

**MINUTES
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 11, 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 Acting City Manager Tim Harbuck, City Attorney Edward Simpson, Chief of Police Pat Finn and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Councilman Byrnes.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

None.

5. CONSENT AGENDA

- A. Approval of Minutes - Regular Meeting - March 28, 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. REQUEST FOR VARIANCE - 126 15TH PLACE (HOUGEN)

Mr. and Mrs. Hougén, 126 15th Place, are requesting a variance to construct a bedroom and a garage. It was noted the original request by the applicant was turned down by the Board of Planning and Appeals. When this was denied by the Board, the application was amended to ask for the variance for the bedroom only which the Board approved on a 5-0 vote.

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The request came to the City Council on December 13, 1994. At that time, the request was TABLED to allow Mrs. Ann Stifel and the Hougens to work out an amicable agreement. The Hougens are now asking for Council to make a decision on their request for a variance to construct a bedroom behind the garage.

A lengthy discussion ensued. Mr. Mitch Wine and Mrs. Stifel spoke in opposition to the request.

Councilman Elliott moved to GRANT the variance as approved by the Board of Planning and Appeals. Councilman Byrnes seconded the motion which CARRIED 3-2 on the following roll call:

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

7. RESOLUTION NO. 13 - AMENDS PAY AND CLASSIFICATION PLAN (Tabled at last meeting.)

City Attorney Simpson read:

RESOLUTION NO. 95-R-13

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER IV (COMPENSATION PLAN), SECTION H (DEMOTIONS) OF THE CITY OF HOLLY HILL CLASSIFICATION AND PAY PLAN; ADOPTING A NEW SECTION H (DEMOTIONS) OF CHAPTER IV (COMPENSATION PLAN) OF THE CITY OF HOLLY HILL CLASSIFICATION AND PAY PLAN TO PROVIDE FOR A MAXIMUM REDUCTION IN PAY FOR INVOLUNTARY DEMOTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Council discussed this resolution fully. Many scenarios were considered from members of Council as well as from a representative of the LIU Union. (The Union wanted 10% over a period of 5 years. The City proposed 15% over 3 years.) After considerable discussion regarding the percent of the pay cut and the number of years it would cover, *Councilman Byrnes moved to insert 15% and 5 years in the blanks and ADOPT the resolution, Councilman Elliott seconded the motion which CARRIED 3-2 on the following roll call:*

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

8. RESOLUTION NO. 16 - APPOINTING A MEMBER TO THE LIBRARY BOARD

Councilman Heyman said this is her appointment and offered the name of Hilda Episcopo as her appointment.

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City Attorney Simpson read:

RESOLUTION NO. 95-R-16

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE LIBRARY BOARD FOR THE CITY OF HOLLY HILL, FLORIDA, FOR THE UNEXPIRED TERM OF JOSEPH MILLER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

9. RESOLUTION NO. 17 -CANCELS 5/23/95 COUNCIL MEETING

City Attorney Simpson read:

RESOLUTION NO. 95-R-17

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, CANCELLING THE MAY 23, 1995 REGULAR MEETING OF THE CITY COUNCIL OF HOLLY HILL, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

10. RESOLUTION NO. 18 - APPOINTS MEMBER TO BOARD OF PLANNING AND APPEALS

Councilman Mellette nominated Linda Cornelius as his appointment to the Board of Planning and Appeals.

City Attorney Simpson read:

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RESOLUTION NO. 95-R-18

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE FOR A THREE YEAR TERM UNTIL MAY, 1998; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

11. REQUEST AUTHORIZATION FOR FIRE CHIEF TO SIGN AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND VOLUSIA COUNTY (RESOLUTION NO. 19)

City Attorney Simpson read:

RESOLUTION NO. 95-R-19

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER AND FIRE CHIEF TO EXECUTE AN INTERLOCAL AGREEMENT WITH NEIGHBORING GOVERNMENTAL ENTITIES TO PROVIDE FIRE AND/OR RESCUE ASSISTANCE IN THE EVENT OF AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the resolution as presented 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.

12. ORDINANCE NO. 2376 - VACATES RIGHT OF WAY ON CERTAIN LOTS ON 150 & 152 RIDGEWOOD AVENUE (2nd Reading)

City Attorney Simpson read:

ORDINANCE NO. 2396

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA VACATING ANY UTILITY EASEMENT OR ANY OTHER INTEREST THE CITY HAS IN THAT PORTION OF BLOCK 34½ OF THE MASON AND CARSWELL'S PLAT, AS MORE PARTICULARLY DESCRIBED IN THE BODY OF THIS ORDINANCE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

13. ORDINANCE NO. 2377 - WRECKER SERVICE (First Reading)

City Attorney Simpson read:

ORDINANCE NO. 2397

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALING CHAPTER 29 (WRECKERS), ARTICLE II (WRECKER ROTATION LIST); ADOPTING A NEW SECTION 29-1 TO PROVIDE FOR EXCLUSIVE FRANCHISE AGREEMENT FOR CITY WRECKER SERVICE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Council asked Police Chief Finn for his input and recommendation on the proposed ordinance. Chief Finn gave his full support to this concept. After talking about the pros and cons of the ordinance, *Councilman Heyman moved to APPROVE the ordinance on first reading being seconded by Councilman Elliott. The motion CARRIED 5-0 on the following roll call:*

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

It was noted there will be a follow up to this ordinance which will be a rate structure. Staff was instructed to look at the Daytona Beach rates.

14. COMMUNICATIONS FROM CITY MANAGER

A. Mr. Harbuck reminded Council they would need to consider two appointments for **alternates** to the **Board of Planning and Appeals**. Mrs. Mobley and Mr. King currently serve as the alternates and their terms expire in May.

B. The status on the **annexation of Nova Road** was reported to Council. Mr. Harbuck said the annexation would start north of Sixth Street because of the News Journal being in Daytona Beach.

C. The **lot on Riverside Drive** is being surveyed at this time. This is the lot Council discussed selling during the Goal setting session.

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15. COMMUNICATIONS FROM CITY ATTORNEY

None.

16. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Elliott reported Judy Hutchinson has returned to work and continues to improve and that Phil Ransbottom is scheduled to leave the hospital this week.

Councilman Heyman said the Acting City Manager is on the ball and she has heard Mr. Hallman is doing a good job.

Councilman Mellette spoke about the park on Grove Street. He said the swing set was built by the City but the clubhouse was constructed by the residents. He said the City should look at it (clubhouse) to see if it is safe and if it is, ask the people to donate it to the City.

Councilman Byrnes said his son likes to watch the garbage trucks and he would like to see some kind of identification put on the back of them so people will know to whom the trucks belong. He suggested having the big red heart put on the back of the trucks as had been past practice.

Mayor Wine inquired about the Unified Building Code meeting. Mr. Harbuck said that would be coming up on the 18th and he would give Council a report after the meeting. Mayor Wine told Council she has given Mr. Harbuck a resolution for the next meeting concerning the weighted vote on the MPO.

Mrs. Wine asked how many resumes had been received for the City Manager position. Mrs. Blackwell said there were fourteen.

17. ADJOURNMENT

There was no further business to come before the Council so the meeting was adjourned at approximately 8:43 p.m.

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CITY OF HOLLY HILL, FL

Mayor

ATTEST:

Acting City Manager