M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
NOVEMBER 14, 1995

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order in Council Chambers at City Hall, 1065 Ridgewood Avenue at 7:30 p.m..

Answering roll call were Mayor Wine, Councilman Arthur Byrnes, Councilman J. D. Mellette, Councilman Shirley Heyman and Councilman Jim Elliott.

Also attending were City Manager Donald Lusk, City Attorney Edward Simpson, Chief of Police Pat Finn and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Pastor Duncan, Holly Hill Church of God.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

PROCLAMATION

Mayor Wine read a proclamation declaring November Hospice Month.

4. AUDIENCE PARTICIPATION

None.

5. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting, October 24, 1995: Special Meeting, November 1, 1995

B. Bills and Accounts

Councilman Elliott moved to APPROVE the Consent Agenda being seconded by Councilman Heyman . The motion CARRIED 5-0 on roll call.

6. PUBLIC HEARING - OPT OUT OF FLORIDA RETIREMENT SYSTEM FOR NEW EMPLOYEES AND DISCUSS A NEW PLAN

City Manager Lusk told Council the City is required to hold a Public Hearing to be able to opt-out of the Florida Retirement System. He said staff has included a summary of the plan being proposed to replace the FRS plan. He said it isn't written in stone. Tonight Council can discuss what they think of the proposed plan.

For quick clarification, Mr. Lusk said the State passed a statute last summer allowing cities to opt out of the FRS. Presently the City contributes over 17% of wages and by setting up our own system, the City can contribute whatever the City wants to contribute. The problem with the 17% is that only 10% actually goes to employee benefits. The other 7% is used to fund the unfunded liabilities.

Mr. Lusk said he is proposing to have the City set up its own pension plan and put in 10% which will be a defined contribution. This plan being presented is a defined contribution plan instead of a defined benefit plan. The difference is the defined benefit says at a certain age you will receive a certain amount per month the rest of your life. The defined contribution says the City will give 10% every year period. The City does not know what the employee will get when they are 60 or 65, whatever age the City picks. Mr. Lusk said the City would define the contributions the City will give. He said you could run some tables which would show if the money earns 5% a year the employee will have x amount of dollars. There is no guarantee. What is guaranteed is the contribution. That way the City knows what its expenses are going to be in the years to come. This is a better program.

Mr. Lusk said in talking to some of the employees, they would like to get out of FRS and get in the new program. He said you cannot do that. The FRS will not allow that. The only employee who can go into the program are people hired after January 1, 1996. The City Manager said you cannot play games with this program like a person quitting one day and come back the next. He is not going to get the new pension system. Mr. Lusk said obviously this system isn't too bad if we have some employees thinking in those terms.

Another plus for the proposed system is that it goes with the employee if they go to another job. The FRS does not unless they go to another government with that system. The proposed system is vested at five years and 50% of the money will be his.

Mr. Lusk said he has put some things in the plan to address certain concerns he has. One example is the employee who wants to buy a new truck and quits his job just to get his money. The employee will not be able to get the money until one year later.

The City Manager said the City has an obligation to the employees to make sure these things do not happen. Mr. Lusk said an employee is fully vested after ten years (100%) of the money belongs to the employee. He said he recommends this plan, that several things could be done but this plan is through the Florida League of Cities. They will run the program for the City. This is not written in stone. Next year the City could say let's do this another way. We could go from the Florida League of Cites to ICMA or to a private company like Smith Barney. The City will always be the controller of the plan. The City cannot take the money, they must keep it as a pension plan but the City can choose how the money is going to be handled and who is going to handle it in years to come.

The City could get to the point in a few years where they could offer a third plan. You would then be able to let the employee choose. That was the conclusion of the City Managers recommendations.

Mayor Wine said everyone has heard the City Manager's recommendations and asked if any members of the audience would like to ask questions or make comments. There were none.

Mayor Wine said this proposed plan would be of benefit to the citizens and taxpayers because they would no longer have to pay almost 18%. She said the FRS plan could keep on going up because the State has to keep it funded. She again asked for questions or comments.

Councilman Heyman said all the Council was in favor of saving the citizens money.

City Manager Lusk said a resolution would be presented at the next meeting to withdraw from the FRS. This is following state law.

Councilman Mellette said this is a benefit to everyone involved, the City, the employee, and the citizens.

The hearing ended at approximately 7:45 p.m.

7. RESO. NO. 51 - APPOINTING TWO MEMBERS TO THE REDEVELOPMENT BOARD

City Attorney Simpson read:

RESOLUTION NO. 95-R-51
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING TWO MEMBERS TO SERVE ON THE REDEVELOPMENT ADVISORY BOARD FOR THE CITY OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The names of Big John and Leila Gosney were inserted in the resolution.

Councilman Mellette moved to ADOPT the resolution being seconded by Councilman Elliott. The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Elliott, yes; Byrnes, yes; Heyman, yes; Wine, yes.

8. RESO. NO. 53 - APPOINTING A MEMBER TO SERVE THE UNEXPIRED TERM OF JOHN DIGUILIO

City Attorney Simpson read:

RESOLUTION NO. 95-R-53
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE REDEVELOPMENT BOARD FOR THE CITY OF HOLLY HILL, FLORIDA, FOR THE UNEXPIRED TERM OF JOHN DIGUILIO; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Elliott moved to ADOPT the resolution being seconded by Councilman Mellette. The motion CARRIED 5-0 on the following roll call:

Elliott, yes; Mellette, yes; Heyman, yes; Byrnes, yes; Wine, yes.

9.. RESO. NO. 54 - SETTING POLICY FOR PLACEMENT OF STREET LIGHTS

City Attorney Simpson read:

RESOLUTION NO. 95-R-54
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, CREATING A NEW POLICY FOR THE PLACEMENT OF STREET LIGHTS IN WHICH THE POLICE CHIEF MAKES A RECOMMENDATION REGARDING THE PLACEMENT OF A NEW STREET LIGHT, THIS RECOMMENDATION IS CONFIRMED BY THE PUBLIC WORKS DIRECTOR AND THE CITY MANAGER MAKES THE FINAL DETERMINATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Heyman moved to ADOPT the resolution being seconded by Councilman Mellette.

Councilman Byrnes said he had not had a chance to ask Mr. Lusk about this item and wasn't sure why this is on the agenda. He said the Council has been making the final determination in the past. Mr. Lusk explained his reasoning.

The motion CARRIED 4-1 on the following roll call:

Heyman, yes; Mellette, yes; Byrnes, no; Elliott, yes; Wine, yes.

10. RESO. NO. 56 - AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN A LICENSE AGREEMENT WITH THE FLORIDA EAST COAST RAILWAY COMPANY RE: 10TH STREET CROSSING

City Attorney Simpson read:

RESOLUTION NO. 95-R-56
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE MAYOR AND/OR THE CITY MANAGER TO EXECUTE THE 10TH STREET RAILROAD CROSSING AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Simpson recommended approval of the resolution contingent upon clarification of Paragraph 2 of the agreement. Other than that the agreement accomplishes what the City wanted which is to begin construction on the Tenth Street Crossing. Mr. Simpson said the agreement says the City pays for everything and is responsible for everything but the City does get the crossing.

Councilman Byrnes made the motion to APPROVE the resolution with the stipulations mentioned by the City Attorney being seconded by Councilman Heyman. The motion CARRIED 5-0 on the following roll call:

Byrnes, yes; Heyman, yes; Elliott, yes; Mellette, yes; Wine, yes.

11. AWARD OF BID FOR RAW WATER LINE RELOCATION ON LPGA BLVD.

Councilman Mellette moved to ACCEPT the staff recommendation to award the bid to Halifax Paving to relocate the raw water main under the provisions of the JPA Agreement. The City's portion is $143,174. Councilman Heyman seconded the motion which CARRIED 5-0 on roll call.

12. AWARD OF BID FOR RECLAIMED WATER STORAGE AND PUMP

Councilman Heyman moved to ACCEPT the staff recommendation to accept the low bid from Florida Environmental Construction, Inc. in the amount of $534,532 being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

13. RESO. NO. 57 DECLARING VACANT LOT AT 1647 RIVERSIDE DRIVE AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO OBTAIN AN APPRAISAL AND SELL THE LOT VIA COMPETITIVE BID

City Attorney Simpson read:

RESOLUTION NO. 95-R-57
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA DECLARING LAND OWNED BY THE CITY AS SURPLUS AND AUTHORIZING THE SALE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Lusk said the lot is located at 1647 Riverside Drive and that he intends to use the money for paving streets. He said staff will get three appraisals and then advertise for bids with a minimum starting bid at the amount of the best appraisal.

Councilman Mellette moved to ADOPT the resolution being seconded by Councilman Elliott. The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Elliott, yes; Byrnes, yes; Heyman, yes; Wine, yes.

14. REQUEST APPROVAL OF $11,830 EXPENDITURE TO CONTROL SPECIALISTS COMPANY FOR TRAFFIC SIGNAL LOOP REPLACEMENT AT SECOND, THIRD, SIXTH, EIGHTH AND WALKER STREETS

Mr. Hallman explained the expenditure will allow the loop signals at Second, Third, Sixth and Walker Streets to be repaired so the traffic lights will work like they should.

Councilman Heyman moved to APPROVE the expenditure of $11,830 for the necessary repairs being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

Mayor Wine recessed this meeting at 8:15 p.m. to allow the Council to convene the meeting scheduled by Charter to canvass the elections returns.

Mayor Wine called the regularly scheduled meeting back to order at 8:20 p.m.

15. RESO. NO. 58 AWARD OF CONTRACT FOR WRECKER SERVICE

City Attorney Simpson read:

RESOLUTION NO. 95-R-58
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE AWARD OF THE WRECKER CONTRACT TO DAYTONA WRECKER SERVICE AND AUTHORIZING THE MAYOR AND/OR CITY MANAGER TO EXECUTE THE WRECKER AGREEMENT WITH DAYTONA WRECKER SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Chief Finn recommended accepting the bid from Daytona Wrecker because it will be a guaranteed amount of revenue ($10,818) for the City.

Councilman Mellette moved to ACCEPT the bid of Daytona Wrecker *as recommended and ADOPT the resolution being seconded by Councilman Heyman. The motion CARRIED 5-0 on the following roll call:*

Mellette, yes; Heyman, yes; Elliott, yes; Byrnes, yes; Wine, yes.

16. AWARD OF BID FOR LIQUID ALUMINUM SULFATE

Mr. Hallman recommended Apperson Chemical's bid of $.34 per gallon delivered be accepted. The other bid received was from General Chemical at $4.46548 per gallon.

Councilman Mellette moved to APPROVE staff's recommendation to ACCEPT Apperson Chemical's bid. The motion CARRIED 5-0 on roll call.

17. AWARD OF BID FOR AMMONIA

Mr. Hallman recommended accepting the bid of Tanner Industries, Inc. for $.28 per pound delivered.

Councilman Heyman moved to APPROVE the recommendation being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

18. COMMUNICATIONS FROM CITY MANAGER

A. Reso. 59 - Endorsing Joint Planning and Design of the Volusia Aquifer Partnership as coordinated by the Executive Director of the Volusia City-County Water Supply Cooperative

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA ENDORSING JOINT PLANNING AND DESIGN OF THE VOLUSIA AQUIFER PARTNERSHIP AS COORDINATED BY THE EXECUTIVE DIRECTOR OF THE VOLUSIA CITY-COUNTY WATER SUPPLY COOPERATIVE USING, AS THE BEGINNING POINT, THE VOLUSIA AQUIFER PARTNERSHIP FINAL REPORT.

Councilman Heyman moved to ADOPT the resolution and authorize the City Manager to work with other cities to develope a plan. Councilman Mellette seconded the motion which CARRIED 5-0 on the following roll call:

Heyman, yes; Mellette, yes; Byrnes, yes; Elliott, yes; Wine, yes.

B. Report on Re-use Water System

City Manager Lusk said Councilman Byrnes had asked for a report on the Re-use Water System so he worked with Mr. Hallman to come up with a brief report. Mr. Lusk gave a brief chronological report on the project. (Copy attached.)

Mr. Byrnes said he was mainly looking for a date when we would start pumping water. Mr. Lusk said he just received this report tonight and would see that Council gets copies of the report.

C. Employee Relations Person

Mr. Lusk introduced Sandra Price to Council and the audience.

D. Third Street and Nova Road Project

Councilman Byrnes asked about this project because it was to be on this agenda. Mr .Lusk responded he and Mr Hallman drove over the project and it is complete except for the seeding. He said it is much better than it was and there is no way water coming off that property will flood the neighbors as they are doing true retention now.

19. COMMUNICATIONS FROM CITY ATTORNEY

None.

20. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Heyman congratulated Mayor Wine on still being in the race for mayor.

Councilman Mellette said he would like to submit the name of Thomas C. Smith, 1024 Dayton Avenue. Mr. Simpson said he would have a resolution for the next meeting. A brief discussion ensued regarding Mr. Elliott's appointment to the Board.

21. ADJOURNMENT

There was no further business to come before the City Council so the meeting was adjourned at approximately 8:42 p.m.

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Mayor

ATTEST:

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City Clerk-Manager