M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
January 11, 2000

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.

Also attending were Acting City Manager Joe Forte, Alternate City Attorney Randy Hayes (from the City of Ormond Beach), Public Works Director Milt Hallman, Public Works Manager Tim Miller; Finance Director Brenda Gubernator, Information Technology Manager Jim Marshall, Police Chief Larry Walker, Code Development Administrator Tim Harbuck, City Planner Bob Keeth, Economic Development Administrator Ira Corliss, 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

A. Appreciation for Outstanding Participation in Food Drive:

Food Lion Supermarket (Greg Kramer)
Holly Hill Middle School (Cathy Egley)
Publix Supermarket (Bob Swearingen)
United Brethren Church (Chuck McKewon)

Mayor Arthur presented awards to the above businesses and organizations for their outstanding participation in the annual Food Drive.

Acting City Manager Joe Forte advised that the Holly Hill Middle School had received approval from the Florida Elementary and Middle School Committee that the school's accreditation be continued. The School in partnership with the Chamber of Commerce and others had worked hard on this.

Rev. McKewon thanked the City Officials for the cooperative effort they have shown and invited them to a bar-b-que on Sunday, March 5th at 4:00 p.m. All City Employees are invited.

B. Designation of Holly Hill as a Certified City

John E. Evans, Chairman of the Certified Cities Program, presented a plaque to the City Commission acknowledging the City's designation as the first Certified City in Volusia County – a City that has prepared itself to meet the needs of businesses. The Department of Transportation will be placing signs in the medians, denoting the City as such. Drew Page (Enterprise Volusia President), Steve Burly (staff member working with both the CCP volunteer committee), and Mike Jilotti ("photographer") all attended to present this award. Mr. Evans spoke highly of Staff Member Ira Corliss – stating that he exemplified what professional economic development ought to be about. Mr. Evans commended Mayor Arthur on the great job that he does in promoting business in the City, even convincing an Enterprise Florida staff member that they should move their headquarters here (when it was just a trial run)! Mr. Evans ended by stating that it was a real pleasure to watch a City come together and position itself to move forward, as this City has done.

5. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – Dec. 14, 1999
B. Minutes of Commission Workshop – Dec. 14, 1999
C. Minutes of Special Commission Meeting – Jan. 3, 2000
D. $5,000 Service Agreement with Erik Melear, Engineer

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

Acting City Manager Joe Forte and Public Works Director Milt Hallman elaborated on item "D", explaining that we are under direction of the FDEP and the USEPA to develop an Industrial Pretreatment Program. Most of this is done in-house, but a consultant is needed to prepare the Local Limits Industrial Discharge. The City needs to enter into an agreement for this work and the cost is so close to the city manager spending limit that he wanted their approval.

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

6. AUDIENCE PARTICIPATION

None.

7. SECOND READING OF ORDINANCE 2572, CREATING A PAL/RECREATION BOARD

Alternate City Attorney Randy Hayes 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 Second Reading of Ordinance 2572, seconded by Commissioner Lockeby.*

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

8. RESOLUTION 2000-R-01, APPOINTING INITIAL MEMBERS TO THE PAL BOARD

Alternate City Attorney Randy Hayes read Resolution 2000-R-01 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING INITIAL MEMBERS TO THE NEWLY CREATED PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE. Members and Expirations are Bonnie Sampson - 2002, Joanie Grounds - 2002, Nikki Whittenton - 2002, Dr. Joe Whittenton - 2002, Ofc. Joe Pizzimenti - 2001, Jeff Tishner - 2001, John Blanton – 2001. Alternates are Chief Larry Walker – 2002 and Lt. Mark Barker – 2001.

*Commissioner Byrnes moved **APPROVAL** of Resolution 2000-R-01, seconded by Commissioner Via.*

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

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

Alternate City Attorney Randy Hayes 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 Second Reading of Ordinance 2573, seconded by Commissioner Lockeby.*

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

10. FIRST READING OF ORDINANCE 2574, ADOPTING CERTAIN FLORIDA STATUTE CRIMES AS MUNICIPAL VIOLATIONS

Alternate City Attorney Randy Hayes read Ordinance 2574 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA CREATING SECTION 1-16 (STATE LAWS ADOPTED AS MUNICIPAL REGULATIONS) ADOPTING CERTAIN CRIMES PURSUANT TO STATE LAW AS MUNICIPAL VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved **APPROVAL** of the First Reading of Ordinance 2574, seconded by Commissioner Lockeby.*

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

11. VARIANCE REQUEST FOR PROPERTY LOCATED IN THE 1500 BLOCK OF STATE AVENUE (SID BLAIR)

Acting City Manager Joe Forte stated that this went before the Planning and Appeals Board and they have come to a compromise for this unoccupied industrial building, future use unknown.

*Commissioner Via moved **APPROVAL** of Variance request, seconded by Commissioner Lockeby.*

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

Glenn Griner, Engineer with the Performance Group, 140 S. Beach Street, advised that in September 1998 the Commission rezoned this vacant lot to Commercial Property. They will be building a commercial building and requested a variance to allow one additional driveway. Commissioner Byrnes clarified that what was approved was what the Planning and Appeals Board recommended which is a 25 foot setback and three driveways, instead of two (when the original request was for five driveways). Future use unknown.

12. RESOLUTION 2000-R-02, APPOINTING PEARL WARD TO THE REDEVELOPMENT BOARD, AS AN ALTERNATE MEMBER

Alternate City Attorney Randy Hayes read Resolution 2000-R-02 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING ONE ALTERNATE MEMBER TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD TO COMPLETE THE UN-EXPIRED TERM OF SANDRA BROWNING, AS AN ALTERNATE; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Via moved ***APPROVAL*** *of Resolution 2000-R-02, seconded by Commissioner Byrnes.*

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

13. RESOLUTION 2000-R-03, APPOINTING KENNETH BAY TO THE CIVIL SERVICE BOARD

Alternate City Attorney Randy Hayes read Resolution 2000-R-03 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A MEMBER TO THE CIVIL SERVICE BOARD FOR DISTRICT 3; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Byrnes moved ***APPROVAL*** *of Resolution 2000-R-03, seconded by Commissioner Lockeby.*

City Clerk Jeaneen Clauss advised that Mr. Bay had attended a Civil Service Board Meeting the preceding week. Former CSB member, Pearl Ward and Ms. Clauss confirmed the regular term for these members is for four years.

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

14. RESOLUTION 2000-R-04, AUTHORIZING THE EXECUTION OF A DISASTER RELIEF FUNDING AGREEMENT

Alternate City Attorney Randy Hayes read Resolution 2000-R-04 by short title:

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

Acting City Manager Joe Forte stated that this is an agreement with FEMA for the City to be reimbursed for money spent for damages sustained during Hurricane Irene.

*Commissioner Byrnes moved **APPROVAL** of Resolution 2000-R-04, seconded by Commissioner Lockeby.*

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

15. RESOLUTION 2000-R-05, ACCEPTING THE LOCAL LAW ENFORCEMENT BLOCK GRANT AND DESIGNATING ITS USE

Alternate City Attorney Randy Hayes read Resolution 2000-R-05 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE ACCEPTANCE OF THE LOCAL LAW ENFORCEMENT BLOCK GRANT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved **APPROVAL** of Resolution 2000-R-05, seconded by Commissioner Lockeby.*

Acting City Manager Joe Forte stated that this is to approve the purchase of electric vehicles to assist in the school zones and enforce handicap parking regulations. The Commission liked this idea and Commissioner Byrnes stated that he felt this type of vehicle would work well for the meter readers. Its maximum speed is about 25 mph. They can anticipate receiving them in about one month.

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

16. CHANGE ORDER #1 TO R.C. JOHNSTON & SON FOR REPAIRS OF LIFY STATION AND FORCE MAIN #16

Public Works Director Milt Hallman explained the problems that they have run into in their efforts to repair the line that has been allowing sewage to bubble up on the ground. The depth was two to three times further than they can handle an in-house repair of, so they contracted externally for this repair. Once they got into this further, they found that about twenty years ago the original contractor had poured cement over his mistakes – so getting to this was a huge project now. Mr. Hallman stated that Mr. Johnston has now performed two excellent jobs for the City, under extreme difficulty. There was some discussion as to the cost but it is appropriate.

*Commissioner Lockeby moved **APPROVAL** of Change Order #1 to R.C. Johnston's proposal to repair Force Main #16 in the amount of $10,659.22, seconded by Commissioner Byrnes.*

Commissioner Via apologized to the residents for the inconvenience this caused.

The motion **CARRIED** 4-0 on roll call: Lockeby – yes, Byrnes – no, Via – yes, Arthur – yes.

17. EXPENDITURE OF L.E.T.F. FOR LAW ENFORCEMENT ACCREDITATION

Acting City Manager Joe Forte referred to their last workshop when they had a presentation from Lt. Mark Barker on the police department accreditation process. There is a cost involved in this and they are asking that it be funded with L.E.T.F. money, as it meets the criteria.

Commissioner Byrnes moved APPROVAL of the expenditure of $900 from the L.E.T.F. for law enforcement accreditation, seconded by Commissioner Lockeby.

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

18. COMPUTER PURCHASE

Acting City Manager Joe Forte stated this was placed on the agenda last month and tabled for further review at the request of Commissioner Lockeby. Mr. Forte stated that he had met with Commissioner Lockeby, two of his technicians, and his son and they discussed and answered some questions. He advised that he had also contacted a couple of other technicians to get more information. Mr. Forte advised that Staff's position has not changed, their recommendation is for approval of this purchase.

Commissioner Byrnes moved ***APPROVAL*** *of the purchase of a new server and eleven workstations for a total of $11,600, seconded by Commissioner Via.*

Commissioner Lockeby stated that the County was looking to merge with the cities and would be compiling some specifications. He stated the present system is working, so there is no need to rush into this and purchase something that may not work with the County's future system. He asked that they workshop this further. Mr. Forte stated that he spoke with George Conlin (Volusia County IT), at Commissioner Lockeby's request, and that he was talking about, in the future, being able connect the City with some of the County services like photo imaging, photo line ups, and CJIS for police. Mr. Conlin stated that regardless of whether or not the City makes this particular computer purchase, they would have to buy additional equipment later. Mayor Arthur stated that he too had consulted with outside sources and met with no negative response to making this move. Commissioner Lockeby stated that he also disagreed with the licensing fee. Commissioner Byrnes stated that it is well within acceptable limits and that he supports Staff's recommendation. Commissioner Via stated that he understood where Commissioner Lockeby was coming from but that the City is based on the fact that they hire a professional city manager who in turn hires professional staff. He stated that Mr.

Forte is willing to put his name on this recommendation and will live with it. Commissioner Via went on to say that in the future he would like for Commission input to be sought at an early stage when it is something within their area of expertise. Commissioner Byrnes indicated disagreement with this, as the Commission is the policy making body – not operations managers. Mayor Arthur stated that they were not there to micro-manage the operations of the City.

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

19. SOFTWARE PURCHASE

Acting City Manager Joe Forte stated that this is basically a continuation from the discussion on the first item.

*Commissioner Byrnes moved **APPROVAL** of the purchase of Office 2000 and Client Licensed software for $29,750, seconded by Commissioner Via.*

Commissioner Byrnes indicated that he felt the company could have reduced their price some (with the quantity that we are buying), though the price is not out of line. This should be made up for in the service they provide. Mayor Arthur acknowledged that IT Manager Jim Marshall was in a difficult position with two computer professionals on the Commission. Mayor Arthur stated that mistakes can occur in spite of everyone's best efforts and you deal with them and move forward.

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

20. COMMUNICATIONS FROM CITY MANAGER

A. Acting City Manager Joe Forte apologized to Commissioner Byrnes for not having the resolution he had requested on the naming of the gymnasium placed for this agenda. Time constraints were a factor. Mr. Forte suggested a workshop to finalize this item. Mayor Arthur stated that he felt they should workshop this to make sure everyone is satisfied with whatever they do, because everybody wants to do something and it was a nice thing for Commissioner Byrnes to suggest. Commissioner Byrnes stated that he had no regrets about his recommendation that this be called the Heyman Gymnasium and he was shocked that anyone may have a problem with this, as she served the Commission for a long time and was particularly proud of the gym. This item will be placed on the workshop after the next meeting.

21. CITY ATTORNEY

Alternate City Attorney Randy Hayes thanked the Commission for having him there tonight and complimented them on their facility.

22. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Byrnes stated that he hoped that except for the death of Commissioner Heyman that everyone enjoyed the Holidays. He added that it weighed heavily on him to look over and see where she had sat for so long.

Commissioner Lockeby stated that he felt sorry for Commissioner Heyman's family. He wished she could have seen the City receive the Certified Cities Award tonight, as she would have been proud. She will be missed.

Commissioner Via stated that he felt Commissioner Heyman was seeing them tonight, but from a different perspective. He also stated that her name would be on the gym, inscribed on a bronze plaque in the front of the building – though her pride and contributions went further than this one project. Commissioner Via cited some of the trials that she dealt with that made her so amazing. He added that he thought of her last night when he was coaching basketball at the new gym.

Commissioner Via expressed gratitude to George Zoller and the Chamber of Commerce for their assistance with the food drive and the certified cities process, noting the working partnership between the City and the Chamber and acknowledged Commissioner Lockeby's part in that.

Commissioner Via also expressed thanks to Economic Development Coordinator Ira Corliss for how good he made them look after the eighteen months of effort he put forth in the certified cities program.

Commissioner Via welcomed long-time board member Pearl Ward in her new position on the Redevelopment Board.

Mayor Arthur stated that this Commission really propelled them forward for business when they decided to hire a full-time Economic Development Coordinator.

Mayor Arthur advised that he received a call last Friday from Washington D.C., U.S. Conference of Mayors on a contest that they had entered. He advised that every year the Conference sponsors a contest and one year it was a water tasting test, which the City finished within the top one hundred. This year we won first place in the whole United States for the Public/Private Partnership Award for the use of the money they saved from contracting their garbage. The money was used for the gymnasium complex and the Boys and Girls Club, giving the City a whole new program. Acting City Manager Joe Forte asked the Commission for approval of the expenditure of about eight hundred dollars to send the Mayor to receive this award.

*Commissioner Via moved **APPROVAL** of the expenditure of about $800 to send Mayor Arthur to the Conference to receive this award, seconded by Commissioner Byrnes.*

Commissioner Byrnes indicated that it would be nice for the whole Commission to go. Mayor Arthur agreed that it would, as they should all be very proud.

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

23. ADJOURNMENT

The meeting officially adjourned at approximately 8:45 p. m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk