M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
July 13, 1999

1. CALL TO ORDER

Mayor William Arthur called the meeting to order in Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:30 p.m. Attending with Mayor Arthur were Commissioners J.D. Mellette, Arthur Byrnes, Shirley Heyman, and Roland Via.

Also attending were City Manager Don Lusk, City Attorney Edward Simpson, Public Works Director Milt Hallman, Police Chief Larry Walker, Finance Director Brenda Gubernator, Code Administrator Tim Harbuck; City Economic Development Administrator Ira Corliss, Recreation Director Chuck Beach, Fire Chief Joe Forte, MIS Manager Jim Marshall, Personnel Director Diane England, and City Clerk Jeaneen Clauss.

2. INVOCATION

Public Works Director Milt Hallman delivered the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur announced the winner of the 1999 Employee of the Year Award – Daniel McIlrath, Senior Mechanic and Certified Fire Truck Repair Mechanic with the Public Works Department. Mr. McIlrath was nominated by the Fire Department and, though in attendance at this meeting, will be formally presented with his award at the Award Dinner on August 12th.

5. CONSENT AGENDA

A. Minutes of Regular Commission Meeting held on June 22, 1999;
B. Minutes of Commission Workshop held on June 22, 1999;
C. Minutes of Special Commission Meeting held on June 25, 1999.

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

Commissioner Via asked that when members of the public speak during audience participation they spell their last names, so they can be correct in the record.

The motion **CARRIED** 5-0 on roll call: Mellette – yes, Via – Yes, Heyman – yes, Byrnes – yes, and Arthur – yes.

6. AUDIENCE PARTICIPATION

George Fries, 1000 Riverside Drive, inquired as to the design criteria for the City Gym Pool and suggested that conforming to the criteria of specific special interest groups would allow them to be eligible for grants (diving competition, senior citizens, toddlers or the U.S. swim association).

On another topic, City Manager Don Lusk stated that City Attorney Scott Simpson had received a draft of the interlocal agreement late this afternoon and he would be reviewing it very soon and sending the information to the Commission. Mr. Fries indicated that he is getting the run around by the County Council and requested that the Commission send a letter to try to expedite resolving the issue of who has riparian rights on East Riverside Drive, which is their primary concern. Mayor Arthur agreed to send a letter to the County Council on this.

7. FIRST READING, ORDINANCE NO. 2565, ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL, OWNED BY DELUCA PROPERTIES, INC., LOCATED AT 1892 NOVA ROAD.

City Attorney, Edward Simpson read Ordinance No. 2565 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTIES LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING THE BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Mellette moved **APPROVAL** of the first reading of Ordinance 2565, seconded by Commissioner Via.*

City Manager Don Lusk stated that this is a nice, valuable piece of property. Economic Development Administrator stated that it would be worth about three hundred thousand dollars, once the Texaco is developed. Mayor Arthur stated he would like to give credit to new business owners for putting in retention ponds to encourage them. Commissioner Via stated that this is another fine business coming into the City.

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

8. LAWN AND PEST CONTROL CONTRACT EXTENSION

*Commissioner Via moved **APPROVAL** of the extension of the Lawn and Pest Control Contract, seconded by Commissioner Heyman.*

City Manager Don Lusk stated that this is an extension a contract that they put out for bid two years ago and they can extend the contract for this one more year (for an additional one hundred forty-eight dollars) but they will have to go out for bid next year. The annual cost is about nine thousand eight hundred dollars for this service.

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

9. BEVERAGE VENDING MACHINE CONTRACT

*Commissioner Via moved **APPROVAL** of awarding the beverage vending machine contract to Pepsi Cola, seconded by Commissioner Mellette.*

City Manager Don Lusk stated that they had explored several options for this and asked Economic Development Administrator Ira Corliss to elaborate on these. Mr. Corliss indicated that Pepsi had offered the City the best deal – fifty-five percent revenue sharing, sixteen hundred dollars for glass backboards plus a twenty-four hundred dollar credit balance, a filled soda wagon and banners for special events, and participation in their national promotions. Commissioner Via stated that he would like the perks in writing. Mayor Arthur asked if the City controls the cost and Mr. Lusk responded "Yes". The Commission can discuss this later, as it is not a part of the contract. Commissioner Byrnes stated that he didn't want to see any one-dollar cans. He added that by contracting, instead of owning, the City should have the most upgraded machine. Commissioner Byrnes clarified that this three-year contract is only for City property, as business owners can still sell according to their choice. Mayor Arthur inquired about the electrical outlet availability and Scott Gering of the Pepsi Bottling Group, Daytona Beach stated that it was sufficient.

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

10. SNACK VENDING MACHINE AGREEMENT

*Commissioner Mellette moved **APPROVAL** of awarding the snack vending machine agreement to Lance, seconded by Commissioner Heyman.*

City Manager Don Lusk advised that this in not an extended contract but an agreement with a thirty days notice provision. Economic Development Administrator Ira Corliss indicated that Lance had the lowest retail price, which was in line with our City (fifty to sixty cent range). The City would get fifteen percent revenue sharing. It was mentioned

that the City might later decide to own it's own machine. The local office for Lance is in Port Orange.

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

11. COMMUNICATIONS FROM CITY MANAGER

A. City Manager Don Lusk advised that the Redevelopment Board has two openings. This board is not set up by district. He asked if they would like him to advertise the openings or if they would like to submit names. The Commission decided they would submit names at another meeting.

B. Mr. Lusk asked the Commission if they would like to consider a resolution at their next meeting on adding the large pavilion at North Sunrise Park to the fee schedule so that people can reserve it and the City can defer some of the cost of the clean-up from these large gatherings. There was discussion on how much, if anything, should be charged and the amounts charged by other cities for waterside parks. Commissioner Byrnes indicated that he was not in favor of charging residents. The resolution will be prepared with the same rate structure currently in place at the Hollyland Park.

C. Mr. Lusk asked the Commission if they had any preference for the Christmas Parade vehicles. The general consensus was an open car. Mr. Lusk asked who the Commission would like for the Grand Marshall. Mayor Arthur stated that he prefers Miss Florida, as it is always an honor that she is available to the City. The Commission agreed.

12. CITY ATTORNEY

City Attorney Edward Simpson stated he had nothing further to report.

13. COMMUNICATIONS FROM MAYOR & COMMISSION

Heyman – Commissioner Heyman stated that she loves our new gym.

Via - Commissioner Via stated that the gym facility really looks wonderful. He went on to say that he would like a further information on the thumbnail cost of the retention pond credit.

Commissioner Via made a motion to bring item back to workshop for discussion, Commissioner Byrnes was against because of staff time, Commissioner Via withdrew motion pending more information.

The City Manager stated that he would like until the next Commission meeting to determine what the man-hours would be to bring the area up to date.

Byrnes – Commissioner Byrnes stated that he would like to request a staff update for the next workshop.

Mellette – Commissioner Mellette stated that the gym was impressive and the medians were gorgeous.

Arthur – Mayor Arthur stated that he would like to call a Special Meeting on Thursday, July 15th at 7:00 p.m.

Commissioner Via requested some pages of the Charter on the duties and functions of the City Manager.

Mayor Arthur also stated that yesterday Mr. Lusk accused him of abusing a contract with Jennings and the Mayor went to the State Attorney's Office and asked them to investigate the matter.

14. ADJOURNMENT TO WORKSHOP.

The meeting officially adjourned at approximately 8:30 p. m.

ATTEST: WILLIAM D. ARTHUR, MAYOR

JEANEEN P. CLAUSS, CITY CLERK