M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
February 8, 2000

1. CALL TO ORDER

Mayor William Arthur called the meeting to order in Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:35 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Paul Lockeby and Roland Via.

Also attending were Acting City Manager Joe Forte, City Attorney Edward Simpson, Public Works Director Milt Hallman, Public Works Manager Tim Miller; Code Development Administrator Tim Harbuck, Economic Development Coordinator Ira Corliss, Finance Director Brenda Gubernator, Police Chief Larry Walker, Human Resources Director Diane England, 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

Mayor Arthur presented Economic Development Coordinator Ira Corliss and the City Commissioners with gifts from his recent trip to Washington D.C., when he went to accept the Public/Private Partnership Award for the City. He gave each of them a napkin from the White House signed by "Bill".

Commissioner Via presented the City with a plaque, which was given to him for the City at a recent Volusia County Republican Executive Committee meeting in honor of the late Commissioner Shirley Heyman. Mayor Arthur suggested that it be placed in the location where her picture had hung. Commissioner Byrnes made reference to his desire that the gymnasium be named after her and that he wished the plaque had come from someone who supported that.

5. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – January 25, 2000
B. Minutes of Commission Workshop – January 25, 2000
C. Report of Purchases over $5,000

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

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

6. AUDIENCE PARTICIPATION

(later in the meeting) Mayor Arthur introduced all three candidates for District 3's Commission Seat, present for tonight's meeting – Bob Brazell, Ron Fussell, and Keith Tarrer.

7. FIRST READING OF ORDINANCE 2575, AMENDING ORDINANCE 2574 BY ADOPTING FOUR ADDITIONAL FLORIDA STATUTES AS MUNICIPAL VIOLATIONS

City Attorney Edward Simpson read Ordinance 2575 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2574 AND SECTION 1-16 OF THE CITY CODE BY ADOPTING FOUR ADDITIONAL STATE CRIMES 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 2575, seconded by Commissioner Lockeby.*

Acting City Manager Joe Forte advised that this was a continuation of the ordinance that was approved last month, which omitted four statutes.

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

8. FIRST READING OF ORDINANCE 2576, REZONING PROPERTY LOCATED ON NOVA ROAD BETWEEN FLOMICH STREET AND ALABAMA STREET FOR AN AFFORDABLE HOUSING PROJECT

City Attorney Edward Simpson read Ordinance 2576 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE NO. 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROZIMATELY 15.75 ACRE LOCATED IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF NOVA ROAD (SR 5A) AND ALABAMA AVENUE FROM B-4 AND R-6 TO R-7; 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 First Reading of Ordinance 2576, seconded by Commissioner Byrnes.*

Acting City Manager Joe Forte referred to a workshop several months ago when he had he had spoken to the Commission about an affordable housing project that they were all interested in seeing brought into the City. Since that time, Staff has met with members of the Gatehouse Corporation (out of Boston) and they have been working to acheive certain deadlines. This issue was unanimously approved by the Planning and Appeals Board last night. The Minutes of this Board meeting were given to the Commission just prior to their meeting, though most of the Commissioners attended the Board meeting. Commissioner Byrnes inquired about the ownership of the out-parcels, to each side of the entranceway. Mr. Forte advised that the same owner owned all of these and it was subdivided in this way. Commissioner Byrnes expressed concern that they may be creating a non-conforming B-4 lot. Mr. Forte stated that they were all conforming lots. City Attorney Edward Simpson stated that this ordinance was a little unusual, as it has a sunset provision in the effective date. In the event that the contemplated transaction does not occur, the zoning will revert back to its previous zoning classification, unless a new ordinance is adopted. Commissioner Byrnes inquired as to what would happen if construction starts but is not completed. Mr. Simpson advised that as long as there is a closing on the property, this ordinance will stand. Mr. Simpson further advised that one of the issues that may come up is whether this is consistent with their Comprehensive Plan, which City Planner Bob Keeth feels that it is and Mr. Simpson stated that there is a strong argument that it is. Amendment of the Comp Plan will be forthcoming.

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

9. RESOLUTION 2000-R-08, AUTHORIZING THE VOLUSIA COUNTY CANVASSING BOARD TO CANVASS THE CITY'S BALLOTS

City Attorney Edward Simpson read Resolution 2000-R-08 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE VOLUSIA COUNTY CANVASSING BOARD TO CANVASS THE BALLOTS OF THE CITY'S SPECIAL ELECTION TO BE HELD ON MARCH 14, 2000; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Lockeby moved **APPROVAL** of Resolution 2000-R-08, seconded by Commissioner Byrnes.*

Acting City Manager Joe Forte stated that they are asking for approval of this because the City's candidate election is on the County ballot and they will have a Canvassing Board. City Clerk Jeaneen Clauss assisted in explaining that the City can delegate its Canvassing duties to the County, but the County cannot delegate its Canvassing duties to a City. Ms. Clauss will still go and observe this event, though.

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

10. RESOLUTION 2000-R-09, EXECUTING A SWIMMING POOL MAINTENANCE AGREEMENT

City Attorney Edward Simpson read Resolution 2000-R-09 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE

CITY MANAGER TO EXECUTE A SWIMMING POOL MAINTENANCE AGREEMENT WITH COMMERCIAL CHEMICAL PRODUCTS COORPORATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Edward Simpson stated that they would like to see this executed contingent upon the approval of the City Attorney's Office, as they have some issues with this agreement – 1) disputes being resolved in Texas and 2) absolution of liability for damages caused by them. Commissioner Byrnes asked why their water lab cannot do this work. Acting City Manager Joe Forte stated that three employees have attended a school in Orlando but that this is a very complex process (balancing the chemicals in the pool) and he would prefer to have someone work with them for three months, instead of taking a risk of having chemicals off-balance and it being shut down. The water lab people are trained completely differently. Staff is proposing tonight a three-month contract, to get everything started and allow them more time to learn how to make these chemical adjustments (and get their class scores back). Commissioner Lockeby asked if Mr. Forte felt comfortable with this particular company and he responded that he did; it is a national company located in Ormond Beach. Recreation Director Chuck Beach solicited bids for this and received one from a local company, but they just couldn't offer as competitive of a price. The local bidder even spoke highly of this company. Mr. Forte stated that they were doing the best that they could to keep business within the City as much as possible. Commissioner Via indicated that he too would have preferred to have gone with a local company but that he had checked and this was a really good company.

*Commissioner Via moved **APPROVAL** of Resolution 2000-R-09 contingent upon the correction and City Attorney approval of two contract provisions – regarding sections 6 and 8B, seconded by Commissioner Byrnes.*

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

11. WASTEWATER SYSTEM REHABILITATION – AWARD OF BID

Acting City Manager Joe Forte advised that they had a bid opening on this last week and turned the full explanation of this over to Engineering Consultant, Richard Fernandez with Quentin Hampton and Associates. Mr. Fernandez advised that their estimate for this project was two million dollars, which would be borrowed through the State Revolving Fund. Two bids came in below that – the lowest, the one being recommended was approximately $225,000 under their estimate. Mr. Fernandez indicated that this was a good company and the best method of repairing and restoring life to the gravity sewer line. He stated that they were recommending that the Commission accept this bid, subject to concurrence by the Florida Department of Environmental Protection. Upon approval by them, the bid package will be sent to Tallahassee for review and approval – which is based on proof of publication, bonding, minority business elements, and conformance to plans previously approved by them. The loan is at 3.11% interest rate. Mr. Fernandez explained the project detail, which for the most part does not require digging up the street. Commissioner Byrnes inquired if they could verify that all of the connections were "legal". Mr. Fernandez indicated that they could submit a list of the connections to Public Works Director Milt Hallman, who could then verify through Finance that the City was receiving payment from those. Questions were raised about the pipe, which is PVC - a majority of is 8 inches with some 10 inch pipe being used and it has a good life span (30 year old pipe looks brand new). There should be a reduction of about 400,000 gallons of wastewater treatment per day, with the problem with additional inflow is resolved.

Commissioner Lockeby moved ***APPROVAL*** *of the recommendation of Quentin L. Hampton, Inc., Consulting Engineers and the Public Works Director to award the contract to Insituform Technologies in the amount of $1,775,285.00 subject to concurrence by the Florida Department of Environmental Protection, seconded by Commissioner Via.*

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

12. U.S. 1 – RIDGEWOOD AVENUE BEAUTIFICATION – PHASE II

Commissioner Via moved ***APPROVAL*** *of the Public Works Director and City Manager recommendation to award beautification contracts to Landscape by Fuller, Inc. for $82,135.76 and Tif-Jen for $17,250.00, pending receipt and staff approval of reference letters on Fuller, seconded by Commissioner Lockeby.*

Acting City Manager Joe Forte advised that this is the median rehabilitation project for the north end of the City. The bids were opened last week and Staff is recommending that the City award the project to the lower bidder - Fuller, Inc. out of Georgia. Mr. Hallman has spoken with both the company and their clients and they are very creditable. We are awaiting letters from their subcontractors and the bank. Staff recommends separating the on-going maintenance, which they recommend awarding to Tif-Jen (the same company taking care of the south end of the City). Commissioner Lockeby inquired about the trees in phase 1, which are looking rough. Public Works Director Milt Hallman advised that some of them are Crepe Myrtles, which have to be cut back this time of year. The other ones are Holly Trees, which were shocked but should recover in the Spring. There was considerable discussion about going with an out of state bidder, when there are so many lawn businesses locally. Staff did everything they could to encourage locals to bid, even offering to go over the bid specifications with them. Many of them are deterred by the bond requirement, but the City has experienced too many problems when they eliminated that requirement. Mayor Arthur suggested that the Redevelopment Board work on this and try to get the Chamber to, as well. There was a brief discussion on the performance of the “low-bidder”. Public Works Director Milt Hallman indicated that he inquired into every detail of this contract to insure that Fuller was bidding appropriately for the work the City expects.

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

Mayor Arthur inquired as to the Beautification Board activity with the money the City gave them for the Reflection Pond. Mr. Forte stated that the purchase of the necessary irrigation system has been approved and the Board will begin the process of getting the plants they need. Commissioner Byrnes asked about the colored lights in this pond, during the holidays. Mr. Hallman advised the U.S.S. Holly Hill aluminum john boat changed the bulbs for the holidays.

He further advised that they have about 3 dozen trees on order with the County – the project is moving along.

13. EXPENDITURE OF LOCAL LAW ENFORCEMENT GRANT FUNDS

Acting City Manager Joe Forte stated that last month they approved the recommendation from the Board that oversees this grant, that they use the funds to purchase the electric vehicles that will be used with the VIP's to put in the school zones to help with the traffic. Staff now requests approval of the purchase order needed to do this for $14,508. There is an $873 government discount. The company they are purchasing this from is the only company that sells electric motor cars like these. Police Chief Larry Walker stated that the others they had heard of were either prototypes, out of production, or three-wheelers. The manufacturer recommended this company, for service reasons.

*Commissioner Byrnes moved **APPROVAL** of the purchase order for $14,508.00 for the purchase of two Global Electric Motor Cars, seconded by Commissioner Lockeby.*

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

14. COMMUNICATIONS FROM CITY MANAGER

A. Acting City Manager Joe Forte advised the Commission of the reorganization of some of the City Hall departments. He had been speaking with them on some of the problems they have had due to a dysfunctional layout and he was now taking corrective measures. Basically, most everything was going back to the way it was four years ago. He also moved a couple of positions around. The full-time building clerk position is being eliminated and replaced with a part-time position. The person who currently holds that full-time position is going back to water billing, moving her up one pay grade. One employee from water billing is being moved to the Finance Department, which will now take over payroll, as it should be, instead of having Human Resources perform this task. The only budget effect is a 5% pay increase for the person moving to water billing. Most everybody that's involved in this is very supportive of these moves.

B. Mr. Forte advised that Police Officer Joe Pizzimenti would be bringing the Civil War re-enactment to the City at the Bishop's property. They have some up-front advertising costs of about two thousand dollars that they are asking for a loan to cover, with them repaying this off the top of their profits. Commissioner Lockeby stated that the Police Explorers had come to the Chamber of Commerce for this and it is on their agenda tomorrow. Mr. Forte indicated that they had heard from the Chamber's President that they would do it if they could split the profits. Staff felt that taking half of the profits from the Police Explorers was not acceptable. The Commission basically gave this their blessing but they wanted to give the Chamber the opportunity to do this first.

C. Mr. Forte stated that they may have noticed the Literacy Council sign on what used to be Recreation Director Chuck Beach's office. Tom Yanus, with the Literacy Council, requested the City provide them with a place to operate because they were losing their spot at

DBCC for renovations. They had looked at SICA Hall for this and it was much too big. This otherwise vacant office was perfect for their needs and they hope this will be a real community asset, as the City has about a 22% illiteracy problem.

D. Mr. Forte stated that on this Thursday's County Council agenda, they have the purchase of the property on LPGA from State Avenue to Ridgewood Avenue strictly for intersection improvements.

E. Mr. Forte reminded the Commission that this coming Monday, February 14th there is a Greenway Meeting scheduled at Ormond Beach City Hall from 10:00 a.m. – 4:00 p.m., for those who can attend it.

F. Mr. Forte advised the Commission that they have secured the week of March 20th for them to attend the Legislative Session. We have budgeted for two people to go up at a time over a four-day period.

15. CITY ATTORNEY

City Attorney Edward Simpson indicated that he had nothing further to report.

16. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Via referred to several recent articles about things in the City that he was proud of. He stated that it was very pleasant to open the paper this week and see a nice article that made them all look good on their Recreation Director, Chuck Beach. He mentioned the article in the paper today on the upcoming Eckerds in his District. He also showed everyone the nice article of them being a Certified City with a color picture in the Happenings magazine. Commissioner Via then mentioned the letters from Congressman John Mica and County Council Member Pat Northey congratulating them on receiving the Public/Private Partnership Award. Lots of good things happening in Holly Hill.

Commissioner Byrnes referred to the article in Thursday's paper about his proposal that they name the gymnasium after Shirley Heyman. He spoke to the audience telling the people who had contacted him that they need to contact these other members of the Commission. He reiterated his point that this was a very dear lady who had died in service to the City and stated that he had wanted to thank John Carter for that fine article.

Commissioner Lockeby commended Acting City Manager Joe Forte on all his hard work in trying bring this affordable housing project to the City. He indicated that this achievement was particularly notable due to his present "acting" status. Everyone agreed. Commissioner Lockeby referred to the difficulties that Public Works Director Milt Hallman must deal with and stated that he would like to see them working towards a purchasing department for the City, in order to alleviate some of this. Mr. Forte stated that the person they have selected as his secretary has seventeen years of purchasing experience.

Mayor Arthur thanked Commissioner Lockeby for being constructive. He then read the letter they received from Congressman John Mica, stating that this was really special because he isn't even our representative. He added that Pat Northey's letter was really nice, as she brought the Boys and Girls Club into it. Mayor Arthur congratulated City Attorney Edward Simpson on his upcoming second grandchild.

17. ADJOURNMENT

The meeting officially adjourned at approximately 8:42 p. m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk