

**MINUTES
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JANUARY 10, 1995**

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order in Council Chambers at City Hall, 1065 Ridgewood Avenue.

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 Ralph Hester, City Attorney Edward Simpson, Chief of Police Pat Finn and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Rev. Jim Duncan, Church of God, 825 Center Street.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

Ms. Ruth Davis of 12th Street voiced concern that Sunrise Park was not being maintained as it should be and also talked about how people were almost having sex and she said the Police need to patrol more.

Mrs. Pat Clem of Scotland Drive asked what, if anything, is being done about the drainage problems brought about by Tropical Storm Gordon. She was informed there is a recommendation for a short list of engineers later in the meeting and that will be one of the priorities when an engineering firm is selected.

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Mr. Otto Dekom, 136 11th Street (LPGA Blvd.) addressed Council on behalf of the residents who live on LPGA Blvd./11th Street east of Ridgewood Avenue. These citizens wish to change the name back to 11th Street.

Also speaking on the petition were JoAnn Kash, Dave Rusler, Ruth Davis, and Nancy Dekom.

5. CONSENT AGENDA

- A. Approval of Minutes - December 13, 1994 - Regular Meeting
- B. Bills and Accounts

Councilman Mellette moved to APPROVE the Consent Agenda being seconded by Councilman Heyman.

The motion CARRIED 5-0 on roll call.

6. CLASSIFICATION AND PAY PLAN ADJUSTMENT

City Manager Hester told Council this item was being presented pursuant to discussion at a previous meeting. He said this is being presented because Council had been concerned about employees being transferred to lower pay grades and there being no "safety net". Mr. Hester then read his memo and said this is for involuntary demotions which are in the best interest of the employees such as physical handicap where they cannot handle their job duties or the other would be serving the best interest of the City or demotion for cause.

Voluntary demotions would mean an employee's wages would be cut back to the grade of the demotion and involuntary demotions would mean a salary adjustment to the new pay range or reduction of 15% of gross wages, whichever is the lesser amount of the two.

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Mr. Hester said the Pay Plan currently has all of this in it except the safety net (15%). The plan provides for putting people down to the range they are assigned to and that is what caused the concern.

Councilman Byrnes said he thought 15% is too high and there should be a statement that says it doesn't apply to a demotion for cause. If a person is demoted because they are not doing their job, then the salary should go to whatever job you are giving them. You are being nice and not firing them but for an involuntary demotion that is done because the City decides this person's job is no longer needed here and they need to be put in a lower position or for the good of an employee, the new paragraph serves well, except it should say 10% instead of 15%.

Mayor Wine said she has discussed this with the City Manager and does not have any problem with the way the City Manager has addressed this problem. She said we do have involuntary positions and if a person is not performing the duties they once did, they need to go down the 15%. Otherwise, you get some people who would be glad to go to a lesser job for almost the same pay they were making. A lot of people would be glad to take a 10% cut for lesser responsibilities.

Councilman Mellette agreed with Mr. Byrnes on one point, the demotion for cause. If you are demoted for cause, you should have to take whatever comes down but if you are demoted because you worked for us twenty-five years and now all of a sudden you cannot perform your job, we shouldn't just demote you and give you whatever we decide. The 15% I could live with, and if it serves the best interest of the City, I could understand the 15%, but if you are demoted because you can no longer do your job for a good reason other than you've been here so long you cannot do the job, you should take whatever comes down.

Mayor Wine said perhaps it wouldn't hurt to put another paragraph in the memo spelling that out since both Mr. Byrnes and Mr. Mellette agree on that.

Mr. Hester asked if it was Council's wish that the safety net of 15% to apply only to "A" and "B" in the involuntary transfers. Mr. Byrnes and Mr. Mellette agreed. Councilman Byrnes said "C" could be made as a third item because you would have an

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involuntary demotion for the good of the employee or the best interest of the City, but then you would have an involuntary demotion for cause. Mayor Wine agrees and said those people should consider themselves lucky they still have a job with the City.

Mr. Hester said if that is what Council is looking for, he would like some positive action on their part and he will sit down with the attorney and draft the language.

Mayor Wine asked for a motion and Councilman Mellette said he would make a motion to that affect and Councilman Byrnes said he would seconded the motion with the added changes.

The motion CARRIED 5-0 on roll call.

Councilman Elliott said he would like to ask a couple of questions or one anyway. He then asked if anybody has been moved around who should have had a cut in pay recently? He said that was brought up in a couple of meetings that somebody was demoted or moved around and he has gotten complaints from other employees saying why was he moved around and not any money taken away. He asked if there is anybody in that position that should be...

Mr. Hester said there is somebody in that position that we would have to address with this once it is processed, but what is coming down is a vacant position. Mr Emery was that of a Public Works Supervisor. He was functioning as a Foreman. The City Manager said it is our intent to create the formal Foreman slot there which is a lesser amount than the Supervisor. The City Manager said he is leaving that up to Mr. Hallman. He (Hallman) is looking over his whole operation with some ideas of moving people around and restructuring the unit and making it more functional. Mr. Hester said to answer the question, once the paperwork is done, he will readdress that issue.

7. PROPOSED SHORT LIST FOR CITY ENGINEERS

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Mayor Wine said the Public Works Manager came up with eight names on the short list. She said maybe Council would like to set up fifteen minute interviews to talk to these firms.

Councilman Elliott said he had been talking with Mr. Hallman and said the list could be shorter so he thought four could be picked for interviews and asked if Council should pare the list.

Mr. Hallman said the list he presented to Council is alphabetical and not ranked from best to worst. They were simply the eight firms coming closest to meeting Council's requirement. Council agreed to have Mr. Hallman to bring back a short list of four firms.

Mr. Hallman said the ad in the paper had specific requirements and that is what he based his list on. He said he had suggested to the City Manager that a letter be written to the firms asking what they would consider in the way of a local presence. One firm indicated there would be no long distance calls and no mileage charges. Mr. Hallman said the City Manager said we are interested in the option of having a planning staff. He said each of these firms have a planning staff but they are not necessarily Comprehensive Planning so that might be something to be considered.

Mayor Wine said we have serious drainage problems needing attention and she wants to know if they have liability insurance to take care of anything they might do for the City of Holly Hill.

Mayor Wine said she thought Mr. Hallman could talk with these firms. Mr. Hester asked if he and Mr. Hallman could come up with the final four. The City Manager said they would work on this and possibly bring two firms each meeting. More discussion ensued and it was decided a Special Meeting would probably be best.

8. URBAN AND COMMUNITY FORESTRY GRANT

Mayor Wine said the City has been awarded a \$5,000 grant to perform a tree inventory. However this must be matched with in kind match of \$7,500 and this is not budgeted. Councilman Byrnes said before we turn down this grant, we should determine if we

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can match with services. Mayor Wine pointed out the City would have to buy software to keep the inventory and she was not in favor of that since the employees did not receive a decent pay increase.

Councilman Mellette asked again if in kind services would count and the City Manager said the City would have to hire an outside consultant. Mr. Hester said this could be done next year.

Mayor Wine said she hoped the budget session would be early this year.

Mr. Hester said we are looking at the trees in the right of way and those that need some attention. He said Mr. McGlumphy, urban forester, is doing this work and we are removing trees as necessary.

It was the consensus of Council to hold off on this grant at this time and consider it during budget hearings.

9. DISCUSSION ON PROPOSED DIRECTOR OF PUBLIC SAFETY POSITION

Mr. Hester said during the right sizing/down sizing, one of the items discussed was the creation of a Public Safety Director position. What we are doing tonight is talking about this and making a decision one way or another. This gives Council an opportunity to, with some minor structuring in the administration side of this, have a potential for \$25, 000 to \$30,000 in savings. Mr. Hester said he thought Council would be looking at ways to shave back the costs of General Government and this is one of those areas to consider. It is easier to look at because there are no faces to look at in connection with a layoff.

The City Manager said to set the record straight, this would be management training only. The fire functions and police functions would be separate. Councilman Mellette asked Mr. Hester about the paragraph which said "In the future, Public Safety alignments may allow other positions to be merged resulting in further personnel cost savings." Mr. Hester responded this is just opening the door in the future as he did not know administratively what other positions are there. He said there is an operations

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captain in the Police Dept. and he is going to propose, as part of this restructuring, an operations captain position will be created in the Fire Department and he is proposing to have those two positions to function as department heads basically with the Public Safety Director over them handling the administration, dispatching and certain paperwork.

Councilman Mellette said this is okay so long as the policemen do not have to train as firemen and the firemen do not have to train as policemen because that has never worked. Mayor Wine agreed.

Mr. Hester said that is something Council would have to take a hard look at and anything beyond putting the paperwork in one person's domain would have to come back to Council. He said this is not a big enough organization to pay for all that training. Mayor Wine said all the Council has expressed their opinion that they want to keep them separate.

Councilman Elliott asked who would be in charge of both departments and Mayor Wine replied the person picked by the City Manager would be in charge. Councilman Byrnes expressed his reservations that one person in charge might have a tendency to look more at one department than at the other. Mayor Wine said the City Manager would be the first to hear about it if that should become the case.

Mr. Hester said to set the record straight is to put the current Chief of Police in this position and create an operations captain position in the Fire Department and fill it by promotion and hire an entry level fireman to replace him. This would be a shuffling of duties which would not result in increased compensation. Mr. Hester said he needs direction from Council because as of tomorrow, we do not have a Fire Chief as today is Chief Lacy's last day.

More discussion ensued and then *Councilman Heyman moved to try this concept for six months. More discussion ensued and Mrs. Heyman amended her motion to say "until the City Manager decides". Councilman Mellette seconded the motion.*

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Mrs. Jerry Robinson from Riverside Drive said when she wants a policeman, she wants a policeman and the same for a fireman. She said she was completely against the idea.

David Waffle, Fire Department, said he would like Council to understand "the police and fire are two different animals, psychologically. There is no such thing as a paper shuffler otherwise there would not be a City Manager, nor would there be a Mayor, nor would there be a Council. This job requires more than shuffling papers. It is impossible to shuffle papers from one department to another and to have the other department to understand the technical problems that confront a bad decision because one is not particularly familiar with the style of the problem. He suggested the possibility of delaying this vote, studying it, and appointing an Acting Chief for a period of time with a 5% pay increase. He said that is his solution and he is "your man".

The motion CARRIED 3-2 with Councilman Byrnes and Councilman Elliott voting no.

**10. DISCUSSION ON PROPOSED FIRE INSPECTOR POSITION,
INSPECTION FEES**

Mr. Hester reminded Council a Fire Inspector's position was put in the Code Administration Department during the last budget session with the understanding the City would look to user fees for funding that position. At this time, he is coming back to Council with recommendations to look at a fee structure which will enable the City to hire a Fire Inspector and make it a forty hours position in the Code Administration Department.

The memo said this would increase the annual inspection fees from \$10 to \$20 for each business with the first reinspection being free and then the fees would be \$10, \$15, and \$20 for the second, third, and fourth reinspections. The inspector would also assist the Code Enforcement Office in cleaning up the Redevelopment District and the City in general.

Mr. Hester said the Fire Department did 279 inspections last year and 487 re-inspections. Almost all of these were on new businesses with very few existing businesses being inspected. The revenue projections are for around \$30,000 annually.

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One of the three man crew at the Fire Department has been doing this work but when a call comes in and the inspector is away, it is necessary to call out the volunteers to answer ems/fire calls. This is expensive. Having a 40 hour, 5 day inspector will cut down on the number of volunteer calls.

Mr. Hester said he is asking Council to consider the fee structure as recommended and if it is something you can live with, he is asking to have the City Attorney draft the necessary enabling legislation to put this into place. This would be an enhancement to the Management Team to enable us to clean up parts of the City.

Councilman Heyman said she thought we needed this position but in all honesty, she could not vote to raise anything on any business in Holly Hill. They are hit hard enough. Mayor Wine said we need to protect the people who go into these businesses so we need to ensure the safety of these people by holding annual inspections. A lengthy discussion ensued.

Councilman Mellette moved to approve the concept and fee structures (annual inspection fee; re-inspection fees, raise business registration fee, and building permit fees) as presented being seconded by Councilman Elliott.

It was noted this individual (Fire Inspector) would have to be state certified. Mr Harbuck said he planned to use him in the Redevelopment District; to get in there and really start working on these motels and some of the businesses along Ridgewood in addition to identifying and rehabilitating or eliminating sub-standard structures.

Councilman Heyman said she agreed with the need for the position but the Council eliminated six positions so where did the money go? Mayor Wine told her it went to balance the budget we now have so we didn't take money out of Fund Balance. More discussion ensued.

Charles Cobb, Fire Inspector, suggested the arson investigation be kept in the Fire Department. Mr. Harbuck said education in the schools and arson investigation would be kept in the Fire Department.

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The motion CARRIED 4-1 on roll call with Councilman Heyman voting no.

Mayor Wine called for a brief recess at this time.

11. REQUEST APPROVAL OF SCADA SYSTEM EXPANSION AND MODIFICATIONS

Mr. Paul Schulz briefly explained this item to Council and said it would cost between \$8,200 and \$8,500 instead of the \$14,293 originally set aside for this item. This savings was brought about by moving the simplex unit to the Jarecki tank and putting a new system in at the wellfield. Mr. Schulz said he would be coming back to Council for further approval of expenditures when this has been designed. He also noted this did not include the work on the lift station at Great Oaks.

Councilman Heyman moved to approve the request to purchase the equipment being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

12. ORDINANCE RE: SKATEBOARDS, BIKES, ROLLER BLADES, ETC. ON SIDEWALKS IN PARKS

City Attorney Simpson read:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA
AMENDING CHAPTER 19 (PARKS AND RECREATION)
CREATING SECTION 19-2 (PROHIBITED ACTIVITIES)
PROHIBITING THE RIDING OF BICYCLES, SKATEBOARDS,
ROLLER SKATES AND OTHER SIMILAR RIDING DEVICES ON
THE PEDESTRIAN WALKWAYS IN PUBLIC PARKS OF THE CITY;
PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

After Mr. Simpson read the ordinance by title, Council discussed the matter fully. It was the consensus of Council to hold the ordinance in abeyance at this time. The bikes

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continue to be a problem after the bike path is opened from Sunrise to Ross Point, it will be brought back for action at that time.

13. ORDINANCE ON REINSTATEMENT OF OCCUPATIONAL LICENSES

City Attorney Simpson read:

ORDINANCE NO. 2391

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA
AMENDING CHAPTER 14 (LICENSES AND TAXATION), ARTICLE
II (OCCUPATIONAL LICENSES), SECTION 14-30 (REVOCATION
OF LICENSE) TO REQUIRE CITY COUNCIL APPROVAL PRIOR
TO REISSUANCE OF A LICENSE WHICH HAS BEEN REVOKED;
PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Simpson said this ordinance is being brought to Council in response to discussion held at the last Council Meeting.

Councilman Heyman moved to APPROVE the ordinance on first reading being seconded by Councilman Byrnes. The motion CARRIED 5-0 on the following roll call:

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

14. COMMUNICATIONS FROM CITY MANAGER

Mr. Hester said he had several things to bring up.

- A. Emergency Repair to Generators** - Mr. Hester reported emergency repairs completed by EMSI on the three generators purchased from Federal Surplus Property for City Hall and the Fire Station totalled \$6,544.52 for new controls,

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wiring and other repairs necessary to ready them for use. This is being reported to Council since it exceeds the \$4,500 spending limit of the City Manager. *Councilman Byrnes moved to APPROVED the expenditure being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.*

- B. Weighted VCOG Vote** - Mr. Hester reported he gave Council a packet of information regarding the MPO weighted vote issue. He said Mr. Jerry Langston from Daytona Beach will attend the next Council Meeting to speak to Council on this issue.
- C.** The City Manager reported the "**wooden barracks**" have been torn down at the old school. This was done with city equipment and a city employee. He said he hopes someone will want this for landfill. Mr. Hester said he will be preparing some sort of a plan on the two story building to see if we can save some money on removing it.
- D.** The **Department Heads are holding meetings** twice a month beginning this month. The first meeting was held on Friday last week. The theme for them is getting back to basics in '95.
- E.** He said we are working toward a more user friendly Public Works for Council to be proud of in '95.

15. COMMUNICATIONS FROM CITY ATTORNEY

None.

16. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Mr. Byrnes spoke on the weighted vote on the MPO and said if they are going to take a vote away from Daytona, Ormond and Port Orange, the County should give up a vote too. Mr. Hester said every City must review this process even though it is a moot point. He said realistically we should look to our neighbors for support.

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Mr. Byrnes said the majority of the Beach Trust agree on something but it does not carry because of the weighted vote.

Mr. Mellette thanked Mr. Hester for taking down the buildings. Mr. Hester said the buildings came down quickly when Dale hit them with the equipment.

Mrs. Heyman said she has had some complaints that the LPGA charges \$10 more for anyone not living in Daytona. She called Mayor Carpenella and he would like to have everyone pay the same rate. He asked the Mayor and Council to mail him a letter with request for all Volusia County residents to pay the same rate.

Mr. Elliott said the one thing he was thinking about was the staff meetings. He wanted to get communications opened up in the City. He said he spent time with Mr. Hallman the other day. He said Mr. Hallman said he held a staff meeting and no one said a word so that shows him there is a need for communications. Mr. Elliott said each of us deserve respect.

Mrs. Heyman read a letter to the editor praising the Police Department.

Mayor Wine said in response to Mr. Elliott, she would like to know if Council wanted to hold another Goals and Objectives session. She said Mr. Hester could review what happened at the last session and let him come up with some recommendations.

She said Council has done some of the things they wanted to do. Councilman Mellette said what we did was needed at that time but this time maybe we could have another session and let Mr. Hester or Mr. Simpson moderate it. Mayor Wine agreed either one of them could do a good job. She asked Mr. Hester to work something out for Council.

Mayor Wine said the other thing she would like to know about is the reuse water and what is being done about it. Mr. Hester said we are going through the permitting process and we will go out to bid as soon as we get the permits. It is the intent to have it in place to the golf course this year. He said he is asking Mr. Hallman to help with this and Mr. Martin is looking for funding sources. There is a state loan program.

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Mr. Hallman said the permit requests are at the DEP and we are waiting for a response from them. All of the pipe came in yesterday.

Mayor Wine welcomed Mr. Hallman on board and told him the Council and City Manager would help him in any way they could.

17. ADJOURNMENT

There was no further business to come before the Council so the meeting was adjourned at 9:30 p.m.

Mayor

ATTEST:

City Clerk - Manager