**M I N U T E S**
**REGULAR COMMISSION MEETING**
**CITY OF HOLLY HILL, FLORIDA**
**December 14, 1999**

## 1. CALL TO ORDER

Mayor William Arthur called the meeting to order in Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:30 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Paul Lockeby and Roland Via. Commissioner Shirley Heyman was excused absent.

Also attending were Acting City Manager Joe Forte, City Attorney Edward Simpson, Public Works Director Milt Hallman, Public Works Manager Tim Miller; Police Lieutenant Mark Barker, Fire Captain Randy Ast, Code Development Administrator Tim Harbuck, City Planner Bob Keeth, Economic Development Administrator Ira Corliss, Personnel Director Diane England, Recreation Director Chuck Beach, and City Clerk Jeaneen Clauss.

## 2. INVOCATION

Public Works Director Milt Hallman delivered the invocation.

## 3. PLEDGE OF ALLEGIANCE TO THE FLAG

## 4. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur welcomed Boy Scout Troop #54 to the Commission meeting tonight, as they came to observe the local government process.

**Employee Service Award for:**
**Paul Girvin, Equipment Operator/Maintenance Worker – 10 years**

Mayor Arthur announced that Mr. Girvin had been with the City for 10 years and, though Mr. Girvin could not attend this meeting, the Commission expressed their appreciation of his years of continued service.

## 5. CONSENT AGENDA

### A. Minutes of Regular Commission Meeting – Nov. 9, 1999

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

Motion **CARRIED** 4-0 on the following roll call: Byrnes – yes, Via – yes, Lockeby – yes, Arthur – yes.

**6. AUDIENCE PARTICIPATION**

None.

**7. ORGANIZATIONAL APPOINTMENTS**

**A. Vice-Mayor** **C. Finance Officer**
**B. Personnel Officer** **D. Chamber of Commerce Liaison**

Mayor Arthur referred to his previous recommendation that Commissioner Via be appointed vice-mayor and opened the floor to the Commission to discuss this issue. Commissioner Via asked City Clerk Jeaneen Clauss to read a letter into the record, which was submitted to her by Commissioner Shirley Heyman earlier that day. Ms. Clauss read the letter as follows:

> Dear Mayor Arthur and Fellow City Commissioners,
>
> Regretfully I am unable to attend tonight's City Commission meeting. In a phone conversation at approximately 1:35 p.m., I asked our City Clerk, Jeaneen Clauss, to read my opinion into the record.
>
> On the issue of the selection of Vice-Mayor, I feel that Commissioner Arthur Byrnes should be the Vice-Mayor. Commissioner Byrnes has many years of experience serving on the City Commission, while the other two Commissioners have two years or less experience in their positions.
>
> Sincerely,
> Shirley Heyman, Commissioner

Commissioner Via indicated that he felt this was turning into a popularity contest and, though a popularity contest would be to his advantage, his desire was to maintain his role as *statesman* not *politician*.

Commissioner Lockeby stated that his desire was that all members of the Commission are present for the organizational meeting and that alone was the reason that he had voted against Commissioner Via as vice-mayor at the last meeting. He had wanted Commissioner Heyman's input and now that he had it, he was inclined to agree with Mayor Arthur.

*Commissioner Lockeby moved **to APPOINT** Commissioner Via as vice-mayor, seconded by Commissioner Via.*

Commissioner Byrnes called a *Point of Order* referring to the failure by tie-vote of this motion at their last meeting and the Charter provision that calls for a lot to be conducted by the city clerk, in the event of a tie-vote for this position. City Attorney Edward Simpson reviewed the Charter and read the appropriate section to the Commission. This section concurred with Commissioner Byrnes point. There was a brief discussion as to what determined the date of the official organizational meeting, which is historically held at the first meeting following the general election.

Commissioner Via suggested that they follow Mayor Arthur's suggestion and rotate this position every six months, along with the other three positions, so that each Commissioner is afforded the opportunity to learn about these positions. Mr. Simpson stated there was no prohibition against this in the Charter, as long as they do it by vote.

Commissioner Byrnes agreed with this idea and *withdrew* his objection.

*Commissioner Lockeby **AMENDED** his motion to state that Commissioner Via would be in the position of vice-mayor for six months, and Commissioner Via amended his second.*

Motion **CARRIED** 4-0 on the following roll call: Lockeby – yes, Via – yes, Byrnes – yes, Arthur – yes.

The Boy Scout Troop Leader stood up and commended the Commission on the example they showed their young men on how government works for the people.

There was discussion as to the other three positions and whether they were voted by the Commission or appointed by the Mayor and Mr. Simpson stated that it was really up to them, as the Charter does not call for address any of these but the vice-mayor.

Mayor Arthur appointed Commissioner Byrnes as Finance Officer, Commissioner Lockeby as Chamber of Commerce Liaison, and Commissioner Heyman as Personnel Officer.

*Commissioner Byrnes moved **to RATIFY** the Mayor's appointments, seconded by Commissioner Lockeby.*

Motion **CARRIED** 4-0 on the following roll call: Byrnes – yes, Lockeby – yes, Via – yes, Arthur – yes.

*Commissioner Byrnes moved to **EXCUSE** the absence of Commissioner Heyman due to illness, seconded by Commissioner Via.*

Motion **CARRIED** 4-0 on the following roll call: Byrnes – yes, Via – yes, Lockeby – yes, Arthur – yes.

## 8. FIRST READING OF ORDINANCE 2572, CREATING A PAL/RECREATION BOARD

City Attorney Edward Simpson read Ordinance 2572 by short title:

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALING ORDINANCE 2513, TO CHANGE THE NAME OF THE RECREATION BOARD TO THE PAL/RECREATION BOARD, ESTABLISHING THE NUMBER, TERMS AND OFFICERS OF BOARD MEMBERS, AND TO PROVIDE THE RECREATION BOARD WITH ADDITIONAL DUTIES REGARDING PAL**

**PROGRAMS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Via moved APPROVAL of the First Reading of Ordinance 2572, seconded by Commissioner Byrnes.***

Acting City Manager Joe Forte advised that about a year ago the Police Department organized a PAL program, currently being led by Recreation Director Chuck Beach. The Board was now due to be re-appointed. The Commission never formally established the Board. Staff recommends that this be done in a way that allows them to work in cooperation with our existing recreation program by combining the PAL Board and the Recreation Board. Concerns were raised about whether this met Federal PAL guidelines and Mr. Beach confirmed that it did (a letter from them was enclosed in the packet). A City benefit of this would be that some of the programs that they are running would be eligible for additional grants in the future. Also, it would eliminate the competition that tends to occur between City programs and PAL programs. This more fully achieves the spirit of intent and purpose of the National PAL association. The Recreation Board reviewed this and approved it, after a few small changes regarding membership were made.

The motion **CARRIED** 4-0 on roll call: Via – yes, Byrnes – yes, Lockeby – yes, Arthur – yes.

**9. FIRST READING OF ORDINANCE 2573, CREATING A NEW PLANNED UNIT DEVELOPMENT ZONING CLASSIFICATION WITH FOUR SUBCLASSIFICATIONS**

City Attorney Edward Simpson read Ordinance 2573 by short title:

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE NO. 2352, HOLLY HILL LAND USE AND DEVELOPMENT REGULATIONS, CREATING A NEW PLANNED UNIT DEVELOPMENT CLASSIFICATION WITH FOUR SUBCLASSIFICATIONS; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.**

***Commissioner Via moved APPROVAL of the First Reading of Ordinance 2573, seconded by Commissioner Lockeby.***

City Planner Bob Keeth stated that he is proposing the PUD ordinance as a new zoning classification. This would serve as an additional tool for development. This is a tool to sit on the shelf and be used when a land owner/developer comes in and wants to do something creative that the Commission cannot approve under the current regulations. This would give them a negotiating provision in their development regulations to craft the specific regulations that work for that site and that site alone, giving them the flexibility to design something that is responsive to the surrounding neighborhood and environment. Approvals of development agreement and site plan are conditional, allowing the City to maintain tight control on a development. Commissioner Via asked Mayor Arthur about the consensus of the Redevelopment Board (as he generally attends those meetings). Mayor Arthur stated that they are overwhelmingly in support of this. Commissioner Lockeby asked Mr. Keeth if there was anyway that a developer could manipulate this to his advantage, over-riding the Commission. Mr. Keeth indicated there was not, as the Commission could simply refuse to entertain their request. Commissioner Byrnes asked City Attorney Edward Simpson is this was deemed “contract zoning”, as it sounded a very much like that. Mr. Simpson stated that these types of ordinances have never been held to be contract zoning, though it is a good question. Mr. Keeth stated that the developer always had the ability to fall back to conventional zoning requirements, if a PUD agreement could not be reached.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

**10. SPECIAL EXCEPTION REQUEST FOR A RESTAURANT AT 1501 RIDGEWOOD AVENUE**

***Commissioner Via moved*** *APPROVAL* ***of Special Exception request, seconded by Commissioner Byrnes.***

City Planner Bob Keeth referred to the changes that were adopted in the LDR that allowed for this Special Exception and they have received an application for one. Staff has reviewed it and the applicant meets the criteria in place. Staff recommends approval. Commissioner Byrnes stated that he wished they could have adjusted that Special Exception a little better so that they weren’t in the business of telling someone what hours they could operate their business. Commissioner Via indicated a degree of agreement.

The motion **CARRIED** 4-0 on roll call: Via – yes, Byrnes – yes, Lockeby – yes, Arthur – yes.

**11. RESOLUTION 99-R-46, AWARDING A NUISANCE ABATEMENT CONTRACT TO BURKE COMPANY**

City Attorney Edward Simpson read Resolution 99-R-46 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE AWARD OF THE NUISANCE ABATEMENT SERVICE CONTRACT TO THE BURKE COMPANY; AUTHORIZING THE MAYOR AND/OR THE CITY MANAGER TO EXECUTE THE NUISANCE ABATEMENT SERVICE AGREEMENT WITH SAID COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Via moved APPROVAL of Resolution 99-R-46, seconded by Commissioner Lockeby.***

Acting City Manager Joe Forte stated that this had been brought to the Commission about a month ago and after the Commission approved it, the company decided to withdraw their proposal. Code Enforcement Officer Ed Lee called the next two lowest bidders to get a feel for what kind of service they could provide and has recommended this company who comes out of Ormond Beach, as opposed to the other coming out of Edgewater. Representatives from this present company (Burke) are here tonight to respond to any questions raised. Mayor Arthur confirmed that the amount would not vary for the number of people on the job. Commissioner Byrnes expressed concern about the higher cost of forty-five dollars per hour, versus twenty-five dollars per hour. There was discussion as to the difference between a flat-rate proposal and a “per man-hour” proposal and the second seems harder to control a cost variable. The City will be billed in increments of one tenth of an hour. Mr. Simpson elaborated on the termination language included in the contract. Commissioner Lockeby inquired about the policing of this. Mayor Arthur reminded the Commission that the whole idea is to speed up the process and that every question being raised has had to be addressed each time they went out for bid on each job before. Commissioner Via asked Mr. Jim Burke to explain how the City will be billed. Mr. Burke stated that the City will be billed for the time spent on the job at the job site and travel time to the dump (but not their own travel time) in six minute increments. Mr. Burke has been in business a little over a year and this is his first city job. Mr. Burke stated that were their space available on Carswell Avenue, he would have located his business in this City.

Virginia Wine (resident, former finance director, and former mayor) asked for clarification as to what was being discussed and asked the Commission and Staff to speak more clearly into the microphone.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

## 12. RESOLUTION 99-R-47, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE FEC RAILROAD

City Attorney Edward Simpson read Resolution 99-R-47 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE FEC RAILROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Via moved APPROVAL of Resolution 99-R-47, seconded by Commissioner Lockeby.***

The Commission was unanimously dissatisfied with this agreement, as the rates have quadrupled. This is the first increase since the 1960's, but it is notably excessive. Both Mayor Arthur and Acting City Manager Joe Forte stated that they were trying to get VCOG to undertake this effort to enact some form of checks and balances over FEC because as it stands now all of the Cities hands are tied. Commissioner Byrnes was particularly outraged by this private industry causing them to raise their taxes for no reason, as the City's underground lines do not affect them at all. We also have to pay anytime FEC decides to upgrade or repair one of their crossings. There were questions directed to City Attorney Edward Simpson regarding how far under the ground and how high above the ground does someone own their property. Mr. Simpson advised that underground is as far as you choose to go and aboveground is as high as your reasonable ability to use it. Mr. Simpson elaborated on the difficulty that the cities have with the railroad is that their rights were created by special dispensation of the legislature before some of the cities' were. Legislature made deals with the railroad a long time ago to get them to build railways is Florida, so legislation is the only way to change their rights. The question was raised on whether the City could claim they were entering this agreement under duress or protest and be successfully released from it, if legislature was changed. Mr. Simpson advised that probably not. Public Works Director Milt Hallman elaborated on the considerable harm that the City would experience to their water system if FEC were to cut even one of their lines, which go under the railroad, due to the lack of an agreement with them. Mr. Hallman stated that they had fought this battle for three years and they seem to be alone in this effort. Assistant City Attorney Scott Simpson stated that a condemnation action was one alternative but it could be very costly. This is a fight that should be fought by either a big city or a group of cities.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

**13. RESOLUTION 99-R-48, APPOINTING RUSSELL D. LATHROPE, JR. TO THE POLICE PENSION BOARD OF TRUSTEES**

City Attorney Edward Simpson read Resolution 99-R-48 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A MEMBER TO THE POLICE PENSION BOARD OF TRUSTEES; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Via moved APPROVAL of Resolution 99-R-48, seconded by Commissioner Byrnes.***

Reference was made to the time previously when Mr. Lathrope served on this board and the fine job he did.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

**14. RESOLUTION 99-R-49, GRANTING AN ADDITIONAL EXEMPTION TO ALLOW DOGS IN CITY PARKS WHEN CERTAIN CONDITIONS ARE MET**

City Attorney Edward Simpson read Resolution 99-R-46 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA GRANTING AN ADDITIONAL EXEMPTION FROM THE PROVISIONS OF SECTION 10-45 OF THE CITY CODE, WHICH PROHIBITS ANIMALS ON MUNICIPALLY OWNED PROPERTY, WHEN CERTAIN CONDITIONS ARE MET; ESTABLISHING A TRIAL PERIOD TIMETABLE FOR SAID EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Byrnes moved APPROVAL of Resolution 99-R-49, seconded by Commissioner Lockeby.***

Acting City Manager Joe Forte stated that at a workshop this item had been discussed and then he was asked to prepare a resolution for it. The six-month trial period came about when concerns were raised about the policing of it, after which it may be introduced as an ordinance or not. Commissioner Via stated that he solicited opinions from citizens at the parks on this issue and they were overwhelmingly opposed to it. The children use every inch of the park and picnics are on the ground. He felt problems with defecation, biting, and barking are very likely. Both Mayor Arthur and Commissioner Byrnes stated this was hypothetical and that if problems arose they would rescind this. Commissioner Lockeby inquired as to who would be responsible if a dog bit someone and City Attorney Edward Simpson advised that it would be the dog owner. Virginia Wine (resident, former finance director, and former mayor) expressed disagreement with this resolution because of the money the City had spent on the parks and mentioned taking her grandchildren there, reiterating Commissioner Via's concerns.

The motion **FAILED** by tie vote 2-2 on roll call: Byrnes – yes, Lockeby – no, Via – no, Arthur – yes.

**15. RESOLUTION 99-R-50, AUTHORIZING THE EXECUTION OF THE VOLUSIA COUNTY INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF ADDITIONAL 5-CENT LOCAL OPTION FUEL TAX**

City Attorney Edward Simpson read Resolution 99-R-50 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE EXECUTION OF THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF ADDITIONAL 5-CENT LOCAL OPTION FUEL TAX; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Lockeby moved APPROVAL of Resolution 99-R-50, seconded by Commissioner Via.***

Acting City Manager Joe Forte stated that this is the five cent fuel tax that the County just passed and the distribution is such that all five cents is going to the municipalities, as opposed to a portion going to Votran. The distribution for this additional tax is the same as the distribution for the present fuel tax. This additional tax will expire in three years. All revenues must be used for transportation issues. Commissioner Via stated that he did not oppose the distribution but did oppose the tax, which he felt was ill-timed with the current high price of gas. He went on to say that this was occurring because the previous County Council dropped impact fees, in an effort that failed to motivate economic development. Now they face a double negative in order to correct road problems, as this tax and impact fees are both instated / reinstated. Mayor Arthur stated that he saw no way that this would motivate people to move here. Commissioner Byrnes stated that they could do what he is doing and make a stand by voting against this and not accepting their portion, as this is the first time that he will be able to vote about this tax. Mayor Arthur indicated that he would be more than willing to fight this some other way, but the issue before them tonight concerned distribution only. Mr. Forte indicated that the approximate $150,000 revenue would have a severe impact on their street projects.

The motion **CARRIED** 3-1 on roll call: Lockeby – yes, Via – yes, Byrnes – no, Arthur – yes.

## 16. RESOLUTION 99-R-51, AUTHORIZING THE EXECUTION OF THE DISASTER RELIEF FUNDING AGREEMENT

City Attorney Edward Simpson read Resolution 99-R-51 by short title:

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A DISASTER RELIEF FUNDING AGREEMENT FOR FEDERAL AND STATE ASSISTANCE FROM HURRICANE FLOYD; AND PROVIDING AN EFFECTIVE DATE.**

***Commissioner Via moved APPROVAL of Resolution 99-R-51, seconded by Commissioner Lockeby.***

Acting City Manager Joe Forte stated that a few months ago he had advised them of the debris removal costs from Hurricane Floyd. He stated that there were other costs that the varying departments faced and all of these costs have been itemized for FEMA reimbursements. This is only for Floyd, as Irene will be done separately.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

## 17. LOCAL LAW ENFORCEMENT BLOCK GRANT

This item was removed, pending additional preparation.

## 18. PIGGY BACK THE CITY OF DAYTONA BEACH'S BID FOR THE PURCHASE OF CHEMICALS

***Commissioner Byrnes moved APPROVAL of the*** *piggy back of the City of Daytona Beach for Carbon Dioxide from Airgas Carbonic at $89/ton, Chlorine from PB&S Chemical at $278/ton, Quicklime from Global Stone at $86.52/ton and Liquid Sulphur Dioxide from Jones Chemical at $347/****, seconded by Commissioner Via.***

Acting City Manager Joe Forte stated that this is for their annual purchase of chemicals for the water and wastewater plants. It is for a piggyback off Daytona Beach's bid with costs slightly less than last year.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

## 19. PURCHASE OF PAL VAN

Acting City Manager Joe Forte stated that through the PAL grant process, the Edward Burns Grant, the City was able to request this for transporting the kids to games, etc… The grant is actually about 4,000 more than the cost of the vehicle. The excess would be used for detailing, etc…

***Commissioner Via moved APPROVAL of the purchase of the PAL Van from Champion for $20,934.00, seconded by Commissioner Byrnes.***

Commissioner Via asked if this van was only to be used for PAL activities. Acting City Manager Joe Forte indicated that the primary and priority use was to be for PAL activities. With the combining of the PAL and Recreation Board, recreation projects would be covered. Commissioner Byrnes expressed concern about the low price and what it may or may not include, because of the large difference from the others. Mr. Forte advised that this was the State contract bid, twenty percent less. Commissioner Lockeby inquired further about the use of the additional four thousand. Mr. Forte stated that this amount had to be used for this van only.

The motion **CARRIED** 4-0 on roll call: Via – yes, Lockeby – yes, Byrnes – yes, Arthur – yes.

## 20. COMPUTER PURCHASE

Mr. Forte stated that throughout the year, they need to upgrade a lot of their computers and normally each department would individually work with the Information Technology Manager (IT) to accomplish this. Last month through the normal purchase order process several thousand dollars came through for approval. Though individually by department the amount did not exceed his authorization level, when combined it did. Mr. Forte reiterated that he was not of the mind to separate costs for the purpose of approval and therefore brought this to the Commission for their approval. IT Manager Jim Marshall and a representative from Tech Resources, Dave Peterson, was present to answer any technical questions. Commissioner Byrnes inquired as to why there isn't a tape drive on the list of items with the server. Mr. Marshall advised that there was already a sufficient twenty-four gigabyte tape drive on the primary main controller. Commissioner Byrnes expressed concern over the single nine gigabyte drive and that they were not operating a ray device for the City's important data. Mr. Marshall indicated that he would like to be. Commissioner Byrnes stated that should be budgeted for next year. Commissioner Lockeby stated that he had not had enough time to analyze this and he would like to table this issue. Mayor Arthur referred to the expertise that they have hired. Commissioner Lockeby stated that he wanted to see this go out for bid, not piggybacked off the Putnam County School Board bid. Mr. Marshall indicated that he had checked other prices as well and this was the lowest. Commissioner Lockeby indicated that he was not necessarily in agreement with the technology either, because other cities and businesses are doing away with terminals and going to PC's, which he stated was more versatile.

*Commissioner Lockeby moved to* ***TABLE*** *this item, seconded by Commissioner Via.*

Commissioner Via referred to the expertise of both Commissioner Lockeby and Commissioner Byrnes and indicated that if one of them wanted more time to get information that he wanted them to have that. Commissioner Byrnes stated that he viewed this proposal as absolutely the right thing for this City, with one centralized server. Mayor Arthur asked if there was anything vital that required this to be done right now? Public Works Director Milt Hallman expressed the dire need his department was facing and the considerable man-hours that had been spent trying to make do. Commissioner Lockeby offered to lend public works a computer or two and to supply the installation of them in order to hold them over a little longer. Reference was made to the AS400 system that the City has a considerable investment in ($400,000). This system is now versatile enough to accommodate the software changes with little or no additional expenditure. Commissioner Byrnes asked Commissioner Lockeby to clarify his concern, technical or purchasing? Commissioner Lockeby stated that he is concerned about both issues and needs more time to see and study the operation. Commissioner Via referred to larger cities having an IT for every department and asked if this system was easier for us to manage, as we have only one IT for the City? Mr. Marshall stated that it was, indicating he could fix most any problem from his office. Mr. Forte stated that Staff had operated within the boundaries of the City's ordinances, which outline the purchasing procedures. Mr. Forte acknowledged the expertise of the Commissioner(s) but indicated that it has not been general procedure for Staff to go over the technical specifics with individual Commissioners prior to Commission meetings. Mr. Forte indicated that he was a little concerned about the process tonight. Mayor Arthur indicated that he was not comfortable this, as they have qualified Staff which are paid to handle their respective area(s), but he felt that they owed Commissioner Lockeby the opportunity to research this, this time.

The motion **CARRIED** 4-0 on roll call: Lockeby – yes, Via – yes, Byrnes – yes, Arthur – yes.

## 21. SOFTWARE PURCHASE

There was discussion as to whether this item should be approved now or wait until the previous item is re-addressed.

*Commissioner Byrnes moved to **TABLE** this item, seconded by Commissioner Via.*

The motion **CARRIED** 4-0 on roll call: Byrnes – yes, Via – yes, Lockeby – yes, Arthur – yes.

## 22. COMMUNICATIONS FROM CITY MANAGER

a. Calle Grande Water Main Project Success

Acting City Manager Joe Forte advised the Commission that this project has been so successful that they have received requests for more hook-ups and are expanding the length of the line to do so. Commissioner Byrnes confirmed this was at no cost to the City. Mayor Arthur stated that the new hook-ups should be reimbursing the first hook-ups equitably. Public Works Director Milt Hallman commended Johnston for the job they have done on this as well as two other jobs, stating that all fences are mended now.

b. Census 2000 Testing Site

Mr. Forte stated that SICA Hall has been selected as the Census 2000 testing site, which brings even more focus on this important project to the City and keeps the jobs for it local.

c. Board Vacancies Advertisement

Mr. Forte stated that he planned to advertise the board vacancies in the local paper, to try to stimulate community involvement.

d. Annual Toys for Tots Basketball Game

Mr. Forte advised that this annual game is Friday, December 17th at 2:00 p.m. at the Holly Hill Middle School. Admission is either two dollars or a new unwrapped toy. Mayor Arthur inquired if they could play to which Mr. Forte stated they could use other people on the bench (for substitutes).

e. Bids for Schadow Park Improvements

Mr. Forte stated that they had received only one bid for this project and it was much higher than rightfully anticipated. He asked that the Commission reject this bid and allow them to negotiate with the bidder and other contractors to get a better price for this. Mayor Arthur referred to Public Works Director Milt Hallman's expertise in assessing the costs of these projects and that this bid more than doubled what was anticipated for the bathrooms alone. Commissioner Lockeby suggested that they follow up to determine why the bid was so high. Mr. Hallman stated that they would through the process of negotiations.

*Commissioner Via moved to **REJECT** the bid received for this project, seconded by Commissioner Byrnes.*

The motion **CARRIED** 4-0 on roll call: Via – yes, Byrnes – yes, Lockeby – yes, Arthur – yes.

## 23. CITY ATTORNEY

City Attorney Edward Simpson indicated he had nothing further to report.

## 24. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Via stated that his personal thoughts and prayers went out to Commissioner Shirley Heyman, missing her throughout the Holidays. Commissioner Via complimented City Staff, especially Judy Hutchinson, and the Chamber of Commerce for doing a great parade, lights, and decorations – adding that "Holly Hill really does have the Christmas Spirit". He then confirmed that he only actually had five months for his vice-mayor term (since in started late). Commissioner Via commended the City for the median and park improvements, as well.

Commissioner Byrnes stated that we had a very good Christmas party and it was good to see so many employees attend. He added that they don't really do anything, it's the employees that make the City go. Commissioner Byrnes read a paragraph from a letter which complimented the City employees for working hard and exhibiting politeness, stating that a letter of this nature is what they hope to see.

Commissioner Lockeby stated that he was here to work with everybody and help out, not to direct anyone or get anyone upset. He wished everyone a Merry Christmas and Happy New Year. Commissioner Lockeby stated that he thought the Christmas Party was super and we should workshop making the next one even bigger and better next year!

Mayor Arthur stated that he did not want to see any employee show disrespect to any Commissioner. He then asked Commissioner Via to recognize the United Brethren Church on his radio station and ask people to go to the beautiful Christmas drive-thru. Mayor Arthur stated that his heart went out to Commissioner Shirley Heyman. He welcomed Virginia Wine in the audience (resident, former finance director, and former mayor). Mayor Arthur stated that he received a card from a lady who lives on Riverside Drive inviting him to her mother's 90$^{th}$ birthday party and her home's 100$^{th}$ birthday. The postcard she sent was an old picture of City Hall which stated "City of Holly Hill, Florida – The friendly and progressive City of Holly Hill, Florida less that one mile to the world's most famous beach, more than 50 motels, modern restaurants, convenient shopping, free parking, recreational facilities and all – many visitors return to make Holly

Hill their permanent residence – low taxes, wonderful climate. Mayor Arthur stated that this was a great city – a forward moving city at one time.

Mayor Arthur asked the Commission if they would like to cancel the next Commission Meeting (Dec. 28$^{th}$) for the Christmas Holiday. All agreed.

## 25. ADJOURNMENT TO WORKSHOP

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

City of Holly Hill

______________________________
William D. Arthur, Mayor

Attest:

______________________________
Jeaneen P. Clauss, City Clerk