M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
August 24, 1999

1. CALL TO ORDER

Mayor William Arthur called the meeting to order in Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:30 p.m. Attending with Mayor Arthur were Commissioners J.D. Mellette, Arthur Byrnes, Shirley Heyman, and Roland Via.

Also attending were Acting City Manager Joe Forte, City Attorney Edward Simpson, Public Works Director Milt Hallman, Police Lieutenant Mark Barker, Finance Director Brenda Gubernator, City Economic Development Administrator Ira Corliss, Code Development Administrator Tim Harbuck, City Planner Bob Keeth, and City Clerk Jeaneen Clauss.

2. INVOCATION

Public Works Director Milt Hallman delivered the invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

None.

5. CONSENT AGENDA

A. Minutes of Regular Commission Meeting held on August 10, 1999;

B. Report of Purchase Orders Issued between $5,000 & $10,000.

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

Mayor Arthur clarified with Finance Director Brenda Gubernator the items in "B".

The motion **CARRIED** 5-0 on roll call: Via – Yes, Mellette – yes, Byrnes – yes, Heyman – yes, and Arthur – yes.

6. AUDIENCE PARTICIPATION

George Fries, 1000 Riverside Drive, advised that they had a meeting of Riverside Drive residents on August 16th and he apologized for not planning far enough in advance to allow for public notice so that all the Commissioners could attend. He thanked Mayor Arthur, Acting City Manager Joe Forte, and Assistant City Attorney Scott Simpson for attending. There was reference to the memo drafted by Scott Simpson concerning the possibility of

future land development east of Riverside Drive, if the County vacates the existing easement. He felt that was a valid concern both from the residents' standpoint and the City's standpoint. If it were to come to pass that this would be an issue he would pursue deed restrictions to prevent that. He advised that County Councilman Jaynes is trying to set up a meeting between Mr. Jaynes, the County Attorneys, Mr. Simpson, Mr. Fries, and hopefully Mayor Arthur.

7. FIRST READING OF ORDINANCE 2567, REZONING PROPERTY LOCATED ON THE EAST SIDE OF ESPANOLA AVENUE, SOUTH OF FLOMICH.

City Attorney Edward Simpson read Ordinance 2567 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE NO. 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.66 ACRE LOCATED ON THE EAST SIDE OF ESPANOLA AVENUE APPROXIMATELY 100 FEET SOUTH OF FLOMICH STREET FROM R-7 TO CC-1; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

There was discussion of the number order for this ordinance and the one that follows and City Clerk Jeaneen Clauss explained that the reason for this is that she was advised that the second reading of Ordinance 2566 (below) will take place thirty days before the second reading of this ordinance, so they are numbered in the order in which they will actually be passed on their final readings.

Commissioner Arthur Byrnes asked City Planner Bob Keeth if there would be any legal developmental reasons to prevent them from denying an entrance from Espanola, as he did not want to vote to approve the rezoning only to render the property unusable later because of not allowing an entrance from that street? Mr. Keeth stated that he did not know of any legal development reasons, but that would be reviewed and determined during site plan review. Tonight the issue is rezoning, though of course they are looking ahead to anticipate the full consequences of that.

Jim Morris spoke on behalf of the applicants – Eckerd Drugs. Ron Henson, Project Engineer from Design Service Group, was also in attendance. Mr. Morris explained that the property they are requesting the rezoning of would only be used for a retention pond. He presented copies of a traffic study that they had conducted. He gave a slide presentation and showed aerial photos, which showed that what they were proposing was similar in type to the businesses already in place in that area. Mr. Morris also stated that the applicant would be willing to omit the access on to Espanola. He added that this type of business was consistent with the goals and objectives previously determined by the Commission, as it increased their tax base and it created about twenty new jobs within the community.

Mr. "Snake" Andress, alternate member for the Planning & Appeals Board, stated for the record that he endorsed this project (rescinding his vote at their meeting on August 9th). He added that this would make the majority of this board in favor of this project. Commissioner Byrnes requested that copies of the Minutes from the Planning & Appeals Board meeting were not included in their packets and he would like that to be corrected in the future.

There was a brief discussion of a conservation re-zoning classification for the area that the retention pond will be placed. Mr. Keeth advised that would place additional landscape buffer and setback requirements upon them. They may request this once the project is completed, though.

Kathryn Holdridge, 1533 Espanola, spoke about traffic problems they presently deal with and voiced her concern about the hazards to the children in this area. She indicated that she felt this project would increase these hazards. She stated that she felt the small pharmacy across the street, which is the last to offer delivery of prescriptions, would be put out of business. She ended by asking that the Commission remember the residents, not just the businesses, when they make their final decision.

Roy Phipps, chairman of the Planning & Appeals Board, apologized for not being able to attend their meeting on August 9th. He offered a recommendation for the Commission to consider, if the traffic hazard continues on Espanola, which is to make Espanola a one-way street south. He added that he felt the Eckerd's business would prove safer in that area than a bar – which could lead to drunk drivers on Espanola.

Commissioner Via referred to some of the traffic study requests and light requests they had submitted to FDOT. Mayor Arthur stated that we really should wait until we have a problem before we pursue changes in this area.

*Commissioner Mellette moved **APPROVAL** of the first reading of Ordinance 2567, seconded by Commissioner Byrnes.*

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

8. FIRST READING OF ORDINANCE 2566, AMENDING THE COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE DESIGNATION OF PROPERTY LOCATED ON THE EAST SIDE OF ESPANOLA AVENUE, SOUTH OF FLOMICH

City Attorney Edward Simpson read Ordinance 2566 by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE NO. 2565, 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

100 FEET SOUTH OF FLOMICH STREET FROM MEDIUM DENSITY RESIDENTIAL 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 Mellette moved **APPROVAL** of the first reading of Ordinance 2566, seconded by Commissioner Heyman.*

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

9. FIRST READING OF ORDINANCE 2568, ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED ON THE WEST SIDE OF US HIGHWAY #1 BETWEEN CALLE GRANDE AND ARRAGON STREET OWNED BY PAUL HOLUB, JR.

Acting City Manager Joe Forte asked that the Commission pull this item off the agenda because late this afternoon the Assistant City Attorney Scott Simpson advised that there were some change requests from Mr. Holub concerning the contract. Mr. Forte stated that he didn't want to bring it to them tonight with a lot of verbal changes – he'd rather bring it back to them in September. They Commission agreed.

10. RESOLUTION 99-R-28, REAPPOINTING THREE MEMBERS TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD

City Attorney Edward Simpson read Resolution 99-R-28 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA REAPPOINTING THREE MEMBERS TO THE COMMUNITY REDEVELOPMENT BOARD (DAVE RUSLER, DAVID SPEARIN, AND JOHN DIGUILLIO); SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Via stated that this has been a great board and these are three very important members of it – they've done a great job.

*Commissioner Via moved **APPROVAL** of Resolution 99-R-28, seconded by Commissioner Mellette.*

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

11. RESOLUTION NO. 99-R-29, APPOINTING TWO MEMBERS TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD TO FULFILL THE UNEXPIRED TERMS OF RESIGNED MEMBERS

City Attorney Edward Simpson read Resolution 99-R-29 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING TWO MEMBERS TO THE COMMUNITY REDEVELOPMENT ADVISORY BOARD TO COMPLETE THE UN-EXPIRED TERMS OF STEVE CRETENS AND LEILA GOSNEY (TAMERA KUHN AND ALBERT MARZILLI); SETTING FORTH THE TERM EXPIRATION DATES FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved **APPROVAL** of Resolution 99-R-29, seconded by Commissioner Heyman.*

Commissioner Byrnes stated that Albert Marzilli's business is one of the businesses that they have talked about in their workshops that overflowed its boundaries. He hoped that Mr. Marzilli would come into the spirit of redevelopment if we appoint him to this board. Commissioner Mellette stated that Mr. Marzilli understands and he wants to work for this City. Mayor Arthur and Commissioner Via both indicated that this appointment should resolve that situation. Commissioner Via stated that Ms. Kuhn also has a prominent business in Holly Hill and her college background fits right in with this board.

Acting City Manager Joe Forte advised that we have another spot available on this board now for an alternate.

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

12. RESOLUTION NO. 99-R-30, REAPPOINTING TWO MEMBERS TO THE BOARD OF PLANNING AND APPEALS

City Attorney Edward Simpson read Resolution 99-R-30 by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, REAPPOINTING TWO MEMBERS TO THE BOARD OF PLANNING AND APPEALS (CHERYL SKIDMORE AND ROY PHIPPS); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Arthur advised that both of these members have been great members on the board.

*Commissioner Mellette moved **APPROVAL** of Resolution 99-R-30, seconded by Commissioner Heyman.*

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

13. PURCHASE OF METER READER'S TRUCK

Acting City Manager Joe Forte advised that this truck is to replace the truck that they were using and that it was budgeted for.

*Commissioner Mellette moved **APPROVAL** of the purchase of the S-10 Pick-Up from John Hall Chevrolet for $10,965.50, seconded by Commissioner Heyman.*

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

14. COMMUNICATIONS FROM CITY MANAGER

Acting City Manager Joe Forte asked for Commission for their approval of a trade agreement between this City and the City of Oak Hill. We would be trading a 1990 Chevy Caprice for audio intelligence equipment. We would be trading a used car with a relatively low value for some intelligence equipment that the police department can use in some of the operations that they do. Commissioner Mellette confirmed that we are getting the better end of the deal – all agreed that they were. Commissioner Via referred to the use of this equipment in prostitution busts.

*Commissioner Via moved for **APPROVAL of the trade agreement**, seconded by Commissioner Mellette.*

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

15. CITY ATTORNEY

City Attorney Edward Simpson indicated he had nothing further to report.

16. COMMUNICATIONS FROM MAYOR & COMMISSION

Commissioner Via stated that they had a great conference sponsored by the Florida League of Cities. He said that the Volusia League has gotten their act together. Commissioner Via added that he had heard from a lot of people at the conference that they were aware of the rough times this City had experienced and they supported their decision to accept the resignation of Mr. Lusk. He then welcomed John Carter, the new News Journal correspondent for the City.

Commissioner Byrnes welcomed Mr. Carter and stated that we now have someone related to a president in the back of the room and someone related to a president in the front of the room. He also stated that he had noticed the radar trailer up the street from his house and suggested that it be placed on Espanola for a while.

Commissioner Mellette stated that he too enjoyed the Florida League of Cities Conference and all that they learned there. He also thanked Public Works Director Milt Hallman for the work they did at the school and stated that the crossing guards thank him very much.

Commissioner Heyman extended her welcome to Mr. Carter and stated that she enjoyed the Florida League of Cities Conference, even though she had to leave one day early. She also requested that the tabs be put on their agenda packets.

Mayor Arthur welcomed Mr. Carter and then stated that VCOG is doing a really neat program focusing on the census. They have realized that for every person that is missed in the census, it costs about $1,500. They are also finding franchise fees that should be going to the cities and both of these could mean more money for each City. He also mentioned the funds that will be coming from the five- cent gas tax proceeds. Mayor Arthur also advised that they just approved to do the Wilbur-By-The-Sea boathouse restoration for $600,000. He stated that he wasn't sure want that had to do with the MPO and he made that clear.

17. ADJOURNMENT TO WORKSHOP.

The meeting officially adjourned at approximately 8:35 p. m.

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WILLIAM D. ARTHUR, MAYOR

ATTEST:

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JEANEEN P. CLAUSS, CITY CLERK