

**MINUTES
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JUNE 14, 1994**

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order.

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 Recording Secretary Connie Wines.

2. INVOCATION

The Invocation was given by Councilman Byrnes.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

Mr. Larry Tatroe, 1115 Powers Ave., said he was driving on 11th Street and a tree limb fell and hit his windshield. He asked Council to have the trees trimmed. Mr. Tatroe noted that some of the panels on the water tower have discolored since it was painted about six months ago.

Mr. James H. Smith, Jr., 607 Cedar Ave, said he moved to Holly Hill over forty years ago. He said his neighbor's home was burglarized this past Saturday (11th). The officer doing the investigation did not make an effort to take fingerprints. Upon questioning, the officer said he could not take prints. Mr. Smith questioned the training of the officer and asked Council to investigate and report at a later meeting.

Mayor Wine said that all such cases are investigated and if there is a problem, get in touch with Mr. Hester to handle it.

5. CONSENT AGENDA

- A. Approval of Minutes - Regular Meeting May 24, 1994
- B. Bills and Accounts

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Councilman Mellette moved to approve being seconded by Councilman Elliott. Councilman Byrnes said he had a minor change on page 5-5. He said he would like the section on Occupational Licenses changed to reflect those sub-contractors of the same level should be the same price. Council agreed. Mayor Wine said all the necessary corrections have already been made to the ordinance.

The motion CARRIED 5-0 on roll call.

6. ORDINANCE NO. 2378 - OCCUPATIONAL LICENSE FEES AS RECOMMENDED BY THE EQUITY STUDY COMMISSION (FIRST READING)

City Attorney Simpson read:

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING CHAPTER 14 (LICENSES AND TAXATION), ARTICLE II (OCCUPATIONAL LICENSES), SECTION 14-25(LICENSE RENEWAL AND PENALTY FOR LATE RENEWALS), SECTION 14-27 (TRANSFER OF LICENSE), REPEALING SECTION 14-36 (LICENSE TAX SCHEDULE; LICENSING OF CLASSIFICATIONS NOT INCLUDED), ADOPTING A NEW SECTION 14-36; PROVIDING FOR CONFLICTING ORDINANCE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

Councilman Elliott moved to APPROVE the ordinance on first reading being seconded by Councilman Mellette.

Mayor Wine noted the changes to the Sub-contractor category and then asked if this is the time to talk about the Special Event fees. Mr. Simpson said to talk about it after finishing with this motion.

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

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

Mayor Wine brought up the recommendation regarding charging for permits for Special Events.

Councilman Heyman moved to direct the City Attorney to draw up a resolution authorizing the permit fee for special events to be \$200 being seconded by Councilman Elliott. Councilman Mellette said he would like to see a list of the events so Council can see if these people can afford the fee. Mayor Wine said she based her recommendation on the figures from South Daytona, a city of a comparable size. Mr. Hester said most of these are related to bike week and the City probably

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spends more than that in manpower. The motion CARRIED 3-2 with Councilmen Byrnes and Mellette voting No.

7. ORDINANCE NO. 2377 - AMENDING LAND DEVELOPMENT REGULATIONS PERTAINING TO RADIO/TV TRANSMITTING AND RECEIVING EQUIPMENT

City Attorney Simpson read:
ORDINANCE NO. 2377

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ORDINANCE 2352 WHICH ADOPTED THE LAND USE AND DEVELOPMENT REGULATIONS; PROVIDING FOR "COMMERCIAL RADIO/TV TRANSMITTING AND RECEIVING TOWERS AND ASSOCIATED OFFICES, TRANSMITTING EQUIPMENT" AS SPECIAL EXCEPTIONS IN THE I-1 AND I-2 ZONING DISTRICTS; REVISING SECTION 5.6.1,Z,2, SPECIAL EXCEPTION CONDITIONS APPLICABLE TO COMMERCIAL RADIO/TV TRANSMITTING AND RECEIVING TOWERS, BY REPLACING REFERENCES TO THE CIVIL AERONAUTICS BOARD AND THE FEDERAL AVIATION ADMINISTRATION WITH REFERENCE TO THE FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING FOR RESOLUTION OF CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the ordinance on second and final reading being seconded by Councilman Heyman.

Mayor Wine said on page 7-3, item 4 regarding "a qualified engineer". Mrs. Wine asked if it could be amended to state this should be an electronic engineer. Mr. Simpson said the applicant will present the request in writing and then the City will determine the qualification of that individual. A violation of the conditions for a Special Exceptions would result in revocation of the special exception.

Councilman Byrnes said the actual radio waves coming out of the transmitter is regulated by the FCC. He said the wording in the ordinance is pretty good.

The motion CARRIED 5-0 and the ordinance was ADOPTED on the following roll call:

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

8. RESOLUTION SUPPORTING THE AST VOLUSIA COMMUNITY TRAFFIC SAFETY PROGRAM

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City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SUPPORTING THE EAST VOLUSIA COMMUNITY TRAFFIC SAFETY PROGRAM WHICH IS CHARGED WITH REDUCING FATALITIES, INJURIES AND THE SEVERITY OF INJURIES SUSTAINED IN THE TRAFFIC RELATED CRASHES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

9. STREET LIGHT SURVEY (615 ALICE AVE.)

Mayor Wine reported the Chief of Police has investigated the request for a street light and recommended approval of the request.

Councilman Heyman moved to approve installation of the street light being seconded by Councilman Mellette. The motion CARRIED 5-0 on roll call.

10. DISCUSSION ON 800 MHZ RADIO SYSTEM

Mayor Wine said she received a letter from County Manager Tom Kelly which Council will have read together with the letter from Chief Finn. Mrs. Wine introduced County Councilman Don Wiggins. Councilman Wiggins introduced Bob Wise (head of all communications in Volusia County) and his assistant Mr. Perry. Mr. Wiggins encouraged the City Council to participate in this program. He said it is a good system and will work. Mr. Wiggins said one of the towers will be located in Holly Hill at the corner of Mason and Carswell.

Mr. Wiggins said the system will be built and again encouraged the City to participate and then turned the floor over to Mr. Wise and Mr. Perry for any questions from Council. Mr. Wise said he came to Holly Hill about two years ago when this system was only a dream. He referred Council to the new facilities at the EVAC station along with the new tower.

Councilman Byrnes asked how many channels are available and Mr. Wise said there are 27 trunked simulcast channels and 4 mutual aid channels initially. Mr. Byrnes asked if one of those 27 channels

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would be assigned to Holly Hill when the system goes down. Mr. Wise said it would not because he did not ever see a situation when the system would not be in a trunking mode to be shared by everyone in the County. He said there would be talk groups and it will more than provide for anything Holly Hill will ever need.

Mr. Byrnes said systems in other parts of the country have been down for weeks at a time and his biggest concern is that Holly Hill would not be at the top of the County's priority list. He wanted assurances that if the system goes down, one of the frequencies would be Holly Hill's frequency. Mr. Byrnes said he wanted assurances the City would be rated above agencies such as Mosquito Control.

Mr. Wise said the only time the system would go into a conventional type mode for the system, would be if you lose all the channels except two. Mr. Byrnes was told the main switch is located at the EOC and the backup is at EVAC in Holly Hill. If they go down, the system goes into a predetermined trunking system with five channels. Those channels would be shared.

More discussion was held regarding ancillary services between Public Services, the Police Department and the Fire Department. Mr. Byrnes said he thought we should find out what Daytona is going to do before going ahead with this program. Mayor Wine said this program allows the City to pay \$10,000 per year interest free for this program. The City's share of the cost is \$100,000.

Councilman Mellette moved to authorize staff to communicate Holly Hill's intent to purchase its allotment of no interest financed radios being seconded by Councilman Heyman. The motion CARRIED 4-1 with Councilman Byrnes voting No.

11. RESOLUTION SUPPORTING STATE-WIDE MUTUAL AID AGREEMENT

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE A STATEWIDE MUTUAL AID AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the resolution contingent upon receiving a letter from our insurance carrier to attach to the resolution 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.

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**12. DISCUSSION ON PROPOSAL FOR TRAINING PUBLIC SERVICES PERSONNEL
AND ALL CITY SUPERVISORS**

Mayor Wine said this is a proposal the City Manager worked out with the Daytona Beach Community College. It is for training to enhance the people skills of our managers, improve employee morale and restore the links of communication between employees and management.

Mayor Wine said she thought this is a good idea but that \$10,500 is a lot of money. She said the necessary changes were made and Council told them (employees) we would give them six months after the structure changes made by the City Manager. Mrs. Wine wondered if it would not be advisable to wait to the end of the six months to see how it works out, especially with the budget coming up in July. She said maybe it (training) could wait until after the budget workshops.

Councilman Heyman said she had not discussed this with Mayor Wine but that she felt the same way. The City should hang on to the money at this time. Councilman Mellette said maybe the City could not afford this training but when Council did the restructuring, Council told the employees training would be provided assist them to do their job better so if Council pulls the funding from this project and says "sorry" then Council is backing down on what they said they would do. Mr. Mellette said the \$10,000 could be cheaper in the long run than the morale problems it could cause. He said he does not like backing up on what Council said it would do.

Mayor Wine said when she discussed this about six weeks ago, she thought it would cost about a thousand dollars but the cost escalated. Councilman Mellette asked how she would feel if her employer backed out on promised training. Mrs. Wine said she did not remember exactly what was said but did not remember promising \$10,000 in training to enhance their skills. Councilman Mellette said Council did promise to give them a program.

Councilman Byrnes said the Personnel Officer (Elliott) has been the one to keep on top of this for Council. Mr. Elliott said he had talked to Mr. Hester today regarding this matter. Mr. Hester said he told DBCC to sharpen their pencil and see what could be done to reduce costs. He said if the program was limited to the Building and Grounds Dept. and the Street Dept., which would include about forty people, this would bring the cost down to about \$5,500. Mr. Hester said he would like to give the Institute of Government first choice on providing training. However, the way the restructuring was accomplished, Mr. Hester said he would like to see some team building activities so they work together as a unit. They need to learn to work together rather than apart. The relationship between the supervisor and the employee should be as a team and not as a dictator to laborer.

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Mrs. Heyman said if this is to make better supervisors then why not send just the supervisors. Mrs. Wine said some of these same supervisors have already had training. Mr. Hester said the biggest thing overall is the employees need to work together. We need team management. The City Manager said this could wait until after the budget sessions.

Mrs. Pearl Ward, Riverside Drive, said she thought trying to teach a supervisor to supervise is a waste of money. The individual should bring those qualifications to the job. There should be something done to allow people to get along with each other. She said as a taxpayer, she feels this is the wrong way to go about this.

Mayor Wine said perhaps the City Council could find someone (one person) to talk to the employees. She said maybe there should be some more research done on this. Councilman Elliott said he had another idea which he would discuss with Mr. Hester later. Mr. Hester mentioned that promotion from within is encouraged. He said there is "on the job training" on all jobs but maybe some people did not learn what they should.

Councilman Byrnes said he has worked with large corporations who provide this team training and it does work. However, some companies tell you to just do your job, |--(WHEN INTRODUCING A NON-ESSENTIAL _RELATIVE CLAUSE_, `WHICH` IS PREFERABLE TO `THAT`. IF THE CLAUSE IS ESSENTIAL, THEN REMOVE THE COMMAS. IF THIS CLAUSE IS AN _APPOSITIVE_, THEN `THAT` IS FINE.)--| that is what you are paid for.

Mr. Byrnes said sometimes cheap training is not the answer. He suggested Mr. Hester try to find other training. Mr. Mellette said this training is not just how to be a supervisor but also how to get along with people and how to make the employees do what has to be done. Mayor Wine agreed.

Councilman Heyman moved to TABLE this until the City Manager wants to bring this back or until after the budget being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

13. CONSIDER PROPOSAL FROM ALANN ENGINEERING GROUP, INC. FOR PROFESSIONAL SERVICES IN CONJUNCTION WITH THE DESIGN AND CONSTRUCTION OF THE RIVERSIDE DRIVE BIKEPATH

Public Services Director Marc Chattin said an engineer needs to be hired to do the survey work and design work for this project. The proposal from Alann is for \$13,618 which includes \$8,200 for surveying and \$5,418 for engineering. Excluded from this permit is any funding for a permit from the St. Johns River Water Mgmt. District. because in the past they have not required a permit for a bike path.

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Councilman Byrnes expressed right of way concerns and asked if there is some type of permanent marker which could be installed so we would have it for any future concerns about the right of way. A brief discussion followed regarding the GIS system being installed at Public Services. Council wanted metal stakes put down so there would be a point of reference in the future.

Councilman Byrnes moved to AWARD the contract as recommended by staff. Councilman Mellette seconded the motion which CARRIED 5-0 on roll call.

14. AWARD OF BID FOR PURCHASE OF EQUIPMENT FOR SANITATION DEPARTMENT

Mr. Chattin said on June 2, 1994 bids were received for Sanitation Equipment. This is for a body to put on a chassis owned by the City and for another chassis to put on a piece of equipment also owned by the City. The total price is \$34,500 less trade in (engines, transmissions, etc.) \$8,300 so the net bid will be \$26,200. Mr. Chattin told Council he would be coming back to Council at budget time for a front loader.

Councilman Mellette moved to award the bid as recommended by staff being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

15. DISCUSSION ON PROPOSED TREE REPLACEMENT POLICY

Mr. Chattin said the majority of the policy being presented to Council tonight has been in effect for almost a year. The removal part is what has been followed. Now, staff needs for Council to set the policy on replacing trees. Mr. Chattin explained the proposed replacement policy. (Copy attached.)

Mr. Chattin asked how far back Council would like staff to go with replacing the trees. Mr. Chattin suggested planting two trees per block (one on each side of the street) from Mason to 11th Street. To spread this program out, staff would do two a month. It was noted that staff would give a \$10 break on the water bill for three months to the citizens receiving the trees to make sure the trees are given enough water.

Councilman Mellette moved to implement the Tree Policy as proposed by Staff being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

16. DISCUSSION ON COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

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Mr. Chattin told Council the City's allocation for next year is approximately \$138,000. The County is requesting information on what the City wants to spend these funds on. Over the last several years because of the ongoing litigation on the Tenth Street Crossing, the City is out of sequence on the paving program. What is being paved this year is actually in better shape than what is being recommended for paving next year. The reason for doing this is so the City would not have to amend this year's program.

Staff recommendation is that \$120,000 be spent to resurface two miles of streets and \$18,000 for reserve for the Tenth Street railroad crossing. If the \$18,000 reserve is not needed, then it can be reallocated next year. Mr. Chattin said a preconstruction conference is scheduled for next week. The County has assured Mr. Chattin this work will be done by the end of July. He told Council Moravia Avenue will be removed from the paving list.

Councilman Mellette moved to approve staff's recommendation as presented being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

17. COMMUNICATIONS FROM CITY MANAGER

D. Discussion on Sallyport

Mayor Wine asked why this has to be done. Mr. Deward Martin said this was shown on the drawings. Council discussed excavating dirt for the sallyport. The number of trees to be removed was also a concern. Mr. Martin said after the excavation costs and loss of trees were considered a scaled back version was proposed and that is what is before Council now.

Mr. Chattin said there has always been a sallyport in the plans. What Council is looking at represents a net savings plan. After staff looked at the entire situation, staff realized the excavation effort could be saved. Staff did not seek approval of the change from Council because it was felt Council would be happy with the proposed savings.

Councilman Byrnes said when he looked at the sallyport he thought it was just a way to keep the prisoners out of the weather not such a substantial project. Mayor Wine said that is the way she had understood it too. Mr. Chattin said if Council wanted something built with an aluminum roof, then that is what staff will build. The proposed sallyport is in keeping with the appearance of the building. Mr. Chattin said cover over the stairs looks tacky. Councilman Elliott said if someone is going to jail, they do not need to be escorted through a mansion. Mr. Martin said the object of making this a nice looking structure was not for the comfort of the prisoners, but in keeping with the looks of the rest of the building.

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Chief Finn said safety is the primary reason for constructing the sallyport. He said the worst fight he ever had was on the stairs under question. Mayor Wine said if the prisoner is that dangerous, they should be transported directly to DeLand. Councilman Mellette said sometime you do not know how bad someone is until it is too late. Mayor Wine suggested having another officer on the scene. Councilman Byrnes said he is not concerned with the ramp, but the big building around the ramp. He said he had no idea what the sallyport would cost.

After more discussion was held regarding the sallyport, Councilman Elliott moved to TABLE this item until July 12 being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

A. Discussion on Commercial Recycling

City Manager Hester told Council Commercial Recycling would be mandated October 1, 1994 and there will be financial repercussions on the City. There are firms aggressively marketing this at this time. A rule of thumb is if you can recycle 50% of your dumpster and you have an eight-yard dumpster, you will have a four-yard dumpster from the City and a four yard recycle dumpster from a commercial recycling firm. This will reduce the money being paid to the City. Mr. Hester said he is working with the Finance Director and will bring more information to Council during the budget process.

Mr. Hester said the City cannot give themselves an exclusive right to the recycling. It is open to anyone who wants to come into it. He said he just became aware of the potential revenue loss last week and he wanted to inform Council right away. He said South Daytona is exploring franchise fees so we will look at them too. The City Manger said Holly Hill and Ormond Beach are the only cities currently hauling their own garbage at this time which puts the City at a disadvantage

B. Discussion on Cancellation of June 28, 1994 Council Meeting

Councilman Byrnes moved to CANCEL the June 28, 1994 Regular Council Meeting being seconded by Councilman Mellette. The motion CARRIED 5-0 on roll call.

C. Discussion of Disposition of "Red Bricks" from demolition of "old red brick school building wings"

After a brief discussion, Council decided the charge \$2 for each brick with the money collected going to the Youth Center.

18. COMMUNICATIONS FROM CITY ATTORNEY

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None.

19. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Heyman said a Mrs. Rehetick from Ormond Beach wants to donate some vinyl molding. She probably has enough to do the whole school. Mr. Hester said he would contact her.

20. ADJOURNMENT

There was no further business to come before Council so the meeting was adjourned at 9:35 p.m.

Mayor

ATTEST:

City Clerk/Manager