M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
APRIL 9, 1996

1. CALL TO ORDER

Mayor William D. Arthur called the meeting to order in Council Chambers at City Hall, 1065 Ridgewood Avenue at 7:30 p.m..

Answering roll call were Mayor Arthur, Councilman Arthur Byrnes, Councilman J. D. Mellette, Councilman Shirley Heyman and Councilman Jim Elliott.

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

2. INVOCATION

The Invocation was given by Rev. Ruth Richardson, Union Congregational Church.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting - March 26, 1996
Approval of Minutes - Workshop Council Meeting - March 26, 1996

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

5. AUDIENCE PARTICIPATION

None.

6. ORDINANCE NO. 2422 - REPEALS CIVIL SERVICE ORDINANCE AND PROVIDES FOR ADOPTION OF RULES AND REGULATIONS

City Attorney Simpson read:

ORDINANCE NO. 2422
AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA REPEALING CHAPTER TWO (ADMINISTRATION), ARTICLE III (OFFICERS AND EMPLOYEES), DIVISION TWO (CIVIL SERVICE SYSTEM) OF THE CITY OF HOLLY HILL'S CODE OF ORDINANCES; AND

PROVIDING FOR THE ADOPTION OF THE CITY OF HOLLY HILL'S PERSONNEL RULES AND REGULATIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the ordinance on final reading. Councilman Elliott seconded the motion which CARRIED 5-0 on the following roll call:

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

7. RESOLUTION NO. 22 - ADOPTS PERSONNEL RULES AND REGULATIONS

City Attorney Simpson read:

RESOLUTION NO. 96-R-22
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING THE CITY OF HOLLY HILL PERSONNEL RULES AND REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Manager Lusk explained the "Comp Time" provision has been put back in the document because some of the people covered are not Department Heads and provisions needed to be made for them. Twenty (20) hours is the maximum you may have on the books under this provision.

Council asked what would happen to employees who had over this amount on the books and Mr. Lusk said they would have one year to use their time to bring it in line with these new guidelines.

Councilman Elliott moved to ADOPT the resolution with the change as noted being seconded by Councilman Mellette. The motion CARRIED 5-0 on the following roll call:

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

8. RESOLUTION NO. 21 - AUTHORIZES MAYOR TO EXECUTE NEW MPO INTERLOCAL AGREEMENT FOR WEIGHTED VOTE

City Attorney Simpson read:

RESOLUTION NO. 96-R-21
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE INTERLOCAL AGREEMENT

ESTABLISHING THE METROPOLITAN PLANNING ORGANIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Heyman moved to ADOPT the resolution being seconded by Councilman Mellette.

Councilman Byrnes said he would vote against the resolution because he does not believe in the weighted vote. He said there should be one vote for each City. Mr. Lusk said this is structured according to state law.

The motion CARRIED 3-2 on the following roll call vote:

Heyman, Yes; Mellette, yes; Byrnes, No; Elliott, yes; Arthur, No.

9. RESOLUTION NO. 23 - APPOINTS ONE (1) REPRESENTATIVE AND ONE (1) ALTERNATE TO THE MPO.

City Attorney Simpson read:

RESOLUTION NO. 96-R-23
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE (1) REPRESENTATIVE AND ONE (1) ALTERNATE TO THE METROPOLITAN PLANNING ORGANIZATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to appoint Mayor Arthur as the City's representative and to appoint Mrs. Heyman as the alternate. Councilman Byrnes seconded the motion which CARRIED 5-0 on the following roll call:

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

10. REQUEST TO ACCEPT BID FOR APPARATUS REPAIR

City Manager Lusk said the second low bid is being recommended because the City has done business with this firm in the past and knows their work. The low bidder is a new firm and would not be able to do all the work themselves.

Councilman Byrnes had some questions for Fire Chief Forte about some items contained in the bid. When they were answered to his satisfaction, *Councilman Heyman moved to APPROVE the* *bid as recommended being seconded by Councilman Mellette.* The motion CARRIED 5-0 on roll call.

11. REQUEST TO APPROVE CDBG PROGRAM FUNDS

Mr. Lusk said this is an item from the last workshop and reflects the changes proposed by Council.

Councilman Byrnes moved to APPROVE the request being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

12. REQUEST FOR CHANGE ORDER TO BIKE PATH PROJECT

Mr. Lusk told Council when the bid was awarded, they were told the grant was not enough money to do the project and a change would have to me made to make it fit and this is the change order to make the project fit the grant. He said the project is moving right along and the citizens are using the path almost before sections of concrete are dry.

Councilman Mellette moved to APPROVE the Change Order being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

13. DECLARE SURPLUS ITEMS FOR AUCTION

Councilman Elliott moved to declare the items as surplus and to APPROVE the list for auction. Councilman Mellette seconded the motion which CARRIED 5-0 on roll call.

14. REQUEST TO PURCHASE EMERGENCY RESPONSE RADIOS - 800 MHZ SYSTEM

Mr. Lusk said this is going to be a difficult request and he could understand any Council person may have a problem with it. He went on to explain when the City went to the 800 MHz radio system only the emergency services (Police and Fire) were given radios. Under the original agreement, the Public Works Dept. kept the old system. Now it has become obvious the City needs to spend $15,000 to purchase radios for them so they can communicate with the Police and Fire Departments in case of an emergency such as a hurricane.

Mayor Arthur said he has attended meetings with other Mayors whose cities have had problems with the system, but after talking to our people, he has learned the City has not experienced those same problems. It was noted that the City purchased better equipment than some of the other surrounding cities and that may have been a factor. Better and more in depth training was also mentioned as another factor contributing to the success in Holly Hill.

Councilman Byrnes said he was not in favor of the technology when it was proposed the first time and is not in favor of adding more equipment to it. He said he is very conservative when it comes to this kind of technology. He believes in proven technology, not in something which has not been perfected.

Mr. Lusk said this is not a perfect system as it is the future technology. The real problem is not correcting the system but correcting the problems others are experiencing.

Councilman Heyman moved to APPROVE the $15,000 expenditure after more discussion. Councilman Mellette seconded the motion which CARRIED 4-1 on roll call. Councilman Byrnes voted no.

15. ORDINANCE NO. 2423 - REZONES PROPERTY FROM R-5 (TWO FAMILY RESIDENTIAL) TO CC-1 (COMMERCIAL CORRIDOR DISTRICT)

City Attorney Simpson read:

ORDINANCE NO. 2423
AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE BY REZONING APPROXIMATELY 2 ACRES LOCATED BETWEEN FIRST STREET AND HIGH STREET APPROXIMATELY 150 FEET WEST OF BEACH STREET FROM R-5 TWO-FAMILY RESIDENTIAL DISTRICT, TO CC-1 COMMERCIAL CORRIDOR DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Mr. Simpson also read the following legal description:

Lots 2 through 9, inclusive, Padova Park, per Map Book 9, Page 249, City of Holly Hill, Volusia County, Florida.

Mr. Bob Keeth, VCOG Planner hired by the City, said this agenda item was heard by the Board of Planning and Appeals and they unanimously approved recommending the rezoning.

Mr. Zev Cohen talked to Council about the proposed rezoning.

After talking to Zev Cohen, engineer, and Mr. Helgemo, owner, who briefly answered any questions from Council concerning the rezoning, *Councilman Heyman moved to APPROVE the rezoning ordinance on first reading being seconded by Councilman Mellette.* The motion CARRIED 5-0 on the following roll call:

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

16. COMMUNICATIONS FROM CITY MANAGER

A. Mr. Lusk reminded Council of Thursday (April 11) is "Council Day" and said he is looking forward to the day with Council.

B. Mr. Lusk told Council Susie Sheets prepared the agenda and he thought she did a good job on it.

17. COMMUNICATIONS FROM CITY ATTORNEY

None.

18. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Mellette - None

Councilman Heyman said she wanted everyone to know Bruce Greenbaum donated 104 yards of carpet to the Chamber and he also had it installed. She said we need more concerned citizens like him. Council agreed.

Councilman Elliott expressed concern that some of the streets being paved were getting a very thin coat put on them. Mr. Hallman explained that is what is called micro-seal and this is being done to prolong the life to these streets until the City has money to pave them properly.

Councilman Byrnes said he hoped everyone had a happy Easter. He complimented the local Eagles Club for the egg hunt they put on in Hollyland Park. Mr. Byrnes said it is good to have people interested in children and their activities. He said the hunt was for small children and was really nice. He also commented on another egg hunt at the big flea market which was not as well organized.

Mayor Arthur said he received several calls about the paving and also numerous calls about the bike path on Riverside Drive. He noted it is already being used by lots of our citizens. Mayor

Arthur complimented the Redevelopment Board with their forward thinking which brought about this rezoning tonight.

19. ADJOURNMENT

There was no further business to come before Council so the meeting was adjourned at approximately 8:08 p.m.

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Mayor

ATTEST:

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City Clerk - Manager