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

Also attending were City Manager Joe Forte, Finance Director Brenda Gubernator, Public Works Director Milt Hallman, Assistant to the City Manager Greg Wood, Development Code Administrator Tim Harbuck, Recreation Director Chuck Beach, Police Commander Mark Barker, and City Clerk Jeaneen Clauss.

B. Invocation

Milt Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Certificates of Appreciation to PAL / Recreation Board Members:

Sarah L. Rone	**Traci Currie**
Nikki Whitenton	**Charlie Sharp**
Dr. Joe Whitenton	**Commander Mark Barker**
George Fries	**Officer Jeff Miller**
John Blanton	

Mayor Arthur presented certificates to Mr. Sharp and Commander Barker for their service on this Board. He presented certificates to Ms. Rone, Ms. Whitenton, and Dr. Whitenton (when they arrived later in the meeting) for their service, also. The Commission thanked them all.

3. CONSENT AGENDA

A. Minutes of Commission Budget Workshop – July 9. 2001
B. Minutes of Regular Commission Meeting – July 10, 2001
C. Minutes of Commission Budget Workshop – July 10, 2001
D. Purchase Order Issued for Fuel - $11,918.03

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

Regarding items not on the agenda.

5. RESOLUTION 2001-R-48, PLANNING AND APPEALS BOARD APPOINTMENTS

Mr. Forte read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE (Jack Vanderwiere – 2003; Carol Swain – 2002)

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-48, seconded by Commissioner Byrnes.*

Mr. Forte explained that Ms. Swain had requested that her position on this board be changed to that of alternate (due to work issues) and Mr. Vanderwiere was pleased to go from alternate to regular member. Mr. Vanderwiere was present for this appointment.

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

6. RESOLUTION 2001-R-49, ESTABLISHING A PROPOSED MILLAGE RATE WITH A TAX DECREASE FOR FY 2001/2002

Mr. Forte read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA ADOPTING A PROPOSED MILLAGE RATE FOR THE YEAR BEGINNING OCTOBER 1, 2001; PROVIDING FOR A PUBLIC HEARING ON MILLAGE RATE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Florida is required by Florida Statute 200.065, the TRIM BILL, to certify to the County Property Appraiser the general municipal millage rate proposed by said Commission for the tax year beginning October 1, 2001; and

WHEREAS, the City Commission of the City of Holly Hill, Florida, pursuant to the TRIM BILL, shall hold a public hearing adopting a tentative budget and a tentative millage rate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA THAT:

Section 1. That the millage rate proposed by the City Commission of the City of

Holly Hill, Florida, for the tax year beginning October 1, 2001 is 4.75 ($4.75 per $1,000.00); said proposed millage rate is 4.9% below the rolled back rate, which shall be the proposed percentage decrease in property taxes.

Section 2. The City Commission has hereby set a public hearing on the millage rate for 7:00 p.m., on September 4th, 2001, in Commission Chambers, 1065 Ridgewood Avenue, Holly Hill, Florida.

Section 3. All resolutions made in conflict with this Resolution are hereby repealed.

Section 4. This Resolution shall become effective immediately upon its adoption.

*Commissioner Byrnes moved to **APPROVE** Resolution 2001-R-49, seconded by Commissioner Via.*

Mayor Arthur stated that he was proud that they were able to achieve what they had strived for with this. Commissioner Tarrer inquired about the amount budgeted for commission salaries, which he felt was excessive given the two negative votes on this. Mr. Forte explained that they have to budget in full for the amount approved by the Commission and given that this is for next fiscal year he does not know who will accept or decline the raise. Commissioner Byrnes commended Mr. Forte for achieving their goal with this budget. He noted that they are reducing taxes to the degree that other municipalities and the County are increasing taxes. He added that this decrease is not on the backs of anyone, because they have budgeted as a progressive City. Commissioner Lockeby stated that the sad truth is that the tax payers won't be aware of the City's decrease because everything is on the same tax bill and the County's increases will overshadow it. Commissioner Via added that this is one of the benefits of being incorporated into a City – direct representation and concern for the people.

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

7. RESOLUTION 2001-R-50, ACCEPTING THE COPS MORE 2000 GRANT

Mr. Forte read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA ACCEPTING THE COPS MORE 2000 GRANT; AGREEING TO A FUNDING MATCH OF TWENTY-FIVE PERCENT; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-50, seconded by Commissioner Lockeby.*

Mr. Forte explained that this is for a community service position and with limited funds available they would like to accept this grant while it's still being offered.

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

8. REQUEST TO SUBDIVIDE PROPERTY LOCATED AT CALLE GRANDE & ORCHARD AVENUE

Mr. Harbuck utilized the overhead projector to show this property with its current and proposed plats. The applicant, Mr. Gill, was present to respond to any questions. Clarification was made concerning the minimum dimensions of the property, according to the Land Development Regulations. This proposed re-plat will meet those requirements. Mr. Gill stated that he is planning to build four individual residences there. The larger lot cannot be subdivided because there is insufficient access.

Commissioner Tarrer moved to ***APPROVE*** *the request to re-plat and subdivide two large lots into four buildable lots at Calle Grande & Orchard Avenue, seconded by Commissioner Lockeby.*

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

9. STORMWATER DESIGN EXTENSION FOR WORK ACTIVITIES FOR DOROTHY AVENUE & ELSIE AVENUE

Commissioner Tarrer moved ***APPROVAL*** *authorizing Quentin L. Hampton Associates Inc. to proceed with the design, surveys, and environmental services for the additional stormwater improvements to the Dorothy Avenue and Elsie Avenue areas, seconded by Commissioner Via.*

Mr. Forte stated that this is actually a project that they have been planning for some time. They have included it in the SRF loan for stormwater improvements. Mr. Hallman responded to questions from the Commission regarding the environmental assessment fee and the project being an additional project, not an extension.

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

10. NUISANCE AT 1151 JARECKI AVENUE, CONTINUED FROM PUBLIC HEARING HELD ON JUNE 26, 2001

Mr. Forte referred to their meeting on June 26, 2001 when the Commission gave the owner of this property until today to either demolish the property or have a signed contract with a building permit and a schedule. Mr. Harbuck confirmed that none of this had taken place and the property was still in the same state of dangerous disrepair. The owner, Rufus Harper, asked the Commission if there was anything else that could be done at this point. The Commission expressed their regret at having to move forward with demolition, but the City could not allow neighboring properties to be endangered any longer.

Commissioner Tarrer moved ***APPROVAL*** *of the demolition of the structure at 1151 Jarecki Avenue, seconded by Commissioner Via.*

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

11. PUBLIC HEARING, DETERMINATION OF NUISANCE AT 1217 JARECKI AVENUE

Mayor Arthur opened the Public Hearing. Mr. Harbuck presented this case, stating that this is a burned-out structure and premises and it has fallen into a state of disrepair. Inspections by City Code Officials indicate violations pertaining to building, electrical, plumbing, and mechanical systems. There are sanitary nuisances such as overgrown grass and weeds and miscellaneous junk and debris scattered about. There is no water or electrical service. All of these conditions are in violation of the International Property Maintenance Code Chapters 1 through 7 and the Holly Hill Code of Ordinances, Article III, Sanitary Nuisances, Section 26-61 (1)(2)(3)(4). Linda Dadd, who stated she was the primary owner, asked the Commission not to demolish the building because she has a buyer for the property. Discussion ensued regarding whether giving Ms. Dadd time to correct the problem would be appropriate but she indicated that she would not be doing that, only selling it. Mention was made that the owner of the property condemned in item 10 has his name on this deed as well. Commissioner Lockeby suggested placing a lien on this property for the demolition of the other. The City has a history of liening the applicable property at twelve percent interest rate, not pursuing other properties of the same owner – though they could do so. Mayor Arthur closed the Public Hearing.

Commissioner Tarrer moved ***APPROVAL*** *of finding a public nuisance at 1217 Jarecki Avenue, seconded by Commissioner Via.*

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

Commissioner Lockeby moved ***APPROVAL*** *of the demolition of the structure at 1217 Jarecki Avenue, seconded by Commissioner Tarrer.*

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

12. FIRST READING OF ORDINANCE 2613, ANNEXING PROPERTY LOCATED AT 1190 GOLF AVENUE

Mr. Forte read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY**

CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE 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 Tarrer moved to ***APPROVE*** *the First Reading of Ordinance 2613, seconded by Commissioner Byrnes.*

Mr. Wood utilized the overhead projector to show the proposed annexation. This is a nice piece of commercial property coming into the City.

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

13. COMMUNICATIONS

A. City Manager

Mr. Forte referred to the two Delmonico boys who are becoming known nationally as speed-cyclists and are promoting the City of Holly Hill as their hometown. They will be interviewed at 7:00 a.m. tomorrow morning on channel 32.

Mr. Forte advised the Commission of his plan for alleviating the very costly problem they have had for eight months with vacancies in the wastewater treatment operator position. The two main reasons this position is difficult to fill / keep filled is because either applicants are not qualified or they can get higher pay elsewhere. Mr. Forte can hire them in at a higher step but to be fair with the three operators already working here he needs to raise them up three steps (7%), too. This equates to approximately a five thousand five hundred dollar increase to the payroll budget. He wanted to make the Commission aware of this because it deviates from the normal operations concerning pay increases and they may here some complaints. The market demands that this position be paid higher if they are to continue operating. They have paid twenty thousand dollars in overtime in the past eight months and no one at the plant can take a vacation. The Commission expressed their support for Mr. Forte's plan of action.

B. City Attorney

As discussed at the last Regular City Commission Meeting, Mr. Simpson was not present for this meeting – but available by phone, if needed.

C. Mayor and Commissioners

Commissioner Lockeby referred to the second public nuisance they determined should be demolished and reiterated his feelings that the demolition of the first property should be paid from the sale of the second, if the owner of the first is named on the deed of the second.

Commissioner Tarrer asked the Commission to support a remedy to a problem they are facing in Holly Forest. He would like to see an ordinance in place that no dumpster can be within two hundred feet of a residence. After some discussion, it was determined that this type of ordinance would have a negative impact on other R-9 communities. It was also mentioned that there seems to be some internal conflict within Holly Forest because the Homeowners Association supports moving the dumpster to the location near a residence, however several residents do not. Mr. Forte will insure that all City Codes and Garbage Contract standards are enforced. Commissioner Via supported reviewing this issue for possible buffer requirements.

Commissioner Via thanked the City for the flower arrangement sent to his sister's funeral. He stated that he was very proud to decrease taxes and thanked staff for all their work to accomplish this. He stated that they just played in the Sanford Friendship Tournament (eleven and twelve years old) and represented the City well.

Commissioner Byrnes complimented staff by stating how nice it is to have citizens express satisfaction with government service, which has become the normal quality daily operations with the City. He also stated that the pictures from the Centennial Celebration are available on the web at palmhat.com

Mayor Arthur thanked Commissioner Tarrer for bringing this issue from Holly Forest forth tonight and encouraged the other Commissioners to look for things in their respective districts that they can try to resolve. He expressed dismay at former Mayor and Finance Director Virginia Wine's negative comments regarding the increase in the Commission Expense Allowance / Honorarium. Mayor Arthur brought attention to an issue which effects boaters through-out this area. The City of Oak Hill has requested support for the Standing Watch Organization in their efforts for limited no-wake zones. He asked that the brochures be shared with the Commission and that they have a resolution next month to show support for this.

18. ADJOURNMENT

The meeting officially adjourned at approximately 9:15 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk