

M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JANUARY 12, 1993

1. CALL TO ORDER

Mayor Thomas C. Ryan called the meeting to order.

Answering roll call were Mayor Ryan, Councilman Arthur Byrnes, Councilman J. D. Mellette, Councilman Robert Chesnowitz and Councilman Jim Gaither.

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

The Invocation was given by Councilman Mellette.

4. MAYOR'S REPORT/COMMENTS

Mayor Ryan welcomed everyone back after the holidays.

5. COUNCIL'S REPORT/COMMENTS

Council wished everyone a Happy New Year.

6. ADVISORY COMMITTEE REPORTS

None.

7. AUDIENCE PARTICIPATION

A. Mr. Jim Maniak representing Florida Government Finance Officers Association (FGFOA) presented the City of Holly Hill with Certificate of Achievement for Excellence in Financial Reporting for the year ending September 30, 1991.

B. Mr. John Levin introduced newly hired Executive Director for Chamber of Commerce - **Mr. George Zoller**

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C. Mr. Bruce Greenbaum of Discount Carpet stated he spends approximately \$600,000.00 in this community on licenses, permits, employee wages, property taxes, etc.. He feels he is being treated unfairly by certain elected officials and hopes that in 1993 the community members will work together in a more positive way.

D. Mr. Dan Pray the President of the Friends of the Homeless wants to have permission to put on a carnival next to Shakespearins Sound on Mason Avenue January 21 thru January 24, 1993. There will be approximately twenty rides and 15 games.

Councilman Gaither moved to APPROVE the request seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call. (Subject to staff review, and filing of necessary applications for any required permits.)

8. CONSENT AGENDA

- A. MINUTES - Regular Meetings 11/10, 11/24, 12/8, 1992 also Special Meetings of 11/18, 12/1, 1992
- B. BILLS AND ACCOUNTS

Councilman Mellette moved to APPROVE the consent agenda being seconded by Councilman Chesnowitz. The motion CARRIED 5-0 on the roll call.

9. PUBLIC HEARING - CREATING A REDEVELOPMENT AUTHORITY

Mayor Ryan deferred to the City Manager to explain the Resolution creating a Redevelopment Authority that will be read on January 26, 1993. Mayor Ryan then invited the public to comment.

Councilman Mellette moved to go forward with this plan. Councilman Chesnowitz requested to include in the Redevelopment District the school property on 10th Street as well as all the public property owned by the City. The Council agreed.

Councilman Byrnes asked to have the Nature Trail removed. The Council disagreed.

Mr. Glen Long of 1111 Flomich Avenue expressed his concern regarding the possible rezoning of a particular piece of property on Ridgewood Avenue.

There were no more comments, therefore the hearing was closed.

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10. ORDINANCE NO. 2343 - VACATING A PORTION OF EARL STREET

City Attorney Simpson read by title along with legal description:

ORDINANCE NO. 2343

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF HOLLY HILL, FLORIDA, BY VACATING PART OF THE EARL STREET RIGHT-OF-WAY LOCATED SOUTH OF FIFTEENTH (15TH) STREET AND WEST OF LOTS THREE (3) AND (4) OF THE WEST HAVEN SUBDIVISION; PROVIDING FOR THE REPEAL OF LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT .

Mr. Zev Cohen, engineer for Holly Forest expressed concern in regards to leaving an access for emergency vehicles.

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

Mellette, yes; Gaither, yes; Byrnes, yes; Chesnowitz, yes; Ryan, yes

11. ORDINANCE NO. 2344 - ANNEXING CERTAIN PROPERTY WEST OF NOVA ROAD INTO THE CITY OF HOLLY HILL (JOHNSTON PROPERTY)

City Attorney Simpson read by title along with legal description:

ORDINANCE NO. 2344

AN ORDINANCE ANNEXING CERTAIN UNINCORPORATED PROPERTY IN THE COUNTY OF VOLUSIA INTO THE MUNICIPAL LIMITS OF THE CITY OF HOLLY HILL, FLORIDA; REDEFINING THE MUNICIPAL LIMITS OF THE CITY OF HOLLY HILL, FLORIDA, TO INCLUDE SAID PROPERTY; PROVIDING FOR THE TERMS AND CONDITIONS THEREOF; PROVIDING FOR THE REPEAL OF LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT

Mrs. Marilyn Johnston of 1186 15th Street asked if when Nova Road is widened would the fee for sewer hookup be charged at availability or at the actual time of hook-up. Also, would zoning of property remain I-1 for development. It was discussed that the fees for the sewer connection would be paid at the time of hook-up and the zoning would remain the same for at least 1 year.

The City Manager will draft a letter for City Attorney to review in regards to the above discussion.

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Councilman Mellette move to APPROVE the ordinance on first reading being seconded by Councilman Chesnowitz. The motion CARRIED 5-0 on the following roll call:

Mellette, yes; Chesnowitz, yes; Gaither, yes; Byrnes, yes; Ryan, yes

12. ORDINANCE NO. 2345 - AMENDING GARAGE SALE PERMIT FEES AND PROVIDING FOR A PENALTY

City Attorney Simpson read by title:

ORDINANCE NO. 2345

AN ORDINANCE AMENDING ORDINANCE NO. 2080, CHAPTER 15, MISCELLANEOUS PROVISIONS AND OFFENSES, SECTION 15-5, SALE OF PERSONAL PROPERTY WITHIN RESIDENTIAL ZONES, PARAGRAPHS (C) AND (G) THEREOF; BY PROVIDING A PERMIT FEE OF FIVE DOLLARS; PROVIDING A FINE FOR VIOLATIONS; PROVIDING FOR THE REPEAL OF LAWS OR PARTS OF LAWS IN CONFLICT HERewith; PROVIDING THE TERMS AND CONDITIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT

After a lengthy discussion the fee for the garage sale permit is to increase from \$3.00 to \$5.00, and an administration fee of \$20.00 (\$15.00 administration fee plus \$5.00 garage sale permit fee) will be charged to those persons conducting a garage sale without first having obtained a permit.

Councilman Gaither moved to APPROVE the ordinance on first reading being seconded by Councilman Byrnes. The motion CARRIED 4-1 on the following roll call:

Gaither, yes; Byrnes, yes; Chesnowitz, yes; Mellette, yes; Ryan, no

13. DISCUSSION REGARDING STREET LIGHTS IN GREAT OAKS SUBDIVISION

Marc Chattin and Chief Finn recommended relocation of one light on Tenth Street and installation of one new light at the sight of the lift station in the Great Oaks Subdivision.

There are no provisions in the Subdivision Ordinance regarding street lights, Mayor Ryan asked if this issue could be addressed in the new regulations.

Councilman Mellette moved to ACCEPT the recommendation being seconded by Councilman Chesnowitz. The motion CARRIED 5-0 on the roll call.

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**14. RESOLUTION NO. 93-R-01 - AMENDS WATER CO-OP AGREEMENT TO ALLOW
NEW SMYRNA BEACH UTILITY COMMISSION TO SERVE AS A MEMBER INSTEAD OF
THE CITY OF NEW SMYRNA**

City Attorney Simpson read by title:

RESOLUTION NO. 93-R-01

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE AMENDMENT OF THE INTERLOCAL AGREEMENT, CREATING THE VOLUSIA CITY-COUNTY WATER SUPPLY COOPERATIVE, SUBSTITUTING AS A COOPERATIVE MEMBER THE UTILITIES COMMISSION, CITY OF NEW SMYRNA BEACH, FOR THE CITY OF NEW SMYRNA BEACH; AND SETTING AN EFFECTIVE DATE.

Councilman Byrnes expressed his concern that the Utilities Commission is not an elected body.

Councilman Chesnowitz moved to ADOPT the resolution being seconded by Councilman Mellette. Motion Carried 4-1 on the following roll call:

Chesnowitz, yes; Mellette, yes; Gaither, yes; Byrnes, no; Ryan, yes

15. RESOLUTION NO. 93-R-02 - AUTHORIZES MAYOR TO EXECUTE LOAN PAPERS FOR CITY

The Consensus was to table Resolution No. 93-R-02 at this time.

16. DISCUSSION ON STREET SWEEPING BID

The Council said they wanted to begin street sweeping again. A bid from Sweeping Corporation of America was the only bid received. The bid was for \$42,000.00 which was \$7,000.00 over budget. Council agreed to reject bid and pursue in house alternatives.

A motion to accept staff recommendation to reject the bid and pursue in house was made by Councilman Mellette being seconded by Councilman Gaither. The motion CARRIED 5-0 on the roll call.

17. AWARD OF BID FOR POLYMER

There were 4 bids submitted for polymer which is awarded on an annual routine basis. Allied Colloids was the lowest bidder at \$1.25 a pound. The polymers were tested and the Allied polymer produced the best results.

Councilman Chesnowitz made a motion to accept the bid being seconded by Councilman Gaither. The motion CARRIED 5-0 on the roll call.

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18. WOODWARD AVENUE STORM DRAIN

Marc Chattin said this project was part of a program adopted by the Council in August. Public Services had intended on doing the work themselves until they ran into a problem on Ridgewood Avenue installing the line. The problem was that the catch basin on Ridgewood Avenue was installed over the existing DOT line and was very deep. Proposals to do the work was solicited from 3 different companies, lowest bid received was for \$5,400.00 from Volusia Construction Company. In the best interest of the City so as not to cause any further delay, the Council recommended to award the job to the lowest bidder, that being Volusia Construction.

Councilman Byrnes made a motion to award bid to Volusia Construction being seconded by Councilman Gaither. The motion CARRIED 5-0 on the roll call.

19. BOARD APPOINTMENTS

A. Beautification Board Resolution No. 93-R-03

City Attorney Simpson read:

RESOLUTION 93-R-03

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING FIVE MEMBERS TO SERVE ON THE BEAUTIFICATION BOARD

Each member of Council voted on the names on the list of people interested in serving on the Beautification Board. Score sheets were passed to the City Manager and City Attorney who totaled the scores. The persons with the top scores were Mrs. Marge Serbousek, Mrs. Hazel Snead, Mrs. Anna Seay, Mrs. Rosetta Gadson and Mrs. Rita Allen whose names were inserted into the resolution.

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

Mellette, yes; Chesnowitz, yes; Byrnes, yes; Gaither, yes; Ryan, yes

B. Civil Service Board Resolution No. 93-R-04

City Attorney Simpson read:

RESOLUTION 93-R-04

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE CIVIL SERVICE BOARD

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Mr. Alan Pratt's name was inserted in the resolution.

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

Mellette, yes; Byrnes, yes; Gaither, yes; Chesnowitz, yes; Ryan, yes

20. CITY MANAGER REPORTS/COMMENTS

City Manager Ralph Hester discussed making changes in the Holly Hill update monthly newsletter. Mayor Ryan suggested mailing out update quarterly. The cost to mail out quarterly would be approximately \$5700.00 per year. In the next issue there would be a notice to explain that the update would no longer be mailed out monthly but would be mailed out quarterly. Mayor Ryan and the Council agreed this was a good idea.

21. CITY ATTORNEY REPORTS

None

22. MISCELLANEOUS COUNCIL COMMUNICATIONS

Councilman Byrnes announced the Beach Trust meeting was to be held Thursday, January 14, 1993 in New Smyrna Beach Council Chambers for anyone who would like to attend.

Councilman Gaither discussed concern over confusion on recycling. We have received complaints on cardboard container recycling. It was mentioned that Bass and Swaggerty is not letting the city recycle its cardboard, possibly the company is taking cardboard outside of city to be recycled.

23. ADJOURNMENT

Mayor Ryan adjourned the Council meeting at 9:42 P.M.

Mayor

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ATTEST:

City Clerk-Manager