M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
JULY 25, 2000

1. CALL TO ORDER

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, Assistant City Attorney Scott Simpson (arriving at approximately 7:50 p.m., due to a prior meeting), Public Works Director Milt Hallman, Public Works Manager Tim Miller, Economic Development Coordinator Ira Corliss, Code Development Administrator Tim Harbuck, City Planner Bob Keeth, Police Chief Larry Walker, Human Resources Director Diane England, and City Clerk Jeaneen Clauss.

2. INVOCATION

Mr. Hallman delivered the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

5. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – July 11, 2000
B. Purchase Order over $5,000
C. Fuel Purchase Order over $10,000
D. Mediation Settlement Agreement

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

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

6. AUDIENCE PARTICIPATION

Mayor Arthur welcomed the candidates running for various offices in Volusia County: Harriett Demefek, running for County Council District 4 and Valerie Foote, running for Judge.

George Fries, 1000 Riverside Drive, thanked the Commission and City Manager for all their help with the Riverside Drive riparian rights issue. He stated that he had never seen a City Manager put forth the effort that Mr. Forte did with this and he very much appreciated it. Mr. Fries then suggested a Citizen Committee be established whose focus would be the continued beautification of Riverside Drive, the scenic drive through the City.

Ruthe Sager, 208 LPGA Boulevard, thanked the Commission for repairing the tennis court and stated that she was looking forward to having two new courts in 2001.

7. PUBLIC HEARING
FINDING A PUBLIC NUISANCE AT 414 DAYTONA AVENUE

Mayor Arthur opened the Public Hearing, allowing Mr. Harbuck to give a Staff Presentation on this case. Mr. Harbuck explained that this is a single family structure that has fallen into a state of disrepair. It is abandoned, it is deteriorated below the minimum housing code, and it is a health hazard. He recommended the demolition of this structure. A lien for the cost of the demolition would then be placed on the property. There were no Public Comments on this case. There was Commission Inquiry on the type of response they had from the owner, which was none – even though the owner signed the certified mail receipt. The attorney for the lien holder indicated the City should move forward with the demolition. The Commission also inquired as to how long this case had been worked on, to which Mr. Harbuck responded that it had been at least two years. Mayor Arthur closed the Public Hearing.

*Commissioner Tarrer moved **APPROVAL** of finding a public nuisance at 414 Daytona Avenue, seconded by Commissioner Byrnes.*

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

*Commissioner Tarrer moved **APPROVAL** of demolishing the structure at 414 Daytona Avenue, seconded by Commissioner Lockeby.*

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

(At approximately 7:30 p.m., an unidentified gentleman who lives near this address came to support the demolition of this structure. Mayor Arthur assured him this would be done promptly.)

8. RESOLUTION 2000-R-39, ADOPTING A PROPOSED MILLAGE RATE FOR FISCAL YEAR 00/01

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, 2000; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-39, seconded by Commissioner Byrnes.*

The Commission discussed this at length, with varying opinions as to whether adopting the City's current millage rate as the proposed millage rate for next year was best. There was discussion about going with the rolled-back rate, which would require approximately sixty thousand dollars to be trimmed from the budget. The Commission expressed a desire to continue increasing public service delivery (recreation, roads, sidewalks…) and determined that the benefits that would be available to the citizens far out-weighed the small difference they would pay in taxes to the City - about ten dollars per year. There was mention that this may be an appropriate time to increase taxes a little further and really focus on improvements to the City and the opposite was mentioned that we shouldn't have to increase taxes at all if we are really growing and improving. Overall, the Commission agreed that the budget, which had been presented to them was a good budget to move the City forward, thus the current millage rate was appropriate to adopt as the proposed millage rate.

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

9. RESOLUTION 2000-R-40, APPOINTING A MEMBER TO THE CIVIL SERVICE BOARD

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A MEMBER TO THE CIVIL SERVICE BOARD FOR DISTRICT 4; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE. (Arthur Desautels)**

Commissioner Tarrer moved ***APPROVAL*** *of Resolution 2000-R-40, seconded by Commissioner Via.*

Commissioner Tarrer stated that Mr. Desautels is a good man, whom he has known for years. Mr. Desautels and his wife, Irene, were in attendance.

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

10. RESOLUTION 2000-R-41, APPOINTING MEMBERS TO THE PAL/RECREATION BOARD

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING MEMBERS TO THE PAL/RECREATION BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE. (George Fries and Carol Collins)**

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-41, seconded by Commissioner Via.*

Mr. Fries and his wife and daughter were in attendance.

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

11. RESOLUTION 2000-R-42, RE-APPOINTING MEMBERS TO THE COMMUNITY REDEVELOPMENT BOARD

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA RE-APPOINTING TWO REGULAR MEMBERS AND ONE ALTERNATE MEMBER TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD; SETTING FORTH TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE. (respectively: Alan Riegner and Tamra Kuhn, Janet Geddings)**

*Commissioner Via moved **APPROVAL** of Resolution 2000-R-42, seconded by Commissioner Tarrer.*

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

12. RESOLUTION 2000-R-43, ESTABLISHING MINIMUM ATTENDANCE STANDARDS FOR MEMBERS OF CITY BOARDS

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA ESTABLISHING MINIMUM ATTENDANCE STANDARDS FOR MEMBERS OF CITY BOARDS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-43, seconded by Commissioner Via.*

Commissioner Tarrer stated that he has been to several meetings where they couldn’t hold the scheduled meeting because they didn’t have a quorum – some of these absentees hadn’t been there in months. He felt this was very necessary. Commissioner Byrnes stated that he wanted to make sure that all of the board members received notification of this. Mr. Forte assured him that they would be politely notified. Commissioner Via inquired as to the lack of the term “unexcused” in the body of this resolution, making the removal automatic. He noted that they can appeal this to the Commission, so removal could be waived or the member reinstated by the Commission. Mayor Arthur indicated agreement with Commissioner Tarrer because they need

City boards to be able to hold meetings, whether or not everyone has a good excuse for not coming. Commissioner Byrnes indicated agreement with Commissioner Via, expressing concern about the process, which can be rescinded / revised if they determine it's needed.

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

13. RESOLUTION 2000-R-44, AUTHORIZING AN EMERGENCY COMMUNICATION SERVICE CONTRACT

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR EMERGENCY COMMUNICATIONS SERVICE WITH COMMUNICATIONS INTERNATIONAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

Mr. Forte explained that our 800 megahertz radio system has been in place since 1995 and we have been working off a warranty that whole time. The warranty has expired and they have been discussing a County piggy-back maintenance contract with G.E. Ericsson out of Lynchburg, Virginia. They have an office in South Daytona, Communications International. The cost is approximately six hundred fifty-seven dollars per month and includes all mobile and portable radios and the police console. Mr. Forte advised that he had considered the possibility of only entering into a contract for the console. However, if they don't accept the radio portion now, the rates will increase substantially (the current quote gives the 1995 rates). They will look into self-insurance for the portables for next fiscal year. Coverage includes preventative maintenance and repairs needed through normal operations.

*Commissioner Tarrer moved **APPROVAL** of Resolution 2000-R-44, seconded by Commissioner Lockeby.*

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

14. RESOLUTION 2000-R-45, RELATING TO A MONEY PURCHASE PLAN FOR THE CITY MANAGER

Mr. Forte read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA RELATING TO A MONEY PURCHASE PLAN FOR THE CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Byrnes moved ***APPROVAL*** *of Resolution 2000-R-45, seconded by Commissioner Tarrer.*

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

15. UTILITY INSTALLATION AND NOVA ROAD WIDENING

Mr. Forte explained that as part of the expansion to Nova Road, north of Flomich, which will be done by FDOT in the next year or so, the City will need some utility services to cross Nova Road. Mr. Hallman has worked with the Engineers and recommends that they set the water lines in, at the selected areas. Mr. Forte spoke with him about placing a dry pipe there as well, so that the reuse option would be in place if desired in the future. This agenda item is just for the Engineering services.

Commissioner Via moved ***APPROVAL*** *of authorizing Quentin L. Hampton Associates, Inc. to proceed with JPA Engineering services for the installation of an 8 inch water main along with the widening of Nova Road from Flomich Street to the north end of proposed City Limits, seconded by Commissioner Tarrer.*

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

16. REPLACEMENT OF EXISTING ROOF ON PUBLIC WORKS ADMINISTRATIVE BUILDING

Mr. Forte advised that the Public Works Administrative Building has been leaking pretty badly when they have heavy rains, for the past five months. After speaking with contractors and going out for bid, Staff recommends the tar and gravel roof for $24,925 from R & R Roofing (not including replacement of any bad wood they may find). The present roof is a rubber roof. Commissioner Byrnes stated that the building is only eight years old and questioned whether they had a warranty still in effect for the roof. This will be looked into, prior to moving forward with the contract – but the Commission could still approve this now, to expedite the process in the event the warranty has lapsed, etc…

Commissioner Tarrer moved ***APPROVAL*** *of the contract with R & R Roofing for $24,925 to replace roof on the Public Works Administration Building, seconded by Commissioner Via.*

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

17. SECOND READING OF ORDINANCE 2568, ANNEXING PROPERTY INTO THE CITY OWNED BY PAUL HOLUB, JR LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE, BETWEEN CALLE GRANDE AND ARRAGON STREET

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 **APPROVAL** of the second reading of Ordinance 2568, seconded by Commissioner Via.*

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

18. SECOND READING OF ORDINANCE 2580, REGARDING POLICE PENSION BENEFITS

Mr. Forte read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 42 (PENSION AND RETIREMENT) ARTICLE II (POLICE OFFICERS) SECTION 42-31 (PENSION BENEFITS.) TO INCREASE THE ACCRUED BENEFIT RATE FROM 2½% TO 3%; INCREASING THE EMPLOYEE CONTRIBUTON FROM 9.2% TO 11.2%; REDUCING THE CITY'S CONTRIBUTION FROM 10.6% TO 8%; PROVIDING THAT 10.6% WILL BE ADDED TO THE FINAL AVERAGE COMPENSATION FOR ALL EMPLOYEES EMPLOYED AS OF OCTOBER 1, 1999; ESTABLISHING A PRORATA SCALE BY WHICH EMPLOYEES HIRED AFTER OCTOBER 1, 1999 WILL BE ENTITLED TO A RETURN OF 10% OF THE CITY'S CONTRIBUTION FOR EACH COMPLETED YEAR OF SERVICE; AND ESTABLISHING THE MEDICAL STIPEND BENEFIT SUPPLEMENT OF $150.00 PER MONTH; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved **APPROVAL** of the second reading of Ordinance 2580, seconded by Commissioner Tarrer.*

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

19. FIRST READING OF ORDINANCE 2582, ANNEXING PROPERTY LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE, NORTH OF CALLE GRANDE STREET

Mr. Simpson 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 Byrnes moved **APPROVAL** of Ordinance 2582, seconded by Commissioner Tarrer.*

Mr. Corliss displayed the property under consideration on the overhead projector. This property is located between Calle Grande and Espanola and bordered on the east by US 1. Mr. Forte stated that the purpose of doing this in advance is that Publix wants to be certain that the property will be in the City of Holly Hill, prior to their purchase. This annexation is contingent upon this sale.

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

20. FIRST READING OF ORDINANCE 2583, AMENDING THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION OF PROPERTY LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE, NORTH OF CALLE GRANDE STREET

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2265, THE COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, BY REVISING FIGURE II-6, THE FUTURE LAND USE MAP, TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 7.94 ACRES LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE (S.R. 5) NORTH OF CALLE GRANDE STREET FROM URBAN MEDIUM DENSITY AND COMMERCIAL TO GENERAL RETAIL COMMERCIAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Commissioner Via moved ***APPROVAL*** *of the first reading of Ordinance 2583, seconded by Commissioner Tarrer.*

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

Mr. Keeth displayed the property under consideration on the overhead projector, stating that this proposal and the one that follows include the previous contingent annexation, in addition to some property, which is already in the city limits.

21. FIRST READING OF ORDINANCE 2584, REZONING PROPERTY LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE, NORTH OF CALLE GRANDE STREET FROM R-5, R-7, AND B-4 TO CC-1

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ORDINANCE NO. 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 7.94 ACRES LOCATED ON THE WEST SIDE OF RIDGEWOOD AVENUE (S.R. 5) NORTH OF CALLE GRANDE STREET FROM R-5 (COUNTY ZONING), R-7 (COUNTY ZONING) AND B-4 (COUNTY ZONING) TO CC-1; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.**

Commissioner Via moved ***APPROVAL*** *of the first reading of Ordinance 2584, seconded by Commissioner Tarrer.*

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

22. COMMUNICATIONS FROM CITY MANAGER

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

23. CITY ATTORNEY

Attorney Simpson indicated that he had nothing further to report, but that it was good to see them.

24. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Byrnes thanked everyone for the cards, thoughts, and prayers when his young cousin (who was like a brother to him) recently passed away. He thanked the Commission and City Manager for rescheduling the budget workshop for him to be able to still attend.

Commissioner Lockeby indicated he had nothing further to report, so they could get to the workshop.

Commissioner Tarrer thanked the audience for coming. He congratulated Mr. Desuatels and Mr. Fries on their board appointments. He thanked Valerie Foote (candidate for County Judge) for attending and stated that he thought she would make a good judge.

Commissioner Via welcomed Janet Hardesty to the meeting and stated his thoughts and prayers were with Commissioner Byrnes.

Mayor Arthur thanked everyone for coming and stated that hopefully they are making a lot of progress for them.

25. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:05 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk