M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
JULY 8, 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 7:00 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, Public Works Director Milt Hallman, Building Official Tim Harbuck, Assistant to the City Manager Greg Wood, Community Redevelopment Coordinator Marsha Radulovich, Police Commander Mark Barker, and City Clerk Jeaneen Clauss.

B. Invocation

Mr. Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

None.

3. CONSENT AGENDA
Minutes of Regular Commission Meeting – June 24, 2003
Minutes of Commission Workshop – June 24, 2003
Report of Purchase Orders Over $5,000

- **Ringhaver $9,270 (F.D. generator)**

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

The motion **CARRIED** 5-0 on roll call: Byrnes – yes, Via – yes, Lockeby – yes, Schmitt – 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 gave everyone a copy of the Chamber of Commerce activity tracking sheet they are beginning to use. At tomorrow's Board Meeting, they will have a representative from Snappy Site - they are designing the Chamber's new website.

Commissioner Via deferred any comments on the Water Entity because the topic has been added to tonight's agenda.

Commissioner Byrnes stated that we hosted a nice Volusia League of Cities dinner last month and he enjoyed the surprise teasing directed towards him, though he had not really been a Commissioner since 1915.

Commissioner Lockeby stated that VCOG approved their budget.

Mayor Arthur indicated there was nothing new to report from the Metropolitan Planning Organization.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

None.

6. RESOLUTION 2003-R-38, BEAUTIFICATION ADVISORY BOARD APPOINTMENTS

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING AN ALTERNATE TO THE BEAUTIFICATION ADVISORY BOARD AND SETTING FORTH THE TERM EXPIRATION DATE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte stated they have three applicants for this one alternate position: Brenda Carter, Joan Richeson, and Bernadette Miller.

Commissioner Schmitt moved to ***APPROVE*** *Resolution 2003-R-38 appointing Joan Richeson as an alternate, seconded by Commissioner Lockeby.*

The Commission indicated they were very pleased with having so many people interested in serving on the City boards and indicated those who are not appointed at this time should be contacted to see if they would be interested in being considered for any other boards, when vacancies arise.

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

7. RESOLUTION 2003-R-39, FDOT TRAFFIC SIGNAL AGREEMENT

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING AN AGREEMENT FOR TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Via moved to ***APPROVE*** *Resolution 2003-R-39, seconded by Commissioner Schmitt.*

Mr. Forte explained that this would be for a new traffic signal at 15th and Nova, under the same terms and conditions as all of their other traffic signals. Commissioner Byrnes mentioned that he believes the sensor is broken on the west side at 3rd and Ridgewood. Mr. Hallman indicated that he will look into that.

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

8. SPECIAL EXCEPTION FOR A BILLIARD HALL AT 237 RIVERSIDE DRIVE

Commissioner Via moved to ***APPROVE*** *granting a Special Exception for a billiard hall with the sale of beer and wine at 237 Riverside Drive, seconded by Commissioner Schmitt.*

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

9. FIRST READING OR ORDINANCE 2663, AUTHORIZING CERTAIN PROPOSED CHARTER AMENDMENTS BE SUBMITTED TO THE ELECTORS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING A PROPOSED CHARTER AMENDMENT BE SUBMITTED TO THE ELECTORS AMENDING THE PROCEDURE FOR REPLACING THE MAYOR IN THE EVENT OF A PERMANENT VACANCY IN THE OFFICE OF MAYOR; AMENDING THE REPLACEMENT OF THE OFFICE OF COMMISSIONER IN THE EVENT OF A PERMANENT VACANCY OF OFFICE WITH LESS THAN ONE (1) YEAR UNTIL THE NEXT REGULAR SCHEDULED ELECTION; PROVIDING FOR THE DELETION OF CERTAIN ELECTION CANVASSING REQUIREMENTS THAT HAVE BECOME TECHNOLOGICALLY OUTDATED; PROVIDING FOR THE UPDATE OF CERTAIN AREAS OF THE CHARTER THAT CONFLICT WITH THE REVISION ENACTED BY THE VOTERS IN 1997; AMENDING THE TERM OF OFFICE OF VICE-MAYOR; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte explained that the only difference between this ordinance and the one that follows is that this ordinance does not propose any change to the current four year term with a two term limit of the Mayor.

*Commissioner Via moved to **APPROVE** the First Reading of Ordinance 2663, seconded by Commissioner Schmitt.*

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

10. FIRST READING OF ORDINANCE 2664, AUTHORIZING CERTAIN PROPOSED CHARTER AMENDMENTS BE SUBMITTED TO THE ELECTORS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING A PROPOSED CHARTER AMENDMENT TO BE SUBMITTED TO THE ELECTORS AMENDING THE PROCEDURE FOR REPLACING THE MAYOR IN THE EVENT OF A PERMANENT VACANCY IN THE OFFICE OF MAYOR; AMENDING THE REPLACEMENT OF THE OFFICE OF COMMISSIONER IN THE EVENT OF A PERMANENT VACANCY OF OFFICE WITH LESS THAN ONE (1) YEAR UNTIL THE NEXT REGULAR SCHEDULED ELECTION; PROVIDING FOR THE DELETION OF CERTAIN ELECTION CANVASSING REQUIREMENTS THAT HAVE BECOME TECHNOLOGICALLY OUTDATED; PROVIDING FOR THE UPDATE OF CERTAIN AREAS OF THE CHARTER THAT CONFLICT WITH THE REVISION ENACTED BY THE VOTERS IN 1997; AMENDING THE TERM OF OFFICE OF VICE-MAYOR; AMENDING THE TERM OF OFFICE OF MAYOR AND ELIMINATING THE CONSECUTIVE TERM LIMIT OF MAYOR; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Forte explained that this ordinance proposes an additional change by asking the voters if they would like a two year term with no term limits for the Mayor.

*Commissioner Schmitt moved to **APPROVE** the First Reading of Ordinance 2664, seconded by Commissioner Byrnes.*

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

11. FIRST READING OF ORDINANCE 2665, AUTHORIZING A CITY TAX ABATEMENT FOR METRA ELECTRONICS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA GRANTING TO METRA ELECTRONICS, INC. AND HIGHLANDER CORPORATION, AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION PURSUANT TO FLORIDA STATUTE SECTION 196.1995; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved to **APPROVE** the First Reading of Ordinance 2665 to include a one hundred percent tax abatement for ten years, seconded by Commissioner Schmitt.*

The Commission indicated that they felt Metra was a company who could set the highest benchmark for this very business friendly action. This tax abatement would only apply to the portion of taxes generated by the expansion – not the entire business.

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

12. FIRST READING OF ORDINANCE 2666, REGARDING OUTSIDE SALES BY NON-LICENSED OPERATORS

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE HOLLY HILL CODE OF ORDINANCES, CHAPTER 114, ARTICLE III, DIVISION 11, "OUTSIDE DISPLAY AND SALE OF GOODS", AS PREVIOUSLY AMENDED BY ORDINANCE 2660; PRESCRIBING WHEN OUTSIDE DISPLAY AND SALES SHALL BE PERMITTED; PRESCRIBING TERMS AND CONDITIONS FOR THE CONDUCT OF OUTSIDE DISPLAY AND SALES; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

*Commissioner Via moved to **APPROVE** the First Reading of Ordinance 2666, seconded by Commissioner Schmitt.*

Commissioner Via displayed what was left of a large fireworks explosive that landed on his house. He was never in favor of outside vendors setting-up tents to sell anything, but this type of merchandise is particularly dangerous. Mayor Arthur agreed regarding outside vendors and Commissioner Byrnes agreed regarding the dangerous and even illegal merchandise now being sold from these types of vendors.

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

13. RESOLUTION 2003-R-40, AUTHORIZING THE INTERLOCAL AGREEMENT OF THE WATER AUTHORITY OF VOLUSIA (WAV)

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY TO ENTER INTO AN INTERLOCAL AGREEMENT CREATING THE WATER AUTHORITY OF VOLUSIA COUNTY AND AUTHORIZING THE CITY'S PARTICIPATION IN SAID ORGANIZATION; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** Resolution 2003-R-40 for discussion, no second. Motion **DIED.***

The Commission discussed this item at length. Water Transition Team staff representatives Roy Schleicher and Jake Varn were present to respond to any questions. Though Mr. Forte indicated that he felt there were many problems with this interlocal agreement, the one that the Commission was strongly concerned about was the inequity of the funding structure. They simply could not justify increasing water rates to City residents for the sake of being a part of this entity and no explanation of the rational behind that fact could change it.

*Commissioner Lockeby moved to **DENY** Resolution 2003-R-40, seconded by Commissioner Schmitt.*

Commissioner Byrnes stated that he felt it would be better to table this item and encourage the Transition Team to re-do their funding structure. He didn't want them to look like they were just sticking their heads in the sand.

*Commissioner Byrnes moved to **TABLE** Resolution 2003-R-40, no second. Motion **DIED.***

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

14. COMMUNICATIONS

A. City Manager

Mr. Forte stated that Richard Quigley, Daytona Beach City Manager, responded to their inquiry about assisting with the railroad repair on 2nd Street – they do not desire to partake in the sharing of the cost.

Mr. Forte introduced Marsha Radulovich, Community Redevelopment Area Coordinator.

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. City Clerk

Ms. Clauss wished Commissioner Schmitt and Commissioner Via a Happy Birthday – both of their birthdays are on the upcoming Friday.

Ms. Clauss also advised the Commission that the provisional ballots that are now required by law will cause the Canvassing Board a one-day delay in certifying the results of the Election. The Canvassing Board will re-convene on the day after the Election to review any provisional ballots and declare the results of the Election.

D. Mayor and Commissioners

Commissioner Schmitt advised that the Fire Department raised $2,160.52 during their boot drive for the MDA. He then inquired as to how the Wilson APUD property was coming along. They had a truck there to begin removing the piles of lumber as of 2:30 p.m. today, according to his neighbor Mrs. Adjamian.

Commissioner Via pointed-out that Jim Cameron, Daytona Beach government liaison had just left, and he acknowledged Jeannie Ball, water advocate. He welcomed Terry Ramsey, owner of the new Billiard Hall in the Halifax Shopping Center. Commissioner Via advised that they will have a Water Transition Team meeting at the South Daytona / Port Orange Chamber of Commerce and he will vote against our participation based on funding inequity.

Commissioner Byrnes reiterated that he felt it would have been far better to have tabled the Water Authority agreement than to have denied it. Commissioner Byrnes spoke of the relaxed atmosphere of Lake Helen parade. He then welcomed the new Billiard Hall owner.

Commissioner Lockeby stated that he hoped everyone had a good 4th of July and thanked them for coming tonight.

Mayor Arthur indicated he had nothing further to report and thanked everyone for coming.

20. ADJOURNMENT

The meeting officially adjourned at approximately 9:00 p.m.

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