

**ORDINANCE NO. 2900**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTED PURSUANT TO FLORIDA STATUTE SECTIONS 101.161 AND 166.031 SETTING FORTH PROPOSED AMENDMENTS TO THE CITY'S CHARTER TO BE SUBMITTED TO THE VOTERS OF THE CITY AT A SPECIAL ELECTION; PROVIDING FOR A BALLOT SUMMARY AND TITLE FOR EACH PROPOSED AMENDMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission created a Charter Review Commission to review the Charter and propose recommended changes to the City Charter

**WHEREAS**, the City Commission has reviewed the recommendation of the Charter Review Committee and the City Commission believes the recommendations of the Charter Review Commission should be submitted to the electors of the City of Holly Hill.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF HOLLY HILL,**

**FLORIDA:**

**SECTION 1.** The first proposed amendment to the City's Charter is the following:

**BALLOT SUMMARY**

The City's Charter currently provides that each Commissioner's term of office is 2 years with all Commissioners up for election at the same time (non-staggered terms). The proposed charter amendment increases the term of office to 4 years and provides for staggered terms. If approved, the change to 4 year staggered terms would take effect immediately.

**ELIMINATION OF 2 YEAR NON-STAGGERED TERMS FOR COMMISSIONERS**

Shall the City Charter be amended to provide a 4 year staggered term for Commissioners?

\_\_\_\_\_ Yes. In favor of amending the charter to provide 4 year staggered terms for all Commissioners.

\_\_\_\_\_ No. Against 4 year staggered terms and keeping two year non-staggered terms for all Commissioners.

**SECTION 2.** The second proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City's Charter currently provides that the Mayor's term of office is 2 years. The proposed charter amendment increases the Mayor's term of office to 4 years.

**ELIMINATION OF 2 YEAR TERM FOR THE MAYOR**

Shall the City Charter be amended to provide a 4 year term of office for the Mayor?

\_\_\_\_\_ Yes. In favor of amending the charter to provide a 4 year term for the office of Mayor.

\_\_\_\_\_ No. Against 4 year term of office for the Mayor and retaining a 2 year term.

**SECTION 3.** The third proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City Charter currently limits only the office of Mayor to a 2 consecutive term limit. The proposed amendment would eliminate the term limit that currently exists only on the office of Mayor.

**ELIMINATION OF CONSECUTIVE TERM LIMIT FOR MAYOR**

Shall the City Charter be amended to eliminate the 2 consecutive term limit on the office of Mayor?

\_\_\_\_\_ Yes. In favor of eliminating the term limit on the office of Mayor.

\_\_\_\_\_ No. Against eliminating the term limit on the office of Mayor and retaining the current 2 consecutive term limit.

**SECTION 4.** The fourth proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City Charter currently requires the City to have a special election in the event a permanent vacancy occurs in any seat on the Commission when there is more than one year until the next regularly scheduled election. The proposed amendment would allow the Commission to appoint a temporary replacement to fill the vacated Commission seat until the next regularly scheduled election instead of calling a special election.

**ELIMINATION OF REQUIREMENT TO FILL VACANCY ON COMMISSION BY SPECIAL ELECTION**

Shall the City Charter be amended to eliminate the requirement for a special election to fill a vacancy on the Commission?

\_\_\_\_\_ Yes. In favor of deleting the requirement for a special election and allowing the Commission to appoint a temporary replacement to serve until next regularly scheduled election.

\_\_\_\_\_ No. Against the amendment to the City Charter thereby requiring a special election to fill a vacancy if there is more than one year until the next regularly scheduled election.

**SECTION 5.** The fifth proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City Charter currently provides that it takes 4/5ths vote of the City Commission to hire the City Manager, but only a 3/5ths vote to terminate the City Manager. The proposed amendment would require a 4/5ths vote of the City Commission to terminate the City Manager.

**4/5ths VOTE TO TERMINATE CITY MANAGER**

Should the City Charter be amended to require a 4/5ths vote of the City Commission to terminate the City Manager?

\_\_\_\_\_ Yes. In favor of amending the Charter to require a 4/5ths vote of the City Commission to terminate the City Manager.

\_\_\_\_\_ No. Against amending the City Charter thereby requiring only a 3/5ths vote of the City Commission to terminate the City Manager.

**SECTION 6.** The sixth proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City Charter currently allows the sale of alcoholic beverages between the hours of 7:00 AM until 2:00 AM. The proposed amendment would eliminate this provision thereby allowing the City Commission to determine when to allow the sale of alcoholic beverages.

**SALE OF ALCOHOLIC BEVERAGES**

Should the City Charter be amended to eliminate the provision that allows alcoholic beverages to be sold between 7:00 AM and 2:00 AM?

\_\_\_\_\_ Yes. In favor of eliminating the Charter provision regulating the sale of alcoholic beverages thereby allowing the City Commission to set the hours of sale for alcoholic beverages.

\_\_\_\_\_ No. Against the proposed Charter amendment thereby prohibiting the City Commission from setting the hours of sale for alcoholic beverages.

**SECTION 7.** The seventh proposed amendment to the City Charter is the following:

**BALLOT SUMMARY**

The City Charter currently requires the City to add fluoride to the City's water supply system. The proposed Charter amendment would eliminate the obligation to add fluoride and would allow the City Commission to decide whether fluoride should be added to the City's water supply system.

**FLOURIDATION OF CITY WATER SUPPLY SYSTEM**

Should the Charter be amended to remove the obligation to add fluoride to the City's water supply system?

\_\_\_\_\_ Yes. In favor of eliminating the obligation to provide fluoride to the City's water supply system and instead allowing the City Commission to decide whether fluoride should be added.

\_\_\_\_\_ No. Against the proposed Charter amendment thereby requiring fluoride to be added to the City's water supply system.

**SECTION 8.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

**SECTION 9.** That all ordinances made in conflict with this Ordinance are hereby repealed.

**SECTION 10.** That this Ordinance shall become effective immediately upon its adoption.

**SECTION 11.** That this Ordinance shall be posted at City Hall as required by law.

The within and foregoing Ordinance was introduced and read on first reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 9<sup>th</sup> day of August, 2011.

It was moved by Commissioner Glass and seconded by Commissioner Moore that said Ordinance be approved on first reading. A roll call vote of the Commission held on said motion for approval of the Ordinance resulted as follows:

Mayor Roy Johnson	Absent
Commissioner John Penny	Yes
Commissioner Rick Glass	Yes
Commissioner Donnie Moore	Yes
Vice-Mayor Liz Towsley-Patton	Yes

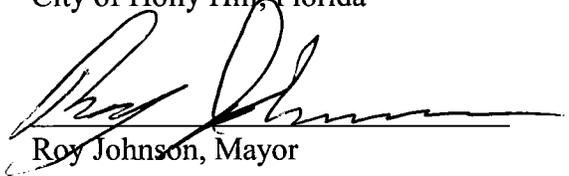
The within and foregoing Ordinance was introduced and read on the second reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 23<sup>rd</sup> day of August, 2011.

It was moved by Commissioner Patton and seconded by Commissioner Glass that said Ordinance be adopted. A roll call vote of the Commission held on said motion to adopt the Ordinance resulted as follows:

Mayor Roy Johnson	Yes
Commissioner John Penny	Yes
Commissioner Rick Glass	Yes
Commissioner Donnie Moore	Yes
Commissioner Liz Towsley-Patton	Yes

WHEREUPON, the Mayor of the City of Holly Hill, Florida, has hereunto set his official signature, duly attested by the City Clerk, and has caused the official seal of said City to be affixed, all at City Hall in the City of Holly Hill, this 23<sup>rd</sup> day of August, 2011, for the purpose of authenticity as is required by law.

City of Holly Hill, Florida

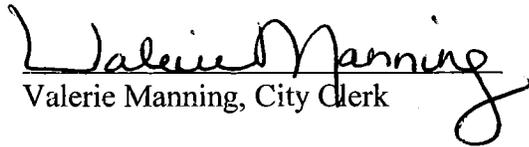


Roy Johnson, Mayor



James "Jim" McCroskey, City Manager

Attest:



Valerie Manning, City Clerk