

MINUTES

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

FEBRUARY 8, 2005

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 Butch Simpson, Commander Mark Barker, Community Redevelopment Coordinator Marsha Radulovich, Finance Director Brenda Gubernator, and City Clerk Valerie Manning.

Also attending was Executive Director, Harriet Lewis, Holly Hill Chamber of Commerce.

B. Invocation

Commissioner Byrnes delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

None.

3. CONSENT AGENDA

Minutes of Regular Commission Meeting – January 25, 2005

Report of Purchase Orders over \$5,000

- **Ace Electric Service – \$9,670**
- **J & J Security Services Corp. – \$5,985**

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

The motion **CARRIED** 5-0 on roll call: Schmitt – Yes, Via – Yes, Byrnes – Yes, Blais – Yes, Mayor 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 Via stated the next WAV meeting is next Wednesday and it will be on the CDM. This is a special meeting and a copy of this will be in the Commissioners office along with a slide presentation. It speaks about the process that they are going to use to come up with what's there. There is a draft review of the Water Conservation Strategic Plan Goals and Strategies and they have five goals that they will be reviewing and this will also be in the Commissioners office so they can review it.

Commissioner Byrnes stated they had their League of Cities meeting at the Speedway the other night and they got to see the new improvements out there and what the crowds will have to look forward to during Speedweeks this year.

Mayor Arthur stated he didn't go to the last MPO meeting because he was in Gainesville and with VCOG they are looking for an Executive Director and nothing has come up with MPO or VCOG that has affected the City.

5. AUDIENCE PARTICIPATION

Regarding items not on the agenda.

Brenda Carter, 1000 Walker Street, #275, stated she lives in Holly Forest and there are a few of them here tonight at the meeting that are concerned about the bridge that's going into the new park. They do have a petition that went around yesterday and they have 166 signatures so far. The residents are hearing rumors and not really facts. She was not here in the summer time and she is being told that there was a meeting that was held for the residents about the bridge going in the park. The Holly Forest residents are concerned for their safety and they have enough problems there as it is. She has heard that it is going to be a one-way bridge. The residents of Holly Forest would like more information on the bridge. She is here tonight to speak on behalf of Holly Forest that they do not want the bridge there. She would like to know if it is a done deal because they hear that it is. The residents are letting Sun Communities know how they feel about the bridge being installed.

Commissioner Schmitt stated he had explained the whole project at their Homeowners Association meeting in detail that there would be two gates and the people stated they still didn't want it. He stated to them, "Let's just give it a try and if it becomes an ongoing problem, he would be the first one to take down the bridge", and the residents said, "No, we just don't want it."

Mr. Forte stated originally they had a plan to take down all of the fences around the retention ponds along Nova Road, the DOT retention ponds, and the City tried to capitalize by applying for an ECHO grant to give the City some funding to make some of these things better. One of the criteria for the ECHO grant was for public usage so that particular park, the Holly Forest

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retention area, is off of Nova Road and they can't stop on Nova Road to get to it. There's no other access to it so the City justified the grant monies by saying the City will put a bridge across the canal so that the folks that live over there in Holly Forest can come and enjoy the park-like setting. Greg Wood spoke with the property owner and the manager at the time that the City was doing this and everything seemed to be okay until recently the City Manager received some phone calls from the residents of Holly Forest and some of the biggest concerns that they have were theft of bicycles, people coming into the park, people sleeping on benches. But in reality many of the thefts that do take place in the park, come in and out of the front gate because it's not locked and this particular footbridge is going to have two gates at either end and it's going to be difficult for a child to want to throw a bike over two gates.

Mayor Arthur stated he doesn't think that is going to happen. He stated without some access, the City would not get the grant, is that correct?

Mr. Forte stated if the City doesn't put the footbridge in, it doesn't justify the public participation and the City will lose the grant money.

Mayor Arthur stated if this caused a problem once they put the bridge in, can the City take it back out?

Mr. Forte stated yes and ECHO has the right to ask the City for the grant money back.

Ms. Carter stated Holly Forest has so many problems anyway with people just walking around the canal. There are always people doing obscene things out there. She wanted to know how the gate was going to be manned.

Mr. Forte stated it's going to have a lock on it that only the residents of Holly Forest will have access to.

Ms. Carter read the petition for the record. "I'm a resident of Holly Forest and do not want a bridge of any kind over the canal connecting Holly Forest to the new park at the retention pond on Nova Road, known now as Holly Forest Neighborhood Park. We are a gated senior park and can see this bridge would add more problems with security. We have a lovely circle with benches, flowers, gazebos, and a waterfall and if we wish to sit in a park we have it right there in our own park and we don't have to leave." They have just started this petition yesterday and they have 166 signatures that have not been verified yet because she has not had time. This bridge is definitely not wanted.

Mayor Arthur asked does the grant specifically state that the bridge has to be right there?

Mr. Forte stated it is specific to the location.

Commissioner Schmitt asked what right does the property owner have? If he wants it...the residents there are just renting.

Mayor Arthur stated from what he understands it doesn't go on the property owners' property.

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Commissioner Schmitt stated, exactly. So where does the property owner enter into this?

Mr. Forte stated this bridge is going to be on the public right-of-way area; it's not going to go onto the park's private property. The City has the ability to do what they want on there. The question the Commissioner is asking, "Who's opinion do we value more?", the voting renters or the property owner who has a financial investment in the property. That's a decision for the Commission to make.

Commissioner Via asked how much is the grant for?

Mr. Forte stated, \$232,000 from ECHO. That's all inclusive. He doesn't know what portion is broken out specifically for that particular bridge.

Commissioner Byrnes stated if the City gives that grant money up then that money goes to some other community who will use it for something else.

Mr. Forte stated, correct. The City has contacted the manager and the owner of Holly Forest regarding the bridge.

Ms. Carter stated she was told by Sun Communities that it was definitely not going to happen.

Commissioner Schmitt disagreed with that.

Ms. Carter stated the owner of the property said he would build a six foot brick wall at the end of the bridge if that's what's going to take place because there are so many seniors there and they want to be as safe as they can.

Commissioner Byrnes asked what is the City's loss if they decided tonight this stops?

Mr. Forte stated right now the only thing the City has out of pocket is about \$12,000 of engineering services. From what he understands the bridge has not been paid for yet. The fountain is still going to go in, the lights, and the picnic tables. All that stuff is still going to happen. They are doing that to all of the areas.

Ms. Carter stated the pond would be fine; they just don't want the bridge connecting to it.

Commissioner Via asked Ms. Carter if she was thinking that no one will ever walk around the side of the pond and come onto the property?

Ms. Carter stated definitely but why give them a bridge to come over the canal?

Commissioner Via stated but they can still walk around, right?

Ms. Carter stated they do have problems with that already.

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Commissioner Via stated he doesn't think the bridge is going to be the problem or exasperate it anymore than people coming around the pond. Ms. Carter mentioned a "wall". Does the City need to look at, instead of a gate on the bridge, to look at some sort of a security wall that the residents of Holly Forest will have access to go through it but non-residents can't get in?

Ms. Carter stated she thinks that the feeling is that if there is a gate or anything, it is not going to be manned and the locks will keep getting broken.

Commissioner Byrnes stated if that bridge is locked and the residents of Holly Forest have access but nobody else in the City does then he has a problem with that because this is a public grant for the community.

Commissioner Via stated it's a public park; the only thing would be that the wall would keep people from coming into Holly Forest but however, the Holly Forest residents have a key to go from their private property to public property but the public doesn't have the right to come on to private property.

Mr. Forte stated as part of the grant, the City told them that they would be putting up a gate that the residents of Holly Forest would have access to deter people from going into the park. The park is not off limits to others. Somebody, if they have access to there, can enjoy the park; they will not get thrown out. He doesn't believe anybody would walk across a double locked gated bridge to go into a gated community. This is going to be a public park with a bridge and anybody from the public can use it.

Commissioner Schmitt stated he spoke to the Executive Vice President of Operations, Scott Prevost, and he is over the whole Florida Operation and he spoke to him this afternoon about this situation and he is coming up on February 15 and he is wanting this project to go through. Who does the City listen to? The renters or the owner? Who has precedence? A lot of the residents of Holly Forest signed the petition that didn't know what they were signing. A neighbor brought it over to them and they signed it because they didn't want them to be upset.

Ms. Carter asked if there was a meeting this past summer about this?

Commissioner Schmitt stated yes. He had a Town Hall meeting at the park and there was quite a few people there.

Mayor Arthur asked Mr. Forte that if the bridge wasn't there, does the City have the money to do the parks the way the City was going to do them?

Mr. Forte stated it's going to be substantially reduced because he doesn't know what the ECHO grant is going to fund but some of that money funded the fountain and the power to get the fountain running, the pavilion and the bench. The City will still do those things. The goal of the Commission was to take those fences down from around the retention ponds to make those areas look nicer.

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Mayor Arthur stated why doesn't the City go ahead and see what kind of problem this is going to be and take their chances on losing the grant. He says to go ahead and build the bridge because they need the grant money to improve the retention ponds and make them look nicer and let's see if there will be any problems and if there is then they take the bridge down and return the grant money. Right now everything that is being said is hypothetical.

Mr. Forte stated if they do find a problem then they will remedy the problem but he doesn't suspect that they will have any issues over there.

Ms. Carter asked Mr. Forte if the City has to get the approval of Sun Communities.

Mr. Forte stated, no. They don't need anybody's approval.

Ms. Carter stated the property owner can block the bridge then with a wall.

Mr. Forte stated he can do whatever he wants on his property.

Mayor Arthur asked if the project would go forward without the grant?

Mr. Forte stated not as designed.

Commissioner Byrnes asked if they can delay this until after February 15 when the residents and City staff will have an opportunity to meet with the property owner.

Maureen Monahan, 215-5th Street, asked is this a public park that the public doesn't have access to?

Mr. Forte stated it's a public park that the public "does" have access to.

Ms. Monahan asked where is the access?

Mr. Forte stated anywhere you can get to it but not through Holly Forest. The only access that's denied is the access to and from the private community of Holly Forest.

Ms. Monahan asked if the ECHO grant was for all the parks within the City or just this particular park?

Mr. Forte stated just that particular one. The terms and conditions were detailed in the ECHO application and the ECHO Board approved it based on what was submitted in the application.

Ms. Monahan stated she is concerned because they are talking about a \$233,000 grant that the City may eventually have to pay back.

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Mr. Forte stated no, that's a *total* ECHO grant. They have other projects under that not all of this is on this particular project.

Ms. Monahan stated then the grant money is for a lot of different parks.

Mr. Forte stated the ECHO grant is for *other* parks *not* the ones that are stormwater retention. Only this *one* stormwater retention park, a portion of that \$232,000 is going for that and another portion of that money is going over in Holly Land Park. The purpose of the bridge is when the City applied for the ECHO grant, they applied for *all* of these retention parks. The ECHO Board said no because none of them have enough public access. The City then said let's put a bridge up across the canal so the 453 homes in Holly Forest can have access to this park and then the ECHO Board said, "Great, here's the money." This is the only retention pond that is requiring a bridge. If a problem comes up then they will address the problem.

Commissioner Via stated they should suspend activity on the bridge until after February 15 and see what the owner has to say.

Mr. Forte asked what's the purpose for waiting until the 15th?

Mayor Arthur stated it's the City's property and the City's decision and if it's a problem, he is saying they take the bridge out and they suffer the consequences.

Mr. Forte stated, correct. "*If*" it's a problem.

Mayor Arthur stated right now everything is hypothetical.

Mr. Forte stated so they are going to move forward with this project and should a problem arise, they will try to address the problem through Law Enforcement efforts, otherwise they will resort to remove the bridge.

Commissioner Via stated he would rather to wait until after February 15 to move forward because if the owner has an objection after seeing the petitions, they're the people paying his bills. The owner should have a chance to look at this.

Commissioner Schmitt stated the owner has already been on the phone with Greg Wood several times and he has been faxed a set of plans and he is fully aware of what's going on and he is all for this project and stated that it would increase the value of Holly Forest park plus it will make it more beneficial. He wrote a letter to City Hall and voiced the concerns of the people who came to the Homeowners Association meeting.

Commissioner Via asked if there was a problem waiting one more week to speak to the owner and then moving on from there. Let staff get together with the owner after the residents have voiced their concerns. He is not convinced that there is a solid decision on their behalf. He is hoping beyond all hope that this will go through because this will be really good for the citizens. He would recommend that they wait to see what the owner has to say before they move forward.

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Commissioner Schmitt agrees with waiting to hear from the property owner on the 15th.

Mr. Forte stated if the Commission is saying they are waiting for the owner and the owner says move forward then he will proceed but if the owner says to cease then he will come back to the Commission. When he meets with the owner and he agrees with this then the City is going to proceed forward.

*Commissioner Schmitt made a **MOTION** to postpone this decision until the property owner comes back on February 15 allowing the residents of Holly Forest and City staff to further discuss the project with the property owner and then bring back any further information to the City Commission on February 22, seconded by Commissioner Blais.*

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

Douglas Fox, 48 Circle Drive, stated he has a problem with amplified noise in car stereos and also in the businesses. Mr. Fox handed out a letter to the Mayor and City Commission regarding his concerns about noise problems and how noise can be harmful to someone. He discussed one of the situations he has with Rent-A-Center in the Winn-Dixie Plaza in Holly Hill with them blaring their music outside the store and another problem is the constant problem with car stereos throughout the City, County, State, everywhere, and also with businesses that have outside speakers for restaurants and clubs that put out noise that can be heard from great distances.

Mayor Arthur stated the City does have a fairly strict noise Ordinance in effect right now.

Mr. Fox stated he knows about the noise Ordinance but they are not enforced very much. In fact, he has complained numerous times about them. (At this time he read his letter to the Mayor and Commissioners).

Harriet Lewis, Executive Director, 1056 Ridgewood Avenue, Holly Hill Chamber of Commerce, stated she is here this evening to request the reinstatement of what was allocated in the Budget for Holly Hill dating back to the beginning of the fiscal year, October 2004.

*Commissioner Byrnes made a motion to **APPROVE** the reinstatement of what was allocated in the Budget for Holly Hill dating back from fiscal year October 2004 with the stipulation that some of that money has been spent on Miss America during the holiday season, seconded by Commissioner Blais.*

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

6. RESOLUTION 2005-05, SPECIAL EVENTS

Mr. Simpson read by short title:

RESOLUTION NO. 2005-R-05

**A RESOLUTION BY THE CITY OF HOLLY HILL,
FLORIDA DESIGNATING THE SPECIAL EVENT
DATES FOR 2005 AND 2006, AND PROVIDING AN
EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2005-R-05, seconded by Commissioner Schmitt.*

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

7. RESOLUTION 2005-06, PAL / RECREATION BOARD APPOINTMENTS

Mr. Simpson read by short title:

RESOLUTION NO. 2005-R-06

**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.**

Mr. Forte stated Brandon Cross is the Community Service Officer that took Ray Toman's place and they are trying to encourage that particular position, the Community Service Officer, to serve on the Board as a member of the PAL Board. Valerie had requested to fill out an application for this and he checked with legal staff to make sure that an employee can in fact serve on the PAL Board and he confirmed that she can do so.

*Commissioner Schmitt moved to **APPROVE** Valerie Manning's Board appointment for the PAL/Recreation Board, seconded by Commissioner Via.*

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

*Commissioner Schmitt moved to **APPROVE** Brandon Cross's Board appointment for the PAL/Recreation Board, seconded by Commissioner Byrnes.*

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

*Commissioner Byrnes moved to **APPROVE** Resolution 2005-R-06, seconded by Commissioner Via.*

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

8. FIRST READING OF ORDINANCE 2717, PORTABLE STORAGE UNITS

Mr. Simpson read by short title:

ORDINANCE NO. 2717

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA CREATING SECTION 114-744 IF THE HOLLY HILL CODE OF ORDINANCES REGULATING PORTABLE STORAGE UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved to **APPROVE** First Reading of Ordinance 2717, seconded by Commissioner Schmitt.*

Commissioner Via asked what problem did the City have with PODS?

Commissioner Byrnes stated the same problem they have with recreational vehicles parked in people's yards. The City doesn't allow them for more than seven days at a time which is why these should not be allowed to sit out there as a permanent fixture. He has no problem with them there for loading and unloading, for periods up to seven days but it shouldn't be a permanent fixture. These storage units are designed to be put there, loaded and then taken away. If they are using it for a storage shed to store tools or materials to work on the building, they're doing the wrong thing with it. It should not be in the front of somebody's front yard for the rest of the neighborhood to have to deal with for eternity. There needs to be a time limit.

Commissioner Via asked if he could name some of the complaints he has received in reference to PODS.

Mayor Arthur and Commissioner Byrnes stated it doesn't matter.

Commissioner Via stated no, he is asking because they are trying to solve a problem here. He wants to know *who* has called any member of this Commission or what member of staff has received *one* phone call about any POD.

Commissioner Schmitt stated they want to stop the problem before they start getting a lot of phone calls.

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Commissioner Byrnes stated, correct.

Mayor Arthur stated he has a problem with them.

Mr. Forte stated if the Mayor and Commission can remember, he brought this to the Commission's attention at a workshop. There were no complaints and there were no problems. This was a staff initiated issue. He is anticipating that there will be problems down the road and he is hoping to cut something off before it becomes a problem and it's out of their control. There are no complaints at this time. This is not complaint driven.

Commissioner Byrnes stated the City doesn't allow accessory structures in the front yard and they don't allow RVs to stay there. The City needs to have something in place so that when somebody does this the City has a law already in place.

Commissioner Via stated in their hands is the current PODS that are in Holly Hill. He has personally visited each of them. At this time he went over the handout with the Commissioners. None of these PODS, most of them are either behind a business or they are in a temporary location where they are not presenting any outward problem. He agrees that if they are in the neighborhood for an extended period of time, he has a problem with that. The City does not have a permit fee or the City does not restrict a POD on wheels coming in. For example, a U-Haul trailer, a regular trailer or a U-Haul truck. The City does not require a permit for a dumpster to come in for an unlimited amount of months but they do charge two times to be picked up every month and they charge for the initial dumpster to be there. The City doesn't charge for that. Where does that sit? In the same driveway. The City doesn't even have permits for port-a-potties and people can have them for an unlimited amount of time. They allow boats to be set outside in the front yards and quite often there is stuff stored in them. He believes the City is getting carried away. Here tonight is the local PODS people who will speak and they have offered to the City that if the City can come up with a time limit without a permit fee, if it's 30 days, they not only will notify them, they will fax the City all the information and then City staff can go out and check it after that. *This* City would be the *only* City to have a permit on PODS. He does agree that there should be a limitation. He doesn't mind the 30 days but with exceptions for an extension of another 30 days if needed and they would have to come in and see City staff for that extension.

Mr. Forte stated he wants to caution the Commission *not* to use the term "*PODS*". PODS is a single brand and the City is not focusing on PODS. There is Lock Box, Secure Storage, and there are other companies. This is a portable storage issue not a PODS issue.

Commissioner Byrnes stated he understands that if a family is having some problems, they deserve some kind of a break. November 20 is a long time for that to be sitting in their front yard. If they are working on that house, there are other people who they have sited, who they have sent away. If that house is not livable and they are working on it, they are breaking the law.

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It shouldn't be in the front yard of their house where their neighbors can see it. He agrees with Commissioner Via that getting permits is going too far. If they would like to remove that paragraph, he thinks the time limitation is what they are actually looking for and not a permit fee.

Commissioner Schmitt asked Commissioner Via if it was the time element that's too short, too long?

Commissioner Via stated he would favor the 30 days except for something catastrophic like the fire or the storms and then that way all that person would have to do is notify the City within 30 days that they need a 30 day extension. He would be happy with that along with the individual requesting the extension.

Commissioner Schmitt agreed with Commissioner Via.

Mr. Forte stated the permit's purpose was for tracking but if these companies are willing to send the City a fax to notify them of the location, that's acceptable.

Commissioner Via stated he will put an amendment on the floor. He would like to amend the motion to take the permit requirement out of this Ordinance. To make it a maximum of 30 days with permission to request 30 days extensions for catastrophic circumstances by coming into the City's Building and Zoning Department to get the extension, and state that its residential only.

Maureen Monahan, 215th Street, asked is it that overwhelming that they can't address it with an as-needed basis?

Commissioner Byrnes stated at the moment there are no regulations on the books. This is something that the government should do which is adapting to the technology rather than waiting until it's too late.

Bob Eales, stated he is one of the partners in the PODS franchise that handles this area. Eighty percent of their customers are either moving in or moving out. To him, as long as they have enough time to load it and unload it then he doesn't think the permit part for that would be right. As far as their particular business, they can put in the computer whatever the Ordinance is. So when the customer calls in, it's all triggered by the zip code, the zip code pops up and it will say the City of Holly Hill and this is the Ordinance and this is what they have to go by. The customer will know up front what the rules are which should help with the enforcement. Whatever the time limit the City feels comfortable with will work for them and then beyond that if there is a fire, water and damage restoration is a big part of the PODS business, the hurricane damage, they would have to come back to the City and get permission to go beyond the 30 days.

Mayor Arthur asked Mr. Eales what he thought would be a fair time line for such a storage unit.

Mr. Eales stated if it was a moving situation, seven days is all they would need to pack it or unload it but if it's a situation where they are redoing their floors or whatever, maybe 30 days is plenty of time and then if it's going to be more than 30 days because of a fire damage or whatever then they would have to come back and get permission from the City.

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Commissioner Via stated his amendment would be that there is no permit and 30 days is a good time line and if another 30 days is needed, they would come to the City's building department for the extension.

*Commissioner Via made a **MOTION** to amend Ordinance 2717 to remove the permit requirements, make it a maximum of 30 days with staff extending it for 30 days and anything beyond that has to come before the City Commission to get the extension, and state that its residential only and the City Manager will notify all the vendors of the Ordinance, seconded by Commissioner Schmitt.*

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

*Commissioner Byrnes made a motion to **APPROVE** the First Reading of Ordinance 2717, seconded by Commissioner Schmitt.*

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

9. DRAINAGE IMPROVEMENTS 2005

Mr. Forte stated this is a request for engineering services. Originally this was submitted by Public Works for three projects but they are only requesting approval of engineering services for the Espanola Avenue project which is the area North of Flomich on Espanola Avenue around the church property in the amount of \$12,450.

*Commissioner Via moved to **APPROVE** authorizing Quentin L. Hampton Associates, Inc., to proceed with design on all Espanola Avenue in the amount of \$12,450. This authorization is for all phases of assistance by our Consulting Engineers, seconded by Commissioner Schmitt.*

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

10. STORMWATER IMPROVEMENTS – PHASE II

Mr. Forte stated this is the closeout to the stormwater improvement project, Phase II. It's a final order. There's a reduction of \$43,632 from the original contract price of \$3,208,839.02.

*Commissioner Byrnes moved to **APPROVE** the final Change Order #2 which reflects an adjusted Contract amount of \$3,165,206.96, seconded by Commissioner Blais.*

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

11. TOMOKA CORRECTIONAL INSTITUTE WORK CREW FY 2005 CONTRACT

Mr. Forte stated this is a renewal of the Tomoka Correctional Facilities workforce that comes in for the City. There are eight inmates that work with this crew. This fee is for the guard that drives them around. They work roughly six hours a day, five days a week and there is eight of them. It comes out to approximately 12,650 hours a year.

*Commissioner Schmitt moved to **APPROVE** the new contract #WS155 with Tomoka Correctional Institute in the amount of \$49,557.95 which represents an increase over last year's contract by 4.72%, seconded by Commissioner Blais.*

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

12. ACCEPTANCE OF 2005 LOCAL LAW ENFORCEMENT BLOCK GRANT FUNDS

Mr. Forte stated although the final order has not come down for approval for the Law Enforcement Block Grant, the City is anticipating there is some glitches because they are using a new computer system to process this but the City is anticipated to receive the LEBG and by approving this, they will be accepting the grant and allowing them to purchase a Ford Taurus for the Criminal Investigations Bureau. This year they budgeted for a new CID Officer and this vehicle will go to the officer.

*Commissioner Blais moved to **APPROVE** the acceptance of the 2005 Local Law Enforcement Block Grant, seconded by Commissioner Schmitt.*

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

13. AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE COUNTY OF VOLUSIA FOR FIRE AND EMERGENCY MEDICAL SERVICES

Mr. Forte stated this is the amendment to the Station #11 agreement. In essence what it tells them is that should the City's engine break down the City will be able to use their engine and equipment and vice-versa.

*Commissioner Schmitt moved to **APPROVE** authorizing the Mayor to sign the amendment to the original agreement, seconded by Commissioner Blais.*

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

14. COMMUNICATIONS

A. City Manager

None.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Blais stated tomorrow the Collegiate Event Task Force will have their meeting at 3:30 p.m. at the Peninsula Club. Last Thursday John Mica had a Town Hall meeting and he did approach him about the Federal monies that he promises but he doesn't deliver. For example, the problems with FEMA, Homeland Security, and others. He thanked Commissioner Byrnes for arranging the League of Cities Dinner at the Speedway.

Mr. Forte stated he has a meeting setup on Thursday with the Congressman's assistant. He will be focusing on the FEMA monies. If the Commission has anything else they want him to address please let him know.

Commissioner Schmitt stated he would like to thank the people from PODS coming out tonight and the concerned residents from Holly Forest.

Commissioner Via stated they have been missing someone for awhile and he used to sit here in the front row and make faces at him and say a lot of things and that's Larry Taytrow. This Thursday it will be two weeks that he passed away at the age of 82. It was a very quick, short family service.

Commissioner Byrnes stated thank you for explaining the PODS Mr. Eales.

Mayor Arthur stated his blessings go out to Charlie Sharp.

15. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:55 p.m.

Attest:

City of Holly Hill, Florida

MINUTES

Valerie Manning
City Clerk

William D. Arthur
Mayor