M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
AUGUST 27, 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, Chief of Police Pat Finn, and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Mr. Earl Iler.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

Following the Pledge of Allegiance to the Flag, Mr. Iler sang God Bless the U.S. A.

4. CONSENT AGENDA

A. Approval of Minutes – Regular Meeting – August 13, 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

Ms. Grace McIntosh, 1585 Selma Avenue complained about (1) her water bill and said the rates charged in Holly Hill are higher than in any of the other cities in the area. (2) She said the City has not been out to measure her ditch for pipe. Mr. Lusk told her she would have to submit a plan and when she is ready to have the pipe installed, she should call Public Works.

Mr. Jim Carey, 805 Eighth Street asked Council to have the man-hole on Eighth Street raised to the same level of the new paving. Mr. Lusk agreed this needed to be done. He told Mrs. Rising from Public Works to call the contractor and have them take care of this work.

Mr. Carey then asked for relief from the flooding at the site of his business offices at Eighth and Center Avenue. He said he thought one of the catch basins is stopped up. Mr. Lusk said he would look into the matter in the next couple of days.

The last item from Mr. Carey concerned the requirement to install back-flo preventers. He said he has one tap and should only have to pay for one back-flo preventer. Instead, he has ten offices and he had to install this device on each of them and he felt that was excessive. Staff explained this is a requirement of the State of Florida and that the City has no choice except to follow the law. Mr. Lusk assured him he would refer this to the Building Department and if there is any way to grant him relief, the matter will be addressed by Council.

Mr. Josh Sherman, from Kiss FM radio wanted to know about advertising the jam sessions in the Park. He was told the City doesn't have anything to do with them so he should contact the people performing the music.

6. ORDINANCE NO. 2436 – AMENDS SIGN REGULATIONS IN THE LAND USE AND DEVELOPMENT REGULATIONS

City Attorney Simpson read:

ORDINANCE NO. 2436
AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING ORDINANCE NO. 2352, THE LAND USE AND DEVELOPMENT REGULATIONS, AS AMENDED; REVISING SECTION 10.3.2, SIGNS, BY REMOVING CERTAIN TYPES OF SIGNS FROM THE LIST OF PROHIBITED SIGNS; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Councilman Heyman moved to ADOPT the ordinance on second 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.

7. RESOLUTION NO. 47 – APPROVING AMENDMENTS TO THE LIUNA CONTRACT

City Attorney Simpson read:

RESOLUTION NO. 96-R-47

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AMENDMENTS TO THE LABORER'S INTERNATIONAL UNION OF NORTH AMERICA (LIUNA) CONTRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Manager Lusk briefly explained the amendments to the contract call for a .21 cents an hour COLA adjustment, a one time payment of ASAP, and the seniority article was rewritten.

Councilman Elliott moved to ADOPT the resolution 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. 48 – ESTABLISHING AN EFFECTIVE DATE OF SEPTEMBER 20, 1996 FOR ALL UNION/NON-UNION EMPLOYEE AGREEMENTS TO INCLUDE ALL BENEFITS AS DEFINED IN THE ATTACHED LIST

City Attorney Simpson read:

RESOLUTION NO. 97-R-48
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA AUTHORIZING AN EFFECTIVE DATE OF SEPTEMBER 20, 1996 FOR ALL UNION/NON-UNION EMPLOYEE AGREEMENTS PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Manager Lusk told Council the PBA representatives said they could not authorize an early effective date of September 20 because that is not what the membership voted to ratify. He asked Council to go ahead and adopt he resolution with the understanding it would apply to PBA only

if all the members signed a letter approving the early date. He said the PBA contract would be effective October 1, 1996 if they did not sign the letter. Council agreed this is a fair way to do this.

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

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

9. RESOLUTION NO. 49 – SUPPORTING EFFORTS TO CLEAN UP ROSE BAY

City Attorney Simpson read:

RESOLUTION NO. 96-R-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HOLLY HILL, FLORIDA, ENDORSING AND SUPPORTING THE CITY OF PORT ORANGE VOLUSIA COUNTY, THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT AND THE ALLANDALE/HARBOR OAKS HOMEOWNERS ASSOCIATION IN THEIR EFFORTS TO CLEAN UP ROSE BAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

After a brief discussion during which Councilman Byrnes said he could support four of the five items in the resolution. He said he did not think the City should be asking the FDOT the put sewers in the Rose Bay area. Those folks should pay for the installation just like our citizens did. Then he made a motion *"to Adopt the resolution with item no. five deleted. Councilman Mellette seconded the motion which CARRIED 5-0 on the following roll call:*

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

Mr. Byrnes asked that the cover letter explain the feelings of Council regarding item number five.

10. RESOLUTION NO. 50 AUTHORIZING THE MAYOR TO SIGN THE ACCEPTANCE AND AGREEMENT FORM FOR AN ANTI-DRUG ABUSE GRANT IN THE AMOUNT OF $20,667 (STATE OF FLORIDA, DEPARTMENT OF COMMUNITY AFFAIRS)

City Attorney Simpson read:

RESOLUTION NO. 96-R-50
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR TO SIGN THE NECESSARY PAPERS TO ACCEPT AN ANTI-DRUG GRANT FROM THE DEPARTMENT OF COMMUNITY AFFAIRS 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; Arthur, yes.

11. REQUEST TO UPDATE STORMWATER/DRAINAGE BASE MAP BY QUENTIN L. HAMPTON ASSOC. AT A COST OF $6,148

Mr. Hallman explained this is the last of the base maps needing to be updated. When these maps are in place, the City will be able to coordinate our storm drain needs with all the City, County, and the Florida Dept. of Transportation.

Finance Director Brenda Gubernator said the money is available in the Stormwater Fund.

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

12. COMMUNICATIONS FROM THE CITY MANAGER

A. Chemical Bid

Mr. Lusk explained the City has been purchasing chemicals through a bid made by the City of Daytona Beach. Daytona recently bid chemicals for the upcoming fiscal year. The company the City has been using (Jones Chemicals) was the low bidder on sulphur dioxide at $469.50 per ton and on chlorine the price was $390 per ton. The Company's overall bid was not the low bid for all chemicals. However, their bid on these two chemicals was the lowest bid. Mr. Lusk asked if there is a way to make use of that low bid which would be to the City's advantage.

While Mr. Simpson was looking at the Purchasing Ordinance, Mayor Arthur said he didn't know how it got by him (Number 8) because he was going to jump on that a little bit. He said as far as giving raises and how we spend money around this City, He said if government didn't give cost of living raises, there would be little or no cost of living increase. Government causes the cost of living to go up. Every time we do this, through the years it has caused people's salaries to go totally out of hand. He said he believes that is the reason privatization came into being. You cannot continue to give cost of living increases. If you do a good job...I believe in accomplishments, not endurance. Wages increases should be measured by efficiency and effectiveness and a growing tax base. If the City employees are responsible for efficiency and effectiveness, then the Council will be responsible for the tax base. If this can't be accomplished, there should be no increases.

Mr. Lusk said as the Chief Operating Officer of the City he would like to respond to that. He said one of the protections this City has (and it is good) and there are some frivolous things in the pay structure but there is one thing that was put in and is good as a professional manager sees it. The employees do top out. They get to a certain level and that is it. They may get a 2% COLA but it is not part of their salary. They get it as a lump sum and it does not increase their salary. Mr. Lusk said that as the City Manager it is important to keep costs in line. As long as he is Manager, he will never recommend a tax increase. He said he would never recommend laying an employee off. Mr. Lusk said staff has to be efficient and it is as simple as that. He said when you cut people off, you are cutting the level of services. We have a commitment to the public not to cut services but you shouldn't raise taxes.

Mayor Arthur said the reason he approved the cost of living raise which really did not have anything to do with the actual cost of living was because the Manager saved Holly Hill enough money through good business sense to deserve that money. The workers worked hard and it is incredible the amount of accomplishments made. Mr. Lusk said we have to do those things next year and the year after too because he wants to be able to say the City does the work cheaper than a private company. He said the changes in the pension program alone will allow him to be competitive. That is how you keep privatization out.

Mr. Simpson said you need to make a motion to APPROVE the purchase of the chemicals pursuant to the bid submitted to the City of Daytona Beach as a cooperative purchase venture pursuant to section 30-75 of the Code of Ordinances of the City of Holly Hill.

Councilman Mellette made the motion being seconded by Councilman Byrnes.

Councilman Byrnes said we should point out to the audience that the Council did look at privatization of the water and wastewater systems and it would not have saved enough money to make any difference in rates. He said purchasing chemicals for a large system is more cost effective than buying for a small city. That is why we make purchases like the one we just approved.

Mr. Lusk said a lot of things have to be considered when you are comparing water rates. The age of your system makes a big difference.

The motion CARRIED 5-0 on roll call.

B. Grant Approval

Mr. Lusk commented on the hard work Sgt. Harold Hatcher has done on a grant that the City is scheduled to receive.

13. COMMUNICATIONS FROM CITY ATTORNEY

None.

14. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Byrnes reminded everyone to go to the polls on Tuesday.
Mayor - None
Mellette- None
Councilman Heyman mentioned another letter commending the Police Department. She said the men do go the extra mile for the citizens.
Elliott - None

15. ADJOURNMENT

There was no further business to come before the Council so the meeting was adjourned at approximately 8:38 p.m.

Mayor

ATTEST:

City Clerk-Manager