M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
AUGUST 14, 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, Assistant City Attorney Scott Simpson, Public Works Director Milt Hallman, Assistant to the City Manager Greg Wood, Recreation Director Chuck Beach, Emergency Services Director Don Shinnamon, and City Clerk Jeaneen Clauss.

B. Invocation

Milt Hallman delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur recognized Mr. Ron Fussell, candidate for District 3 Commissioner.

Recognition of the Selections for the 2001 Employee, Citizen and Corporate Citizen of the Year

Mayor Arthur announced the following recipients of these awards: Elizabeth Cassidy, Employee of the Year; John Penny, Citizen of the Year; and Mary Shearer, Corporate Citizen of the Year.

Presentation from Management Development Consultant, Bo Brewer

Mr. Brewer gave his final report to the City Commission on his results and recommendations after completing his management study for the City. Overall, the results were positive and the weaknesses could be overcome within a year's time. The Departments were receptive to his feedback. The specific details of his report are available through the City Manager's Office.

3. CONSENT AGENDA

Minutes of Regular Commission Meeting – July 24, 2001

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

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

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Lou Schmitt, 1000 Walker Street, referred to the issue of dumpster relocation that was being considered in Holly Forest. This had been brought-up by Commissioner Tarrer at the last meeting. Mr. Schmitt stated that he had spoken with the one of the corporate officers of the company that owns this development (SunCoast Communities) and they didn't care where the dumpster was placed. He will attain a letter to this effect. Mr. Schmitt asked that the City help them keep the dumpster in its present location. Attorney Simpson advised the Commission that they should review the original site plan for this development because if the dumpster location is specified in the site plan, it cannot be changed without Commission approval.

5. RESOLUTION 2001-R-51, COMMUNITY REDEVELOPMENT ADVISORY BOARD APPOINTMENTS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD AND SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE (Arthur Kowitz – 2002; Dave Rusler – 2002).**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-51, seconded by Commissioner Byrnes.*

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

6. RESOLUTION 2001-R-52, OPPOSING CERTAIN STATE AND FEDERAL REGULATIONS OF WATERWAYS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, OPPOSING STATE AND FEDERAL REGULATIONS OF WATERWAYS THAT ARE NOT BASED ON SCIENTIFIC DATA AND DO NOT ADEQUATLY PROTECT THE RIGHTS OF WATERFRONT PROPERTY OWNERS, MARINE INDUSTRIES, RECREATION BOATERS AND OTHER USERS OF THE NAVIGABLE WATERWAYS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-52, seconded by Commissioner Lockeby.*

Cason McClain, 197 Gary Avenue, Oak Hill, member of Standing Watch, was present to respond to any questions from the Commission regarding the need for this resolution. The Commission

expressed full agreement with opposing further restriction of our waterways, which is not derived from scientific data.

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

7. RESOLUTION 2001-R-53, AUTHORIZING AN INTERLOCAL AGREEMENT FOR THE RIVIERA OAKS CANINE FACILITY

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH THE COUNTY OF VOLUSIA, CITY OF DAYTONA BEACH, AND CITY OF ORMOND BEACH FOR DEVELOPMENT OF THE RIVIERA OAKS CANINE FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** Resolution 2001-R-53, seconded by Commissioner Byrnes.*

Jack Schwartz, 436 South Nova Road, Ormond Beach, was thanked for spearheading the creation of this dog park. Dog owners will now have a safe place to play in the open with their dogs.

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

8. SECOND READING OF ORDINANCE 2613, ANNEXING PROPERTY LOCATED AT 1190 GOLF AVENUE

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 Tarrer moved to **APPROVE** the Second Reading of Ordinance 2613, seconded by Commissioner Lockeby.*

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

9. FIRST READING OF ORDINANCE 2614, ADOPTING SEWER USE GUIDELINES

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALLING CHAPTER 70 (UTILITIES), ARTICLE V (SEWERS AND SEWAGE DISPOSAL), SUBDIVISION 1 (GENERALLY) AND SUBDIVISION 2 (DISCHARGE REGULATIONS) OF DIVISION 3 (DISCHARGE REGULATIONS); ADOPTING THE CITY OF HOLLY HILL SEWER USE ORDINANCE; RENUMBERING SUBDIVISION III AND DIVISION 4 OF ARTICLE V; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Lockeby moved to **APPROVE** the First Reading of Ordinance 2614, seconded by Commissioner Byrnes.*

Mr. Hallman explained that this ordinance was required as a part of the Department of Environmental Protection's Clean Water Act. It establishes procedures for the monitoring, policing, and enforcement of sewer regulations – giving them the "teeth" they have needed in the past.

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

10. FIRST READING OF ORDINANCE 2615, STORAGE OF INOPERABLE VEHICLES

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 114 (ZONING), BY AMENDING SECTION 114-811(E) STORAGE OF LOOSE MATERIALS, INOPERATIVE VEHICLES OR EQUIPMENT, SCRAP METAL OR JUNK; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Tarrer moved to **APPROVE** the First Reading of Ordinance 2615, seconded by Commissioner Lockeby.*

Discussion ensued regarding whether businesses should be permitted to sell their own vehicles on their properties. They must be operable if they are to do this or they will fall into the "junk" category. Jack Schwartz, 436 South Nova Road, referred to the City's vehicles that are kept until they are sold. (However, the vehicles are always operable). Some members of the Commission

felt this ordinance may need some fine tuning in the future but they needed something in place now.

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

11. PURCHASE OF VEHICLE TO REPLACE D.A.R.E. VEHICLE

*Commissioner Byrnes moved to **APPROVE** the purchase of one (1) 2001 Ford Taurus for the police department for a total cost of $15,293, seconded by Commissioner Via.*

The accident that could have been tragic for VIP "Snake" Andress was discussed. This vehicle is to replace the one that was totaled when it was being used to warn drivers of a fire they were working to put out. A driver hit it, in spite of its flashing lights.

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

12. LAW ENFORCEMENT TRUST FUND EXPENDITURE

*Commissioner Tarrer moved to **APPROVE** the expenditure of $7,027.28 for purchase of bulletproof vests, $2,600.00 for purchase of badges, $7,650.00 for purchase of Law Enforcement Agency Accreditation Fee, $450.00 for purchase of Commemorative Pins, $470.00 for purchase of Chemical Spray Canisters – for a total expenditure of $18,197.28, seconded by Commissioner Via.*

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

13. LAWN AND SHRUB SPRAYING SERVICE CONTRACT BID

The Commission discussed this and expressed disappointment in receiving only one bid. They reviewed the list included in their packet of who were sent bid packages and the responses received for why various companies did not bid. The amount submitted by TruGreen ChemLawn was about five thousand dollars per year higher than what they'd anticipated.

*Commissioner Byrnes moved to **DENY** awarding the contract for Lawn and Shrub Spraying to TruGreen ChemLawn in the amount of $14,278 – and to try bidding this out again, seconded by Commissioner Tarrer.*

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

14. COMMUNICATIONS

A. City Manager

Mr. Forte stated that they were having more issues with political signs this year than they'd had in the past and he was trying to deal fairly and consistently with each of the candidates.

B. City Attorney

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

C. Mayor and Commissioners

Commissioner Tarrer congratulated the recipients of the Annual City Awards.

Commissioner Via congratulated to the one new and one small business owners who were selected to receive the City's Awards. He referred to the Redevelopment Board appointments, recognizing Dave Rusler's long-term accomplishments and welcoming Arthur Kowitz.

Commissioner Byrnes welcomed the Chamber of Commerce representatives to this meeting, stating that it was good to see them here. He referred to the various political signs he had seen around town and stated that he knew some were placed in the right of way and the candidates needed to be advised of proper placement.

Commissioner Lockeby congratulated the Award recipients and stated the he works around a lot of City Hall's and we have great employees at ours. He had the pleasure of hearing this while at a local business and he was proud to be a part of this organization.

Mayor Arthur referred to John Bozzo's article in the Sunday News Journal and thanked him for the nice comments on Holly Hill.

15. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:52 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk