M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
MARCH 9, 2004

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 Edward Simpson, Assistant to the City Manager Greg Wood, City Planner Bob Keeth, Development Coordinator Tim Harbuck, Public Works Director Milt Hallman, Public Safety Director Don Shinnamon, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

A. Presentation from Forty & Eight Representative, Larry Wilson

Mr. Wilson presented the Mayor with a plaque saluting the City for the Boxcar located in front of City Hall. It is one of twenty in the United States and it is considered one of the best in shape. The boxcars were originally filled with gifts from France to the U.S.

B. Proclamation declaring April as Child Abuse Prevention Month

Mayor Arthur asked Ms. Clauss to read the proclamation. A pinwheel will be placed on the lawn of City Hall next month for each of the 4,455 children neglected or abused in 2003.

C. Proclamation declaring April as Water Conservation Month

Mayor Arthur asked Ms. Clauss to read the proclamation. Debra Green, coordinator with the Water Authority of Volusia accepted the proclamation and presented packets of information on water conservation.

3. CONSENT AGENDA
Minutes of Community Redevelopment Agency Meeting – February 24, 2004
Minutes of Regular Commission Meeting – February 24, 2004

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

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

(Item number 9 was moved to precede item #4, as follows)

9. RESOLUTION 2004-R-13, RECOGNIZING THE PALETTE AND BRUSH CLUB OF THE HALIFAX AREA

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RECOGNIZING THE PALETTE AND BRUSH CLUB OF THE HALIFAX AREA AS THE ASSOCIATION RESPONSIBLE FOR DISPLAYING LOCAL ARTISTS' WORK IN THE HOLLY HILL MUNICIPAL BUILDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Byrnes moved to **APPROVE** Resolution 2004-R-13, seconded by Commissioner Via.*

Mayor Arthur presented a certificate to Pat Workman celebrating the fortieth anniversary of the Palette and Brush Club. The Commission complimented the Club for their work and thanked them for displaying it in City Hall.

The motion **CARRIED** 5-0 on roll call: Byrnes – yes, Via – yes, Schmitt – yes, Blais – yes, 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 Schmitt stated that he would be attending the Chamber Board meeting tomorrow. He also recognized Executive Director George Zoller and Administrative Assistant Dee Zoller in the audience.

Commissioner Via advised that the Water Authority of Volusia has been conducting goals and visioning sessions, with more to come. Their regular meeting is coming up.

Commissioner Byrnes stated the Volusia League is gearing-up for Volusia Days in Tallahassee (March 23-25th). They also have a meeting coming up on the 30th in Ormond Beach. This conflicts with the date they moved their second Commission meeting to, so he suggested they consider canceling that meeting. Mayor Arthur stated that they probably will but he would rather wait until they know for certain that they don't need to hold that meeting.

Commissioner Blais stated that a focus of the Collegiate Task Force is that it is all about respect. They are still working on how they can best deal with the traffic gridlock.

Mayor Arthur recognized Elliott Gross in the audience, who is running against him for the County Council District 4 seat.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. VARIANCE REQUEST FOR 3.3 FOOT RELIEF FROM SIDE YARD SETBACK REQUIREMENTS AT 136 LPGA BOULEVARD

Terry Sicilia, Certified General Contractor, addressed the Commission with the proposal that his customer, Jim Hoytt, had hired him for. Mr. Hoytt was also present. Basically they would like to remodel the current family room addition, maintaining the same side yard setback as before. Mr. Keeth explained that the property is inherently substandard in width by twenty percent. He felt the request should be approved so that the owner is allowed reasonable use of his property – especially since this is an improvement which asks for no more space than what is currently there.

Commissioner Via moved to ***APPROVE*** *authorizing a 3.3 foot relief from side yard setback requirements at 136 LPGA Boulevard, seconded by Commissioner Byrnes.*

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

7. SECOND READING OF ORDINANCE 2683, ESTABLISHING CERTAIN TIMES FOR CONSTRUCTION ACTIVITY

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA; CREATING SECTION 26-35 (ALLOWED TIMES FOR CONSTRUCTION ACTIVITY) OF THE HOLLY HILL CODE OF ORDINANCES ESTABLISHING TIMES DURING WHICH CONSTRUCTION ACTIVITY MAY OCCUR WHEN ABUTTING RESIDENTIALLY ZONED OR USED PROPERTY; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Forte advised that all of the changes the Commission had requested have been made to this ordinance.

Commissioner Via moved to ***APPROVE*** *the Second Reading of Ordinance 2683, seconded by Commissioner Schmitt.*

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

8. RESOLUTION 2004-R-12, CREATING THE BALLOT QUESTION ON DISTRICT RESIDENCY REQUIREMENTS FOR CITY COMMISSIONERS – SPECIAL ELECTION ON AUGUST 31ST, 2004

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, CALLING A SPECIAL ELECTION TO BE HELD ON AUGUST 31, 2004; CREATING A BALLOT TITLE AND BALLOT QUESTION FOR THE SPECIAL ELECTION ON THE AMENDMENT CREATING A REQUIREMENT THAT A CANDIDATE MUST RESIDE IN THE DISTRICT AT LEAST TWELVE (12) MONTHS PRIOR TO THE EXECUTION OF THE NOTICE OF INTENTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2004-R-12, seconded by Commissioner Schmitt.*

Commissioner Via inquired about some of the language in the "Whereas" sections, which he felt was not identical to the ordinance they had passed last month. Mr. Forte inicated that the core of this resolution was the ballot question language – nothing within it would be in dispute the ordinance mentioned.

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

10. REMOVAL AND DISPOSAL OF EXISTING 12,000 GALLON UNLEADED FUEL TANK

Mr. Hallman explained that this is for the actual removal and disposal of the single wall construction of the underground unleaded fuel tank. The single wall tank has been outlawed by the Legislature and we must remove the tank by January 1st, 2005.

*Commissioner Schmitt moved to **APPROVE** authorizing Remtec, Inc. as the contractor to remove and dispose of the existing underground unleaded fuel tank for a lump sum cost of $8,290, seconded by Commissioner Byrnes.*

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

11. COMMUNICATIONS

A. City Manager

- **Authorize City Manager and Public Works Director to negotiate improvements to Sica Hall**

Mr. Forte explained that there are certain items which are too small to go out for formal bid and Staff would like authorization to negotiate for the best price for contractors and materials to begin the improvements to Sica Hall.

*Commissioner Schmitt moved to **APPROVE** authorizing the City Manager and Public Works Director to negotiate improvement to Sica Hall, seconded by Commissioner Blais.*

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

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Via thanked everyone for coming tonight. He's looking forward to a good legislative session in Tallahassee in two weeks.

Commissioner Byrnes stated that he was very proud of the good community things that are lined up next month – the Easter Egg Hunt and the Pinwheels. It demonstrates that we are a progressive good City.

Commissioner Blais referred to Holly Hill's Irish roots and announced that as part of his heritage he celebrates St. Patrick's Day all month. He noted that the American Legion will be celebrating their 85th anniversary soon and referred to the principles in their book – which he thought everyone should read and follow. One of which is that English in the number one language in America.

Commissioner Schmitt thanked everyone for coming tonight and reminded everyone that tomorrow is the second anniversary of former Commissioner Keith Tarrer's death.

Mayor Arthur stated that he is looking forward to their Workshop tonight. This could be a big step for Holly Hill.

12. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 7:40 p.m.

Attest:	City of Holly Hill, Florida
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Jeaneen P. Clauss, CMC City Clerk	William D. Arthur Mayor