M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
SEPTEMBER 23, 2003

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, Paul Lockeby, Lou Schmitt, and Roland Via.

Also attending were Acting City Manager / Assistant to the City Manager Greg Wood, City Attorney Edward Simpson, Building Official Tim Harbuck, Police Commander Mark Barker, Human Resources Director Diane England, Finance Director Brenda Gubernator, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Jeaneen Clauss.

B. Invocation

Ms. Clauss delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Arthur introduced the candidates in the audience for the upcoming election – Ron Fussell, running for District 4 and J.D. Mellette, running for District 2.

3. CONSENT AGENDA
Minutes of Special Commission Meeting – September 3, 2003
Minutes of Regular Commission Meeting – September 9, 2003
Minutes of Special Commission Meeting – September 10, 2003
Purchase Orders Issued between Five and Ten Thousand Dollars

- **Volusia County (Fuel) - $5,917.88**

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

The motion **CARRIED** 5-0 on roll call: Via – yes, Lockeby – yes, Schmitt – 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 stated that the next Chamber of Commerce Breakfast is scheduled for November 13th, 7:30 a.m., at Bishops Glen. They have elected new officers as follows: President Gina Plante, Vice-President Steve Tyler, Secretary John Penny, and Treasurer Mary Shearer. They currently have $25,098.25 in cash assets. As a sidenote, Commissioner Schmitt stated that Holly Hill has a connection to Miss Florida, who just won Miss USA. Her family lives here. Unfortunately, with her busy schedule as the new Miss USA, she will not be able to serve as the Grand Marshall of our Christmas Parade this year.

Commissioner Via stated that the Water Authority of Volusia has been working on technical issues and discussing the process they will use to hire an executive director. They will continue to meet in Deltona on the 3rd Wednesday of each month through December and beginning in January they will meet on the same schedule but at the Votran Building in South Daytona.

Commissioner Byrnes stated that he has a meeting tomorrow with Roy Schleicher, who will be stepping down from his position as Executive Director of the Volusia League of Cities. Their next meeting will be October 23rd in New Smyrna Beach.

Commissioner Lockeby stated that the Volusia Council of Governments did not have a quorum last night. They reviewed the EMS plan for charging back calls, if they go over twenty-five calls. They are looking at a three-year initiation plan. He thanked the Commission for sending him to the Rail Volution conference. He learned a lot there and noticed how much more costly their real estate is in Atlanta. They have a franchise agreement with their electric company that provides for re-location of all the lines underground. They also have a citizen board to establish city goals. After participating in some rails discussion there, he felt that we should make another attempt to get the Amtrack station located here and attend the train demo on October 26th, which John Mica is working on.

Mayor Arthur agreed with Commissioner Lockeby's focus following the Rail Volution. He stated that the Metropolitan Planning Organization discussion has focused on combining VCOG and MPO.

5. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Barbara Waite Sandberg, 578 Riverside Drive, presented newspaper articles and other forms of historic memorabilia regarding her parents and asked that the Commission consider renaming 15th Place to Waite Place. Her father was the community doctor and her mother was very active in the community. On a sidenote, there is a lot of confusion over having two streets with basically the same name (15th Place and 15th Street) and it would be helpful to change this.

David Hague, 711 North Halifax Drive #203, supported Ms. Sandberg's request and showed great respect for her father, the community doctor and her mother, the community activist.

David Transeau, 110 15th Place, stated that he had only recently moved here as the new pastor of First Baptist Church. He too supports changing the name of this street to honor the Waite family.

*Commissioner Byrnes moved to **APPROVE** authorizing Staff to prepare this for consideration at their next meeting, seconded by Commissioner Via.*

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

6. RESOLUTION 2003-R-58, ADOPTING THE FINAL MILLAGE RATE FOR FISCAL YEAR 03/04

Mr. Simpson read by short title:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR THE YEAR BEGINNING OCTOBER 1, 2003; PROVIDING FOR CONFLICTING RESOLUTIONS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Florida is required by Florida Statute 200.011 to certify to the County Property Appraiser the general municipal millage rate established by said Commission for the tax year beginning October 1, 2003; and

WHEREAS, the City Commission of the City of Holly Hill, Florida, pursuant to Florida Statute 200.065, the TRIM BILL, is required to adopt a tentative budget and a proposed millage rate, said proposed millage rate is the rolled back rate of 4.08002 ($4.08002 per $1,000); and

WHEREAS, the City Commission of the City of Holly Hill, Florida, is desirous of adopting a final millage rate, having given proper notice of both a proposed 0% tax increase and the public hearing held with respect to same.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

Section 1. That the final millage rate adopted by the City Commission of the City of Holly Hill, Florida, for the tax year beginning October 1, 2003 is 4.08002 ($4.08002 per $1,000.00); said millage rate is the rolled back rate of 4.08002 ($4.08002 per $1,000), which shall be a 0% increase property taxes.

Section 2. That all resolutions made in conflict with this Resolution are hereby repealed.

Section 3. That this Resolution shall become effective immediately upon its adoption.

*Commissioner Via moved to **APPROVE** Resolution 2003-R-58, seconded by Commissioner Schmitt.*

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

7. SECOND READING OF ORDINANCE 2675, ADOPTING THE APPROPRIATIONS BUDGET FOR FY 03/04

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ADOPTING THE APPROPRIATIONS BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2003, THROUGH SEPTEMBER 30, 2004, PROVIDING FOR CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

Commissioner Byrnes moved to ***APPROVE*** *Second Reading of Ordinance 2675, seconded by Commissioner Schmitt.*

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

8. FIRST READING OF ORDINANCE 2676, REZONING PROPERTY LOCATED AT 845 CARSWELL AVENUE FROM R-3 SINGLE FAMILY TO CC-1 COMMERCIAL CORRIDOR DISTRICT

Mr. Simpson read by short title:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ORDINANCE NO. 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.22 ACRE, LOCATED ON THE EAST SIDE OF CARSWELL AVENUE BETWEEN EIGHTH STREET AND TENTH STREET, FROM R-3, SINGLE FAMILY RESIDENTIAL, TO CC-1, COMMERCIAL CORRIDOR DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Commissioner Via moved to ***APPROVE*** *the First Reading of Ordinance 2676, seconded by Commissioner Schmitt.*

Commissioner Byrnes stated that he would normally vote against this type of change but it is situated in such a way that there is CC-1 all around it, so it fits. Others agreed.

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

9. RESOLUTION 2003-R-56, APPOINTING A CANVASSING BOARD FOR THE CITY'S FALL 2003 ELECTIONS

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA APPOINTING A CANVASSING BOARD FOR THE CITY'S GENERAL AND SPECIAL ELECTIONS SCHEDULED FOR OCTOBER 7, 2003 AND (IF NECESSARY) THE CITY'S RUNOFF ELECTION SCHEDULED FOR NOVEMBER 4, 2003; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.** (Commissioner Arthur J. Byrnes; Commissioner Lou Schmitt; George Davis; John Wooten; Tim Harbuck; Alternate Doyle "Snake" Andress; Alternate Diane Cole; Alternate Mayor William Arthur)

*Commissioner Via moved to **APPROVE** Resolution 2003-R-56, seconded by Commissioner Lockeby.*

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

10. RESOLUTION 2003-R-59, AUTHORIZING AN AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT WITH THE METROPOLITAN PLANNING ORGANIZATION FOR FISCAL YEAR 2003-2004; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Schmitt moved to **APPROVE** Resolution 2003-R-59, seconded by Commissioner Lockeby.*

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

11. RESOLUTION 2003-R-60, RATIFYING A THREE-YEAR CONTRACT WITH THE FIREFIGHTERS UNION

Mr. Simpson read by short title:

> **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING A THREE-YEAR CONTRACT WITH THE IAFF, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3470; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Via moved to **APPROVE** Resolution 2003-R-60, seconded by Commissioner Schmitt.*

Commissioner Schmitt requested that this resolution be made retroactively effective to the same date as the LIUNA union and the non-union personnel, as a reward for successful negotiations being completed in a timely manner.

*Commissioner Via **AMENDED HIS MOTION** to make the effective date of the pay increases retroactive to September 12th, 2003, Commissioner Schmitt amended his second.*

Commissioner Via attempted to clear-up some misinformation that he had heard in a roundabout manner regarding his support for the City's firefighters. He stated that his has always been very pro-employee and has repeatedly supported salary increases. Donald Moore, 1584 Riverside Drive and IAFF union representative, spoke to these comments and told Commissioner Via that is not why their union is supporting his opponent in this Election.

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

12. SECOND READING OF ORDINANCE 2673, AMENDING THE VESTING SCHEDULE OF THE 401(A) FLORIDA MUNICIPAL TRUST RETIREMENT PLAN FOR NON-UNION EMPLOYEES

Mr. Simpson read by short title:

> **AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA AMENDING THE RETIREMENT PLAN AND TRUST FOR THE GENERAL EMPLOYEES OF THE CITY OF HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Byrnes moved to **APPROVE** the Second Reading of Ordinance 2673, seconded by Commissioner Schmitt.*

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

13. SECOND READING OF ORDINANCE 2674, AMENDING THE APPROPRIATIONS BUDGET FOR FY 02/03

Mr. Simpson read by short title:

> **AN ORDINANCE AMENDING ORDINANCE NO. 2641 THE APPROPRIATIONS BUDGET FOR THE CITY OF HOLLY HILL, FLORIDA, FOR THE FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING WHEN**

THIS ORDINANCE SHALL TAKE EFFECT.

Commissioner Schmitt moved to ***APPROVE*** *the Second Reading of Ordinance 2674, seconded by Commissioner Byrnes.*

Commissioner Via complimented the Finance department on the excellent job they do.

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

14. COMMUNICATIONS

A. City Manager

Mr. Wood stated that Mr. Forte had asked him to mention that they will have a Good Relations Workshop with the School Board just before their next City Commission meeting.

B. City Attorney

Mr. Simpson indicated he had nothing further to report.

C. Mayor and Commissioners

Commissioner Via thanked everyone for coming tonight and mentioned how nice it was to have active citizens like Ms. Waite. He felt stunned by the fire department's response tonight but made it clear that he strongly supports them. He wished everyone good luck at the election.

Commissioner Byrnes clarified the process for certifying the election results and when commissioners take office. The Canvassing Board has the authority to certify the election results and the Charter provides that commissioners take office the first regular meeting in November.

Commissioner Lockeby thanked everyone for coming.

Commissioner Schmitt stated that he is enjoying this election process because it is the first one that he has not been working in for several years. He wished all the candidates the best. Commissioner Schmitt thanked everyone who came to the Awards Dinner and who worked hard to put it all together. It was great.

Mayor Arthur introduced District 2 candidate Gilles Blais, who had arrived after the initial candidate introductions were made at the beginning of the meeting. He referred to a topic at their last meeting regarding the Rio Way annexation. He stated that they have had no reports of severe flooding for the past five years. The engineers will review everything and they will consider the whole boundary issue for next year. Mayor Arthur stated that his friends from California, who had been such wonderful hosts to all of them during the September 11th tragedy, really enjoyed their visit here. Commissioner Schmitt mentioned that they had become more politically active in their area, since the visit of the Holly Hill City Commission and had turned their house into a polling place. Mayor Arthur then wished Mr. Simpson a Happy Birthday and presented him with a card from the Commission.

15. ADJOURNMENT

The meeting officially adjourned at approximately 8:56 p.m.

Attest:	City of Holly Hill, Florida
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Jeaneen P. Clauss, CMC City Clerk	William D. Arthur Mayor