

M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JANUARY 11, 1994

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order in Council Chambers 1065 Daytona Avenue, Holly Hill, Fl. 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 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 Reverend Chuck McKeown.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

After the Pledge of Allegiance Mayor Wine presented Mrs. Brenda Gubernator with a Certificate of Achievement in Excellent Financial Reporting. She commented the Finance Department does an excellent job.

4. AUDIENCE PARTICIPATION

Mr. Randal James, 914 Hibiscus Avenue, told of his sons accomplishments in bike riding. He is number four in the World and will represent the United States in the World Grand Nationals in Waterford, Michigan next year. Mr. James said it is going to take approximately two thousand dollars to send him and the only reason he came before the Council is because he lives in the City and his son has excelled in everything the City has had to offer and Holly Hill is supposed to be a City with a "Heart".

Mayor Wine said she thought it was wonderful that Mr. James' son had achieved number four in the World for his achievements in bike riding.

5. CONSENT AGENDA

- A. Approval of Minutes - Regular Meeting December 28, 1993
- B. Bills and Accounts

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

The motion CARRIED 5-0 on roll call.

6. RESOLUTION APPOINTING A MAYOR PRO TEM

Mayor Wine requested Councilman Heyman be appointed as Vice-Mayor.

Councilman Elliott moved to APPOINT Councilman Heyman as Mayor Pro Tem being seconded by Councilman Mellette.

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ELECTING COUNCILMAN SHIRLEY HEYMAN AS MAYOR PRO TEM OF THE CITY OF HOLLY HILL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The motion CARRIED 5-0 on the following roll call:

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

7. RESOLUTION APPOINTING A PERSONNEL OFFICER

Mayor Wine requested Councilman Elliott be appointed Personnel Officer.

Councilman Heyman moved to APPOINT Councilman Elliott as the Personnel Officer being seconded by Councilman Byrnes.

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING COUNCILMAN JIM ELLIOTT AS PERSONNEL OFFICER UNDER CHAPTER 27615, SPECIAL ACTS, LAWS OF FLORIDA, 1951; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The motion CARRIED 5-0 on the following roll call:

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

8. RESOLUTION APPOINTING A CITY ATTORNEY

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Mayor Wine recommended the firm of Moore, Wood, Simpson and Korey be appointed as the City's Attorney.

Councilman Heyman moved to APPOINT the firm of Moore, Wood, Simpson and Korey being seconded by Councilman Byrnes.

Councilman Mellette suggested the City look into attorney's with Specialized fields.

Councilman Byrnes said he felt Mr. Simpson has been an excellent attorney and did not want to look elsewhere.

Councilman Heyman said she had no problem with Mr. Simpson.

Councilman Elliott said he had no problem with Mr. Simpson.

Mayor Wine said Mr. Simpson has been the City's attorney for years and she thought he was doing a fine job.

Councilman Mellette said he had no problem with Mr. Simpson he was just making a suggestion.

City Attorney Simpson read:

A RESOLUTION APPOINTING EDWARD F. SIMPSON, JR. AS CITY ATTORNEY FOR THE CITY OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The motion CARRIED 5-0 on the following roll call:

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

9. RESOLUTION APPOINTING INDEPENDENT AUDITORS

Mayor Wine recommended the City continue with the firm of Ernst and Young as the City Auditors. She said she had personally worked with the firm for over twenty five years and finds them very competent and very qualified.

Councilman Byrnes moved to RE-APPOINT the firm of Ernst and Young as the City of Holly Hill's Independent Auditors being seconded by Councilman Heyman.

Councilman Mellette said the City should look at other companies.

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Mayor Wine said she knew Ernst and Young is one of the best as far as governmental accounting goes.

Councilman Mellette said there may be someone else out there that could do the same job as less cost.

City Attorney Simpson read:

A RESOLUTION APPOINTING ERNST AND YOUNG AS AUDITORS FOR THE CITY OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The motion CARRIED 5-0 on the following roll call:

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

Councilman Byrnes asked Mr. Simpson if this Resolution binds the City if the City happens to find someone else.

Mr. Simpson said no, all appointments serve at the pleasure of the Council.

10. COMMUNICATIONS FROM CITY MANAGER

A. Tenth Street Railroad Crossing

City Manager Hester said the City has received the Order from the Courts authorizing the City to go ahead. He said it is his intention to use the court order to begin the construction process for the at grade crossing at Tenth Street.

B. Proposal to settle Lamphear Case

City Manager Hester referred this to the City Attorney.

City Attorney Simpson gave a brief background on the case. (see attached)

The insurance carrier has offered to settle for \$75,000. Mr. Simpson recommends not to accept this offer but to ask for \$90,000.

Councilman Mellette moved to ACCEPT the City Attorney's advice and ask for \$90,000 being seconded by Councilman Byrnes.

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Councilman Mellette said if the Council would have taken Mr. Simpson's advice, there probably would not have been a lawsuit.

The motion CARRIED 5-0 on roll call.

11. COMMUNICATIONS FROM THE CITY ATTORNEY

None.

12. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Byrnes expressed his concern about the agendas and asked why they were not in binders.

Mayor Wine said she was trying to reduce the cost.

Councilman Byrnes said he did not feel it was a major cost to be able to keep things in order and neat.

Councilman Mellette said he agreed with Councilman Byrnes. He said when he first got on the Council the agenda packets were just staples and not bound and he had pages missing out of them. He said he makes notes throughout his agendas and feels they are easier to keep together if they are bound.

Mayor Wine said for twenty five years they weren't in binders.

Councilman Elliott said he liked the binders but it really did not matter to him.

Councilman Heyman said she liked the agendas in binders.

Mayor Wine said the Agenda would be placed in binders.

There was no further comments from the Council.

Mayor Wine said there would be a Workshop January 18, 1994, at 7:30 p.m.

13. ADJOURNMENT

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With nothing further to come before Council the meeting was adjourned
at 7:57 p.m.

Mayor

ATTEST:

City Clerk/Manager