M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JULY 12, 1994

1. CALL TO ORDER

Mayor Virginia Wine called the meeting to order at 7:30 p.m. in Council Chambers at Sica Hall, 1065 Daytona Avenue.

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. INVOCATION

The Invocation was given by Rev. Chuck Mckeown, First Baptist Church of Holly Hill.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

None.

5. CONSENT AGENDA

A. Approval of Minutes - Regular Meeting June 14, 1994 and Special Meeting June 21, 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. HOLLY HILL CHAMBER OF COMMERCE REQUEST FOR FUNDING FOR BALANCE OF 1994 ($6,000)

Mr. John Levin addressed members of the City Council with the request from the Chamber.

Council expressed their approval of the turn-around the Chamber made during the past year in the way they are conducting their business. Chamber Director John Zoller distributed copies of the Chamber budget and other information showing what type of work the Chamber has been doing. Councilman Mellette moved to support the request for funding being seconded by Councilman Heyman. After an in-depth discussion that included the City's financial situation and the upcoming budget, the motion was amended to reflect the City's support for $3,500 with further consideration being taken during budget hearings. The motion CARRIED 5-0 on roll call.

7. PARTIAL RELEASE OF PERFORMANCE BOND FOR VON-AIRE

City Engineer D. Martin told Council this work is approximately 90% complete and that the contractor is requesting the release of 75% of the cash bond. Councilman Mellette moved to APPROVE the request being seconded by Councilman Elliott. The motion CARRIED 5 -0 on roll call.

8. REQUEST FOR EXTENSION OF CONDEMNATION OF 626 FLORIDA AVENUE

Building Official Tim Harbuck informed Council the owners of this property have made substantial improvements toward meeting code but are requesting an extension of time to be allowed to complete the renovations. After talking with the owner of the property, Councilman Heyman moved to grant a sixth (60) day extension being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

9. ORDINANCE NO 2378 - AMENDING CHAPTER 14 - (LICENSES AND TAXATION) OCCUPATIONAL LICENSES RENEWAL AND PENALTIES FOR LATE RENEWALS (SECOND READING)

City Attorney Simpson read the ordinance by title as follows:

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 Mellette moved to ADOPT the ordinance on second and final reading 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.

10. REQUEST TO REZONE B-1, PROFESSIONAL OFFICE/HOSPITAL-MEDICAL DISTRICT, TO R-5, TWO-FAMILY RESIDENTIAL DISTRICT (ORDINANCE NO. 2379- FIRST READING

City Attorney Simpson read:

AN ORDINANCE AMENDING THE ZONING MAP BY REZONING PROPERTY LOCATED AT 144 BURLEIGH AVENUE FROM B-1, PROFESSIONAL OFFICE/HOSPITAL-MEDICAL DISTRICT TO R-5, TWO FAMILY RESIDENTIAL DISTRICT; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING FOR THE TERMS AND CONDITIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilman Mellette moved to APPROVE the ordinance on first reading 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. REQUEST FOR A VARIANCE FROM SIDE YARD SETBACK REQUIREMENT OF EIGHT FEET TO FOUR FEET

The Board of Planning and Appeals recommended granting a variance to Stephanie and Tony Emanuel, 6 Howard Drive, to construct a screen/sun room. The variance would grant a four-foot variance.

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

12. REQUEST FOR A VARIANCE FROM FRONT YARD SETBACK REQUIREMENT OF FIFTEEN FEET TO TWO FEET AND THREE INCHES

The Board of Planning and Appeals recommended granting a variance to Mr. John Powell, 515 Carswell to enable him to construct a second story addition to the present building. Attorney Larry Simms was present to represent Mr. Powell.

After learning the proposed construction was to expand Mr. Powell's existing business and would not add to the parking problems on Carswell.,Councilman Mellette moved to GRANT the variance being seconded by Councilman Heyman. The motion CARRIED 5-0 on roll call.

13. APPLICANT (SAME AS #12 ABOVE) SEEKS FINAL DEVELOPMENT ORDER FOR CONSTRUCTION OF 2,400 SQUARE FOOT SECOND STORY ADDITION

Councilman Mellette moved to APPROVE the final development order being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

14. REQUEST FOR SPECIAL EXCEPTION - OWNER IS REQUESTING A LICENSE TO OPERATE AN ANTIQUE/RETAIL SALES STORE

Council members commented on the work the applicant has done to the building but wanted assurances this would not be "another junk store". Ms. Janet Hewitt told Council she did not intend to have to have a junk store. Owner Ben Navarra assured Council this would be an improvement over the previous business at that location.

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

15. REQUEST FOUR-WAY STOP SIGN AT RIDGE AVENUE AND GRANADA

Councilman Heyman moved to APPROVE the request being seconded by Councilman Mellette. Mrs. Heyman assured Council this needs to be done. She said she travels this street often and has seen the need for the signs. Mayor Wine agreed. The motion CARRIED 5-0 on roll call.

16. REQUEST FROM MAYOR OF TAMPA FOR RESOLUTION OPPOSING CONSTITUTIONAL AMENDMENT (CASINO GAMBLING) ON THE NOVEMBER BALLOT

City Attorney Simpson read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, IN A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, IN OPPOSITION TO CASINO TYPE GAMBLING IN THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

17. AWARD OF BID FOR SOUND SYSTEM FOR COUNCIL CHAMBERS

City Engineer D. Martin explained to Council about bidding the project and having Councilman Byrnes look at the bids which were received. He told Council he had taken "a middle of the road" approach in making his recommendation. He told Council the bid from AVA was best suited for the City's needs because it is easy to operate and would not require special training to use. The bid was in the amount of $$8,485 but he would like Council to adjust the amount to $9,500 because he forgot to include a transcriber and one additional speaker.

After having the bids from Muzak, AVA, and NATCO explained, Councilman Byrnes moved to ACCEPT the AVA bid in the amount of $9,200 total instead $9,500. Counciclman Mellette seconded the motion which CARRIED 5-0 on roll call.

18. SELECTION OF ENGINEER FOR MISCELLANEOUS ENGINEERING

City Manager Hester told Council he had advertised for proposals according to the CCNA and it is time for Council to authorize staff to begin negotiations with the top applicant. Councilman Mellette moved to APPROVE staff's request being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

19. GENERAL DISCUSSION /UPDATE ON THE STATUS OF UTILITY AUDITS (FINANCE DIRECTOR AND CITY ATTORNEY)

This item was withdrawn from the agenda before the meeting.

20 GENERAL DISCUSSION OF THE EFFECTS OF COMMERCIAL RECYCLING ON THE SOLID WASTE DEPARTMENT (FINANCE DIRECTOR, PUBLIC SERVICES DIRECTOR AND SCOTT SIMPSON)

Mr. Hester explained how the City stood to lose up to 50% of the revenue currently generated from the commercial accounts in the City. A discussion was held regarding the possibility of using franchise agreements but Mr. Hester told everyone the City could not grant an exclusive franchise. He also noted that some companies are already going to the businesses in the City and signing them up for recycling which will be mandatory October 1, 1994.

No action was taken at this time because this was just a staff update for Council.

21. RESIGNATION OF CHAIRMAN GREENBAUM FROM REDEVELOPMENT BOARD

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Councilman Mellette moved to ACCEPT the resignation with regret being seconded by Councilman Byrnes. The motion CARRIED 5-0 on roll call.

22. COMMUNICATIONS FROM CITY MANAGER

None.

23. COMMUNICATIONS FROM CITY ATTORNEY

None.

24. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

None.

25. ADJOURNMENT

There was no further business to come before Council so Mayor Wine adjourned the meeting at 8:40 p.m.

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Mayor

ATTEST:

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City Clerk/Manager