M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 24, 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, Finance Director Brenda Gubernator, Emergency Services Director Don Shinnamon, Code Administrator Tim Harbuck, Public Works Director Milt Hallman, Human Resources Director Diane England, Assistant to the City Manager Greg Wood, and City Clerk Jeaneen Clauss.

B. Invocation

Commissioner Tarrer delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

A. Proclamation Declaring April 27th, 2001 as Arbor Day

Mayor Arthur read the Proclamation for the upcoming Arbor Day.

B. Proclamation Declaring May 13th-19th, 2001 as Police Week and May 15th, 2001 as Peace Officers' Memorial Day

Mayor Arthur read the Proclamation for Police Week and Peace Officers' Memorial Day.

C. Swearing-In Ceremony for Emergency Services Director Donald Shinnamon

Mayor Arthur swore-in Chief Shinnamon as the new Emergency Services Director.

-RECESS-

Mayor Arthur called a recess from the meeting at 7:00 p.m., in order to have a welcome reception for Chief Shinnamon and Mr. Wood. The meeting re-convened at approximately 7:35 p.m. At which time, Mayor Arthur complimented Commander Mark Barker on the great job he has done running the department during their interim period.

3. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – April 10, 2001
B. Minutes of Commission Workshop – April 10, 2001
C. Report of Purchase Orders over $5,000

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

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

4. AUDIENCE PARTICIPATION

None.

5. PUBLIC HEARING
SPECIAL EXCEPTION FOR TRANSMISSION SHOP

Mayor Arthur opened the Public Hearing. Mr. Forte gave a brief summary of why this item was before them a second time, referring to their previous approval, which was contingent upon proof of public notice. This was not done at that time, so it was noticed properly for this meeting. There were no comments from any members of the public. Commissioner Tarrer advised that he had spoken with the neighbors near this property and they had no problem with this business. Mayor Arthur closed the Public Hearing. Commissioner Byrnes asked that they specifically include the recommendation of the Board of Planning and Appeal - no outside work or storage.

Commissioner Tarrer moved to ***APPROVE*** *the Special Exception request to operate a transmission repair shop in a CC-1 “Commercial Corridor” zoning district located at 1757 Nova Road providing there will be no outside work or storage, seconded by Commissioner Via.*

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

6. PUBLIC HEARING
CDBG FIVE-YEAR PLAN

Mayor Arthur opened the Public Hearing. Mr. Forte referred to their workshop on April 10th where they reviewed this plan, prior to the first Public Hearing done by staff on April 17th. There were no members of the public in attendance at that hearing. Tonight is the second Public Hearing. Mr. Forte went over the proposed plan. There were no comments from any members of the public. Mayor Arthur closed the Public Hearing.

Commissioner Tarrer moved to ***APPROVE*** *authorizing the City Manager and Public Works Director to execute the agreement and grant of $105,716. This plan designates a resurfacing program, sidewalk, and storm drainage plan for FY 2001 and general program for the Five (5) Year Plan, seconded by Commissioner Lockeby.*

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

7. SALE OF DRAFT BEER AT CENTENNIAL CELEBRATION

Commissioner Tarrer moved to ***APPROVE*** *the request from the American Legion Post #120 for approval to sell draft beer at the City’s Centennial Celebration, as authorized in the Holly Hill City Code, Section 6-2(c) for June 29th, 2001 from 5:00 p.m. to 10:00 p.m., June 30th, 2001 from*

1:00 p.m. to 10:00 p.m., and July 1st, 2001 from 1:00 p.m. to 8:00 p.m. Beer may only be consumed out of cups distributed by the American Legion, seconded by Commissioner Lockeby.

The Commission discussed this at length and the majority did not believe that any problems would result if beer were served at this celebration. Commissioner Via stated that his understanding was that this would take place under a tent. Commissioner Byrnes indicated a preference for the tent if this were to be approved, but stated that he could not support serving an alcoholic beverage at this family function. There was also mention of restricting beer from being allowed in the carnival ride area. However, there was not a majority to support either of these restrictions. George Davis and Tom Davies, representatives from the American Legion, assured the Commission that they would take every precaution to avoid any problems. Commissioner Via stated that it was with great reservation that he would vote "yes" to this. Commissioner Byrnes stated that his "no" vote was not a reflection on the American Legion. Commissioner Via confirmed that if our police department finds any other beverage that is not allowed, they would dump it out. Mr. Forte advised that he would have a meeting with the Director and set the standard for this.

The motion **CARRIED** 4-1 on roll call: Tarrer – yes, Lockeby – yes, Byrnes – no, Via – yes, Arthur – yes.

8. SPECIAL EVENT REQUEST – 1599 NOVA ROAD (HARDEES)

*Commissioner Tarrer moved to **APPROVE** a Special Event Request from Hardees for June 1st and 2nd, 2001 to benefit Children's Advocacy program, seconded by Commissioner Byrnes.*

Mr. Forte advised that this is a special from Hardees owner, Mark Ross, for a two-day event. Mr. Ross, 1599 North Nova Road, responded to Commission questions regarding the type of event. This will consist of motorcycle competitions on-sight, like they do on their usual hot-rod cruise nights. Everyone is invited.

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

9. VARIANCE REQUEST – 112 SAN ROBAR DRIVE (MORRIS)

*Commissioner Tarrer moved to **APPROVE** Variance Request with the stipulation that it not be enclosed, seconded by Commissioner Lockeby.*

Commissioner Tarrer stated that he has visited the property and spoken with the owners. This request should bring them in line with the two houses next to them. The Commission agreed that it should be quite an improvement.

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

10. SECOND 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 Second Reading of Ordinance 2608, seconded by Commissioner Tarrer.*

Commissioner Byrnes mentioned the 1976 time capsule being opened at the upcoming centennial celebration. Mayor Arthur referred to the *Quality Cities* article which showed a historic photo of Holly Hill.

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

11. FIRST READING OF ORDINANCE 2610, ESTABLISHING MEDICAL BENEFITS FOR THE CITY COMMISSION

There was discussion of combining the discussion of this item and the next but the majority of the Commission preferred to discuss these items one at a time to maintain their distinction from one another.

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 2(ADMINISTRATION), SECTION 2-30 (EXPENSE ALLOWANCE AND HONORARIUM) ADDING PARAGRAPH B, CODIFYING THE PROVISION OF A HEALTH INSURANCE BENEFIT OR COMPENSATION IN LIEU OF PROVISION THEREOF, ADDING PARAGRAPH C, CODIFYING THE PROVISION OF LIFE INSURANCE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Lockeby moved to **APPROVE** the First Reading of Ordinance 2610, seconded by Commissioner Tarrer.*

Mention was made as to the difference between having a cash equivalent option with the health insurance benefit and not having this same option with the life insurance – one may not be a benefit to someone and the other is a benefit to everyone. Commissioner Via clarified why his vote would be “no” on this item, stating that he was not in favor of this option because they do not offer it to the employees of the City. Commissioner Byrnes stated that he supported this because he felt that the option should be made available to all working couples. Commissioner Tarrer agreed.

The motion **CARRIED** 4-1 on roll call: Lockeby – yes, Tarrer – yes, Byrnes – yes, Via – no, Arthur – yes.

12. FIRST READING OF ORDINANCE 2611, INCREASING THE EXPENSE ALLOWANCE AND HONORARIUM FOR THE CITY COMMISSION

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 2(ADMINISTRATION), SECTION 2-30 (EXPENSE ALLOWANCE AND HONORARIUM) INCREASING THE EXPENSE ALLOWED AND HONORARIUM FOR THE MAYOR FROM $9,840 TO $12,000 AND FOR CITY COMMISSIONERS FROM $6,600 TO $8,000; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** the First Reading of Ordinance 2611, seconded by Commissioner Lockeby.*

Commissioner Tarrer stated that he was voting for this because he has found his expenses as a Commissioner exceed his expense allowance. He added that his personal situation would prevent him from accepting any increase. Commissioner Via stated that he was uncomfortable with this, especially because they did not go with the roll back. He added that his expenses were in line with the present allotment, though he knew that they would increase in the future.

The motion **CARRIED** 3-2 on roll call: Tarrer – yes, Lockeby – yes, Via – no, Byrnes – no, Arthur – yes.

13. RESOLUTION 2001-R-24, AUTHORIZING AN AGREEMENT FOR THE PAINTING AND MAINTENANCE OF THE JARECKI AVENUE ELEVATED TANK

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, which awards the cleaning and painting contract to Utility Service Company, Inc. for the low bid of $64,031 and authorized the City Manager to enter into a maintenance contract for the Jarecki Avenue elevated tank for a yearly contract price of $7,312 and approves change order number one to repair and replace* *access ladders and overflow pipe for $6,900, subject to legal council review, seconded by Commissioner Via.*

Mr. Hallman apologized for this being so confusing at the last meeting and explained that the three-year payment option's total cost is the same as if they paid it in one year. He responded to questions of the Commission regarding this proposal. The maintenance contract is all-inclusive. The amount of revenue this tank generates makes this a good business deal. Mr. Hallman also clarified that all the contractors bid on the job they are requesting be awarded at this time. The bid specifications were drafted to include the interior work; it just wasn't included in the amount budgeted. Mr. Hallman stated that routine maintenance would have prevented them from having to spend such a large sum at this time.

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

14. RESOLUTION 2001-R-25, AUTHORIZING THE EXECUTION OF AN AGREEMENT FOR THE SALE OF FIRE TRUCKS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH FIRE TRUCKS PLUS, INC. FOR CONSIGNMENT AND SALE OF FIRE DEPARTMENT APPARATUS AND EQUIPMENT; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Forte explained that this item is before them because they are trying to get a greater sum for these vehicles than the trade-in amount they were offered when they purchased the new fire engine. They have advertised them in an attempt to utilize the bid process and have not received any offers. Mr. Forte referred to the sample contract and asked that they be permitted to negotiate with Fire Trucks Plus, Inc. to consign these vehicles. The preliminary estimate shows that the three vehicles could earn ten thousand, eighteen thousand, and thirty thousand dollars. The company would earn ten percent. Mention was made on checking the references of this company.

*Commissioner Tarrer moved to **APPROVE** allowing the City Manager and the City Attorney to proceed with contract negotiations, seconded by Commissioner Via.*

The Commission determined that, once the contract has been negotiated, staff can proceed with it. It is not necessary to bring this item back to them for approval.

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

15. RESOLUTION 2001-R-26, AMENDING THE PERSONNEL POLICIES AND PROCEDURES MANUAL

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING THE CITY OF HOLLY HILL PERSONNEL RULES AND REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-26, seconded by Commissioner Via.*

Mr. Forte stated that there are some details that still need to be worked-out, in regards to the dress code. Phil Sommerlad, chairman of the Civil Service Board, advised the Commission that they carefully reviewed the recommended changes to the Personnel Rules and Regulations and they could not find anything that they totally disagreed with. He expressed concern about the dress code and gave an example of laborious work in which discretion should be exercised. Mr. Forte stated that was the very same concern that he had.

Mr. Sommerlad also stated that the Board recommends that the four employee positions that are not covered under the Civil Service Act, be added to it. These are the City Clerk, Human Resources Director, Assistant to the City Manager, and Emergency Services Director. This will be taken under advisement and discussed at an upcoming workshop.

Ms. England introduced the other members of the Board, who were in attendance: Vice Chairman Ken Bay, Kimberly Canup, and Arthur Desautels.

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

16. RESOLUTION 2001-R-27, AUTHORIZING A FIRE FIRST RESPONSE AGREEMENT WITH THE CITY OF ORMOND BEACH

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN INTER-LOCAL AGREEMENT PURSUANT TO CHAPTER 163, FLORIDA STATUTES, BY AND BETWEEN THE CITY OF HOLLY HILL AND THE CITY OF ORMOND BEACH TO ESTABLISH A FIRST RESPONSE AID AGREEMENT IN THE EVENT OF A STRUCTURAL FIRE OR DISASTER THAT ENDANGERS LIFE OR PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-27, seconded by Commissioner Lockeby.*

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

17. ARCHITECTURAL CONTRACT FOR WELLNESS CENTER AND RECREATIONAL FACILITIES

*Commissioner Tarrer moved to **APPROVE** a contract with Hawkins & Hall Architects, Inc. for $22,000 for all services outlined in the April 3, 2001 letter from Troy Hawkins, seconded by Commissioner Via.*

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

18. COMMUNICATIONS

Board Member Updates

Volusia Water Alliance: Mr. Forte attended the last meeting on Commissioner Via's behalf and advised that the final model plan is completed. The City Managers will be reviewing the plan at their board meeting tomorrow. One of the issues being explored is the voting privileges of non-cupholder cities. This was briefly discussed and will be placed as an agenda item on an upcoming Commission Meeting so that they can render their support or opposition to this.

Metropolitan Planning Organization: Mayor Arthur advised that the MPO recognized the need to have FDOT perform a study at LPGA and Nova Road. There have been twenty-eight accidents in the last twelve months, which is considered excessive.

Volusia Council of Governments: Mayor Arthur stated that the Centralized Occupational Licensing is being encouraged and most cities have been receptive to this plan. There was brief discussion on this with Mr. Wood providing some additional explanatory information. This item will be discussed further in a workshop.

General Communications

A. City Manager

Mr. Forte stated that the Leadership Training Program is going well and Mr. Brewer is just about finished with the employees. He is ready to meet with any members of the Commission who are interested. Mayor Arthur and Commissioner Lockeby responded that they would like Ms. England to schedule appointments for them. Mr. Forte also gave a run-down of the plan for the Centennial celebration as follows:

Thursday, June 28th	Volusia League of Cities Dinner
Friday, June 29th	Carnival opens
	Real McCoy Dinner/Dance at Sica Hall
Saturday, June 30th	Carnival
	Arts & Crafts Festival
	Car Parade and Family Fun & Games at Sunrise Park

Sunday, July 1st	Carnival Arts & Crafts Festival Fireworks Display

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Via asked that they look into having golf shirts made for the 100th year celebration. He also referred to the McCoy residence, which they are trying to bring into compliance with city codes. Commissioner Via thanked the Civil Service Board members, Commander Barker, Mr. Wood, and Chief Shinnamon.

Commissioner Byrnes stated that he is looking forward to this 100th Anniversary Celebration, seeing the contents of the 1976 time capsule, and putting their own time capsule together for this special year. He welcomed Chief Shinnamon and Mr. Wood.

Commissioner Lockeby welcomed Chief Shinnamon and Mr. Wood, stating that he was glad to have two new, good employees.

Commissioner Tarrer welcomed Chief Shinnamon and Mr. Wood and stated that he felt Mr. Forte did a super job in this selection process. Commissioner Tarrer stated that there will be a Halifax Indian River Task Force media event at 8:30 a.m. on Friday and asked if any of the other Commissioners would like to accompany him – Commissioner Lockeby will go. They also discussed transportation arrangements for the League Dinner this Thursday. They will all meet and attend the Drill Team event prior to going to the dinner. Commissioner Tarrer reiterated his desire to send an invitation to each member of their boards and invite them to a meeting to recognize them for the work they are doing.

Mayor Arthur advised that long-term resident, Mary Stanek, has passed-away and he told a funny story that she had once shared with him. He mentioned again the article on Holly Hill in the Quality Cities magazine, which stated that when Holly Hill was incorporated they had fifty residents and thirty-one voted to become a City.

19. ADJOURNMENT

The meeting officially adjourned at approximately 9:17 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk