

MINUTES

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
SEPTEMBER 14, 2004**

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, Gilles Blais, Lou Schmitt, and Roland Via.

Also attending were City Manager Joe Forte, City Attorney Scott Simpson, Public Works Director Milt Hallman, Public Safety Director Don Shinnamon, Finance Director Brenda Gubernator, 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 Regular Commission Meeting – August 24, 2004

Minutes of Commission Workshop – August 24, 2004

Minutes of Special Emergency Commission Meeting – September 7, 2004

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

The motion **CARRIED** 5-0 on roll call: Schmitt – Yes, Via – yes, Blais – yes, Byrnes – 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 advised everyone that the Chamber Board meeting has been moved to next Wednesday, September 22nd. He also reminded everyone of the Awards Banquet this Thursday.

MINUTES

Commissioner Via stated that there is an issue coming before the Water Authority of Volusia which he would like Commission direction on. The City of Port Orange has an interconnect issue for which they are requesting WAV support yet they are currently in a law suit with the County over this particular interconnect area. Commissioner Via recommended that they not support this now because WAV should not be a conduit in a matter to be determined by the courts. The Commission agreed that he should vote “no” until the lawsuit has been settled. The WAV meeting is scheduled for tomorrow at 8:30 a.m. in the Votran Conference Room.

Commissioner Byrnes stated that the Volusia League of Cities meeting has been postponed until October because of the hurricane issues.

Commissioner Blais stated that the Collegiate Events Task Force will hold a meeting next week.

Mayor Arthur stated that the Metropolitan Planning Organization cancelled all their meetings because of the hurricane issues.

5. AUDIENCE PARTICIPATION **Regarding items not on the agenda.**

None.

6. RESOLUTION 2004-R-56, ACCEPTING THE RESULTS OF THE SPECIAL ELECTION HELD AUGUST 31ST, 2004

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING THE RESULTS OF THE SPECIAL ELECTION HELD TUESDAY, AUGUST 31st, 2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Via moved to **APPROVE** Resolution 2004-R-56, seconded by Commissioner Blais.*

The Commission requested a breakdown of how City residents voted on the issues. Ms. Clauss will get this.

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

7. RESOLUTION 2004-R-57, AUTHORIZING ACCEPTANCE OF THE BYRNE STATE AND LOCAL LAW ENFORCEMENT GRANT

Mr. Simpson read by short title:

MINUTES

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE ACCEPTANCE OF THE BYRNE STATE AND LOCAL LAW ENFORCEMENT GRANT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Byrnes moved to **APPROVE** Resolution 2004-R-57, seconded by Commissioner Schmitt.*

It was noted that this is the last year of this grant, which pays a portion of the salary of the narcotics officer they have assigned to the County Narcotics Task Force.

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

8. FIRST READING OF ORDINANCE 2705, REGARDING UTILITY SECURITY DEPOSIT FOR REPEAT NONPAYMENT

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING SECTION 70-131(b) (DISCONTINUANCE OF SERVICE.) TO PROVIDE FOR AN ADDITIONAL UTILITY SECURITY DEPOSIT IF THE UTILITY SERVICE IS DISCONNECTED THREE (3) TIMES DURING A TWELVE MONTH PERIOD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Schmitt moved to **APPROVE** the Second Reading of Ordinance 2705, seconded by Commissioner Blais.*

The Commission directed Staff to waive this for one full billing cycle following the recent Hurricane Frances. There was some discussion regarding the individual waiving of late fees as well. Staff exercised discretion and late fees were waived after Hurricane Charlie. They planned to do this again. The Commission was pleased about that.

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

9. SECOND READING OF ORDINANCE 2707, REGARDING PUBLIC CONSUMPTION OF ALCOHOLIC BEVERAGES

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA; REPEALING SECTION 6-2(A) OF THE HOLLY HILL CODE OF ORDINANCE; ADOPTING A NEW SECTION 6-2(A) TO PROVIDE MORE SPECIFIC AND MORE

MINUTES

STRINGENT RESTRICTIONS REGARDING THE PUBLIC CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Schmitt moved to **APPROVE** the Second Reading of Ordinance 2707, seconded by Commissioner Byrnes.*

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

10. FIRST READING OF ORDINANCE 2709, AMENDING THE BUDGET FOR FISCAL YEAR 03/04

Mr. Simpson read by short title:

AN ORDINANCE AMENDING ORDINANCE NO. 2674 THE APPROPRIATIONS BUDGET FOR THE CITY OF HOLLY HILL, FLORIDA, FOR THE FISCAL YEAR OCTOBER 1, 2003 THROUGH SEPTEMBER 30, 2004; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

*Commissioner Via moved to **APPROVE** the Second Reading of Ordinance 2709, seconded by Commissioner Byrnes.*

Mr. Forte advised that they can expect to see this amended again because of all of the hurricane expenditures that are still accruing.

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

11. FIRST READING AND ONLY READING OF EMERGENCY ORDINANCE 2704, SUSPENDING PERMIT AND FEE PROCEDURES FOR EMERGENCY REPAIRS DUE TO HURRICANE FRANCES

Mr. Simpson read by short title:

AN EMERGENCY ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ENACTING TEMPORARY EMERGENCY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING PERMIT APPLICATIONS AND FEES; WAIVING SPECIFIC PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE FRANCES; PROVIDING FOR THE REPEAL OF

MINUTES

ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, AND SETTING FORTH AN EFFECTIVE DATE.

*Commissioner Schmitt moved to **APPROVE** the First and Only Reading of Emergency Ordinance 2710, seconded by Commissioner Via.*

It was clarified that this ordinance eliminates fees for hurricane related work and authorizes the Building Official to issue field permits for work he notices underway. This protects the citizens by ensuring that only properly licensed contractors are performing their work.

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

12. GARAGE AND PUBLIC WORKS BUILDINGS

Mr. Forte explained that this project was put out for bid prior to either hurricanes but they only received one bid, probably due to the first hurricane. The bid was satisfactory and under budget. Now that the second hurricane has assisted in much of the removal portion of this, the amount is expected to be reduced even further – meaning further under budget.

*Commissioner Blais moved to **APPROVE** awarding the bid to M. L. Underwood Construction, Inc. for a total lump sum of \$130,000, seconded by Commissioner Schmitt.*

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

13. REPLACEMENT OF VARIABLE FREQUENCY DRIVES FOR THE EQUALIZATION PUMPS FOR THE WASTEWATER PLANT

The cost for this was surprisingly lower than they thought (less than one-third under the budgeted estimate.) The Commission expressed some concern but were assured that this amount covers everything they needed and asked for.

*Commissioner Via moved to **APPROVE** awarding a contract to purchase the equalization drives, controls, and installation to Electrical Motor Services for a total cost of \$18,645, seconded by Commissioner Schmitt.*

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

14. EMERGENCY STORMWATER RETENTION AND LIFT STATION PUMPS

*Commissioner Schmitt moved to **APPROVE** the purchase of two (2) 6HTC-OJDST-4045M pumps with trailer, instrument panel, and residential muffler from Thompson Pumps for a total cost of \$34,370, seconded by Commissioner Blais.*

MINUTES

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

15. SEWER LINE REPAIRS ON RIVERSIDE DRIVE

Mr. Forte explained that this item was placed before them and the last meeting and he asked for it to be removed due to concern over the bid process. He has now been made aware that this is a piggyback off the bid done by the City of Orlando.

*Commissioner Schmitt moved to **APPROVE** authorizing a piggyback off of Orlando's bid for Miller Pipeline Corp. to make the necessary repairs at a total cost of \$19,285, seconded by Commissioner Byrnes.*

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

16. COMMUNICATIONS

A. City Manager

Mr. Forte stated that he attended a pre-construction meeting for the Nova Road project from 8th to Flomich. This project should begin September 27th and they expect a one hundred eighty day completion time. They are still waiting to get some price quotes for stamped concrete to see if they can add that as a little bonus.

Mr. Forte advised they will be pulling the irrigation system out of the 10th Street island and once that work is done they can go back to putting in the landscaping and irrigation on that project.

Mr. Forte advised that the construction for US 1 is anticipated to begin on October 4th.

Mr. Forte reminded everyone of the Awards Banquet this Thursday.

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Schmitt asked about the regular garbage pick-up because several areas of the City are not receiving that service, including the dumpsters in Holly Forest. Mr. Forte stated that a few areas were not receiving pick-up because of trees and power lines preventing the trucks from being able to get through. He will be calling about each of the areas he's made aware of, though.

Commissioner Via expressed great frustration with the "safety claim" of FDOT about their plans for US 1. The other Commission members agreed with him and mentioned various things that FDOT had done that are clearly unsafe by common sense standards. Commissioner Via

MINUTES

mentioned that he had met with FPL representative Bob Coleman and actually viewed the grid they follow to determine power restoration priority. He felt that it was a sound plan. Commissioner Via stated that he felt they were doing a tremendous job on the debris clean-up throughout the City. Commissioner Via referred to his pager, which he feels is very helpful, but inquired if the Commission thought cell phones would be a better tool for them. They can discuss this further in a workshop, but the other members of the Commission indicated that they preferred the pagers from the City and any cell phones to be paid for with their expense allowance / honorarium. Commissioner Via suggested a specific cell phone allowance.

Commissioner Byrnes complimented Staff on the tremendous job they have done over the past couple of months in handling all of the hurricane related issues.

Commissioner Blais thanked the Staff for coming into work, day after day, in spite of the primitive conditions that some of them had to bear at home. He felt the City should be able to provide Staff with a hot shower and child care during times like that. Commissioner Blais mentioned that there is still a line down on Jasmine.

Mayor Arthur thanked everyone for attending the meeting and added that he was lucky because he had power, again.

17. ADJOURNMENT

The meeting officially adjourned at approximately 8:03 p.m.

Attest:

City of Holly Hill, Florida

Jeaneen P. Clauss, CMC
City Clerk

William D. Arthur
Mayor