M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 10, 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 Commissioner Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant City Attorney Scott Simpson, Finance Director Brenda Gubernator, Acting Police Chief Mark Barker, Code Administrator Tim Harbuck, Recreation Director Chuck Beach, Utilities Supervisor Ray Beltrami, Assistant to the City Manager Greg Wood, and City Clerk Jeaneen Clauss.

B. Invocation

Commissioner Byrnes delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

A. Guest, Angela Vargo, Miss Volusia County Achievement 2001

Mayor Arthur introduced Embry Riddle student, Angela Vargo and she had her photograph taken with him, as well. She wanted to meet the elected officials of the cities within Volusia County that she is representing at the State Pageant.

B. Certificate of Appreciation to James VanHise for his Heroic Response, which saved the life of a baby girl on March 2nd, 2001.

Mayor Arthur proudly presented Mr. VanHise a certificate of appreciation for saving two-year old Kennedy Ellis' life on March 2nd, when he gave her CPR after she was pulled from a lake in Ormond Beach. The Commission and audience paid tribute to him with a standing ovation.

C. Palette and Brush Club Contest Winners

Best of Show – *City Hall* by Shirley A. Myers
First Place – *Welcome* by Betty Parker
Second Place – *Holly Hill City Hall* by Vivian Reinhart
Third Place – *Calle Grande and Sunshine Park* by Jaiock Lee
Honorable Mention – *Holly Hill City Hall* by William E. Workman

Mayor Arthur presented awards to the winners in each of the above categories.

D. Service Awards

Equipment Operators / Maintenance Workers:

Kent Smith	**10 Years**
Woodrow Shropshire	**20 Years**
James McClough	**25 Years**

Mayor Arthur announced the service award recipients for this month.

E. Annual Financial Report from Alex Kish, Audit Director with Brent Millikan & Company, P.A.

Mr. Kish presented the Commission with the City's Comprehensive Annual Financial Report for Fiscal Year 99/00. He told them they had another great year and the City is in even better financial condition than last year. He began by explaining the layout of the audit report. They have issued an unqualified audit opinion that the City has a clean bill of health in accordance with general and governmental auditing standards (unqualified simply means that they were no mandated qualifiers to be considered). The City now has about forty percent in their reserve fund. The Commission inquired as to what the "norm" was and Mr. Kish explained that can vary widely among cities but twenty-five percent is pretty safe. He pointed-out that the City has managed to accrue this savings, while reducing the millage rate for five consecutive years. Mr. Kish addressed the Management Letter and the Response to the Management Letter. He presented a booklet that their firm had put together which provided a simplified version of the audit results, along with comparative charts. Last year's request for a chart comparing specific factors of this City to those of others within the County was included. In reviewing this chart, Mr. Kish pointed out that these could not offer a true comparative view because each city has significant differences that effect these numbers. A request was made for information that would show the revenue increase from recent annexations and for residential versus commercial property tax comparison. These will be compiled and forwarded to the Commission. Also requested, are slides for the audience to view next year during the presentation.

3. CONSENT AGENDA

Minutes of Regular Commission Meeting – March 13, 2001
Minutes of Commission Workshop – March 13, 2001

Commissioner Byrnes referred to page two of the Regular Commission Meeting minutes of March 13, 2001 and asked that they reflect more fully his recorded response, by including the statement, "he would like to see funds budgeted for the Explorers next year".

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

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

4. AUDIENCE PARTICIPATION

Tim and Machelle Vallance, 400 Burleigh Avenue, requested a stop sign be placed at the intersection of 4th Street and Daytona Avenue. They elaborated on the dangers they have faced due to restricted visibility at this location and stated that they felt a stop sign would resolve this. The Commission asked Mr. Forte to look into this. Ms. Vallance added that, on a positive note, she had a problem at her job in this City and Code Enforcement came right out and corrected it.

5. VARIANCE REQUEST, 1650 ESPANOLA AVENUE

Mr. Harbuck described the property under consideration for this request, stating that it is a thirty-two unit apartment complex in residential seven zoning. The owners would like to subdivide the property to allow for the sale of single units. Though this building meets the dimensional requirements for an apartment complex, our regulations are different when applying to the sale of single units and this building does not meet those. This request meets the criteria for consideration / approval of a variance and the Board of Planning and Appeals has recommended approval of it, as does the city planner.

A question was raised regarding the water meters of this complex. Each unit is already on individual meters but they have a common sewer line. The subdivision process will bring forth any conversion requirements. In response to the concern regarding non-payment for utilities, Mary Hansen, 420 South Nova Road, attorney for the requesting party, advised that they would establish a homeowner's association, which will be capable of placing a lien on the property of any owner.

*Commissioner Tarrer moved to **APPROVE** the variance request for 1650 Espanola Avenue, seconded by Commissioner Via.*

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

6. VARIANCE REQUEST, 415 3RD STREET

*Commissioner Tarrer moved to **APPROVE** the variance request for 415 3rd Street, seconded by Commissioner Byrnes.*

The Commission indicated they felt these changes would be a needed improvement. Commissioner Lockeby suggested landscaping improvements as well.

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

7. SECOND READING OF ORDINANCE 2607, ADOPTING FLORIDA STATUTE CHAPTER 767 FOR DETERMINING DANGEROUS DOGS

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 10 (ANIMALS), ARTICLE I (IN GENERAL) ADOPTING FLORIDA STATUTE CHAPTER 767 FOR DETERMINING DANGEROUS DOGS; DESIGNATING THE CITY OF HOLLY HILL AS THE ANIMAL CONTROL AUTHORITY; DESIGNATING THE CITY MANAGER OR HIS DESIGNEE AS THE AUTHORIZED REPRESENTATIVE OF THE ANIMAL CONTROL AUTHORITY TO MAKE ALL DETERMINATIONS REGARDING**

ENFORCEMENT OF ANIMAL CONTROL REGULATIONS; PROVIDING THAT CURRENT ANIMAL CONTROL REGULATIONS ARE IN ADDITION TO REQUIREMENTS UNDER FLORIDA STATUTES CHAPTER 767; AND ADOPTING PROCEDURE UNDER CHAPTER 767 AS THE PROCEDURE FOR DETERMINING WHETHER AN ANIMAL SHOULD BE CLASSIFIED AS DANGEROUS UNDER ARTCILE 10; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Tarrer moved to ***APPROVE*** *the Second Reading of Ordinance 2607, seconded by Commissioner Via.*

Mr. Forte advised that he would be designating the Police Canine Officer as the Hearing Officer.

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

8. FIRST READING OF ORDINANCE 2608, CREATING A HISTORIC PRESERVATION BOARD

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA CREATING A HISTORIC PRESERVATION BOARD AND PROVIDING FOR MEMBERSHIP ON SAID BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Via moved to ***APPROVE*** *the First Reading of Ordinance 2608, seconded by Commissioner Byrnes.*

Commissioner Tarrer stated a concern of his that the usual residency preference would eliminate the consideration of valuable candidates. Due to the nature of this board, the Commission indicated that City residency would not be a requirement if a candidate has a strong knowledge of the history of Holly Hill.

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

9. RESOLUTION 2001-R-22, EXPANDING THE COMMUNITY REDEVELOPMENT AREA

This item was removed from the agenda.

10. RESOLUTION 2001-R-23, AUTHORIZING AN EMERGENCY MANAGEMENT STATEWIDE MUTUAL AID AGREEMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE EXECUTION OF THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT'S STATEWIDE MUTUAL AID AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-23, seconded by Commissioner Lockeby.*

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

11. RESOLUTION 2001-R-24, AUTHORIZING AN ELEVATED TANK MAINTENANCE AGREEMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH UTILITY SERVICE COMPANY, INC. FOR WATER TANK MAINTENANCE; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-24, seconded by Commissioner Byrnes.*

The Commission expressed concern about the cost of this, especially when compared to the anticipated cost (more than double). Mr. Beltrami referred to the twenty thousand dollars that this tower generates in revenue each year from leasing space for antennas. They have been doing this for three years so that should help defray it. Mr. Forte explained why the bids came in so much higher than the amount budgeted, stating that they had only planned to paint the exterior of the tank but when the various companies examined it, they found work was needed on the inside as well. To address all of the work the tank requires, the bidders' proposals were significantly higher. Mr. Forte asked that prior to voting on this motion, they amend the motion to state that passage is contingent upon attorney review. Tim McDaniel, Utility Service Company, explained the type of maintenance contract that they are proposing. Concerns were raised over the bidding process because we had advertised for a specific job and then expanded it to include much more. After much discussion, the Commission preferred to wait until the Public Works Director was back from vacation before they voted on it.

*Commissioner Byrnes **RESCINDED** his second and Commissioner Tarrer **RESCINDED** his motion.*

*Commissioner Tarrer moved to **TABLE** Resolution 2001-R-24, seconded by Commissioner Byrnes.*

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

12. REPAIRS TO LIME SILO

Mr. Forte advised that we had budgeted twenty thousand dollars for repairs of corroded equipment on the lime silo. Bids were solicited and the low bid is recommended.

*Commissioner Tarrer moved to **APPROVE** the repairs to be done by Atlantic Central Enterprises, Inc. for a total price of $12,700, seconded by Commissioner Byrnes.*

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

13. ALUMINUM SULFATE PURCHASES

Mr. Forte explained that this item is not available on the Daytona Beach bid, which they piggy-backed on for other chemicals so they are recommending a piggy-back of the Altamonte Springs bid.

*Commissioner Tarrer moved to **APPROVE** the purchase of aluminum sulfate from General Chemical Corporation at $141.95 per tone by piggybacking on Altamonte Springs Bid. Approximate total - $15,325, seconded by Commissioner Via.*

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

14. SURPLUSING POLICE RADIO CONSOLE

Mr. Forte explained that these are leftovers from the old system and they can no longer put this equipment to use. One of the installers has requested one of the pieces of equipment in exchange for his services, which would have cost the City one hundred fifty dollars. The Commission expressed support for that idea.

*Commissioner Tarrer moved to **APPROVE** declaring the older police radio console as surplus equipment and authorized the City Manager to exchange equipment for installation services, seconded by Commissioner Byrnes.*

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

15. COMMUNICATIONS

A. City Manager

Mr. Forte advised that they would be swearing-in the Emergency Services Director, Don Shinnamon, at their next meeting. They can expect a full house for this and they will have a reception with cake and coffee afterwards.

Mr. Forte read a letter commending Acting Chief Barker on doing a great job during this interim period. The Commission complimented him, as well with special note that the police officers have specifically cited in the comments section of their evaluations how much the department has improved under his direction and the citizens have openly expressed their appreciation of the way things have been run.

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Tarrer advised that he had one year this month as a commissioner and he had never enjoyed any job more. He complimented the City departments, paying special attention to the finance department for the late hours they work. He suggested Certificates of Appreciation for each City Board member, to which the Commission indicated would be best at the Holiday Party. Commissioner Tarrer then announced his candidacy by stating that he will be opening his campaign account tomorrow to run for this district's commission seat this fall.

Commissioner Via reiterated his previous suggestion that each board hold a meeting once per year in the Commission Chambers and that the Commission attend their meeting. He expressed his sympathy to Mr. Harbuck, in the loss of his father and added that they missed him at the meeting last month. Commissioner Via referred to the Legislative Session stating that it was a great trip. He learned about the National League of Cities and has requested more information. He interviewed Governor Jeb Bush recently and heard Mayor Arthur being interviewed about code enforcement. Commissioner Via stated that the Volusia Water Alliance has completed a Water Plan through the Year 2020, which will be coming to them soon. He referred to the St John's River Water Management District's request for a representative and advised that he would be glad to serve or to help whomever does to get acclimated. Commissioner Via then complimented and welcomed newly hired Assistant to the City Manager Greg Wood.

Commissioner Byrnes complimented staff on their quick response after the tornado last month. It means a lot to the citizens when their problems are resolved quickly and government surpasses their expectations. He also expressed his sympathy to Mr. Harbuck.

Commissioner Lockeby reiterated the compliments and sympathy expressed. He then asked that the police officers become more familiar with who their Commissioners are.

Mayor Arthur concurred with Commissioner Lockeby's suggestion and the compliments and sympathy expressed tonight.

16. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 9:00 p.m.

City of Holly Hill

William D. Arthur, Mayor

Attest:

Jeneen P. Clauss, City Clerk