M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
FEBRUARY 10, 2004

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, Gilles Blais, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant to the City Manager Greg Wood, Finance Director Brenda Gubernator, Public Works Director Milt Hallman, Public Safety Director Don Shinnamon, Recreation Director Chuck Beach, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur introduced Elliot Gross who is running for County Council District 4.

Certificate of Achievement for Excellence in Financial Reporting

Mayor Arthur presented this certificated from the Government Finance Officers Association to Ms. Gubernator. This makes twenty-five consecutive years of earning this award.

3. CONSENT AGENDA
Minutes of Commission Day – January 27, 2004
Minutes of Regular Commission Meeting – January 27, 2004
Minutes of Commission Joint Workshop with Community Redevelopment Advisory Board – January 27, 2004
Report of Purchase Orders between Five and Ten Thousand Dollars

- **Liquid Engineering Corporation - $6,370**

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, Blais – Yes, Byrnes – yes, Arthur - yes.

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

Commissioner Schmitt stated that the After Hours scheduled for Makos on Thursday, February 19, 2004 has been cancelled because they are going out of business. Java Junction will host the After Hours that same night from 5 to 7 p.m. Commissioner Schmitt stated that in the Chamber Newsletter they were supposed to have Antiques on the Avenue April 3rd and 4th and that has been changed to the latter part of April (24th & 25th). This will be the first year since 1999 that the Chamber is putting out a business directory and it will be ready this year sometime. Commissioner Schmitt mentioned that Chuck McKewon, United Brethren Church, is hosting its 2nd annual *Swine & Dine* to honor the City elected officials and employees on Sunday, February 29th at 5:00 p.m.

Commissioner Via referred to the WAV Workshop and stated that they discussed the fact that they have an opt-out window of up to four years. He mentioned that they also discussed the variety of funding mechanisms under consideration (seven of them). This is all two years in the making so there will be plenty more information to come.

Commissioner Byrnes indicated that he is looking forward to the Volusia Days coming up. Those who can attend will be involved in passing out goody bags. The VLC Executive Committee had a joint meeting with VCOG's Executive Board to discuss the executive director transition / temporary vacancy. Mary Curran will be filling-in for this position, as she has previously. Back to the topic of Volusia Days, Mr. Forte stated that their second meeting in March conflicts with one of these and suggested they move that meeting to the fifth Tuesday of the month.

*Commissioner Via moved to **APPROVE** moving the March 24th regular commission meeting to March 30th, seconded by Commissioner Byrnes.*

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

Commissioner Blais indicated that he was happy to serve as the City's representative on Daytona Beach's Collegiate Events Task Force. Their first meeting will be this Thursday at 4:00 p.m.

Mayor Arthur read the funding letter he received from John Mica. He mentioned that the MPO has discussed promoting the *Keep Kids Alive*, *Drive 25* program and he's pleased to see that this item is on their agenda tonight and that Mrs. Anderson is here to speak on it. He then referred to the on-going struggle between the MPO and FDOT.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. RESOLUTION 2004-R-08, PAL / RECREATION BOARD APPOINTMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Schmitt moved to **APPROVE** Resolution 2004-R-08 appointing Officer Tinka Linssens, seconded by Commissioner Blais.*

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

7. FIRST READING OF ORDINANCE 2682, PROPOSING AN AMENDMENT TO THE CHARTER BY ADDING A SIX MONTH DISTRICT REQUIREMENT TO COMMISSION QUALIFICATIONS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA; AUTHORIZING A PROPOSED CHARTER AMENDMENT BE SUBMITTED TO THE ELECTORS TO PROVIDE FOR A SIX (6) MONTH RESIDENCY REQUIREMENT WITHIN THE DISTRICT THAT THE CANDIDATE SEEKS TO REPRESENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte explained that they found a few discrepancies that they will correct before second reading of this ordinance. There was some confusion over whether it was to be a six or twelve month residency requirement, and they need to make the language more gender neutral. They also noted that a misreading could occur in Section 28(1)(b) so that language will be clarified. There was some discussion regarding the proof of residency issue, which is hard to address in finality. This is why the judicial hearing process exists – with the Commission as the first hearing and any appeal to be made in the County court. Since the courts recognize the importance of timely elections, any delay should be minimal.

*Commissioner Via moved to **APPROVE** the First Reading of Ordinance 2682 with the following changes: twelve month residency requirement, gender neutral language, clarification of intent in Sec. 28(1)(b), seconded by Commissioner Byrnes.*

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

8. RESURFACING CONTRACT – FY 2003/2004

In accordance with the City's road paving plan, Mr. Forte explained that these are the streets they have budgeted to resurface this fiscal year. This amount includes about half of the second local option gas tax money (the other half is to be used for facility improvements). Commissioner Byrnes referred to the part of Strawberry Lane that is in Daytona Beach and asked if we checked with them about paving also. We have not, and that is not a normal practice between jurisdictions – but Staff will be happy to check into Daytona's plan on this street. Commissioner Via clarified the cost and the total amount budgeted. Mayor Arthur inquired about the specific facility improvements. Commissioner Blais inquired about the paving materials.

*Commissioner Byrnes moved to **APPROVE** awarding a contract to P&S Paving for FY 2003/2004 resurfacing projects for a total of $234,650, seconded by Commissioner Schmitt.*

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

9. RIDGEWOOD AVENUE WATER MAIN EXTENSION

Mr. Forte explained that this is for a very small project in front of Holly Hill muffler, which they feel is too small to bid cost effectively. Staff is requesting authorization to simply negotiate for the best price.

*Commissioner Via moved to **APPROVE** authorizing the City Manager and Public Works Director to by-pass the formal bidding process and negotiate a contract for the Ridgewood Avenue Water Main Extension at a cost not to exceed $15,000, seconded by Commissioner Blais.*

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

10. NOVA ROAD (SOUTH) LANDSCAPING PROJECT ENGINEERING DESIGN PREPARATION

Mr. Forte explained that Quentin L. Hampton Associates, Inc. has submitted proposed design fees for the Nova Road (South) Landscaping Grant Project.

*Commissioner Schmitt moved to **APPROVE** authorizing Quentin L. Hampton Associates, Inc. to proceed with the design phase of the Nova Road (South) Landscaping Grant Project for a total cost of $9,150, seconded by Commissioner Blais.*

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

11. LAW ENFORCEMENT TRUST FUND REQUEST

Mayor Arthur stated that the request for the “Keep Kids Alive, Drive 25” speed limit signs is something that the MPO has been discussing and he is very proud that Holly Hill is the first City to act on this. He introduced Marie Anderson, who has spearheaded bringing this program to this area after her young son was hit and killed on Linda Avenue. Ms. Anderson expressed her gratitude to Holly Hill for this effort. Mayor Arthur stated that he has a meeting coming up with a lady who’s daughter was killed on Nova Road. She is trying to get the speed limit sign lowered there as well (it’s forty-five everywhere else but fifty in Holly Hill).
Commissioner Via moved to ***APPROVE*** *authorizing an expenditure of $1,778 from the Special Law Enforcement Trust Fund for the purchase of twenty-six “Keep Kids Alive, Drive 25” speed limit signs and the set-up fee plus production of thirty official police officer identification cards, seconded by Commissioner Byrnes.*

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

12. SURPLUS PROPERTY

Mr. Forte explained that this is a request to surplus the fire department cascade trailer, as mentioned on Commission Day. It was donated to us and has not been as useful as they thought it would be. If they can use it as a trade-in of some sort they will, otherwise they will donate it to a smaller agency who might have some use for it.

Commissioner Schmitt moved to ***APPROVE*** *declaring the fire department cascade trailer as surplus, seconded by Commissioner Blais.*

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

13. COMMUNICATIONS

A. City Manager

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

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Blais stated that he attended the 20th anniversary of the Sunshine Seminar and he brought an up-to-date book back to Ms. Clauss (as she had requested). This Thursday he will attend his first meeting of Daytona Beach’s collegiate events task force. In Commissioner Schmitt’s absence, he attended the Chamber meeting and he will go again tomorrow to follow up on some things they had asked him about. Referring to the ID badges approved tonight, Commissioner Blais mentioned his Boy Scout experience and the pride of earning their special ID card.

Commissioner Schmitt stated that he is glad to be back from what he hopes will be his last stay at the hospital. He then referred to Billy's sign – they love him. Commissioner Schmitt stated that he was sorry that he missed Commission Day.

Commissioner Via stated that he is glad to see Holly Hill leading the way on the child speed limit signs, as they remember young Nicholas. Commissioner Via stated that this Thursday from eleven to one at Ted's Diner, 518 Ridgewood Avenue, former NASCAR champion Rex White will be signing autographs. Commissioner Via asked Mr. Wood if the City has a requirement for shelter of an animal? Mr. Wood indicated there were requirements of that nature but he would have to research the specifics. Commissioner Via thanked everyone for coming tonight.

Commissioner Byrnes thanked everyone for coming tonight. Referring to the Sunshine Seminar, he indicated that he would have liked to attend if they could offer it at a time appropriate for the general working elected official. Commissioner Byrnes mentioned that Patricia Wells had passed away last week – she was a member of long-standing with the Beautification Board.

Mayor Arthur thanked everyone for coming tonight and said "hello" to former commissioner Paul Lockeby.

14. ADJOURNMENT

The meeting officially adjourned at approximately 8:05 p.m.

Attest:	City of Holly Hill, Florida
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Jeaneen P. Clauss, CMC City Clerk	William D. Arthur Mayor