M I N U T E S
REGULAR COUNCIL MEETING
CITY OF HOLLY HILL, FLORIDA
SEPTEMBER 12, 1995

1. CALL TO ORDER

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

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 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 Bill Bethea.

3. PLEDGE OF ALLEGIANCE TO THE FLAG

4. AUDIENCE PARTICIPATION

None.

5. CONSENT AGENDA

A. Approval of Minutes- Regular Meeting of August 22, 1995
B. Bills and Accounts

Councilman Byrnes moved to APPROVE the Consent Agenda being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

6. ORDINANCE NO. 2412 - AMENDS 1994-95 APPROPRIATIONS ORDINANCE

City Attorney Simpson read:

ORDINANCE NO. 2412
AN ORDINANCE AMENDING ORDINANCE NO. 2384, THE APPROPRIATIONS BUDGET FOR THE CITY OF HOLLY HILL, FLORIDA, FOR THE FISCAL YEAR OCTOBER 1, 1994, THROUGH SEPTEMBER 30, 1995, PROVIDING FOR THE REPEAL

OF LAWS IN CONFLICT HEREWITH; PROVIDING FOR THE TERMS AND CONDITIONS THEREOF; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT

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

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

7. RESOLUTION NO. 35 SUPPORTING LOCAL GOVERNMENTS FOR SUPERFUND REFORM

City Attorney Simpson read:

RESOLUTION NO. 95-R-35
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SUPPORTING LOCAL GOVERNMENTS FOR SUPERFUND REFORM; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

8. RESOLUTION NO. 36 SUPPORTING AND ENDORSING THE S.T.O.P. (STOP TURNING OUT PRISONERS) ORGANIZATIONS IN ITS EFFORTS

City Attorney Simpson read:

RESOLUTION NO. 95-R-36
A RESOLUTION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, SUPPORTING AND ENDORSING THE S.T.O.P. (STOP TURNING OUT PRISONERS) ORGANIZATION IN ITS EFFORTS TO HAVE LEGISLATION ENACTED TO PREVENT THE EARLY RELEASE OF CONVICTED PRISONERS; 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; Byrnes, yes; Elliott, yes; Wine, yes.

9. RESOLUTION NO. 37 -AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL PLANNING SERVICES FROM THE VOLUSIA COUNCIL OF GOVERNMENTS TO PROVIDE COMPREHENSIVE PLAN EVALUATION AND AN APPRAISAL REPORT PER CHAPTER 163, PART II, FLORIDA STATUTES AND RULE 9-J-5 FLORIDA ADMINISTRATIVE CODE

City Manager Lusk briefly explained how this agreement had been tabled at a prior meeting and now was back before Council for their consideration.

Mr. Bob Keeth said the VCOG Finance Director wanted to know if the City would change the billing from quarterly to monthly. Mr. Lusk recommended leaving the billing as specified in the contract (quarterly) and Council agreed.

RESOLUTION NO. 95-R-37
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT FOR PROFESSIONAL PLANNING SERVICES FROM THE VOLUSIA COUNCIL OF GOVERNMENTS TO PROVIDE COMPREHENSIVE PLAN EVALUATION AND AN APPRAISAL REPORT PER CHAPTER 163, PART II, FLORIDA STATUTES AND RULE 9-J-5 FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Councilman Mellette moved to APPROVE the request which was TABLED at a previous meeting being seconded by Councilman Elliott. The motion CARRIED 5-0 on the following roll call:

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

10. RESOLUTION NO. 40 AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A LABOR AGREEMENT WITH THE IAFF UNION

City Attorney Simpson read:

RESOLUTION NO. 95-R-40
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER OF THE CITY OF HOLLY HILL, FLORIDA TO ENTER INTO AND EXECUTE A CONTRACT WITH THE HOLLY HILL PROFESSIONAL FIREFIGHTER'S ASSOCIATION, LOCAL 3470, IAFF; PROVIDING

FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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; Byrnes, yes; Heyman, yes; Wine, yes.

11. RESOLUTION NO. 41 AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A PERMANENT UTILITY EASEMENT TO BELLSOUTH TELECOMMUNICATIONS, INC.

City Attorney Simpson read:

RESOLUTION NO. 95-R-41
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE A GRANT OF ABOVE GROUND UTILITY EASEMENT TO BELLSOUTH TELECOMMUN-CATIONS, INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

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

12. REQUEST FOR SPECIAL EXCEPTION FOR CHILD DAY CARE CENTER

Mr. Keeth said that Stephanie Emanuel has applied for a Special Exception to construct and operate a Child Day Care Center at 1621 Espanola Avenue. She meets all necessary requirements. Mr. Keeth said he had recommended approval providing the applicant met two conditions. One, there would be no more than 30 children in the facility and two, the applicant must produce proof of all necessary state licensing prior to occupancy.

After Mayor Wine was assured there is adequate parking, *Councilman Byrnes moved to APPROVE the request for a Special Exception being seconded by Councilman Heyman.* The motion CARRIED 5-0 on roll call.

13. COMMUNICATIONS FROM CITY MANAGER

A. RESOLUTION NO. 95-R-43 Authorizes Mayor/Manager to sign PBA Contract

RESOLUTION NO. 95-R-43
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE IN PAY RANGE FOR BARGAINING UNIT POSITIONS IN THE POLICE BENEVOLENT ASSOCIATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

City Manager Lusk briefly outlined the changes in the new PBA contract. Council expressed their appreciation with the fact the contracts were being settled early.

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

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

B. Resolution approving increase in pay range for bargaining unit positions in the Police Benevolent Association

RESOLUTION NO. 95-R-45
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE IN PAY RANGE FOR BARGAINING UNIT POSITIONS IN THE POLICE BENEVOLENT ASSOCIATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. Lusk explained this resolution increases the top of the pay ranges by 3%as bargained with the PBA union

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.

C. Resolution Adjusting pay ranges for management and supervisory positions

RESOLUTION NO. 95-R-46
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE IN PAY RANGE FOR ALL MANAGEMENT AND SUPERVISORY

POSITIONS; 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.

D. Resolution regarding use of land (Ross Point Park)

RESOLUTION NO. 95-R-44
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RESTRICTING THE USE OF CERTAIN PROPERTY HEREINAFTER DESCRIBED TO PUBLIC OUTDOOR RECREATION USES IN ORDER TO OBTAIN PUBLIC GRANT FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Bill Bethea told Council the City must adopt this resolution restricting the use of the land at Ross Point Park in order for the City to receive the money from a federal grant.

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

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

E. Employee Relation Person

Mr. Lusk asked Council to exempt this position from Civil Service because this person would be working directly with the Civil Service Board and should not be affected by the rules and regulations the Board might adopt. Council concurred.

Councilman Mellette moved to exempt this position from Civil Service coverage being seconded by Councilman Elliott. The motion CARRIED 5-0 on roll call.

14. COMMUNICATIONS FROM CITY ATTORNEY

None.

15. COMMUNICATIONS FROM MAYOR AND CITY COUNCIL

Councilman Byrnes thanked all those who called him to comment on his letter to the editor regarding the way Holly Hill deals with the business community. (This letter was written in response to an earlier article saying Holly Hill isn't friendly to businesses. Mr. Byrnes took exception to the statement in his letter.)

Mrs. Heyman also thanked Mr. Byrnes for his letter.

Mr. Elliott and Mr. Mellette had no communications.

Mayor Wine thanked the Public Works Director and his staff for the fine job they did during the recent heavy rains.

16. ADJOURNMENT

There was no further business to come before Council so the meeting was adjourned at approximately 8:05 p.m.

____
Mayor

ATTEST:

____
City Clerk/Manager