M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 26, 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 Councilman Byrnes.

4. AUDIENCE PARTICIPATION

None.

Mayor Wine explained there was a new form that needs to be filled out by anyone who would like to bring a matter before the Council.(see attached)

5. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting, April 12, 1994
Workshop Meeting - April 5, 1994

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

The motion CARRIED 5-0 on roll call.

6. CONDEMNATION HEARING FOR 626 FLORIDA AVENUE

Mr. Harbuck, Chief Building Official, said 626 Florida Avenue is a house that has fallen into a state of disrepair. It falls below the minimum housing standards and is vacant at this time. Mr. Harbuck asked Council to issue a Certificate of Condemnation for sixty days to bring the structure up to code or be demolished.

Mayor Wine said the owner of the property is Mr. Everett Halfhill Jr.

Ms. Jeannie Stellatona said Mr. Halfhill had passed away and there are now four owners of the property. She said she had spoken to a builder about repairing the structure and the builder has given a ninety day time frame in which he can get the structure repaired. Ms. Stellatona said repairs would start immediately.

Councilman Heyman asked why it could not be repaired in sixty days.

Ms. Stellatona said the builder is Jim Carey and he said the best he could do would be two and a half to three months to repair the structure properly. Ms. Stellatona said her brother Kevin Halfhill is a general contractor and she was going to work with him instead to get the structure repaired.

Councilman Mellette suggested setting a Certificate of Condemnation for sixty days and if at that time the repairs are near completion then Ms. Stellatona could come back to Council and ask for an extension being seconded by Councilman Heyman.

Councilman Byrnes asked if this property has been a problem before.

Mr. Harbuck said the property has been a problem.

Councilman Byrnes said he had heard several complaints and he was concerned the property would not be taken care of in a neighborly fashion.

Mayor Wine asked if Kevin Halfhill had a general contractor's license in the City of Holly Hill.

Mr. Harbuck said Mr. Halfhill does have a license in the City.

Ms. Jackie Taylor, 630 Florida Avenue, said she was before Council in July, 1987 about this same problem and the house has not been touched. The house is not in any better shape, in fact it is in worse condition. Ms. Taylor said people have been living in the house until the last month or so. She said the yard is about two feet high. Ms. Taylor said she is concerned that the same thing has been going on for seven years and nothing is ever done to bring the property into shape.

Ms. Mary Massey, 628 Florida Avenue, said she was concerned about the house getting repaired and brought up to code. She said several times it has been said that the house would be repaired and then nothing happened. Ms. Massey said she really wanted to see something happen this time.

Mr. Frank Jabbogy, 631 Florida Avenue, said it is always being said the property is going to be fixed up and he was concerned that nothing would be done. Mr. Jabbogy said the property was being rented in the condition it was presently in and he was afraid the property would be rented with the pretense of fixing it up and nothing would still be done.

Mr. Harbuck said the power has been turned off at the pole and no one could live in the structure.

Councilman Byrnes asked Mr. Harbuck to make sure no one was living in the structure while it was being repaired.

There was a brief discussion on how much time should be given before a Certificate of Condemnation was issued.

Councilman Mellette moved to issue a Certificate of Condemnation for sixty days and if more time is needed the owners could reapply being seconded by Councilman Heyman.

The motion CARRIED 5-0 on roll call.

7. CONDEMNATION HEARINGS FOR 716 WALKER STREET

Mr. Harbuck said the day after the hearing was set for condemnation of 716 Walker Street, the owner came into his office an obtained a building permit and has performed the necessary repairs to bring the building up to code. Mr. Harbuck asked 716 Walker Street be removed from the Condemnation List.

Councilman Heyman moved to REMOVE 716 Walker Street from the Condemnation List being seconded by Councilman Mellette.

The motion CARRIED 5-0 on roll call.

8. ANNUAL AUDIT REPORT

Mr. John Vodenicker, Ernst & Young, presented the Annual Financial Report for year ending September 30, 1993.

Mr. Vodenicker used two reports:

1. Comprehensive Annual Financial Report
2. Financial Overview

He went over page 27 of the Annual Report. (see attached) He highlighted two areas; Police Officers Retirement Trust Funds were audited by other auditors and the method of accounting for the Pension Trust investments was changed for this year.

Mr. Vodenicker also read the third paragraph. (The Opinion Paragraph)

On page 35 of the Annual Report Mr. Vodenicker went over how the year ended in the General Fund. He also used a comparison from page 32. Mr. Vodenicker said the Undesignated Fund Balance was at 11% and Ernst & Young recommends the Undesignated

Fund Balance should be around 17%. For the City to have 17% as a Undesignated Fund Balance they would need to increase it 6% or approximately $298,000.

Mr. Vodenicker switched to the Financial Overview Report which he went over page by page. (see attached)

Mr. Calvin Fink, 526 Eagle Drive, asked about the extraordinary loss in the Retained Earnings.

Mr. Vodenicker explained that last year the City did an advanced refunding where the City paid off their old bonds with new bonds. When this is done one of the things that can not be done is to pay the bonds off immediately, it must sit in escrow for a number of years. In the accounting treatment for that transaction when you record the new debt you are always going to have more debt recorded than what you had previously.

Mr. Vodenicker said a comparative study was done with Holly Hill and Other U.S. Cities with populations less than 15,000. The City of Holly Hill scored 29 points which places the City in the "Better than Most" category. One more point and the City would have scored in the "among the best" category.

Councilman Mellette moved to APPROVE the Annual Audit Report being seconded by Councilman Elliott.

The motion CARRIED 5-0 on roll call.

9. REQUEST TO STORE PARADE VEHICLE AT PUBLIC SERVICES

The American Legion Honor Society is requesting to place their parade locomotive in the yard at Public Services.

Mayor Wine asked Mr. Hester if he had checked for room if Council approved the request.

Mr. Hester said the locomotive could be stored outside within the confines of the secured area.

Councilman Mellette asked who would be liable for the locomotive while it was sitting in Public Services.

Councilman Byrnes asked if a waiver of liability could be signed to relieve the City of responsibility.

City Attorney Simpson said something could be signed to that effect except if the City backed a truck into then it would be the City's responsibility.

Councilman Mellette asked how many vehicles were in last year's parade and if an exception was made for this float then would we let all the floats use Public Services for storage.

Mr. Hester said there was over 100 floats in last years parade but this is a "permanent" type vehicle as opposed to the temporary vehicle just put together for a parade. Mr. Hester said this is something nice the City could to for an organization that supports the City.

Councilman Byrnes suggested the City approve this and if it becomes a problem, face it when it happens.

Councilman Byrnes moved to allow the storage of the American Legion Honor Society Locomotive to be stored at Public Services on a temporary basis with a waiver of liability to the City being seconded by Councilman Elliott.

The motion CARRIED 5-0 on roll call.

10. RESOLUTION NO. 21 AUTHORIZING THE CITY TO APPLY FOR AN IMPROVEMENT GRANT FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (RIVERSIDE DRIVE BIKE PATH)

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY TO APPLY FOR AN IMPROVEMENT GRANT FROM THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT Resolution No. 94-R-21 Authorizing the City to Apply for an Improvement Grant from the Florida Department of Transportation being seconded by Councilman Heyman.

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

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

11. RESOLUTION NO 22. AUTHORIZES THE CITY TO APPLY FOR AN IMPROVEMENT GRANT FROM THE FLORIDA INLAND NAVIGATION DISTRICT FOR RIVERSIDE PARK (BIKE PATH, BOARDWALK, PICNIC SHELTERS, BENCHES, LANDSCAPING, GAZEBO, PIER, FLOATING DOCK AND PARKING

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY TO APPLY FOR AN IMPROVEMENT GRANT FROM THE "FLORIDA INLAND NAVIGATION DISTRICT"; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT Resolution No. 94-R-22 Authorizing the City to apply for an Improvement Grant from the Florida Inland Navigation District for Riverside Park 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. SUNRISE PARK IMPROVEMENTS - ENGINEERING SERVICES

Mayor Wine said this item came up May 18, 1993.(see attached minutes from the May 18, 1993, Council meeting)

Mr. Chattin said the City has received funding from the State and the Ponce de Leon Port Authority for improvements at Sunrise Park. The major improvements include a new pier and another scenic walkway on the north side. The estimated cost is $139,000.

It is necessary to engage an engineer to design and obtain permits for these facilities. Alann Engineering Group, Inc. has submitted a proposal in the amount of $15,234 to perform these services. The cost is reasonable; therefore, staff recommends approval.

Mr. Chattin stated the major item in the improvements is the Pier at the end of north Sunrise. He said they have had surveys done and at low tide there will still be seven to eight feet of water at the end of the dock.

Mayor Wine said she was concerned on the time frame to complete the project.

Mr. Bethea assured Mayor Wine there was plenty of time to complete the project.

Councilman Elliott moved to ACCEPT the Alann Engineering Group, Inc. proposal of $15,234 to design and obtain permits for the new pier and scenic walkway on the north side of Sunrise Park being seconded by Councilman Mellette.

The motion CARRIED 5-0 on roll call.

13. EQUIPMENT PURCHASE - SANITATION DIVISION

Mr. Hester asked to have this item TABLED until the next meeting.
The attorney needs to do more research on the City's ability to purchase used equipment and still stay within the confines of State Statues.

14. RESOLUTION NO. 23 APPOINTING AN REDEVELOPMENT ADVISORY BOARD MEMBER TO SERVE THE UNEXPIRED TERM OF JEFF HOBLICK (SUN BANK)

Mayor Wine said Mr. Hoblick, Sun Bank, was serving on the Redevelopment Board but has been transferred to the Deland Office and recommends his replacement at the bank, Mark Barr, to also replace him on the Redevelopment Board.

Councilman Heyman moved to ACCEPT the recommendation to appoint Mark Barr to the Redevelopment Board being seconded by Councilman Byrnes.

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

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

15. REVERSE $10,000 SALE OF WATER LINE TO DAYTONA BEACH

Mr. Chattin said FDOT said the City of Holly Hill can not profit from the relocation of the Eleventh Street Raw Water Main and the City has to return the $10,000 Daytona Beach gave the City of Holly Hill for the rights to the abandoned raw water main. The City of Holly Hill is going to return $9,990 to the City of Daytona Beach and $10 to the FDOT.

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH DAYTONA BEACH REQUIRING THE CITY TO REFUND $9990 TO DAYTONA BEACH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT Resolution No. 94-R-24 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.

16. COMMUNICATIONS FROM CITY MANAGER

Mr. Hester presented a Resolution in support of the Halifax River Cleanup.

City Attorney Simpson read:

A RESOLUTION EXPRESSING SUPPORT OF THE CITY COUNCIL OF THE CITY OF HOLLY HILL, FLORIDA, FOR THE HALIFAX AND INDIAN RIVER TASK FORCE'S HALIFAX AND INDIAN RIVER SPRING CLEANING DAY SET FOR MAY 7, 1994; SETTING FORTH AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT Resolution 94-R-25 being seconded by Councilman Byrnes.

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

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

Mr. Hester presented two different samples of wainscotting to be placed in Council Chambers. He asked that Council make a decision between the two samples.

Council consensus was to go with the "diagonal sample".

18. COMMUNICATIONS FROM THE CITY ATTORNEY

None.

19. COMMUNICATION FROM MAYOR AND CITY COUNCIL

Councilman Elliott said he was very proud of the way City Hall looks from U S #1.

Mayor Wine said she attended a VCOG and MPO meeting in Deland. At the VCOG meeting Ormond Beach brought up the fact they can take care of the beach in Ormond for 50% less than the County. Mayor Wine said there was a Committee formed to make recommendation to the County to have it placed on the Agenda for the Cities to take care of the Beaches back from the County.

Mayor Wine asked if Mr. Hester could be named as the Alternate to the Water Cooperative so he can be a voting delegate if she was unable to attend. With Council consensus Mr. Hester was named the Alternate to the Water Cooperative.

Mayor Wine announced the workshop on May 3, 1994 to discuss the "old red brick school" building.

19. ADJOURNMENT

With nothing further to come before the Council the meeting was adjourned at 8:45 p.m.

____
Mayor

ATTEST:

____
City Clerk/Manager

MINUTES
REGULAR COUNCIL MEETING
APRIL 26, 1994