIC CPI ADJUSTMENTS TO THESE RATES AND CLARIFYING THAT RATES ARE CHARGED WHEN FIRE PROTECTION SYSTEM ARE CONNECTED TO THE WATER SYSTEM; DELETING SECTION 70-130 (ANNUAL RATE ADJUSTMENT) AND INCORPORATING THE LANGUAGE INTO SECTION 70-125 (USAGE CHARGES GENERALLY); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** the Second Reading of Ordinance 2822, seconded by Commissioner Penny.*

The motion **CARRIED** 4-0 on roll call: Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

7. **RESOLUTION 2007-R-55, ESTABLISHING ANNUAL RATES FOR WATER SERVICE FOR FIRE PROTECTION SYSTEMS**

Attorney Simpson read by short title:

RESOLUTION NO. 2007-R-55

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING THE ANNUAL RATES FOR WATER SERVICE FOR FIRE PROTECTION SYSTEMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

MINUTES

Mayor Via opened public participation. No one spoke.

*Commissioner Towsley made a motion to **APPROVE** Resolution 2007-R-55, seconded by Commissioner Glass.*

The motion **CARRIED** 4-0 on roll call: Towsley – Yes, Glass – Yes, Penny – Yes, Mayor Via – Yes

8. RESOLUTION 2007-R-56, AGREEMENT WITH THE FIREFIGHTER'S PENSION FUND

Attorney Simpson read by short title:

RESOLUTION NO. 2007-R-56

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE BOARD OF TRUSTEES OF THE HOLLY HILL FIREFIGHTERS' RETIREMENT SYSTEM; ADOPTING AN AGREEMENT CONCERNING DEDUCTION FROM RETIREMENT BENEFITS FOR QUALIFIED HEALTH INSURANCE PREMIUMS; PROVIDING FOR CONFLICTING RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

Mr. Forte stated when a retired Firefighter purchases the City's health benefits, they receive a check from Salem Trust which is the company that distributes the retirement payment and they pay taxes on that money and then they purchase retirement. The law allows Salem Trust to pay the City directly for that health benefit and the employee would not have to pay taxes.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** Resolution 2007-R-56, seconded by Commissioner Towsley.*

The motion **CARRIED** 4-0 on roll call: Glass – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

9. COMMITTEE REPORTS

Members of the Commission are encouraged to give a brief report from the various committees on which they serve.

None.

10. COMMUNICATIONS

A. City Manager

Mr. Forte informed the Mayor and Commissioners that Charlie Rawlins passed away and he was a Holly Hill Firefighter years ago and the service will be a Shady Rest tomorrow at 10:30 a.m. and the City will have a piece of apparatus on site in honor of his time with the City. Mr. Forte briefly discussed the textured colored concrete for the sidewalks and the City heard back from the Conklin Center for the Blind and they recommended either Item 1 or 3 that was in their packets and that information was sent off to FDOT for their review and once that comes back, staff will bring that back to the Commission, at that point staff should have cost estimates and bring it back for final approval by the Commission in early or late January. At the January 8, 2008 Commission meeting, staff will be bringing back an amended Master Plan that eliminates the Hollyland Park improvements regarding development but allows Hollyland Park to be improved for “park” enhancements. In order to make those changes, they can rip those pages out of the book, strike through the language or they can have the consultant amend the Plan with the proper language for a cost of \$10,000 – approximately for the consultant to do that work. Mr. Forte asked for the Commission’s direction.

There was consensus from the Commission to have staff bring back a Resolution stating the language for the amended page showing the strikethroughs of the Master Plan.

B. City Attorney

Attorney Simpson wished everyone a Happy Holiday.

C. Mayor & Commissioners

Commissioner Glass asked Mr. Forte if they have been watching the fund that the City took the money out of.

Kurt Swartzlander, Finance Director gave a brief update on the SBA.

Commissioner Towsley mentioned that she attended the orientation for newly elected officials with the Florida League of Cities on Saturday.

Commissioner Penny wished everyone a Happy Holiday and spoke briefly about the CRA and the business owners/residents; spoke about the bid process for the Wrecker Service; thanked Fryer’s Towing for continuing their services with the City without a contract; and Saturday he attended a funeral for Jordan Walker who was a Holly Hill Police Explorer who gave a lot to the community.

MINUTES

Mayor Via mentioned that the Christmas tree lighting ceremony was well done; the Christmas parade was well done; attended Jordan Walker's funeral and plans to extend something to the family and to the Police Explorer community on January 22nd at the Commission meeting to have a chance to celebrate his life; the December 25th meeting has been canceled; thoughts and prayers are out to Lou Schmitt; Mayor Via spoke about business owners here in Holly Hill and their voting privileges; bid process for the Wrecker Services; wished everyone a Merry Christmas, Happy Hanukkah or Kwanzaa.

11. ADJOURNMENT

The meeting officially adjourned at approximately 8:25 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor

Florida Statutes 286.011 and Government-In-The-Sunshine Manual

"The minutes of Sunshine Law meetings need not be verbatim transcripts of the meetings; rather the use of the term "minutes" as stated in F.S. 286.011, contemplates a brief summary or series of brief notes or memoranda reflecting the events of the meeting."

A verbatim copy of Sunshine Law meetings (e.g. City Commission meetings/workshops/Agency meetings and CRA meetings) are available upon request to the City Clerk during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.