

**MINUTES
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
AUGUST 9, 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, Assistant City Attorney Kit Korey, Chief of Police Pat Finn and Deputy City Clerk Sue W. Blackwell.

2. INVOCATION

The Invocation was given by Councilman J. D. Mellette.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

None.

5. CONSENT AGENDA

- A. Approval of Minutes - Regular Meeting- July 26, 1994
Budget Workshops July 25, 26, and 27, 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. PUBLIC HEARING - AMENDMENTS TO COMPREHENSIVE LAND USE PLAN AS APPROVED BY DEPT. OF COMMUNITY AFFAIRS

Mayor Wine opened the Public Hearing on the amendments and invited questions and/or comments from the audience. There were none.

City Planner Bob Keeth briefly addressed the Council. He reported these amendments have been reviewed by the Department of Community Affairs and they issued a statement of no objections. The

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Volusia Growth Management Commission has also reviewed the amendments. These amendments were proposed for the purpose of satisfying conditions imposed on the Comp Plan by the Growth Management Commission. Mr. Keeth said those conditions were satisfied with two exceptions. One, they requested the Plan be amended to assure compatibility with the Land Uses of the adjacent jurisdictions. They felt the policy proposed by the City fell short of this so they approved the Plan with the further condition that the City amends the Plan in the future to fully address that concern. The second exception was regarding their condition that the City mandate connection to the potable water system for all new development. The policy proposed in the plan reflects "no private water system be connected to the plumbing of a house or building which would be used for potable water purposes". The GMC is requiring the City firm that up. In particular they objected to the term "reasonably available". The GMC want that phrase spelled out fully. Mr. Keeth said these items will have to be addressed.

Mayor Wine again asked for comments. There were none so the Public Hearing was closed.

Assistant City Attorney Korey read:

AN ORDINANCE AMENDING ORDINANCE NO. 2265, THE COMPREHENSIVE PLAN OF THE CITY OF HOLLY HILL, FLORIDA, AS PREVIOUSLY AMENDED; REVISING THE TERMS USED TO DESCRIBE THE VARIOUS RESIDENTIAL FUTURE LAND USE CATEGORIES; PROVIDING FOR ESTABLISHMENT OF BUFFERS AND TRANSITIONAL LAND USES BETWEEN INCOMPATIBLE LAND USES; ADDING A MATRIX TO SERVE AS THE BASIS FOR DETERMINING CONSISTENCY BETWEEN FUTURE LAND USE CATEGORIES SHOWN ON THE FUTURE LAND USE MAP AND ZONING DISTRICTS; PROVIDING FOR THE ESTABLISHMENT OF PUBLIC AND QUASI-PUBLIC FACILITIES WITHIN RESIDENTIAL AREAS UNDER CERTAIN CONDITIONS; PROHIBITING CONNECTION OF A PRIVATE WELL OR PRIVATE WATER SYSTEM TO THE PLUMBING OF ANY DWELLING OR OTHER BUILDING AS A POTABLE WATER SOURCE EXCEPT WHERE CONNECTION TO THE CITY'S POTABLE WATER SYSTEM IS NOT REASONABLY AVAILABLE; REVISING THE LEVEL OF SERVICE STANDARD FOR STORMWATER MANAGEMENT; REVISING THE STORMWATER DRAINAGE SUB-ELEMENT TO RECOGNIZE THE ROLE OF THE EAST VOLUSIA MOSQUITO CONTROL DISTRICT; PROVIDING FOR RESOLUTION OF CONFLICT WITH EXISTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the ordinance on second 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.

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7. ORDINANCE NO. 2379 REZONE B-1, PROFESSIONAL OFFICE/HOSPITAL-MEDICAL, TO R-5, TWO-FAMILY RESIDENTIAL DISTRICT (SECOND READING)

Assistant City Attorney Korey 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 J. D. Mellette moved to ADOPT the ordinance 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.

8. REQUEST TO PURCHASE ADDITIONAL 90 GALLON REFUSE CONTAINERS (TABLED AT LAST MEETING)

Public Services Director Marc Chattin and members of Council briefly discussed the need for these containers. Councilman Byrnes moved to authorize the purchase of 100 containers at \$48.50 being seconded by Councilman Heyman. The motion CARRIED 3-2 on roll call. Mayor Wine and Councilman Mellette voted no.

9. COMMUNICATIONS FROM CITY MANAGER

A. Construction Budget

Mr. Hester presented the preliminary construction figures to construct the rear entrance to City Hall according to the plan selected at the last meeting. After a short discussion, Councilman Mellette moved to proceed with the project as presented with the fountain and the funds being used were from the Stormwater Utility Fund. Councilman Byrnes seconded the motion which CARRIED 5-0 on roll call.

B. Resolution No. 94-R-36

Bill Bethea, Administrative Assistant to the City Manager, briefly explained this resolution would allow the City to apply to the Ponce De Leon Port Authority for funding to improve Big Tree and Flomich Avenue Parks. He told Council he would be seeking other grants to match the \$95,200 in funds being requested on this 50-50 grant.

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Assistant City Attorney Korey read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY TO APPLY FOR AN IMPROVEMENT GRANT FROM THE PONCE DE LEON PORT AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

C. Resolution No. 94-R-37

Mr. Hester explained this resolution was necessary to begin the process to amend the Comprehensive Plan to reflect the improvements in these parks.

Assistant City Attorney Korey read:

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, TO INCLUDE DEVELOPMENT OF BIG TREE PARK, FLOMICH AVENUE PARK AND RIVER-FRONT PARK PROJECTS IN THE CITY OF HOLLY HILL'S COMPREHENSIVE PLAN PROVIDING GRANTS TO FUND SUCH ADDITIONS AND IMPROVEMENTS ARE RECEIVED; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to ADOPT the resolution 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. COMMUNICATIONS FROM CITY ATTORNEY

None.

11. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Byrnes invited everyone to the Beach Trust Commission meeting to be held in Sica Hall, Thursday, August 11, 1994, at 7:00 p.m.

Mrs. Ruth Starr thanked the Police Department for helping her when she left her purse in Sica Hall at the last Board of Planning and Appeals meeting. She explained how they opened Sica Hall to allow her to

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look for the purse but that she couldn't find it. Later the Police went back, found the purse and then returned it to her while they were patrolling in her neighborhood.

13. ADJOURNMENT

There was no further business to come before the Council so Mayor Wine closed the meeting at 8:05 p.m.

Mayor

ATTEST:

City Clerk/Manager