M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
FEBRUARY 13, 2001

1. CALL TO ORDER

A. Roll Call

Mayor William 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, Keith Tarrer and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant City Attorney Scott Simpson (arriving at approximately 8:30 p.m.), Finance Director Brenda Gubernator, Acting Police Chief Mark Barker, Recreation Director Chuck Beach, Public Works Director Milt Hallman, and Human Resources Director / Acting City Clerk Diane England.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

3. CONSENT AGENDA

Minutes of Regular Commission Meeting – January 9, 2001
Minutes of Commission Workshop – January 9, 2001
Minutes of Commission (Goals) Workshop – January 23, 2001

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

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

4. AUDIENCE PARTICIPATION

George Fries, 1000 Riverside Drive, complimented Lt. Barker for his efforts to help enforce the speed limit on Riverside Drive. He advised the Commission that he would be lobbying the County to make all of Riverside Drive a no-passing zone. He then encouraged the Commission to re-activate the Code Enforcement Board, instead of hiring a Special Master.

Bud Godiear, 221 State Avenue, thanked the Commission for the Code Enforcement efforts on car storage.

Lewis Bohan, 222 State Avenue, complained to the Commission about a citation he had received from a Code Enforcement Officer for storing cars. He asked the Commission for a longer period of time and gave them pictures to show the site he was referring to. After much discussion, the Commission directed the City Manager and City Attorney to work with Mr. Godiear on this.

5. RESOLUTION 2001-R-08, REDEVELOPMENT ADVISORY BOARD APPOINTMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A REGULAR MEMBER TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (John G. Penny– July 2002)**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-08, seconded by Commissioner Lockeby.*

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

6. RESOLUTION 2001-R-09, PAL/RECREATION BOARD APPOINTMENTS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING MEMBERS TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE. (Sarah L. Rone – January 2002, Tracy Currie – January 2003)**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-09, seconded by Commissioner Lockeby.*

Mr. Forte advised the Commission that it would just be the two appointees mentioned for tonight, as Mr. Fries has decided to retain his seat on the board instead of passing it to his wife. Ms. Currie was in attendance for this appointment. Commissioner Via and Commissioner Byrnes thanked outgoing member Joanie Grounds for all of her long, hard work for the youth in this City.

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

7. SPECIAL EVENT PERMIT REQUEST FOR CIVIL WAR RE-ENACTMENT

Mr. Forte stated that this is the 2nd Annual Civil War Re-Enactment and the proceeds will again go to the Police Explorers. It's being headed-up by Corporal Forrest Currie. This activity will take place March 30th, 31st, and April 1st. They are requesting the Commission waive their permit fees.

*Commissioner Via moved to **APPROVE** waiving the permit fees for this event, seconded by Commissioner Tarrer.*

Commissioner Tarrer inquired as to whether this occurring on the same weekend as Black College Reunion would be a problem. Lt. Barker indicated that he did not feel that this would pose a problem because the City has not been effected very much by BCR in the past.

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

8. SECOND READING OF ORDINANCE 2603, ANNEXING THE KIFER PROPERTY LOCATED AT 1702 PALM ROAD

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY BOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-03, seconded by Commissioner Lockeby.*

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

9. FIRST READING OF ORDINANCE 2605, ANNEXING THE YUNICH PROPERTY LOCATED AT 1188 ALABAMA AVENUE

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY BOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR

CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2605, seconded by Commissioner Lockeby.*

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

10. FIRST READING OF ORDINANCE 2606, AMENDING THE ANIMAL REGULATION CHAPTER OF THE CITY CODE

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CITY CODE CHAPTER 78, SECTION 78-14, AMENDING THE DEFINITION OF KENNEL; AMENDING THE CITY CODE CHAPTER 10, ARTICLE I, SECTION 10-1, ESTABLISHING A DEFINITION FOR DOMESTIC ANIMALS, DELETING THE DEFINITION OF LIVESTOCK, AND AMENDING THE DEFINITION OF WILD ANIMALS, AMENDING SECTION 10-2 TO PROHIBIT THE KEEPING OF WILD ANIMALS IN THE CITY, AMENDING ARTICLE III TO RESTRICT QUANTITY, AND AMENDING ARTICLE IV REGARDING ADMINISTRATIVE RESPONSIBILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONLFICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the first reading of Ordinance 2605, seconded by Commissioner Byrnes.*

Commissioner Via expressed concern over the domestic animal definition in conjunction with the quantity restrictions.

Joe Whitenton, 600 10th Street, stated that he was in favor of this ordinance but he did not feel that dogs should be specifically restricted to a lesser quantity within the ordinance when other animals (birds) can be noisier and noise problems could be addressed through other regulations within the Code. Mr. Whitenton pointed out the need for insertion of animal control department, along with police department, as an agency charged with the enforcement of this ordinance.

The Commission mentioned possibly having a workshop to further discuss this.

Nikki Whitenton, 600 10th Street, expressed disagreement with the four-dog restriction, when you can have four of other types of domestic animals.

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

11. RESOLUTION 2001-R-10, FIREFIGHTING EQUIPMENT LOAN

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE ISSUANCE OF A PROMISSORY NOTE IN THE PRINCIPAL AMOUNT OF $204,204 TO FINANCE THE COST OF FIRE FIGHTING EQUIPMENT, PROVIDING THAT SUCH NOTE SHALL BE A LIMITED OBLIGATION OF THE CITY PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS, SECURITIES AND REMEDIES FOR THE OWNERS OF SUCH NOTE; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-10, seconded by Commissioner Byrnes.*

Commissioner Lockeby confirmed that they plan to sell off the other fire trucks and reduce this loan.

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

12. RESOLUTION 2001-R-11, FIREWORKS DISPLAY AGREEMENT FOR CENTENNIEL CELEBRATION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A FIREWORKS DISPLAY AGREEMENT FOR THE CITY'S CENTENNIAL CELEBRATION ON JULY 1, 2001; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-11, seconded by Commissioner Lockeby.*

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

13. RESOLUTION 2001-R-12, SCHOOL PROXIMITY TOBACCO ENFORCEMENT GRANT PROGRAM

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE EXECUTION OF A CONTRACT WITH THE DEPARTMENT OF**

BUSINESS AND PROFESSIONAL REGULATION FOR THE SCHOOL PROXIMITY TOBACCO ENFORCEMENT (SPTE) PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-12, seconded by Commissioner Via.*

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

14. RESOLUTION 2001-R-13, WAIVING THE DOG AND CAT LICENSE FEE

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA WAIVING THE CITY'S DOG AND CAT LICENSE FEE; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved to **APPROVE** Resolution 2001-R-13, seconded by Commissioner Via.*

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

15. RESOLUTION 2001-R-14, LEGISLATURE REQUIRING SCHOOL NURSES IN EVERY PUBLIC SCHOOL

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA DECLARING SUPPORT FOR SCHOOL NURSES IN ALL FLORIDA PUBLIC SCHOOLS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-14, seconded by Commissioner Via.*

The Commission agreed that it could be hard to find sufficient nursing staff but felt this was important for the schools.

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

16. RESOLUTION 2001-R-15, COMPREHENSIVE EMPLOYEE TRAINING AGREEMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE A TRAINING CONSULTATIVE AGREEMENT WITH THE PEOPLE BUSINESS, INC.; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved to **APPROVE** Resolution 2001-R-15, seconded by Commissioner Lockeby.*

Commissioner Lockeby and Commissioner Via indicated that they felt the City would be best served if this type of training were also offered to the Commission. Mr. Forte stated that this program is unique in that it is complete, in moving towards the total quality management system that they are trying to incorporate. It's expensive but should be considered an investment in making employees feel a part of the City's mission. The approval of this resolution authorizes a by-pass of the bidding process because this type of training service is so unique. The Commission confirmed with Bo Brewer, the company's owner, that they could terminate this agreement if it is not what they anticipated and they would only be responsible for the pro-rata portion of the payment.

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

17. RESOLUTION 2001-R-16, FLORIDA MUNICIPAL PENSION TRUST FUND MASTER TRUST AGREEMENT

Mr. Forte stated that they would need to table this item because the resolution was omitted from the packet.

*Commissioner Tarrer moved to **TABLE** Resolution 2001-R-16, seconded by Commissioner Byrnes.*

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

18. RESOLUTION 2001-R-17, SLUDGE HAULING AGREEMENT WITH MID FLORIDA ENVIRONMENTAL SERVICES, INC.

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING AN EXTENSION TO THE SLUDGE HAULING AGREEMENT WITH MID FLORIDA ENVIRONMENTAL SERVICES, INC.; AUTHORIZING A UNIT PRICE INCREASE TO THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte stated that this is a contract they've had for some time and the company has never utilized the provision within it for a rate increase until now. Staff feels the rate increase is appropriate, but discovered the contract has expired. They checked the rates of like companies and found them all to be higher than this. Staff is requesting the Commission to approve a two-year extension, after which they would go out for a formal competitive bid.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-17, seconded by Commissioner Via.*

Commissioner Lockeby confirmed with Mr. Hallman that this company has been doing a good job.

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

19. ARCHITECTS FOR PHASE III, RECREATIONAL FACILITIES

Mr. Forte explained that they had advertised for professional architects to submit their qualifications. A price is not included because at this point, this is a qualification comparison. They received statements of qualifications from Anderson and Hawkins & Hall. They are recommending Hawkins & Hall, which was the firm they used in the first two phases.

*Commissioner Tarrer moved to **APPROVE** accepting the ranking recommendation for Architects on Phase III for the Recreational Facilities and authorize the City Manager and Staff to negotiate an Architectural Contract with Hawkins & Hall, seconded by Commissioner Via.*

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

20. CHANGE IN CONTRACTORS FOR WATER TREATMENT PLANT'S CHEMICAL, QUICKLIME

Mr. Forte referred to a few months back when they accepted the lowest bids for the various chemicals they require at the water treatment plant. One of these is the chemical Quicklime, which they are currently getting for $86.73 per ton. The quality of this provider's product is not up to the City's standards and problems have developed because of it. These cost the City more than the difference in the bids. Staff is requesting the Commission approve the second lowest bidder for this chemical for a small increase over the first.

*Commissioner Tarrer moved to **APPROVE** awarding the Quicklime supply bid to the second lowest bidder, Global Stone Lime (Luttrell), for a price of $88.68 per ton, seconded by Commissioner Lockeby.*

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

21. RECREATION BIDS FOR PROGRAM SUPPLIES AND AWARDS

Mr. Forte advised the Commission that this is in response to their regular annual request for proposals for the various items they need for their recreation programs.

*Commissioner Tarrer moved to **APPROVE** accepting the low bid in each respective category, seconded by Commissioner Via.*

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

22. NOVA ROAD WIDENING AND WATER MAIN CONSTRUCTION

This item was an add-on to the original agenda. Mr. Forte explained the history of this project, which is a water line on Nova to connect from Flomich up to Alabama or Golf, which will provide water service to any businesses which come in on the east side of Nova. It makes sense for them to put these lines in at this time, while FDOT is widening the road. The cost was originally estimated at $194,000. FDOT's unit price index gave a cost estimate of just above $100,000, which the Commission approved. This past Friday, we were notified that the unit price index has increased dramatically, changing this quote to $184,046.24. He explained that they have to go by FDOT's unit price index and this water line is important because it needs to be in place, not only for future businesses, but for the Charleston Place apartment complex.

*Commissioner Tarrer moved to **APPROVE** the revised project cost of $184,046.24, seconded by Commissioner Via.*

Mr. Hallman explained that when the final estimate comes in, the City would still have the option to back out.

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

23. COMMUNICATIONS

A. City Manager

Mr. Forte stated that he would not be able to attend the meeting on February 27th because that is the night that his daughter will make her confirmation. Mr. Hallman will take his place.

B. City Attorney

Mayor Arthur inquired about Mr. Simpson's new baby. Mr. Simpson responded that everything is going well.

C. Mayor and Commissioners

Commissioner Byrnes wished everyone a Happy Valentines Day tomorrow.

Commissioner Lockeby stated that he had nothing further to report.

Commissioner Tarrer stated that he had nothing further to report.

Commissioner Via thanked everyone that came to the Living Legends of Auto Racing for their grand opening. He thanked Staff for moving them through the permitting process.

Mayor Arthur also thanked Staff for their efforts in the permitting process for Living Legends. He reminded the Commission to review the VCOG Goals Setting List and state whether they agree or disagree. He then asked them to make their date selection preferences for attendance at the Legislative Session. Their preference dates are as follows: March 19, Apr 2, Apr 30.

24. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 9:21 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk