M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
May 13, 2003

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 7:05 p.m. Attending with Mayor Arthur were Commissioners Arthur Byrnes, Paul Lockeby, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Edward Simpson, Assistant to the City Manager Greg Wood, Emergency Services Director Don Shinnamon, Development Administrator Tim Harbuck, Public Works Director Milt Hallman, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Proclamation for Tourism Week – May 10th-18th, 2003

Mayor Arthur asked Ms. Clauss to read the proclamation, which he presented to Tangela Boyd from the Daytona Beach Area Convention & Visitors Bureau.

Recognition of Shadow Day Students

Mayor Arthur presented Certificates of Recognition to the students who participated in Student Government Shadow Day this year. Shadow Day was held on May 7th, when each of the ten students "shadowed" a City department head for the day.

3. CONSENT AGENDA
Minutes of Regular Commission Meeting – April 22, 2003
Minutes of Commission Workshop – April 22, 2003
Report of Purchase Orders over $5,000

- **Volusia County (Fuel) $5,243.16**

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

The motion **CARRIED** 5-0 on roll call: Via – yes, Lockeby – yes, Schmitt – yes, Byrnes – 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 read the Chamber of Commerce treasurer's report and reminded everyone of the breakfast meeting scheduled for Thursday.

Commissioner Via stated that they are having a Water Transition Meeting tomorrow from 8:00 a.m. to 2:00 p.m. at the Ormond Beach Performing Arts Center. This meeting is the last phase of their review before the proposed interlocal agreement goes to the cities.

Commissioner Byrnes stated that they had a nice Volusia League of Cities meeting last month in Edgewater, where they discussed whether counties should be a part of the VLC. Due to the fact that counties provide municipal services, they felt they should. The next VLC meeting will be held here on June 26th.

Commissioner Lockeby stated that Volusia Council of Governments has a meeting on Monday. Referring to VCOG's executive director - Roy Schleicher, Mayor Arthur stated that he heard he plans to run for County Council.

Mayor Arthur stated that since he has been on the Metropolitan Planning Organization they have come out with charts to try to help explain this very complicated long-term road plan.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. RESOLUTION 2003-R-24, APPOINTING A MEMBER TO THE BEAUTIFICATION ADVISORY BOARD

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE BEAUTIFICATION ADVISORY BOARD; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE (LaTonya Elmore, expiration January 2004).**

Commissioner Byrnes moved to ***APPROVE*** *Resolution 2003-R-24 appointing LaTonya Elmore, seconded by Commissioner Schmitt.*

Commissioner Via advised that he spoke with Mr. Hallman concerning the need for this Board. They have a long, rich history of assisting on projects throughout the City but they are not doing much anymore. He felt the few things they do could be folded into other projects, and suggested they dissolve this Board. Mayor Arthur and the other members of the Commission disagreed and impressed upon staff their desire for this Board to be more actively included in projects related to them. Commissioner Schmitt stated that he was present in Ms. Clauss' office when this young woman applied for this Board and he was very impressed with her.

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

Mayor Arthur referred to the Shirley Heyman Memorial Park and stated that he would like to expand it to include plaques for other City Commissioners who die in office – mentioning Keith Tarrer in particular.

*Commissioner Via moved to **APPROVE** designating Heyman Park as a Memorial Park to City Commissioners who die in office, seconded by Commissioner Schmitt.*

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

7. RESOLUTION 2003-R-25, SUPPORTING THE SWIM DESIGNATION OF THE NORTHERN COASTAL BASIN

Mr. Simpson read by short title:

> **A RESOLUTION BY THE CITY OF HOLLY HILL, FLORIDA SUPPORTING A REQUEST FOR THE STATE LEGISLATURE TO ENACT A BILL TO DESIGNATE THE NORTHERN COASTAL BASIN AS A PRIORITY SURFACE WATER IMPROVEMENT AND MANAGEMENT (SWIM) WATERSHED AND TO ENSURE AN ANNUAL APPROPRIATION; AND PROVIDING WHEN THIS RESOLUTION SHALL TAKE EFFECT.**

*Commissioner Via moved to **APPROVE** Resolution 2003-R-25, seconded by Commissioner Schmitt.*

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

8. RESOLUTION 2003-R-26, DESIGNATING THE SPECIAL EVENT DATES FOR THE REMAINDER OF 2003 AND 2004

Mr. Simpson read by short title:

> **A RESOLUTION BY THE CITY OF HOLLY HILL, FLORIDA DESIGNATING THE SPECIAL EVENT DATES FOR THE REMAINDER OF 2003 AND 2004; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** Resolution 2003-R-26, seconded by Commissioner Lockeby.*

Mr. Forte advised that they have included this year's and next year's Bike and Christmas events to allow for planning – other events can be added as the Commission chooses later. Commissioner Byrnes confirmed that fireworks for the Fourth of July and New Year's were provided for in the ordinance they passed – thereby not needing to be included here.

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

9. RESOLUTION 2003-R-27, REGARDING THE ACQUISITION OF LOT 2, BLOCK 5 FROM FLORIDA DEPARTMENT OF TRANSPORTATION

Mr. Simpson read by short title:

> **A RESOLUTION BY THE CITY OF HOLLY HILL, FLORIDA ACCEPTING THE DEDICATION OF BLOCK 5, LOT 2 ON GLADIOLA AVENUE TO THE CITY FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2003-R-27, seconded by Commissioner Byrnes.*

Mr. Forte explained that this was a piece of property that FDOT took over some time back for flooding concerns. They no longer need it or want it and would like to just deed it over to the City.

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

10. RESOLUTION 2003-R-28, ACCEPTING A CERT GRANT FOR TRAINING AND EQUIPMENT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING ACCEPTANCE OF A GRANT OF $3,000 FOR CERT PROGRAMS FROM THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** Resolution 2003-R-28, seconded by Commissioner Byrnes.*

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

11. FIRST READING OF ORDINANCE 2661, VACATING PARK STREET RIGHT-OF-WAY

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA VACATING PARK STREET RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Byrnes moved to **APPROVE** First Reading of Ordinance 2661, seconded by Commissioner Schmitt.*

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

12. SANITARY SEWER SYSTEM REHABILITATION

Mr. Forte advised that this is a request for engineering costs because we have a infiltration problem going into the sewer system – we are treating more water than we are sending out. Staff has internally narrowed this down somewhat but they will need contracted expertise to fully resolve the problem. There was some discussion as to what is involved in utilizing our camera for this. The camera has been very useful asset. Mayor Arthur asked if this was related to why we haven’t been able to put out any effluent water – yes it is.

*Commissioner Byrnes moved to **APPROVE** authorizing the Consulting Engineers, Quentin L. Hampton Associates, Inc. and the S.O.S. Construction Company to clean, televise, and videotape systems 10, 10A, 11, 11A, 12, 13, 14, 15, and 16 for a cost not to exceed $36,580 + 10% contingency for a total of $40,238, seconded by Commissioner Lockeby.*

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

13. ENGINEERING PLANS FOR IMPROVEMENTS TO CENTENNIAL PARK AND NOVA ROAD MEDIANS

*Commissioner Via moved to **APPROVE** authorizing the City Manager and the Public Works Director to instruct Quentin L. Hampton Associates, Inc. to prepare plans and specifications for the improvements to Centennial Park lighting and irrigation ($5,400) and Nova Road north medians irrigation and landscaping ($8,400), for a total cost of <u>$13,800</u>, seconded by Commissioner Schmitt.*

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

14. COMMUNICATIONS

A. City Manager

- Support for Universal Pet Tags

Mr. Forte stated that at their last Workshop they had a presentation from Diane Voight asking the Commission to support the Universal Pet Tag program. Ms. Voight and other members from the Concerned Citizens for Animal Welfare were in attendance tonight to answer any additional questions they might have. Mention was made of a few e-mails that were received today opposing this program – however, none of the reasons for doing so could alter the fact that the current method is not working and there is sound evidence to believe this proposal will.

Commissioner Schmitt moved to ***APPROVE*** *authorizing the City Manager to send a letter of support, seconded by Commissioner Lockeby.*

The Commission expressed concern over two things in regards to this proposal. The first one is that there is no limit on the number of animals each year that someone can take to have altered. The second is that the income from this program is not earmarked – it just goes into the County general fund. They were more concerned about the first issue more than the second because they did were reluctant to tell the County how to run its budget.

Commissioner Schmitt ***MODIFIED*** *his motion to include a statement that this support is contingent upon an imposed limit of four animals per year. Second modified by Commissioner Lockeby.*

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

- Roundabout at LPGA Boulevard and Riverside Drive

Mr. Forte advised that he had received some information on this and would be bringing this to a Workshop soon.

- Riviera Plaza

Mr. Forte advised that discussions on this property have again reached a stand still. The Commission decided it would be best to leave this alone. The business owners that want this for additional parking are not willing to accept the City's terms that they maintain it.

B. City Attorney

Mr. Simpson indicated that he had nothing further to report.

C. Mayor and Commissioners

Commissioner Schmitt referred to the recent passage of the Posey Bill, Senate Bill 246, which allows cities to adopt reasonable per diem rates. He stated that he would like for us to revisit the amount we pay. Staff will review this and make a recommendation. Commissioner Schmitt stated that he was very unhappy with the inaccurate portrayal of actions / discussion of the Commission by Big John on his radio show. He asked the Commission for their thoughts on this and what, if anything, they wanted to do about it. Mayor Arthur stated that the only thing the Commission could do is to remove him from the City Boards on which he serves. Other Commissioners sympathized with Commissioner Schmitt but felt he was an asset to the Boards and were not inclined to remove him from such. As for the misinformation, that is an unfortunate part of the job and they as Commissioners take the time to correct the statements as they are brought to them.

Commissioner Via reiterated his earlier report and stated that the Water Transition Team meeting scheduled tomorrow is a very important meeting. He then inquired as to whether they should hold a Workshop to review the Charter because they hope to correct some inconsistencies at the Fall election. Mr. Forte advised that staff is preparing an ordinance for their consideration and he did not feel a workshop would be needed. Commissioner Via clarified his earlier point regarding the Beautification Board – he fully supports them and the work they have done in the past for the City. He also reiterated how much he liked the Memorial Park idea. As for the Universal Tags, he supports the concept but wants to see some specific details worked out. Commissioner Via closed his comments by thanking everyone for coming tonight.

Commissioner Byrnes thanked everyone for coming and explained that the Commission can only discuss things together at a public meeting, which is why they sometimes discuss at length items that one might think they would talk about with just each other. He mentioned the employee baseball game and stated that he would have like to have played if more notice had been given.

Commissioner Lockeby stated that he has been ill this past week and had plenty of time to think. One thing that has been concerning him is the safety of our water supply and he would like to see more steps in place to protect it.

Mayor Arthur thanked everyone for coming tonight.

15. ADJOURNMENT TO EXECUTIVE SESSION

The meeting officially adjourned at approximately 8:45 p.m.

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