M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
JULY 27, 1993

1. CALL TO ORDER

Mayor Pro Tem Robert Chesnowitz called the meeting to order at 7:30 P.M. in Council Chambers of Sica Hall Community Center, 1065 Daytona Avenue, Holly Hill, Florida.

Answering roll call were Mayor Pro Tem Robert Chesnowitz, Councilman Arthur Byrnes, Councilman J. D. Mellette and Councilman Jim Gaither.

Also attending were City Manager Ralph Hester, City Attorney Kit Korey, 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 Mayor Pro Tem Chesnowitz.

4. MAYOR'S REPORT/COMMENTS

None.

5. COUNCIL'S REPORT/COMMENTS

Councilman Gaither moved to bring item nineteen (19), Filling Mayor Vacancy, to the front of the agenda. The item was moved by consensus of Council.

19. FILLING MAYOR VACANCY

Councilman Mellette started by saying he was the only one in the Council who did not particularly want to be Mayor and the appointment is a tough decision. He stated he had agonized over the decision and he felt the appointment should come from one of the other three Councilman and their Council seat should then be filled by a citizen.

Councilman Mellette moved to appoint Councilman James Gaither as Mayor with the stipulation that he must resign his Council seat and he would not receive a pay increase being seconded by Councilman Gaither.

Councilman Byrnes said he had listened to the different sides and he felt the selection of Mayor should be like the selection process for the City Manager. He said the Council should accept applications and resumes and choose from those people who would be the best Mayor not the person who has lobbied the most or who is more popular.

Mayor Pro Tem Chesnowitz said he felt whoever was selected as Mayor should come from the Council because of the background and experience they have.

Councilman Mellette said he felt the process for selection of the City Manager was a long one and if they used the same process it would be election time before they could choose a Mayor, then the election itself would take care of the decision for them. He said he felt the Council needed to make a decision whether they liked making the decision or not.

Councilman Gaither said he believes the Mayor should be chosen from one of the Council. He said he felt the Council has brought the City forward to a point it has never been before and to have someone in the Mayor's seat who really did not know what was going on would be an injustice. He said he felt there were a number of citizens in the audience who were qualified but he felt the appointment should come from one of the Council.

Councilman Gaither said just about anyone can sit in the Mayor's seat and chair a meeting but the biggest thing in being a Mayor is what you can do outside of the City with the State agencies, County agencies and the other entities that give the City support.

Councilman Mellette said being Mayor involves a lot of time with outside agencies and going to different functions to hold the City's place in this community and that is one of the main reasons he nominated Councilman Gaither.

Mr. Doc Watson suggested a vote of the audience should determine who is to be Mayor not the Council. He felt the people should be involved in the vote not just the Council.

Mr. Don Wiggins, 672 8th Street, suggested the Council appoint one of the previous Mayors, who were in the audience, to be Mayor to keep it "even" between Councilman Gaither and Councilman Chesnowitz since they were both seeking the Mayor's seat in this year's election.

Mrs. Jerry Robinson, Riverside Drive, asked if the Council had a choice or if they had to select someone who had already been elected.

Councilman Mellette said they did not have to select someone who was already elected, they just had to select someone.

The motion CARRIED 3-1 on the following roll call:

Mellette, yes; Gaither, yes; Byrnes, yes; Chesnowitz, no.

At this time Councilman Gaither resigned his Council seat and was sworn in by Kit Korey as Mayor.

Mayor Gaither called for a ten minute recess at 7:48 P.M.

Mayor Gaither called the meeting back to order at 8:00 P.M.

6. ADVISORY COMMITTEE REPORTS

Mr. Tony La Sorsa reported the plaque for the three fatalities that occurred in the Broadway Bridge accident will be placed on the east end of the bridge upon completion of the bridge.

He also reported the Broadway Bridge and the Seabreeze bridge will be highrise bridges with the Seabreeze Bridge being a "split" highrise.

7. AUDIENCE PARTICIPATION

Mr. Don Tumbleson requested item number eleven {11. REQUEST TO REZONE 1111 AND 1113 POWERS AVENUE FROM R-3 (SINGLE FAMILY RESIDENTIAL) TO I-1 (WHOLESALE-LIGHT INDUSTRIAL)} be withdrawn until it can be heard by a full Council.

Councilman Mellette moved to WITHDRAW item number eleven, the request to rezone 1111 and 1113 Powers Avenue from R-3 to I-1 being seconded by Councilman Chesnowitz.

The motion CARRIED 4-0 on roll call.

8. CONSENT AGENDA

Councilman Mellette moved to ACCEPT the Consent Agenda being seconded by Councilman Byrnes.

The motion CARRIED 4-0 on roll call.

9. RESOLUTION NO. 93-R-43 - SETTING A TENTATIVE MILLAGE RATE

City Manager Hester gave a little background saying through the budget process the City has tentatively agreed to maintain the millage rate of 5.4695 for next year which will result in a slight decrease in the overall tax bill for the City of Holly Hill.

City Attorney Kit Korey read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, PROPOSING A TENTATIVE MILLAGE RATE FOR THE YEAR BEGINNING OCTOBER 1, 1993 FOR THE CITY OF HOLLY HILL, FLORIDA

WHEREAS, the City Council of the City of Holly Hill, Florida is required by Florida Statute 200.011 to certify to the County Property Appraiser the general municipal millage rate proposed by said Council for the tax year beginning October 1, 1993; and

WHEREAS, the City Council of the City of Holly Hill, Florida, pursuant to Florida Statute 200.065, the TRIM BILL, shall hold a public hearing adopting a tentative budget and a proposed millage rate, said proposed millage rate exceeding the rolled back rate by 0%, and

WHEREAS, the City Council of the City of Holly Hill, Florida, is desirous of adopting a proposed millage rate, with a proposed 0% tax increase and setting a public hearing to be held with respect to same; and;

WHEREAS, the City Council has set public hearing on the millage rate at 7:30 p.m., on September 15, 1993, in Council Chambers, 1065 Daytona Avenue (Sica Hall), Holly Hill, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOLLY HILL, FLORIDA:

Section 1. That the millage rate proposed by the City Council of the City of Holly Hill, Florida, for the tax year beginning October 1, 1993 is 5.4695 ($5.4695 per $1,000.00); said proposed millage rate exceeding the rolled back rate by 0% which shall be the proposed percentage increase in property taxes.

Section 2. That all resolutions made in conflict with this resolution are hereby repealed.

Section 3. That this Resolution shall become effective immediately upon it adoption.

Councilman Mellette moved to ADOPT Resolution 93-R-41 being seconded by Councilman Chesnowitz.

The motion CARRIED 4-0 on the following roll call:

Mellette, yes; Chesnowitz, yes; Byrnes, yes; Gaither, yes.

10. RESOLUTION NO. 93-R-42 - AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT TO THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF PROCEEDS OF LOCAL OPTION GAS TAX

City Manager Hester gave some brief background saying the City has a four year agreement with the County, which is scheduled to expire in August of this year, on the distribution of gas tax funds and this is an extension of that agreement for an additional year while the Cities get together with the County to work out a more equitable distribution.

City Attorney Kit Korey read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR DISTRIBUTION OF THE PROCEEDS OF LOCAL OPTION GAS TAX BY EXTENDING THE AGREEMENT FOR ONE (1) ADDITIONAL YEAR; PROVIDING FOR CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilman Byrnes moved to ADOPT Resolution 93-R-42 being seconded by Councilman Chesnowitz.

The motion CARRIED 4-0 on the following roll call:

Byrnes, yes; Chesnowitz, yes; Mellette, yes; Gaither, yes.

11. REQUEST TO REZONE 1111 AND 1113 POWERS AVENUE FROM R-3 (SINGLE FAMILY RESIDENTIAL) TO I-1 (WHOLESALE-LIGHT INDUSTRIAL)

This item was withdrawn in the Audience Participation part of this meeting.

12. COMPREHENSIVE PLAN AMENDMENT FOR A SMALL SCALE DEVELOPMENT TO INCLUDE THE MEDIUM-HIGH RESIDENTIAL DEVELOPMENT (ORDINANCE NO. 2356)

City Planner Bob Keeth gave brief background and explained why he was asking for this change. (see attached memorandum)

A lengthy discussion ensued.

City Attorney Kit Korey read:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF HOLLY HILL, FLORIDA; ADDING A NEW "MEDIUM-HIGH RESIDENTIAL DEVELOPMENT" CLASSIFICATION TO THE FUTURE LAND USE ELEMENT; REVISING THE FUTURE LAND USE MAP TO INCORPORATE CERTAIN PROPERTIES RECENTLY ANNEXED INTO THE CITY; DESIGNATING SAID PROPERTIES FOR MEDIUM-HIGH DENSITY RESIDENTIAL DEVELOPMENT; PROVIDING FOR RESOLUTION OF CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

Councilman Chesnowitz moved to APPROVE Ordinance No. 2356 on first reading being seconded by Councilman Mellette.

Mrs. Virginia, 223 11th Street, questioned the location of the property this Ordinance will effect.

Mayor Gaither answered the property is located at the corner of Walker Street and Old Kings Road.

Mrs. Wine asked if she could have high density Residential as long as she has three acres of property.

Mayor Gaither said each individual case would have to be handled as a separate case.

The motion CARRIED 4-0 on the following roll call:

Chesnowitz, yes; Mellette, yes; Byrnes, yes; Gaither, yes.

13. DISCUSSION ON APPLYING FOR A PORT AUTHORITY GRANT FOR SUNRISE AND/OR ROSS POINT PARKS

City Manager Hester said he was looking for feedback from Council since the deadline for Grant application is August 16, 1993.

There was a lengthy discussion with the following ideas coming from the discussion:

1. Bike Path linking Sunrise and Ross Point Parks
2. More shade at Sunrise Park
3. Floating dock at Sunrise Park
4. Extend dock at Ross Point Park

Council consensus was to put together and application for a grant based on the above ideas.

14. AWARD OF BID FOR NOVA ROAD UTILITY RELOCATIONS

Mr. Marc Chattin said two bids were received for this project and he recommended awarding the project to the low bidder (Sverdrup Southern Constructors, Inc.) (see attached letter and memorandum)

Mr. Chattin also asked that the engineers on the project be allowed to negotiate with the contractor to provide additional extensions of water and sewer service to serve recently annexed property and bring this back to Council as a Change Order.

Councilman Byrnes stated he would have like to have seen a cover sheet from the two bidders and it concerned him that the difference in the bids was so large. He wondered if maybe one of the contractors missed something in the bid.

Mr. Chattin stated there was no cover letter as each bid was about twenty pages and the difference in the bids was because one contractor thought the City also wanted lines removed.

Councilman Mellette moved to follow staff's recommendation to award the bid to Sverdrup Southern Constructors, Inc. being seconded by Councilman Chesnowitz.

The motion CARRIED 4-0 on roll call.

Councilman Mellette moved to let engineers negotiate extending services to recently annexed property being seconded by Councilman Chesnowitz.

The motion CARRIED 4-0 on roll call.

15. RESOLUTION NO. 93-R-43 AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH HISTORICAL PROPERTY ASSOCIATES, INC. TO PREPARE A GRANT APPLICATION FOR REHABILITATION OF HOLLY HILL CITY HALL

City Attorney Kit Korey read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR HISTORIC PRESERVATION CONSULTING SERVICES BETWEEN THE CITY OF HOLLY HILL AND HISTORIC PROPERTY ASSOCIATES, INC; PROVIDING FOR CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Manager said basically what they were doing was applying for a grant to get some historic funds to replace the roof at City Hall. He stated it was going to be a costly project to take care of the roof and there are grant monies available to help with the cost.

Councilman Mellette moved to ADOPT Resolution 93-R-43 being seconded by Councilman Byrnes.

The motion CARRIED 4-0 on the following roll call:

Mellette, yes; Byrnes, yes; Chesnowitz, yes; Gaither, yes.

16. CITY MANAGER REPORTS/COMMENTS

None.

17. CITY ATTORNEY REPORTS/COMMENTS

None.

18. MISCELLANEOUS COUNCIL COMMUNICATIONS

Councilman Mellette asked when the vacancy of the Ward 4 seat would be filled.

Mayor Gaither instructed Mr. Hester to advertise in the paper and ask any interested person to come in fill out a form stating their interests.

It was Council consensus to appoint the Ward 4 Council seat at the next Regular Council Meeting which will be August 10, 1993.

Mayor Gaither suggested Councilman Mellette take his place on the Grounds Transportation Committee.

Councilman Mellette agreed to serve on the Grounds Transportation Committee.

Mayor Gaither thanked everyone for their support and said he would do his best to give 110% over the next five months.

Ms. Carol Smith, Mobile Avenue, asked why the Ward 4 seat could not be appointed tonight.

Mayor Gaither answered State Law will not allow the seat to be filled tonight because proper notice had not been given.

Ms. Smith was upset and voiced her opinion of the Mayor's appointment and the fact the Council seat could not be filled tonight.

The Council tried to ease Ms. Smith's concerns by answering her questions but she still remained upset.

20. ADJOURNMENT

With nothing further to come before the Council the meeting was adjourned at 8:50 P.M.

____
Mayor

ATTEST:

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City Clerk/Manager