M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 12, 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. PLEDGE OF ALLEGIANCE TO THE FLAG

3. INVOCATION

The Invocation was given by Mrs. Lois Willett.

4. AUDIENCE PARTICIPATION

Mr. Keith Embanski, 8th Street, said there is an unsafe condition on 8th Street, west of Center Street. He stated the pavement is uneven and chunks of pavement are missing. He said there is a large pedestrian flow and there are no sidewalks or shoulders on the road for the pedestrians. The street is also traveled heavily by children. Mr. Embanski said he is bringing this to the Council's attention to try an stop a tragedy before it happens.

Mayor Wine said she did not know what was in place for sidewalks at this time but as far as the "pot holes" were concerned Mr. Hester could handle that.

Mr. Embanski said some thought should be given to placing sidewalks on 8th Street.

Mayor Wine said budget time is coming up and maybe Mr. Hester could put that in the budget for Council to consider.

Mr. Embanski said there is also a lot of people traveling the road that do not live in the area, as well as large trucks using the road for a "cut through" and asked if there was any way to limit this traffic or stop it.

Mayor Wine thanked Mr. Embanski for his suggestions.

5. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting - March 22, 1994
Special Meeting - March 17, 1994

B. Bills and Accounts

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

The motion CARRIED 5-0 on roll call.

6. TRANSMITTAL HEARING FOR PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN (ORDINANCE NO. 2377 - FIRST READING)

Mayor Wine said she had a meeting with Mr. Hester and Mr. Keeth this morning and based on the information they gave her, any amendments that Council makes can be made periodically without any problems. She added, some of the amendments were suggested by the Volusia Growth Management.

Mr. Keeth asked to clarify one of Mayor Wine's statements, that all the amendments were necessitated by the conditions the Growth Management Commission imposed on there certification of the Comprehensive Plan. He said he views the amendments as the minimum steps necessary to satisfy those conditions.

Councilman Mellette moved to APPROVE the amendments to the Comprehensive Plan being seconded by Councilman Heyman.

City Attorney Simpson read:

AN ORDINANCE AMENDING ORDINANCE 2265, THE COMPREHENSIVE PLAN OF THE CITY OF HOLLY HILL, FLORIDA, AS PREVIOUSLY AMENDED; REVISING THE TERMS USED TO DESCRIBE THE VARIOUS RESIDENTIAL FUTURE LAND USE CATEGORIES; PROVIDING FOR ESTABLISHMENT OF BUFFERS AND TRANSITIONAL LAND USES BETWEEN INCOMPATIBLE LAND USES; ADDING A MATRIX TO SERVE AS THE BASIS FOR DETERMINING CONSISTENCY BETWEEN FUTURE LAND USE CATEGORIES SHOWN ON THE FUTURE LAND USE MAP AND ZONING DISTRICTS; PROVIDING FOR THE ESTABLISHMENT OF PUBLIC AND QUASI-PUBLIC FACILITIES WITHIN RESIDENTIAL AREAS UNDER CERTAIN CONDITIONS; PROHIBITING CONNECTION OF A PRIVATE

WELL OR PRIVATE WATER SYSTEM TO THE PLUMBING OF ANY DWELLING OR OTHER BUILDING AS A POTABLE WATER SOURCE EXCEPT WHERE CONNECTION TO THE CITY'S POTABLE WATER SYSTEM IS NOT REASONABLY AVAILABLE; REVISING THE LEVEL OF SERVICE STANDARD FOR STORMWATER MANAGEMENT; REVISING THE STORMWATER DRAINAGE SUB-ELEMENT TO RECOGNIZE THE ROLE OF THE EAST VOLUSIA MOSQUITO CONTROL DISTRICT; PROVIDING FOR RESOLUTION OF CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

There were no comments from the audience.

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

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

Mr. Keeth said this ordinance would be coming back for second reading but it would be a couple of month before it does0. In the meantime, it goes to the Department of Community Affairs for their review and comment.

7. ORDINANCE NO. 2376 ANNEXATION OF 1177 15TH STREET (GALIETTA)

City Attorney Simpson read:

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 CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilman Byrnes moved to ADOPT Ordinance No. 2376 being seconded by Councilman Mellette.

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

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

8. SET CONDEMNATION HEARINGS FOR 626 FLORIDA AVENUE

Councilman Mellette moved to schedule a Condemnation Hearing for 626 Florida Avenue on April 26, 1994 being seconded by Councilman Byrnes.

The motion CARRIED 5-0 on roll call.

9. SET CONDEMNATION HEARINGS FOR 716 WALKER STREET

Councilman Byrnes moved to schedule a Condemnation Hearing for 716 Walker Street on April 26, 1994 being seconded by Councilman Mellette.

The motion CARRIED 5-0 on roll call.

10. CONSIDERATION OF BIDS FOR DRYWALL AND CEILINGS

Mr. Martin said one bid received on April 5, 1994 from Baylor Plastering and Drywall for $27,440. Mr. Martin said he thinks this is a fair bid and staff recommends the bid be awarded to Baylor Plastering and Drywall.

Councilman Mellette moved to AWARD the bid to Baylor Plastering and Drywall for $27,440 to do drywall and ceiling work in the gymnasium area being seconded by Councilman Elliott.

The motion CARRIED 5-0 on roll call.

11. REQUEST TO PURCHASE A DUMP TRUCK

Mr. Chattin said the Public Works Department is requesting authorization to purchase a used fifteen yard Dump truck. He said the truck can be purchased from Daytona Auto Auction for $8,950 using Stormwater Utility Reserve funds. The truck would be used for drainage maintenance and construction. He said his people have looked at the truck and they assure him it is an excellent buy.

Mayor Wine said there are funds available.

Councilman Elliott asked what year the truck was.

Mr. Chattin said the truck is a 1981. He said by purchasing this Dump truck it would allow the City to have two trucks moving and keeping the machinery running.

Councilman Mellette moved to APPROVE the purchase of a 1981 Chevrolet Dakota 15 yard Dump truck for $8,950 being seconded by Councilman Elliott.

The motion CARRIED 5-0 on roll call.

12. RECONSIDERATION OF WATER AND SEWER RATES

Mayor Wine said the Finance Director, Mrs. Gubernator, does not recommend an increase in water rates at this time. There is enough money in the Water Reserve to use for whatever revenue is going to be short in the 1993-94 Fiscal year. Mayor Wine said Council would look at this shortfall in the Budget Session and determine how much the rates need to go up at that time.

Councilman Heyman asked if there would be a workshop.

Mayor Wine said if the Council follows the Finance Director's recommendation then, there is no need for a workshop.

Councilman Mellette said the Council would need to address the matter in Budget Workshops.

Mayor Wine asked if anyone wanted to make a motion to leave the rate as they are.

Councilman Heyman moved to leave the water rates as they are being seconded by Councilman Mellette.

The motion CARRIED 5-0 on roll call.

13. RESOLUTION AUTHORIZING EXECUTION OF LIGHTING AGREEMENT WITH DOT

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING EXECUTION OF A HIGHWAY LIGHTING AGREEMENT FOR THE ADJUSTMENT, RELOCATION AND/OR INSTALLATION OF A CERTAIN LIGHTING SYSTEM WITHIN THE RIGHT-OF-WAY LIMITS HEREAFTER DESCRIBED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Heyman moved to ADOPT Resolution No. 94-R-19 being seconded by Councilman Mellette.

Councilman Byrnes asked if this was for the construction on Nova Road.

Mr. Chattin said it was for the Mason Avenue, Seabreeze Bridge. He said DOT is going to install three street lights on the City side of the bridge.

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

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

14. RESOLUTION AUTHORIZING EXECUTION OF UTILITY RELOCATION AGREEMENT WITH DOT

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF HOLLY HILL, FLORIDA, TO ENTER INTO AND EXECUTE AN AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE RELOCATION, CHANGE OR ADJUSTMENT OF CITY OWNED UTILITY FACILITIES LOCATED ON STATE ROAD 430; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT Resolution No. 94-R-20 being seconded by Councilman Elliott.

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

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

15. DISCUSSION OF UNIFORM ELECTION DATES FOR CITIES IN VOLUSIA COUNTY

Mayor Wine said Deannie Lowe, Supervisor of Elections, is trying to get all the Cities to ban together and have a uniform election date. This would reduce the cost in County Government as well as City Government if the Cities can agree on these dates. Mayor Wine said Ms. Lowe is having a meeting on April 14, 1994 and is looking for feedback from the Cities.

Councilman Mellette said a uniform date for election would be good.

Councilman Byrnes asked Mrs. Blackwell what dates were being proposed.

Mrs. Blackwell said so far no dates have been proposed but if she follows the Palm Beach Ordinance, basically what would happen is that the date would be what the majority of the Cities picked.

Mrs. Blackwell said the Council's term could be lengthened or shortened depending upon the date. She said the City could opt out if they want to, but otherwise it would be imposed on the City and there would not have to be a referendum, it would be done in Tallahassee so all the Cities could do it an have a uniform date.

16. SELECTION OF SITE PLAN FOR CITY HALL

Mr. Martin went over the three Site Plan drawings presented in the Agenda Packet. (see attached)

Mayor Wine said she likes Site Plan No. 3. She said in the memorandum, in the agenda packet, it states there might be some interference with the Church driveway. Mayor Wine said she checked it out and the driveway belongs to the City.

Councilman Byrnes said he also liked Site Plan No. 3. He said the City could share the driveway with the Church very easily. He also said he did not like seeing another tree being removed. He said he would like to see Site Plan No. 3 without the trees being removed and a circular driveway added.
Councilman Heyman and Councilman Mellette said they liked Site Plan No. 1.

Councilman Byrnes said Plan 1 takes the City down to two shuffleboard courts and causes a lot more "tearing up" of land and trees than Plan No. 3.

Councilman Elliott said he was not sure which Plan he liked best.

Councilman Mellette asked if there was a modified Plan 1 which has three shuffleboard courts.

Mr. Martin said there is a modified Plan that allows for three shuffleboard courts but another tree would be lost.

Councilman Heyman asked if three shuffleboard courts were needed.

Councilman Byrnes said with Plan 3 you save trees and the shuffleboard courts.

Councilman Elliott said if all this is being done then why can't things at the Clubhouse be moved to Sica Hall since it will not be used for Council Meetings anymore.

Mr. Hester said the property beside Sica Hall is being looked at to be used for other things such as a garden and gazebo for weddings which would bring in more revenue.

Councilman Elliott said by moving the Senior activities to Sica Hall it would stop people from going across the driveway.

Councilman Byrnes said he would like to see a modified Site Plan No. 3.

Mayor Wine said she would like to see that too.

Councilman Byrnes moved to have staff bring back a modified Site Plan No. 3 with a circular drive and save the trees in the middle of the parking lot area being seconded by Councilman Elliott.

The motion CARRIED 3-2 with Councilman Heyman and Councilman Mellette voting no.

17. PURCHASE OF REFUSE CONTAINERS

Mr. Chattin said in October, 1993, the City purchased 300 90-gallon refuse containers from Toter, Inc. at a cost of $46.80 per unit. These were budgeted in this year's budget. Presently the City has fifty containers left and to keep from running out of replacements the City needs to purchase 300 additional containers. Toter, Inc. has agreed to the price of $46.80 and staff recommends the purchase of 300 additional containers at that price.

Mayor Wine said there is money in the budget.

Councilman Mellette moved to APPROVE staff recommendation to purchase 300 90-gallon refuse containers from Toter, Inc. for $46.80 each being seconded by Councilman Elliott.

The motion CARRIED 5-0 on roll call.

18. CONSIDERATION OF DRAINAGE BID

Mr. Chattin said on February 23, 1994, bids were received for Miscellaneous Drainage Improvements, which in reality are very major drainage improvements. Bids were received from five bidders with the low bid being from Thad Construction Company, Inc. for $373,700. (see attached) Mr. Chattin explained the Drainage Improvements.

Mayor Wine asked if the funds were coming from the Drainage fee the City charges each month and Mr. Chattin answered yes.

Mr. Chattin said it is staff's recommendation to award the bid to Thad Construction Company, Inc. in the amount of $373,700.

Councilman Mellette moved to AWARD the bid for Miscellaneous Drainage Improvements to Thad Construction Company, Inc. for $373,700 being seconded by Councilman Heyman.

The motion CARRIED 5-0 on roll call.

19. COMMUNICATIONS FROM THE CITY MANAGER

A. Request from Civil Service to change Ordinance 2353, Sec. 2(e)

Mr. Hester said the Civil Service Board proposed a change to Ordinance No. 2352, Section 2 (e). They would like the Ordinance to read as follows:

> THE CIVIL SERVICE BOARD SECRETARY, AFTER CERTIFYING THE TOP CANDIDATES TO THE CITY MANAGER AND THE HEAD OF THE DEPARTMENT IN WHICH THE VACANCY EXISTS, AND AFTER BEING NOTIFIED OF THE CANDIDATE SELECTED, SHALL PREPARE THE NECESSARY APPOINTMENT NOTICE, AND DISTRIBUTE COPIES OF SUCH NOTICE TO BE SELECTED CANDIDATES, THE PERSONNEL OFFICER AND THE CITY MANAGER.

Mrs. Pearl Ward, Chairman Civil Service Board, said this will put the wording back the way it was previously for the hiring practice. It helps the Board to oversee the hiring a little better than the previous wording and that is the major reason for the change.

Mayor Wine said the Board should become more involved in the hiring process. There has been several complaints that the Civil Service Board Secretary does not answer any of the candidates as to whether they passed or failed. Mayor Wine said sometimes the filing was not up to date and the Board needs to make sure the files are kept up to date.

Mrs. Ward said the Civil Service Secretary has been working under adverse conditions, She has no office at this time and the filing cabinet is out in the hall. Mrs. Ward said it has been very difficult for the Secretary to complete her duties and keep things organized.

Mayor Wine said she was aware the Board Secretary has worked at a handicap. Mayor Wine asked Mrs. Ward to bear with the City until the remodeling is finished and then the Board Secretary would have an office.

Mrs. Ward said there is going to be a workshop April 20, 1994 at 7:30 p.m. to go over the Board Secretary's duties and to extend her hours.

Mrs. Ward said the Civil Service Board needs their own office.

Mayor Wine asked if the Board would object if the Council set in on the Workshop. Mrs. Ward said there would be no problem.

Councilman Byrnes said he had a concern with the Civil Service Board doubling the Board Secretary's pay when the Board adds more hours.

Mrs. Ward said the Board Secretary puts in more time than what she is actually getting paid for. Mrs. Ward said the Board Secretary does not get paid nearly enough for the work she does.

Councilman Byrnes said he has a problem with doubling the salary.

Mrs. Ward said all this will be gone over in the Workshop and she has no problem with Council tabling this item until after the workshop.

Mayor Wine said maybe Mr. Hester could find an empty room for the Civil Service Board Secretary to do her work.

Mr. Hester said the Board Secretary now has the space that the receptionist had and that work area was satisfactory for a lot of people.
Mayor Wine said the area is not very private for a Civil Service Secretary. Mayor Wine said the employees did not feel comfortable talking to the Secretary in such a public place for everyone to over hear the conversation.

Councilman Mellette said he thought this should be tabled until after the workshop.

Councilman Elliott said he would be out of town at the time of the workshop and asked if this could be placed on the agenda for the workshop scheduled for April 27, 1994, by the Civil Service Board.

Mrs. Ward said she did not have a problem with that.

Mr. Fink, Civil Service Board Member, said he thought combining both workshops would cause the meeting to be too lengthy.

Councilman Elliott said he could come back on Wednesday.

Mayor Wine will also be out-of-town on April 20, 1994.

Mrs. Ward said they would have a long workshop on April 27,1994.

B. Use of Old Red Brick School

Mr. Hester said he received a memo from Mr. Martin stating it would cost approximately $657,500 to renovate the "old red brick school".

Mayor Wine said she appreciated Mr. Hester taking care of this matter so quickly. She also said she thought the Council should have a workshop to discuss what should be done with the building.

Mr. Hester said a roof job needs to be done on the building at the very least, to preserve it.

Council agreed to have Mr. Hester get bids on re-roofing the "old red brick school".

It was Council consensus to have a workshop May 3, 1994, at 7:30 p.m.

20. COMMUNICATIONS FORM THE CITY ATTORNEY

None.

21. COMMUNICATIONS FROM THE MAYOR AND CITY COUNCIL

Councilman Byrnes thanked everyone who worked on the Youth Center and asked anyone who would like to help to come by on Saturday.
Councilman Mellette had no comments.

Councilman Elliott said thanks for the extra day to go over the Agenda. He said he presented the Civil Service Board with the original surveys from the employees. He said the Civil Service Board would be discussing the results at the Workshop on April 27, 1994. He said there are a few problems that can still be worked out.

Councilman Heyman asked if the traffic lights on Ridgewood and Walker were handled by County or City.

Mr. Chattin said they are either State or County maintained.

Councilman Heyman asked if a turn arrow was going to be placed at that location.

Mr. Chattin said he would find out for sure and get back with her.

Mayor Wine thanked Mrs. Gubernator for the memorandum on Water Rates.

22. ADJOURNMENT

With nothing further to come before Council the meeting was adjourned at 8:37 p.m.

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Mayor

ATTEST:

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City Clerk/Manager