

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA**

August 24, 2010

1. CALL TO ORDER

A. Roll Call

Mayor Via called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:05 p.m. Attending with Mayor Via were Commissioners John Penny, Rick Glass, Mark Reed and Liz Towsley.

Also attending were the following staff members: City Manager Oel Wingo, Ph.D., City Attorney Scott Simpson, Administrative Services Director Kurt Swartzlander, Public Works Director Brad Johnson, Police Chief Mark Barker, Fire Chief Ron Spencer, City Planner Doug Gutierrez, Accounting Manager Susan Worde, Audit Specialist Catherine Colwell, and City Clerk Joshua Fruecht.

B. Invocation

Mayor Via delivered the Invocation.

C. Pledge of Allegiance to the Flag

Mayor Via led the Pledge of Allegiance.

2. MINUTES

- A. Minutes from the City Commission Workshop – July 27, 2010
- B. Minutes from the Regular City Commission meeting – July 27, 2010
- C. Minutes from the Special City Commission meeting – August 3, 2010
- D. Minutes from the City Commission Workshop – August 10, 2010

*Commissioner Reed moved **APPROVAL** for the **MINUTES**, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny – Yes, Reed – Yes, Towsley – Yes, Mayor Via – Yes.

3. PUBLIC PARTICIPATION

Regarding items not on the agenda.

Mayor Via opened public participation. No one spoke.

4. PRESENTATIONS & DISCUSSIONS

A. WATER RATE STUDY

Tom Gustafuson from Florida Rural Water Association gave a presentation on the Utility Rate Study and provided the City Commission with an overview of the study that was conducted.

5. BUSINESS AGENDA

- A. SECOND READING OF ORDINANCE NO. 2875, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 70 (UTILITIES), ARTICLE VI “WATER CONSERVATION”, DELETING SECTIONS 70-301 THROUGH 70-310, AMENDING CHAPTER 106 (RESOURCE PROTECTION), ARTICLE V (WATER CONSERVATION) CREATING SECTION 106-124 (INTENT AND PURPOSE), AMENDING SECTIONS 106-125 (DEFINITIONS), 106-126 (GENERAL RESTRICTIONS ON WATER USE), 106-127 (LEVELS OF WATER CONSERVATION AND WATER SHORTAGE), 106-129 (EXEMPTIONS), 106-130 (VARIANCES), DELETING SECTIONS 106-128 (DECLARATION OF WATER SHORTAGE) AND 106-133 (VIOLATIONS). PROVIDING FOR LOCAL IMPLEMENTATION OF THE WATER CONSERVATION RULE FOR LANDSCAPE IRRIGATION OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; PROVIDING DEFINITIONS; PROVIDING LANDSCAPE IRRIGATION SCHEDULES; PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULES; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR APPLICABILITY OF THE ORDINANCE; PROVIDING FOR ENFORCEMENT OF THE ORDINANCE, PROVIDING FOR PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING FOR CODIFICATION, PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Reed moved **APPROVAL** for **ORDINANCE NO. 2875**, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Penny – Yes, Glass – Yes, Towsley – Yes, Mayor Via – Yes.

- B. SECOND READING OF ORDINANCE NO. 2876, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA; AMENDING CHAPTER 66 (TRAFFIC AND VEHICLES), ARTICLE VI (THE CITY OF HOLLY HILL TRAFFIC LIGHT SAFETY ACT) TO AMEND THE CITY’S REGULATIONS TO BE CONSISTENT WITH THE RECENTLY ADOPTED STATE REGULATIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for **ORDINANCE NO. 2876**, seconded by Commissioner Towsley.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Towsley – Yes, Penny – Yes, Reed – Yes, Mayor Via – Yes.

- C. SECOND READING OF ORDINANCE NO. 2877, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING SECTION 2-30 (SALARY, HEALTH AND LIFE INSURANCE; EXPENSE) DELETING THE PROVISION THAT INCREASES THE MAYOR'S AND COMMISSIONERS' SALARY BY THE AMOUNT OF HEALTH INSURANCE PREMIUMS IF THE MAYOR OR COMMISSIONER ELECTS NOT TO BE COVERED BY THE CITY'S HEALTH INSURANCE PLAN; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Reed moved **APPROVAL** for **ORDINANCE NO. 2877**, seconded by Commissioner Penny.*

The motion **CARRIED** 3-2: Reed – Yes, Penny – Yes, Glass – No, Towsley – No, Mayor Via – Yes.

- D. FIRST READING OF ORDINANCE 2880, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING AND RESTATING, CHAPTER 42, PENSIONS AND RETIREMENT; ARTICLE III, FIREFIGHTERS' PENSION PLAN, SECTIONS 42-60 THROUGH 42-93, INCLUSIVE, OF THE CODE OF ORDINANCES OF THE CITY OF HOLLY HILL PROVIDING FOR DEFINITIONS; PROVIDING FOR MEMBERSHIP; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR FINANCES AND FUND MANAGEMENT ; PROVIDING FOR CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR DISABILITY BENEFITS; PROVIDING FOR VESTING OF BENEFITS; PROVIDING OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BENEFICIARIES; PROVIDING CLAIMS PROCEDURES; PROVIDING FOR REPORTS TO THE DIVISION OF RETIREMENT; PROVIDING FOR A ROSTER OF RETIREES; PROVIDING FOR A MAXIMUM PENSION LIMITATION; PROVIDING FOR DISTRIBUTION OF BENEFITS; PROVIDING MISCELLANEOUS PROVISIONS; PROVIDING FOR REPEAL OR TERMINATION OF THE SYSTEM; PROVIDING FOR DOMESTIC RELATIONS ORDERS; EXEMPTION FROM EXECUTION AND NON-ASSIGNABILITY; PROVIDING FOR PENSION VALIDITY; PROVIDING FOR FORFEITURE OF PENSION UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CONVICTION AND FORFEITURE, FALSE, MISLEADING OR FRAUDULENT STATEMENTS; PROVIDING FOR INDEMNIFICATION AND

DEFENSE OF CLAIMS; PROVIDING FOR DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR ABSENCES PURSUANT TO THE FAMILY AND MEDICAL LEAVE ACT; PROVIDING FOR PURCHASE OF CREDIT FOR MILITARY SERVICE PRIOR TO EMPLOYMENT; PROVIDING FOR THE PURCHASE OF CREDITED SERVICE FOR PRIOR FIRE SERVICE; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.\

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for **ORDINANCE NO. 2880**, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny – Yes, Reed – Yes, Towsley – Yes, Mayor Via – Yes.

- E. FIRST READING OF ORDINANCE 2878, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING CERTAIN AMENDMENTS TO THE COMPREHENSIVE PLAN BASED UPON RECOMMENDATIONS CONTAINED IN THE FINAL EVALUATION AND APPRAISAL REPORT; AUTHORIZING TRANSMITTAL; PROVIDING WHEN SUCH AMENDMENTS SHALL TAKE EFFECT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Reed moved **APPROVAL** for **ORDINANCE NO. 2878**, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes.

- F. FIRST READING OF ORDINANCE 2879, AN ORDINANCE ADOPTING THE AMENDMENT TO THE FUTURE LAND USE MAP FOR A 25 ACRE PARCEL LOCATED AT 1200 CENTER STREET, HOLLY HILL, FLORIDA TO CHANGE THE FUTURE LAND USE DESIGNATION FROM “CHURCHES, SCHOOLS AND INSTITUTIONS” TO “MIXED USE III” AUTHORIZING TRANSMITTAL; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Penny moved **APPROVAL** for **ORDINANCE NO. 2876**, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 unanimously: Penny – Yes, Reed – Yes, Glass – Yes, Towsley – Yes, Mayor Via – Yes.

G. RESOLUTION 2010-R-63, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A SPECIAL EXCEPTION FOR AN ADULT LIVING FACILITY LOCATED 1100 15TH STREET; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Via opened public participation. The following individuals came forward to speak to the Mayor and City Commissioners: Gilles Blais and Bill Arthur.

*Commissioner Glass moved **APPROVAL** for **RESOLUTION 2010-R-63**, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny – Yes, Reed – Yes, Towsley – Yes, Mayor Via – Yes.

H. RESOLUTION 2010-R-64, A RESOLUTION OF THE CITY OF HOLLY HILL, RELATING TO FINANCIAL INTEGRITY PRINCIPLES; RELATING TO APPROPRIATION OF FUND BALANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Reed moved **APPROVAL** for **RESOLUTION 2010-R-64**, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes.

I. RESOLUTION 2010-R-65, A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FLORIDA HEALTH CARE FOR MEDICAL INSURANCE COVERAGE FOR THE EMPLOYEES BEGINNING THE FISCAL YEAR OCTOBER 1, 2010 TO SEPTEMBER 30, 2011; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. The following individuals came forward to speak to the Mayor and City Commissioners: Elizabeth Bell.

*Commissioner Reed moved **APPROVAL** for **RESOLUTION 2010-R-65** at a cost of \$479.18 per employee, seconded by Commissioner Penny.*

The motion **FAILED** 2-3: Reed – Yes, Penny – Yes, Glass – No, Towsley – No, Mayor Via – No.

Mayor Via opened public participation. No one spoke.

*Commissioner Penny moved **APPROVAL** for **RESOLUTION 2010-R-65** at a cost of \$518.16 per employee, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Penny – Yes, Glass – Yes, Reed – Yes, Towsley – Yes, Mayor Via – Yes.

- J. ~~RESOLUTION 2010 R 66, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH CARDINAL CLEANING COMMERCIAL AND RESIDENTIAL SERVICES, INC. FOR THE PURPOSES OF CONTRACTUAL CUSTODIAL SERVICES; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.~~

*Resolution 2010-R-66 was **WITHDRAWN** from agenda.*

6. **CONSENT AGENDA**

- A. APPROVE FLOATING HOLIDAY FOR EMPLOYEES FOR FY 2010-11 AS MONDAY, DECEMBER 27, 2010.

*Commissioner Glass moved **APPROVAL** for **CONSENT AGENDA**, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny – Yes, Reed – Yes, Towsley – Yes, Mayor Via – Yes.

7. **COMMUNICATIONS**

A. **City Manager**

City Manager Oel Wingo informed the City Commission that there was a new layout for the City of Holly Hill Newsletter. Dr. Wingo also reminded the City Commission that the next Regular City Commission meeting would be on Monday September 13, 2010 at 7:00 PM and that they would be having the first City Commission Budget Workshop on Wednesday September 1, 2010 at 5:00 PM.

B. **City Attorney**

City Attorney Scott Simpson had no comments.

C. Mayor & Commissioners

Commissioner Penny

Commissioner Penny informed the City Commission and the public that they would be announcing the Citizen of the Year on Tuesday, September 28, 2010. Mr. Penny also informed the public that the Chamber of Commerce would be having its 14th Annual Golf Scramble on September 18, 2010 at Riviera Country Club.

Commissioner Glass

Commissioner Glass had no comments.

Commissioner Towsley

Commissioner Towsley informed the City Commission and the public that the TPO/MPO would be having four Public Information Sessions in September.

Commissioner Reed

Commissioner Reed had no comments.

Mayor Via

Mayor Via thanked everyone for attending, and informed the public that there would be a public forum with City Manager Oel Wingo on August 25, 2010 at 4:00 PM.

D. City Clerk

City Clerk Joshua Fruecht had no comments.

8. ADJOURNMENT

The meeting officially adjourned at approximately 9:50 p.m.

Attest:

City of Holly Hill, Florida

Joshua Fruecht
City Clerk

Roland D. Via
Mayor

Florida Statutes 286.011 and Government-In-The-Sunshine Manual

“The minutes of Sunshine Law meetings need not be verbatim transcripts of the meetings; rather the use of the term “minutes” as stated in F.S. 286.011, contemplates a brief summary or series of brief notes or memoranda reflecting the events of the meeting.”

An audio recording of Sunshine Law meetings (e.g. City Commission meetings/workshops and CRA meetings) are available upon request from the Office of the City Clerk during regular business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m.