M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
February 11, 2003

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, Attorney Kit Korey, Assistant to the City Manager Greg Wood, Public Works Director Milt Hallman, Emergency Services Director Don Shinnamon, City Planner Bob Keeth, Finance Director Brenda Gubernator, and City Clerk Jeaneen Clauss. Assistant City Attorney Scott Simpson arrived at approximately 7:45 p.m.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur welcomed Diana, a Mainland High School student, who attended tonight's meeting.

3. CONSENT AGENDA
Minutes of Regular Commission Meeting – January 28, 2003
Minutes of Commission Workshop – January 28, 2003

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

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

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

5. SECOND READING OF ORDINANCE 2656, REZONING APPROXIMATELY 5 ACRES LOCATED ON THE SOUTH SIDE OF GOLF AVENUE NEAR FIESTA CIRCLE FROM R-2 (VOLUSIA COUNTY) TO IPUD (CITY)

*Commissioner Schmitt moved to **APPROVE** the Second Reading of Ordinance 2656, seconded by Commissioner Byrnes.*

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

6. SPECIAL EXCEPTION FROM DOUG KNELLER FOR A BED AND BREAKFAST AT 936 RIVERSIDE DRIVE

*Commissioner Byrnes moved to **APPROVE** the Special Exception request for a Bed and Breakfast at 936 Riverside Drive, seconded by Commissioner Schmitt.*

Mr. Keeth advised the Commission that this special exception request meets the seven criteria (which he read) established for such in the City's land development regulations. He recommended approval of this request. Commissioner Via inquired as to what made the difference between a motel and a bed & breakfast, specifically are B&Bs subject to the same hotel / motel regulations. Mr. Keeth was not familiar with those regulations but thought there was a smaller business category that governed B&Bs. Mr. Kneller advised that they are subject to fire and handicap regulations – compliance with fire codes will cost approximately ten thousand dollars. Mayor Arthur suggested that it would be better to approve this in the same manner that they had approved a used car lot on the corner of LPGA and Ridgewood – subject to annual renewal. Mr. Kneller indicated that he would be making a sizeable investment and would not want to do so for something that might only last a year. Mr. Forte suggested that the attorney could word this in such a way that it would only be denied for cause. Mr. Kneller was agreeable to that. Ed Perkins, 920 Riverside Drive (neighbor), advised the Commission that he had no objections to this proposal.

*Commissioner Byrnes **AMENDED** his motion to make it subject to a one-year renewal – the exact wording of such to be drafted by the attorney, second amended by Commissioner Schmitt.*

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

7. SIDEWALK CONSTRUCTION FOR FISCAL YEAR 2002-2003

Mr. Forte advised that Built Right Construction is in the process of completing the sidewalks approved last year. Their contract includes a clause that allows the City to extend the contract for additional work. Staff has recommended extending this contract for the amount of $64,500 to construct the next phase of sidewalks.

*Commissioner Via moved to **APPROVE** authorizing the extension of the contract with Built Right Construction to include the sidewalk project for fiscal year 2002-2003, seconded by Commissioner Byrnes.*

Commissioner Via confirmed that we are on schedule with our five-year plan.

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

8. CHANGE ORDER FOR WATER METER UPGRADE CONTRACT FROM TOUCH READ METERS TO A RADIO FREQUENCY WATER METER READING SYSTEM

Mr. Forte stated that Azuric is doing the upgrades they approved. Phase I of this project requires an additional eighteen meters to complete that book of customers. Staff is recommending approval of this change order to complete Phase I. This still comes in under budget.

*Commissioner Byrnes moved to **APPROVE** the change order for additional water meter units at a cost of $4,115.75, seconded by Commissioner Via.*

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

Related to this same item, Mr. Forte stated that when they put this plan together it was intended to be a three-year plan to change out all the meters in the City. It is described in the program how they would change between one thousand and one thousand five hundred meters each year. However, when the bid language was prepared, only one-year was written into it. Mr. Forte requested that the Commission authorize him to negotiate with Azuric to extend this contract for the full project.

*Commissioner Via moved to **APPROVE** granting the City Manager the authority to negotiate with Azuric to extend their contract, seconded by Commissioner Byrnes.*

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

9. PURCHASE OF 800 MHZ COMMUNICATION RADIOS

Mr. Forte explained that we have been in an 800 MHZ conversion process for some time. The Police and Fire departments are pretty much up to speed but there are still some areas of public works that need these. They have some leftover funds available from a vehicle that they did not purchase and they would like to use some of that for this expenditure. Commissioner Lockeby stated that this issue has been raised at VCOG meetings and there is talk of a potential change from the 800 MHZ system. Chief Shinnamon advised there is not discussion of a radio change at the Staff level. Mr. Forte advised that the cities have too much invested at this point to make that type of change. Commissioner Byrnes stated his consistent position that he does not feel this is the type of radio system that we should have and he was hesitant to be totally reliant upon it.

*Commissioner Schmitt moved to **APPROVE** the purchase of ten (10) portable radios and accessories at $912.50 each, for a total cost of $9,125, seconded by Commissioner Via.*

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

10. COMMUNICATIONS & COMMITTEE REPORTS

A. City Manager

Mr. Forte advised that the Chief is scheduling the annual internal awards ceremony for March 11th at 6:00 p.m. so that it would be more convenient for the Commissioners to attend. Also, in two weeks, they will have their Goals Setting Session at 6:00 p.m. If necessary, we can break to hold a Commission Meeting, but otherwise the mayor can cancel that meeting.

B. City Attorney

Mr. Korey stated that it was nice to see everyone.

C. Mayor and Commissioners

Commissioner Lockeby stated that it was nice to see everyone and he's looking forward to the upcoming races.

Commissioner Schmitt stated that he was glad to see everyone and wished them a Happy Valentine's Day.

Commissioner Via gave Mr. Forte a check for one hundred dollars, which the Daytona Beach Racing Authority sent for the Police Explorers. He thanked the Commission for showing up at Sica Hall for the FDOT hearing; Ormond Beach is right on track with us on this issue. Commissioner Via referred to the legal problems that Ormond Beach has faced recently regarding the installation of sidewalks and asked if our sidewalks were ADA compliant. Mr. Hallman responded that they are not. Mayor Arthur stated that any sidewalk was more helpful to the handicap than not having one at all, so he didn't see the problem. Commissioner Via stated how proud he is of all the accomplishments in Holly Hill and applauded Mr. Forte for being an integral part of their success.

Commissioner Byrnes thanked Ms. Clauss for the candy hearts she gave each of them. He then mentioned the FDOT meeting and how eye opening it was to him that they view holding a public meeting as a one-way information session. FDOT is there to let you know what they are doing, not to consider any of the public's feedback. It was also very clear that their view of Ridgewood is totally opposite of that of the cities.

Mayor Arthur welcomed J.D. Mellette and Big John. He then referred to the workshop held on January 28th where they discussed how Commission members were paid - he stated that he doesn't think it really makes any difference so he saw no reason to change from the honorarium method. Commissioner Schmitt voiced a preference for the salary (W-2) method. Mr. Forte gave the results of their countywide survey, indicating that most cities use the salary method. Mr. Simpson advised that South Daytona changed to that so that they could offer their

Commission members retirement benefits. Mayor Arthur suggested they have some additional discussion on this topic at a later date.

Mayor Arthur stated that, as Chairman of the MPO, he sent a letter to Congressman John Mica asking for his assistance in keeping the parking spaces on Ridgewood Avenue. Big John addressed the Commission and stated that there are two separate projects that FDOT is doing to Ridgewood and they seem to be getting lumped together. One project is intersection improvements, which has nothing to do with the parking spaces. The other is resurfacing, which involves widening of lanes and elimination of parking. Big John stated that he felt it was just as wrong for the City to refuse to give up any of the parking along Ridgewood as it is for FDOT to try to eliminate all of it. Commissioner Via and Mayor Arthur indicated agreement with this, referring to some spots that are just not necessary. They felt the City should focus its energy on the ones that are really needed. Commissioner Byrnes disagreed with this and felt that we should work to hold on to what we have. He also noted that FDOT plans to eliminate some of the cut-throughs, which will necessitate more u-turns at intersections. No one indicated any support for that at any location. Mayor Arthur stated that he also felt they should slow down the traffic from its current thirty-five mile per hour speed limit. He indicated that he would be an advocate for eliminating one lane and replacing it with diagonal parking.

On a different subject, Big John advised the Commission that he had complained to Mr. Forte about the retention pond at 8th and Nova. Mr. Forte had responded to Big John's complaint by notifying FDOT of the condition of their pond. FDOT has cleaned it but they do not use the chemical process that we do to get rid of the algae, etc… so it never looks as nice. Big John indicated that he felt the City should take over this responsibility because it makes Holly Hill look bad.

11. ADJOURNMENT

The meeting officially adjourned at approximately 8:25 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