

MINUTES

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA**

February 27, 2007

1. CALL TO ORDER

A. Roll Call

Mayor Via called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:00 p.m. Attending with Mayor Via were Commissioners John Penny, Gilles Blais, Mark Reed and Traci A. Anderson.

Also attending were City Manager Joe Forte, Assistant City Attorney Scott Simpson, Public Safety Director Don Shinnamon, Finance Director Kurt Swartzlander, Financial Technical Advisor Brenda Gubernator, Public Works Director/City Engineer Chris Hurst, Community Development Director/City Planner Doug Gutierrez, Human Resource Director Diane Cole, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Valerie Manning.

B. Invocation

Mayor Via delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

None.

3. CONSENT AGENDA

1. Minutes from the Regular City Commission meeting – February 13, 2007
2. Unused Vacation Overage Pay-out
3. Lime Slaker Bid Award – Low Bidder Chemco, Inc., – \$80,177
4. Traffic Signal Maintenance and Compensation Agreement – FDOT

Mr. Forte asked the Mayor and Commissioners if he could pull Consent Agenda Item #2, Unused Vacation Overage Pay-out for further discussion.

There was consensus from the City Commission to allow that item to be pulled for discussion.

Mr. Forte informed the Mayor and Commissioners that this item deals with a policy that he is trying to present to the City Commission for paying employees who exceed their accrued vacation time. There are approximately eight employees in the City that are no longer earning vacation time because they are maxed out. The payout would be retroactive to this past October for those who lost time and do it again in October 2007.

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Diane Cole, Human Resources Director, spoke briefly in reference to the employees who have maxed out in their vacation time and how they would be paid; year to date – the date ending in October. Ms. Cole mentioned the hours varied for each employee so to give the Commissioners what an actual amount would be, she would have to look at September 30th because it was for a one-year period but staff wants to look at the entire year and they go by fiscal year. Everybody accrues differently because it's based on their anniversary date. It's all based on hours rather than attaching it to dollars at this point.

Mayor Via asked if staff could bring back to the Commission the dollars and cents for each employee needing to be paid out and have it brought back at the March 13th City Commission meeting.

Mr. Forte stated that he could do that and that's why he wanted to talk about it. He can bring this item back with the dollars and cents for the year ending October 2006 but the question is still there for the Union and non-union employees. He would like to do it for both but do it on a year-to-year basis so that they are not locked into something that they may have a problem with. The only other difference in this, is in the Police Department, in the policy it says that they would be paid out at 2/3 the time, where all the other employees would be paid 100% of the vacation time and the reason for that is the Police Department earns personal leave instead of vacation and sick leave and in their personal leave there is a certain amount of hours that are attributed towards sick leave. This is very similar to what the other cities are doing.

There was consensus from the City Commission to allow staff to bring back the dollars and cents for the employees that have maxed out of their vacation time on the March 13th.

*Commissioner Anderson moved **APPROVAL** of the items on the consent agenda, seconded by Commissioner Blais.*

The motion **CARRIED** 5-0 on roll call: Anderson – Yes, Blais – Yes, Penny – Yes, Reed – Yes, Mayor Via – Yes.

4. AUDIENCE PARTICIPATION **Regarding items not on the agenda.**

James Robinson, II, 1332, Riverside Drive, mentioned that he downloaded the last three City Commission meetings from the Website and its great, very easy, fast to download and it's a completely different experience to hear all of the conversation as opposed to just having the minutes and they are available within a day or two; this is extremely convenient for him. Mr. Robinson also thought that the school mentoring program that will be coming available soon as mentioned by Commissioner Penny at the last meeting is great. Mr. Robinson shared his concerns about the grade level that our area schools currently have and doesn't think that a "C" is acceptable.

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Vicki Zimmerman, 1237 Moravia Street, shared her concerns about the duplex apartments where she lives and the poor maintenance of that area and the duplex next to her. Mrs. Zimmerman informed the Mayor and Commissioners that her home insurance got canceled due to her house mistakenly being reported as being poor maintenance, roofing shingles curling, and the front of the dwelling was not maintained and part of the front of the dwelling was missing – that's not her house, that's the next door neighbor's house. Mrs. Zimmerman mentioned that she called the insurance company and had somebody else come out and re-inspect her home because they inspected the incorrect house and now she is stuck with Citizens Insurance which cost her more money. Mrs. Zimmerman shared her concerns about the neighbor's property again to the Mayor and Commissioners and would like to see something done.

Mayor Via instructed Mrs. Zimmerman to contact Mr. Forte and he will try to get something done and go over any alternatives that she may have available to her.

Steve Smith, 1410 Riverside Drive, suggested to the Mayor and Commissioners about having some sort of memorial for employees that have worked for the City over 30 years; to show some sort of recognition to them as well, perhaps at a park or something to that affect.

Jim Schultz, 117 Harvard Drive, Daytona Beach, spoke briefly about fluoride and asked again if staff would be putting something in the *Heartbeat* about fluoride.

Mr. Forte stated they can put something in the *Heartbeat* for information purposes only.

5. **PUBLIC HEARING** – SECOND READING OF ORDINANCE 2791, BOAT SLIP ALLOCATION

Mr. Simpson read by short title:

ORDINANCE NO. 2791

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA CREATING A MECHANISM TO ALLOCATE MOTORIZED BOAT SLIPS FOR RIVERFRONT PROPERTIES AND PUBLIC USE; ESTABLISHING THE CITY'S RIGHT TO DESIGNATE PUBLIC PROJECTS TO SATISFY THE STATE REQUIREMENT OF NET POSITIVE PUBLIC BENEFIT FOR INCREASED PREEMPTED SOVEREIGN SUBMERGED LANDS; PROVIDING FOR THE CITY TO ESTABLISH IN THE FUTURE A FUNDING MECHANISM FOR CERTAIN WATER RELATED PROJECTS BY CHARGING FEES ON A PROPORTIONATE FAIR-SHARE BASIS AMONG THE WATERFRONT PROPERTY OWNERS AND/OR BOAT SLIP OWNERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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Mayor Via opened public participation.

Jim Legary, 342 Burleigh Avenue, asked about the trailer parking. How is that going to be attached?

Attorney Simpson stated one of the cities allotted boat slips, under the Volusia County Manatee Protection Plan, is taken away for each boat trailer parking space.

Mr. Legary stated so for every trailer slip, they lose a slip, correct?

Attorney Simpson stated, yes.

Mr. Forte stated which means if they had a launch area that had a place for a dozen boats to be launched from and there was boat parking slips, that 12 would come off of our allocation.

Mr. Legary asked about the money aspect...it sounds like they are considering that a new department or something...for the fees and so forth.

Mr. Forte informed Mr. Legary that it goes into Volusia County through the Manatee Protection Plan, there is \$1,000 per slip fee that goes into a fund that the Sheriff has control over and it deals with enforcement in the intercoastal.

Attorney Simpson informed Mr. Legary that there is no fee or charge to the City by adopting this Ordinance.

Mayor Via closed public participation.

*Commissioner Blais made a motion to **APPROVE** the Second Reading of Ordinance 2791, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 on roll call: Blais – Yes, Reed – Yes, Anderson – Yes, Penny – Yes
Mayor Via – Yes

6. COMMITTEE REPORTS

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

Commissioner Blais mentioned that he attended the MPO meeting this morning. April 21st is Safety Day in DeLand this year and encouraged the Mayor and Commissioners to attend and also mentioned that the new DeLand City Hall will be opened. Commissioner Blais informed the Mayor and Commissioners that an updated MPO manual is in their office to view at any time.

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Mayor Via mentioned he attended the WAV meeting and there will be another meeting on March 21st in reference to the 4th Amendment to the Interlocal Agreement. Mayor Via spoke briefly about the Eastern Volusia Water Authority. There is a WAV meeting tomorrow at 9:00 a.m. for those who would like to attend.

7. COMMUNICATIONS

A. City Manager

Mr. Forte stated Mr. Hurst went out for bids for Emergency Debris Removal. Mr. Hurst put together a spreadsheet to try to balance out the bids he received and what he came up with was the overall best proposal which came from Ash-Britt and they have good experience in this area and dealing with FEMA and the FEMA process. Mr. Forte asked for the Commissions' approval in awarding the bid to Ash-Britt for the Emergency Debris Removal and then negotiate the final contract and the cost and that would come back to the Commission for final approval.

Mr. Hurst gave a brief summary of how the emergency debris removal works as far as hiring a company to help clean up the City in removing any debris from a storm. FEMA requires that the City separate removal efforts into two separate time periods; in the first 70 hours they have to push everything off the streets and then after that they haul it and then it can get complicated because the contractor can elect to do a temporary debris reduction site – in other words, they can take it all to a site, grind it down if they choose to and then haul it out to the landfill. In order to simplify things, the City said, give us a price to do it either by yard or by the ton and then it gets further subdivided in to other items and then the City applied an arbitrary number.

*Commissioner Reed made a motion to **APPROVE** the award to Ash-Britt for the Emergency Debris Removal and to allow staff to negotiate a final contract and cost and to bring that back to the Commission for approval, seconded by Commissioner Anderson.*

The motion **CARRIED** 5-0 on roll call: Reed – Yes, Anderson – Yes, Penny – Yes, Blais – Yes, Mayor Via – Yes.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Penny thanked everyone for coming tonight. He also reminded everyone about the school mentoring program he mentioned at the last City Commission meeting.

Commissioner Blais mentioned last Saturday he spent half a day at the MPO office in regards to the One-Vote – One-Agenda for the 2007 Legislative issue training.

Mayor Via mentioned that VCOG issued a letter in regards to the Legislative issues. Mayor Via mentioned that a flooring store will be occupying the old Eckerd's Drug Store on Ridgewood Avenue shortly.

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8. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:10 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor