M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
AUGUST 28, 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, City Attorney Edward Simpson, Assistant City Attorney Scott Simpson (arriving at item ten on this agenda), Public Works Director Milt Hallman, Assistant to the City Manager Greg Wood, Development Code Administrator Tim Harbuck, City Planning Director Bob Keeth, 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 and Mr. Jeff DeLanoy - candidates for District 3 Commissioner.

Certificates of Appreciation to Board of Planning & Appeals Members:

Francis Ann Mobley	**Roy Phipps**
George Davis	**J.D. Mellette**
Cheryl Skidmore	**Carol Swain**
Jack Vanderwiere	

Mayor Arthur presented Certificates of Appreciation to Mr. Phipps, Mr. Vanderwiere, and Mr. Davis. He announced the other board members as well, though they were not present to receive their certificates.

3. CONSENT AGENDA

A. Minutes of Regular Commission Meeting – August 14, 2001
B. Minutes of Commission Workshop – August 14, 2001

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

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

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Steve Smith, 1410 Riverside Drive, stated that he would like to put an attractive gazebo in his front yard – replacing the concrete table and chairs that are presently there. Our land development regulations (114.741) currently prohibit front-yard accessory structures. The Commission indicated they felt this would look nice on his property and asked the attorney, the planner, and building department to work towards a proposal that could allow an asset of this nature, yet not open them up to un-attractive structures in front yards. They would like to workshop this proposal.

Bernadette Miller, 1000 Walker Street #189, advised that Lou Schmidt (Commissioner Tarrer's half-brother) is operating a business out of his home for light illumination installation. This is in violation of our City Code. Commissioner Tarrer stated that he would handle the matter.

Harvey Birum, president of the Holly Forest Estates Homeowner's Association, brought the Commission up-to-date on the dumpster / trash compactor issue. He advised that their Association was unanimously opposed to moving this but the owners (SunCoast Communities) did choose to move go ahead with their plan and it is done. He stated that the Association was able to negotiate improvements on the basis of health & safety. These include lighting, paving, and enclosing the trash compactor area. The originally intended location for the dumpster is not on the City approved site plan but they are contacting the original owners to see if they have another draft of this plan which shows this.

5. RESOLUTION 2001-R-54, ESTABLISHING A NOTIFICATION PROCEDURE TO THE COUNTY OF VOLUSIA FOR CITY REDEVELOPMENT DISTRICT ACTIVITY

This item was removed from the agenda because new information just came in from the County Manager's Office and the area City Managers need to meet on this prior to consideration of this.

6. RESOLUTION 2001-R-55, ADOPTING A REDEVELOPMENT DISTRICT GRANT PROGRAM

This item was removed from the agenda because it needs to go before the Commission in their capacity as the Community Redevelopment Agency. A meeting for this will be set-up for September 4th, 2001 at 6:45 p.m.

7. RESOLUTION 2001-R-56, ACCEPTING THE FRDAP GRANT

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE ACCEPTANCE OF THE FLORIDA RECREATIONAL DEVELOPMENT ASSISTANCE PROGRAM (FRDAP) GRANT; AND PROVIDING AN EFFECTIVE DATE.**

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-56, seconded by Commissioner Lockeby.*

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

8. RESOLUTION 2001-R-57, AUTHORIZING AN INTERLOCAL AGREEMENT FOR UNIFIED CONTRACTOR LICENSING

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 FOR UNIFIED CONTRACTOR LICENSING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

The Commission discussed how this was a much better check for the citizens on the contractors they hire and that this will be much easier on the contractors than driving around purchasing sixteen licenses each year. The revenue loss is minimal.

Commissioner Tarrer moved to ***APPROVE*** *Resolution 2001-R-57, seconded by Commissioner Lockeby.*

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

9. SECOND 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 Byrnes moved to ***APPROVE*** *the Second Reading of Ordinance 2614, seconded by Commissioner Tarrer.*

The Commission acknowledged that this is the type of work that government does which the citizens aren't always aware of but they would become very aware if things were not taken care of. Mention was made that the garbage rate increased this year and citizens may not be aware that the City did not pass that increase along to them.

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

10. SECOND 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 Second Reading of Ordinance 2615, seconded by Commissioner Lockeby.*

Several Commissioner expressed concerns about the undue hardship that could be placed on businesses if we prohibit the sale of their vehicles unless they are properly tagged. They don't want to jeopardize the City's business friendly climate. They are counting on Staff using real good judgment in this area. Mr. Forte assured the Commission that good judgment would be used, referring to the newly adopted portable sign ordinance and the enforcement thereof. They need regulations in place to allow them to cleanup the problem areas of the City. A citation gives someone ten days to either fix the problem or make other arrangements with the City. The Commission expressed full confidence in the City Manager for proper implementation of this ordinance.

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

11. SUBDIVISION PLAT APPROVAL – 8TH STREET ACROSS FROM LAKEWOOD DRIVE

Mr. Forte stated that this is a subdivision that will be going in off 8th Street across from Lakewood Drive. He stated that as an individual, he liked the layout. Parker Mitchenburg did the design on it (the same company that did the design for our City pool). However as the City Manager, he was forced to state that he did not agree with this because their Comp Plan states that they need to open up roads to facilitate emergency vehicles and prevent dead end water lines. He recommended this item be tabled so the Attorney could research whether this road could be opened, due to property easement issues. The Commission respectfully disagreed with Mr. Forte, indicating a fondness for residential cul-de-sacs. Mr. Hallman reiterated the same concern about not opening this street but stated that if they chose not to, he had two concerns that he'd like to see addressed. Parker Mitchenburg agreed to address these. They were incorporated into the motion.

*Commissioner Tarrer moved to **APPROVE** the amended plat, as recommended by the Board of Planning and Appeals with the recommendations incorporated into this plan from the Public Works Director to 1) extend the waterline if a drainage easement exists and tie into the existing waterline on Elm and 2) to provide easements connecting the retention areas, seconded by Commissioner Byrnes.*

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

12. COMMUNICATIONS

A. City Manager

1. Mr. Forte reminded the Commission of the Publix Groundbreaking ceremony at nine o'clock tomorrow morning.

2. Mr. Forte advised that Charleston Place has sent him a letter regarding the block wall that is planned to go up along the south side of the property along Flomich. They are asking to be relieved of this requirement because of the large amount of trees that would have to be cut down. Mr. Forte lent his support to this request and the Commission agreed that he could work with them to place a chain link fence along the inside of their property and meander the sidewalk around the trees – to save as many trees as possible.

3. Mr. Forte referred to where they had left off with the lawn spraying contract when the Commission had directed Staff to research the contract to stay with Quantum or go out for bid again. He advised that they found there is no expiration date for the actual contract with Quantum Pest Control, even though it was in the bid specifications. Quantum has agreed to an extension of the contract for $10,214, which is a $522 increase over last year. This is almost $4,000 less than the bid they received.

*Commissioner Via moved **APPROVAL** of extending the City's present contract with Quantum but in the amount of $10,214, seconded by Commissioner Byrnes.*

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

4. Mr. Forte stated that Troy Hawkins has asked that they do something different than their typical bidding process for phase III of the Recreation Facility. Mr. Hallman explained that Troy Hawkins has asked that instead of bidding this project that they allow management to negotiate a contract for this construction with Hall Construction Company. Troy Hawkins stated that he would feel a lot better going with the same company that did the first two phases of this facility. The Commission did not feel they could do this, yet hoped Hall Construction would be awarded this bid.

B. City Attorney

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

C. Mayor and Commissioners

Commissioner Via inquired about the cancellation of the next meeting due to their RailVolution Conference. The Code allows for the Mayor to cancel one meeting per month. Commissioner Via referred to the Florida League of Cities Conference where he was pleased see what good shape our City is in and how far advanced we are, particularly given our size. He also reveled in the Apopka Fever with the Mayor serving 50 years and the little league achievements. Mayor Arthur suggested a proclamation for the Apopka team. Commissioner Via offered to deliver it to one of their City Commission meetings. He also advised that his radio show "Open Government" will cover their agenda on the Tuesdays of their meetings. He advised that he will facilitate (not moderate) political forums for candidates in our upcoming election. They have a Mayor's Week and a City Manager's Week coming up the latter part of September for open government talk.

Commissioner Byrnes referred to the Dangerous Animal ordinance, which was recently adopted and how that process worked in his life recently and helped when his family's pet was killed. He thanked the Staff for their hard work and large hearts.

Commissioner Lockeby indicated he had nothing further to report.

Commissioner Tarrer referred to the Florida League of Cities Conference where over 2,000 elected officials from the State of Florida were present when Mayor Persis of Ormond Beach complimented our City, stating that his people needed to take notice and come learn from us. Commissioner Tarrer expressed how pleased he was with the employee morale and that it has improved even in the last year.

15. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:26 p.m.

City of Holly Hill

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William D. Arthur, Mayor

Attest:

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Jeaneen P. Clauss, City Clerk