

**MINUTES
COMMISSION WORKSHOP
CITY OF HOLLY HILL, FLORIDA**

AUGUST 8, 2006

1. CALL TO ORDER

Mayor Roland D. Via called the workshop to order in the conference room at City Hall, 1065 Ridgewood Avenue at approximately 9:40 p.m. Attending with Mayor Via were Commissioners John Penny, Gilles Blais, Mark Reed, and Traci A. Anderson. Also attending were the following staff members: City Manager Joe Forte, Assistant City Attorney Scott Simpson, Finance Director Brenda Gubernator, and City Clerk Valerie Manning.

2. SIDEWALKS WITHIN CITY LIMITS

Mr. Forte briefly discussed sidewalks and liability issues in the City and read a section from the Code of Ordinance book, *Chapter 58, Article III, Sidewalks, Section 58-76, Duty of property owner to repair*. A lot of cars are parking on or driving across the sidewalks and they are damaging them. Mr. Forte showed some pictures to the Mayor and Commission of a lady who had fell on the sidewalk and landed on her face and got bruised pretty bad. What happens is the cars at that church park on the sidewalk and the sidewalk is only 4 inches and they are not designed to hold that kind of weight. Mr. Forte informed the Mayor and Commissioners that he wants to start sending letters out to tell the property owners that they are responsible for the maintenance of the sidewalk on their property.

Attorney Simpson spoke briefly about the liability issues. As a property owner, meaning the City, we are liable for that. There is an Ordinance that says the citizen adjacent to our property has the responsibility of fixing the sidewalk. The City could go after that citizen, possibly the injured party could go after the citizen, to say that they had a contractual obligation to do that. That would be a statutory violation, an Ordinance violation, that they fail to remedy the City's property.

There was discussion amongst the Mayor, Commissioners, Mr. Forte, and Attorney Simpson in regards to whose burden of proof is it as to how the damage occurred, and if someone moves in to their home and the sidewalk is already broke or if it's a renter.

Mr. Forte mentioned to Attorney Simpson that the City has always gone out and repaired the damaged sidewalks and never really gone out and given anyone a notice to repair the sidewalk themselves. It is becoming such a prevalent problem that he doesn't have a budget to keep repairing them.

Attorney Simpson mentioned that the City could go after the property owner for causing damage to City property if the City could *prove* that they are the ones who damaged the sidewalk.

There was discussion amongst the Mayor, Commissioners, Mr. Forte, and Attorney Simpson in regards that some of the Commissioners who are homeowners weren't aware that this type of Ordinance existed and the possibility that the citizens could get upset if they receive a letter telling them that they have to start paying for something that they weren't aware of. There was brief discussion about possibly going through the City and refurbishing the old sidewalks.

Mr. Forte informed the Mayor and Commissioners that he doesn't have enough money in the budget to fix them all. There is a budget of \$10,000 for sidewalks but there is also CDBG money.

Mrs. Gubernator said that they have \$10,000 towards sidewalks and the rest of it is towards paving and then CDBG was for Center Avenue.

Mr. Forte informed them that staff shifted all of their sidewalk this year into paving projects because they had the \$87,000 worth of CDBG money that staff is doing Center Avenue.

*There was **CONSENSUS** from the City Commission to repeal the Ordinance where its the responsibility of the property owners to repair the sidewalks when they damage them.*

2. CITIZEN OF THE YEAR

Mr. Forte explained to the Mayor and Commissioners the process of picking the Citizen of the Year. There was discussion amongst the Mayor and Commissioners on who they thought should be nominated.

*There was **CONSENSUS** from the City Commission to nominate Dan Daugherty as Citizen of the Year for 2006.*

3. BUDGET REVIEW

Mr. Forte, Mrs. Gubernator, Mayor and Commissioners briefly discussed the budget and the millage and mentioned that they are approximately \$56,000 short and they still are working on the figures; they have until September for the budget to be finalized. There was mention that *if* the Commission had said they wanted the ad valorem rate to be \$3.25, would Mrs. Gubernator be able to go through the budget and find the money and Mr. Forte told them yes.

Discussion amongst the Commissioners included that they have to be careful as Commissioners not to let their wish list cause this budget to force taxes to go up.

4. CHAMBER OF COMMERCE DISCUSSION

Mr. Forte informed the Mayor and Commissioners that the Chamber of Commerce is having financial problems and they are about a month away from running out of money. They are going to be eliminating the Executive Director's position, Harriet Lewis, and ask Jeni Trepasso, Administrative Assistant to stay on as the secretary. They have asked Rose Schuhmacher to see if she would volunteer to try and get the Chamber back on board and she has agreed. The Chamber doesn't have the revenue stream to be a full-time Chamber. There is \$35,000 in this year's budget for the Chamber to get them up and running but the Chamber has asked for the City to release the money to them in \$3,000 a month increments so that they don't get this lump sum and then it's all gone at once.

*There was **CONSENSUS** from the City Commission to give the Chamber \$3,000 a month out of the \$35,000 that is already budgeted for them.*

Mr. Forte mentioned that the City lacks the sense of community. There is just no sense of community here and that's evident by, he hasn't received a single person to send him a vision statement and the Beautification Advisory Board is having problems, nobody showed up to the City's Hurricane Preparedness meetings, Chief Shinnamon organized a Neighborhood Watch for National Night Out with Mr. and Mrs. Legary and they were on vacation. There is a lack of sense of community in the City.

5. ADJOURNMENT

The workshop officially adjourned at approximately 11:10 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor