

**MINUTES
REGULAR CITY COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 14, 1998**

1. CALL TO ORDER

Mayor William D. Arthur called the meeting to order in Commission Chambers at 1065 Ridgewood Avenue in City Hall.

Answering roll call with Mayor Arthur were Commissioners Arthur J. Byrnes, J. D. Mellette, Shirley Heyman and Roland Via.

Also attending were City Manager Donald Lusk, City Attorney Edward F. Simpson, Jr., and City Clerk Sue W. Blackwell.

2. INVOCATION

Commissioner Byrnes gave the Invocation.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CONSENT AGENDA

A. Minutes of Regular Meeting – March 24, 1998

*Commissioner Mellette moved to **APPROVE** the Consent Agenda being seconded by Commissioner Heyman . The motion **CARRIED** 5-0 on roll call .*

5. AUDIENCE PARTICIPATION

None.

6. PRESENTATIONS – Service Award Mark Barker (15 years)

Mayor Arthur presented Detective Lt. Mark Barker with his 15 year service award from the City after reading a letter of commendation for the Division from Chief Larry Walker.

Mayor Arthur said he would like to take item No. 10 at this time if there were no objections.

**10. ORDINANCE NO. 2509 – INVOLUNTARY ANNEXATION OF CERTAIN
PROPERTY LOCATED IN UNINCORPORATED VOLUSIA COUNTY (First reading)**

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City Attorney Simpson read:

ORDINANCE NO. 2509

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING CERTAIN PROPERTY AS DESCRIBED HEREIN LOCATED IN VOLUSIA COUNTY LYING WEST OF THE CITY LIMITS OF THE CITY OF HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

J. R. Fryer, Dennis Ireson, Heidi Heinmiller and Charlotte Ramsey spoke in opposition to the proposed referendum. They asked Several questions which the Mayor and Commission answered.

Gary Smith and Sue McCaulley spoke in favor of the proposal and the City Clerk read a letter from Bonnie Sampson favoring the annexation. (Copy attached.)

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

Byrnes, yes; Mellette, yes; Heyman, yes; Via, yes; Arthur, yes.

7. ORDINANCE NO. 2506 – ANNEXING PROPERTY BY VOLUNTARY PETITION (Kurek – Daytona Sand & Gravel) (Second reading)

City Attorney Simpson read:

ORDINANCE NO. 2506

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING CERTAIN PROPERTY INTO THE CITY BY VOLUNTARY PETITION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Kurek Annexation)

Commissioner Mellette moved to **ADOPT** the ordinance on final reading being seconded by Commissioner Heyman. The motion **CARRIED** 5-0 on the following roll call:

Mellette, yes; Heyman, yes; Byrnes, yes; Via, yes; Arthur, yes.

8. ORDINANCE NO. 2507 –ANNEXING PROPERTY BY VOLUNTARY PETITION (Salh) (Second reading)

City Attorney Simpson read:

ORDINANCE NO. 2507

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AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING CERTAIN PROPERTY INTO THE CITY BY VOLUNTARY PETITION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Salh annexation)

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

Mellette, yes; Byrnes, yes; Via, yes; Heyman, yes; Arthur, yes.

9. ORDINANCE NO. 2508 – AMENDS RETIREMENT PLAN AND TRUST FOR THE GENERAL EMPLOYEES (First reading)

City Attorney Simpson read:

ORDINANCE NO. 2508

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING THE RETIREMENT PLAN AND TRUST FOR THE GENERAL EMPLOYEES OF THE CITY OF HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Heyman, yes; Mellette, yes; Byrnes, yes; Via, yes; Arthur, yes.

10. Item handled at beginning of the meeting.

11. ORDINANCE NO. 2510 – ANNEXING PROPERTY BY VOLUNTARY PETITION (Riviera Hotel) (First reading)

City Attorney Simpson read:

ORDINANCE NO. 2510

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ANNEXING CERTAIN PROPERTY INTO THE CITY BY VOLUNTARY PETITION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Heyman moved to **APPROVE** the ordinance on first reading being seconded by Commissioner Byrnes.*

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Mayor Arthur explained how he and the Manager had met with Ormond Beach staff and made a gentleman's agreement not to aggressively pursue the annexation of this property. Commissioner Byrnes said this was not brought to the Commission for action and he did not feel obligated to follow that. He said the City has tried to annex that property ever since he has been on the Council.

Following more discussion, the motion **CARRIED** 4-1 on the following roll call:

Heyman, yes; Byrnes, yes; Via, yes; Mellette, yes; Arthur, no.

12. RESOLUTION 98-R-12 – APPOINTING A MEMBER TO SERVE ON THE VOLUSIA GROWTH MANAGEMENT COMMISSION

City Attorney Simpson read:

RESOLUTION NO. 98-R-12

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE VOLUSIA GROWTH MANAGEMENT COMMISSION FOR A THREE YEAR TERM UNTIL JUNE 30, 2001; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE

Mr. Simpson said the name inserted in the resolution is John Heaphy.

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

Mellette, yes; Via, yes; Heyman, yes; Byrnes, yes; Arthur, yes.

13. RESOLUTION 98-R-13 – APPOINTING AN ALTERNATE MEMBER TO SERVE ON THE BEAUTIFICATION ADVISORY BOARD (Burcham)

City Attorney Simpson read:

RESOLUTION NO. 98-R-13

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE (1) ALTERNATE MEMBER TO SERVE ON THE BEAUTIFICATION ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Simpson said the name contained in the resolution of Susan L. Burcham.

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

Via, yes; Mellette, yes; Byrnes, yes; Heyman, yes; Arthur, yes.

14. RESOLUTION 98-R-15 – APPOINTING A MEMBER TO SERVE ON THE BOARD OF PLANNING AND APPEALS

City Attorney Simpson read:

RESOLUTION NO. 98-R-15

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO SERVE ON THE BOARD OF PLANNING AND APPEALS FOR A THREE YEAR TERM UNTIL MAY, 2001; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Simpson said the name contained in the resolution is Linda Cornelius.

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

Mellette, yes; Byrnes, yes; Heyman, yes; Via, yes; Arthur, yes.

15. ACCEPTANCE OF GOALS AND OBJECTIVES

Commissioner Via moved to **ACCEPT** the 1998 Goals and Objectives being seconded by Commissioner Mellette. The motion **CARRIED** 5-0 on roll call.

16. COMMUNICATIONS FROM CITY ATTORNEY

None.

17. COMMUNICATIONS FROM CITY MANAGER

None.

18. COMMUNICATIONS FROM MAYOR & COMMISSIONERS

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Commissioner Mellette – None

Commissioner Heyman – None

Commissioner Via commented briefly on the trip he and the Mayor took to Tallahassee for the FLC Legislative function.

Commissioner Byrnes said he missed Lenny (Anderson), the former Custodian because the clocks would have been changed if he had not retired.

Mayor Arthur brought up the following item:

A. Discussion on Status of VCOG

Members of the Commission agreed that VCOG was needed and the organization provided a much needed forum.

19. ADJOURNMENT

There wa no further business to come before the Commission so the meeting was adjourned at approximately 8:40 p.m.

Mayor

ATTEST:

City Clerk