M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
JULY 27, 2004

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, Gilles Blais, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, Acting City Attorney Abe McKinnon, Public Works Director Milt Hallman, Public Safety Director Don Shinnamon, Finance Director Brenda Gubernator, Community Redevelopment Area Coordinator Marsha Radulovich, Interim Assistant to the City Manager Caryn Miller, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Presentation from Holly Hill Police Explorers

Corporal Forrest Currie introduced the Police Explorer Advisors and the Police Explorers who participated in the National Police Explorer Olympics. There were over one hundred teams and five thousand explorers. They competed in four different events in and finished second in the Traffic Accident Investigation competition. They presented the Commission with the very nice trophy they had earned. This may be the first time a Volusia County Police Explorer group has brought home a trophy from the national competition.

Presentation from Executive Director with Healthy Start Coalition, Lize Kalashian

Ms. Kalashian gave a presentation on the mission of the Healthy Start Coalition and requested the City consider a donation of twenty-five cents per capita for a total of $3,000 per year, to assist with their increasing demands. Mayor Arthur stated that the City will consider her request along with the others it receives for donations.

3. CONSENT AGENDA

Minutes:

Commission Budget Workshop – July 6, 2004

Regular Commission Meeting – July 13, 2004

Report of Purchase Orders over $5,000:

Electrical Motor Services – water high service pump #1 - $8,924
Sunfest Systems, Inc. – fire bay door protection - $9,984 (firefighters' grant)

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

The motion **CARRIED** 5-0 on roll call: Via – yes Schmitt – Yes, Blais – 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 the next Chamber After Hours has been changed to Thursday, August 26th at Wayne's Roofing & Sheet Metal. This was done because the Commission will be at the Florida League of Cities conference on the week in which it would be regularly held. He also mentioned that the Chamber of Commerce will be hosting a talent show for children on September 18th.

Commissioner Via stated that the Water Authority of Volusia has been discussing the funding alternatives. They asked the County Council to add one-tenth of a mill to their millage rate and earmark those funds for WAV but they declined this request. Now they are looking into becoming their own taxing district. This agency has been in a state of controversy and flux regarding who is paying for whose needs. As for the Blue Spring study, points were made as to whether we are only raising the water level for the manatees and not for man. More discussion continues on the surface water project.

Commissioner Byrnes stated that the Volusia League of Cities meeting held in Ponce Inlet last Thursday was very good. They are gearing towards the convention in August.

Commissioner Blais stated that they had a Collegiate Events Task Force meeting on the July 20th and two FDOT representatives were there. They have a timeline for the Ridgewood Avenue project but there is no guarantee that they will meet that timeline and they have a poor track record in both Port Orange and Ormond Beach.

Mayor Arthur stated there were no MPO meetings this month.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. RESOLUTION 2004-R-34, BOARD OF PLANNING AND APPEALS APPOINTMENT

Mr. McKinnon read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING AN ALTERNATE MEMBER TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Byrnes moved to ***APPROVE*** *Resolution 2004-R-34 appointing George Davis, seconded by Commissioner Via.*

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

7. RESOLUTION 2004-R-35, COMMUNITY REDEVELOPMENT ADVISORY BOARD APPOINTMENT

Mr. McKinnon read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD AND SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Schmitt moved to ***APPROVE*** *Resolution 2004-R-35 appointing Steve Tyler as a regular member, and David Baudhuin and Patricia Cheesbro as alternates, seconded by Commissioner Byrnes.*

Commissioner Via indicated that he would have preferred to appoint these individuals separately.

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

Commissioner Via thanked everyone for submitting their applications and stated that we will find room on our Boards for those who wish to serve the City.

8. RESOLUTION 2004-R-36, METROPOLITAN PLANNING ORGANIZATION BICYCLE PEDESTRIAN TASK FORCE APPOINTMENT

Mr. McKinnon read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE METROPOLITAN PLANNING ORGANIZATION BICYCLE AND PEDESTRIAN TASK FORCE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Via moved to ***APPROVE*** *Resolution 2004-R-36 appointing LuAnne Blankenship, seconded by Commissioner Schmitt.*

Commissioner Via mentioned that Ms. Blankenship has been involved with their recreation programs with her son.

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

9. RESOLUTION 2004-R-37, ADOPTING A PROPOSED MILLAGE RATE AND SETTING THE FIRST PUBLIC HEARING DATE FOR THE 04/05 MILLAGE RATE ADOPTION

Mr. McKinnon read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE FOR THE YEAR BEGINNING OCTOBER 1, 2004; 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, 2004; 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, 2004 is 4.08002 ($4.08002 per $1,000.00); said proposed millage rate is 8.75% above the rolled back rate, which shall be the proposed percentage change in property taxes.

Section 2. The City Commission has hereby set a public hearing on the millage rate for 7:00 p.m., on Monday, September 13th, 2004, 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 Via moved to **APPROVE** Resolution 2004-R-37, seconded by Commissioner Blais.*

The Commission discussed that this is a very good rate and only an considered a tax increase because of the increase in property values. Commissioner Schmitt stated that he would support this for the coming year but felt that next year they will need to increase taxes so that they don't make a habit of taking from their reserves.

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

10. SECOND READING OF ORDINANCE 2697, OPTING OUT OF NEW STATE PROVISIONS RELATED TO EARLY VOTING

Mr. McKinnon read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA EXEMPTING ITSELF FROM THE PROVISIONS OF SECTION 101.657, F.S. SPECIFICALLY RELATED TO EARLY VOTING; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** the Second Reading of Ordinance 2697, seconded by Commissioner Blais.*

Commissioner Via stated that he felt they should work to get the new County Supervisor of Elections to set-up satellite offices in other parts of the County. Ms. Clauss advised that our present Supervisor of Elections had tried to do that but the County Council refused to budget for it. She suggested the Commission lobby their County Council members for this.

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

11. FIRST READING OF ORDINANCE 2699, ANNEXATION OF PROPERTY

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 to **APPROVE** the First Reading of Ordinance 2699, seconded by Commissioner Via.*

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

12. FIRST READING OF ORDINANCE 2700, VACATING A STREET RIGHT-OF-WAY

Mr. McKinnon 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 Via moved to **APPROVE** the First Reading of Ordinance 2696, seconded by Commissioner Schmitt.*

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

13. RESOLUTION 2004-R-38, INTERLOCAL AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION

Mr. McKinnon read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE VOLUSIA COUNTY METROPOLITAN PLANNING ORGANIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2004-R-38, seconded by Commissioner Blais.*

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

14. RESOLUTION 2004-R-39, FEE SCHEDULE CHANGES FOR HOLLYLAND PARK

Mr. McKinnon read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE RECREATION FEE SCHEDULE AND THE RENTAL RATES; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2004-R-39, seconded by Commissioner Schmitt.*

Commissioner Via noted that we cannot have a different resident and non-resident fee. This is part of coming into compliance with the requirements of the Echo grant. Staff has proposed raising the fee from the forty dollar non-resident fee to fifty dollars for both residents and non-residents. Mr. Forte explained that this is necessary to defer some of the cost of having an employee spend a day there to recondition the field after it has been used. The Commission discussed the overall policy for using these fields and Commissioner Byrnes and Commissioner Schmitt felt that they should be unlocked and open to the public for use without charge. Mayor Arthur was also leaning in that direction. Commissioner Via was strongly opposed and felt that these fields needed to be preserved better than open public use would allow. In conclusion, the Commission seemed satisfied that since we have many other open fields (including one baseball field) for public use, we do not need to open these baseball fields.

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

15. RESOLUTION 2004-R-40, LICENSE AGREEMENT WITH FEC RAILWAY FOR FLOMICH AVENUE CROSSING

Mr. McKinnon read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE FEC RAILROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2004-R-40, seconded by Commissioner Blais.*

Mr. Forte explained that this is an agreement to allow the City to have a street cross over the railroad tracks at Flomich. FEC is planning to start a sixty-six thousand dollar project on August 7th. The City will be billed for this project.

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

16. PURCHASE OF CARDIAC MONITOR

*Commissioner Schmitt moved to **APPROVE** Resolution 2004-R-32, seconded by Commissioner Blais.*

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

17. NPDES PERMIT ASSISTANCE (NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM)

Mention was made that once we hire an in-house engineer, this type of work will not need to be contracted out.

*Commissioner Via moved to **APPROVE** authorizing Quentin L. Hampton Associates, Inc. to assist in the NPDES Phase II Permit of Best Management Practices & Documentation for a total cost of $9,785, seconded by Commissioner Blais.*

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

18. COMMUNICATIONS

A. City Manager

1.) Mr. Forte stated that the Railvolusion is September 18th in Los Angeles. He asked if anyone wants to go to let him know by August 15th.

2.) Mr. Forte stated that he has received no word from FDOT since he sent the protest packet to the state secretary of this agency. He gave an update of the plan to start from the south and go north, shifting the traffic and removing median curbs to begin with. They have a full year contract but estimate significantly less time for completion. FDOT has hired a public information officer to visit all the businesses to explain what is going on. Most of the work will be done between 7 p.m. and 7 a.m. Mention was made that the median trees will be replanted on other City owned properties.

3.) Along the topic of Ridgewood street changes, Mr. Forte asked if the Commission had any interest in stamped concrete for the medians. He felt that would be a significant aesthetic improvement but wanted to get their opinion before he started gathering price information. The Commission showed interest and asked him to get prices. This could be partially funded through TIF monies, as well.

B. City Attorney

Mr. McKinnon indicated he had nothing further to report. However, Mr. Scott Simpson arrived and announced the birth of his daughter, Janna.

C. Mayor and Commissioners

Commissioner Blais stated that it was good to see a nice article written about a man from Holly Hill - E.J. Kawale, former Mainland High School student, former Bishop's Glenn busboy, and former Holly Hill Eagle Scout. Commissioner Blais also noted how proud he was of their Police Explorers – which is a result of the great explorer training talent of Corporal Currie and others.

Commissioner Schmitt mentioned that he recently switched from satellite to Bright House and learned they are getting into the telephone business.

Commissioner Via extended further congratulations to the Police Explorers on their incredible feat. He mentioned that he would like to honor them individually with certificates or plaques. The Commission agreed he could work with Mr. Forte on this. Commissioner Via mentioned that he had attended Mr. Fussell's 29th anniversary celebration at the Lighthouse for Christ Church, on behalf of the Mayor. Commissioner Via then asked if he could go to the Community Redevelopment conference in Hollywood in September. The Commission indicated that he could if it could be funded through TIF.

Commissioner Byrnes extended his congratulations to the Police Explorers and then announced that he would have to leave right away because there has been a lightning strike in DeLand.

Mayor Arthur stated that it was his understanding they had tabled the Commission Compensation ordinance at their last meeting until his return. He asked if they would like to take this off the table and consider this tonight or put it on the agenda for their next meeting.

*Commissioner Blais moved to **REMOVE FROM THE TABLE** the Commission Compensation ordinance and place it on their next agenda, seconded by Commissioner Schmitt.*

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

19. ADJOURNMENT

The meeting officially adjourned at approximately 8:40 p.m.

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