CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● OCTOBER 8, 2019

City Commission Chamber **Regular City Commission Meeting** **7:00 PM**

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

b. Invocation
Commissioner Penny led the invocation.

c. Pledge of Allegiance
Mayor Via led the Pledge of Allegiance to the Flag.

2. POSITIVITY AWARD - NONE

3. PUBLIC COMMENTS

No one spoke.

4. APPROVAL OF MINUTES - NONE

5. CONSENT AGENDA - ITEMS (1 - 9)

Mayor Via asked if there was anyone in the audience who wished to speak on any item on the Consent Agenda and there was no one.

1. -2019-R-62 Resolution

A Resolution of the City of Holly Hill Recognizing Florida City Government Week, October 21 - 27, 2019, and Encouraging All Citizens to Support the Celebration and Corresponding Activities.

(Requested by Valerie Manning, City Clerk)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-62
A RESOLUTION OF THE CITY OF HOLLY HILL RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 21 - 27, 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

A RESOLUTION OF THE CITY OF HOLLY HILL RECOGNIZING FLORIDA CITY GOVERNMENT WEEK, OCTOBER 21 - 27, 2019, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

WHEREAS, city government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government provides services and programs that enhance the quality of life for residents, making their city their home; and

WHEREAS, city government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, Florida City Government Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach citizens about municipal government through a variety of activities.

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

SECTION 1. That the City of Holly Hill encourages all citizens, city government officials and employees to participate in events that recognize and celebrate Florida City Government Week.

SECTION 2. That the City of Holly Hill encourages educational partnerships between city government and schools, as well as civic groups and others organizations.

SECTION 3. That the City of Holly Hill supports and encourages all Florida city governments to actively promote and sponsor Florida City Government Week.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

2. –2019-R-63 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Price Agreements for the Purchase of the Fiscal Year 2019-2020 Supply of Water Treatment Chemicals for the Public Works Department and Authorize the City Manager to Execute Any Necessary Price Agreements; and Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-63
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PRICE AGREEMENTS FOR THE PURCHASE OF THE FISCAL YEAR 2019-2020 SUPPLY OF WATER TREATMENT CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PRICE AGREEMENTS FOR THE PURCHASE OF THE FISCAL YEAR 2019-2020 SUPPLY OF WATER TREATMENT CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill is in need of chemicals for water treatment; and

WHEREAS, the City has secured pricing agreements utilizing various procurement methods permitted under the City's purchasing guidelines; and

WHEREAS, By section 30-71 of the Holly Hill Code of Ordinances; "Where there is a single source, where standardization is determined to be in the best interest of the city, or where solicitation of bids is otherwise deemed to be inappropriate, the purchase of supplies,

equipment and contractual services may be made by negotiation without regard to the cost. Negotiated contracts with a cost in excess of $25,000.00 must be approved by the City Commission prior to execution by the city"; and

WHEREAS, the City Commission approves the price agreements for the purchase of Fiscal Year 2019-20 supply of water treatment chemicals for the Public Works Department.

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

SECTION 1. That the City Commission does hereby approve price agreements for the purchase of the Fiscal Year 2020 supply of water treatment chemicals for the Public Works Department and authorizes City Manager to execute any necessary price agreements.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

3. –2019-R-64 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Mead and Hunt, Inc., to Provide Professional Services to Facilitate the Replacement of the WWTP Sludge Holding Tank Walkway Not to Exceed $27,722.00, and Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-64
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL

SERVICES TO FACILITATE THE REPLACEMENT OF THE WWTP SLUDGE HOLDING TANK WALKWAY NOT TO EXCEED $27,722.00, AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES TO FACILITATE THE REPLACEMENT OF THE WWTP SLUDGE HOLDING TANK WALKWAY (20WW03) NOT TO EXCEED $27,722.00, AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed capital project as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal to perform the engineering services for this project from Mead and Hunt, Inc.

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

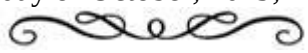
SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into an agreement with Mead and Hunt, Inc., to provide professional services for the project WWTP Sludge Holding Tank Walkway not to exceed $27,722.00.

SECTION 2. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER,

Enacted and approved this 8th day of October, 2019, in Holly Hill



4. –2019-R-65 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Project Updating of Public Works Department Standard Construction Details Not to Exceed $13,870.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-65
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT UPDATING OF PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAILS NOT TO EXCEED $13,870.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT UPDATING OF PUBLIC WORKS DEPARTMENT STANDARD CONSTRUCTION DETAILS (20PW01) NOT TO EXCEED $13,870.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed operating professional services as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal from Mead and Hunt, Inc., to perform the engineering services for this project.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into an agreement with Mead and Hunt, Inc., to provide professional services for the project Updating of Public Works Department Standard Construction Details not to exceed $13,870.00.

SECTION 2. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

5. –2019-R-66 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into a Three (3) Year Contract with the Option of Two (2) One Year Renewals with H & H Liquid Sludge Disposal, Inc., to Provide Sludge Removal, Hauling and Disposal Services; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-66
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE OPTION OF TWO (2) ONE YEAR RENEWALS WITH H & H LIQUID SLUDGE DISPOSAL, INC., TO PROVIDE SLUDGE REMOVAL, HAULING AND DISPOSAL SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT WITH THE OPTION FOR TWO (2) ONE YEAR RENEWALS, WITH H&H LIQUID SLUDGE DISPOSAL, INC., TO PROVIDE SLUDGE REMOVAL, HAULING AND DISPOSAL SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed operating costs as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has competitively bid the contract which had the bid opening on September 17, 2019; and

WHEREAS, H&H Liquid Sludge Disposal, Inc was the lowest responsive bidder, at $27.50/cuyd for year 1 and $28.00/cuyd for years 2 and 3.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into a three (3) year agreement, with the option for two (2) one year renewals, with H&H Liquid Sludge Disposal, Inc., to provide sludge removal, hauling and disposal services.

SECTION 2. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

6. –2019-R-67 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Project Lift Station #9 Rehabilitation Not to Exceed $45,496.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-67
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #9 REHABILITATION NOT TO EXCEED $45,496.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #9 (20WW02) REHABILITATION NOT TO EXCEED $45,496.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed capital project as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal from Mead and Hunt, Inc., to perform the engineering services for this project.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into an agreement with Mead and Hunt, Inc., to provide professional services for the project Lift Station #9 Rehabilitation not to exceed $45,496.00.

SECTION 2. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

7. –2019-R-68 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Project Lift Station #10 Rehabilitation Not to Exceed $33,160.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-68
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #10 REHABILITATION NOT TO EXCEED $33,160.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #10 REHABILITATION (20WW02) NOT TO EXCEED $33,160.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed capital project as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal from Mead and Hunt, Inc., to perform the engineering services for this project.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into an agreement with Mead and Hunt, Inc., to provide professional services for the project Lift Station #10 Rehabilitation not to exceed $33,160.00.

SECTION 2. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

8.

Approval Purchase of Spare Lift Station Pumps

(Requested by Antoine Khoury, Public Works)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

9.

Fully Insured Group Insurance and Ancillary Lines of Coverage 2020

(Requested by Valerie Manning, City Clerk)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 8th day of October, 2019, in Holly Hill

6. REGULAR AGENDA

1. –2019-R-69 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Piggy-Back Lake County Contract #16-0214 with Leesburg Concrete Company, Inc., to Provide and Install Pre-Cast Restrooms at Ross Point Park; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

Mr. Forte stated this is an item that they've had in the budget for a couple of years and they delayed it due to a hurricane and they had to rearrange some dollars. What they have is a piggyback contract to install restrooms at Ross Point Park near 6th Street and Riverside Drive. Originally, he was pushing this restroom forward because he was under the impression that originally this restroom was installed by using ECHO funds. With the ECHO funds you have to guarantee the item to be there for, he thinks at the time, probably 40 years but then he found out that it wasn't installed with ECHO funds so his motivation to really comply with ECHO is not really there anymore. Now it comes down to, staff put it in the budget, there were restrooms there and prior to him leaving in 2008, he wasn't really aware of much of problems that were occurring at that park. Well, somewhere between 2008 and 2013 apparently there were some issues over there with some inappropriate activity taking place in the restrooms and the previous City Manager that was here during his gap time, removed the buildings; they tore the buildings down. From what he understands is that the Commission was not aware that the buildings were coming down, they were informed of that after the fact. A couple of Commissioners and certain radio host were pushing to get those restrooms put back in and so, again, the motivation was compliance with the ECHO grant. Now it came up and as he was doing his one-on-one briefings with each of the Commissioners, there was some concerns raised by some of you as to why is the city putting the bathrooms back there. Is there a demand and from his perspective nobody's contacted him really. He can probably count on one hand the number of people who said, "why isn't there a bathroom there and we need one." Is it a good use of an estimated $100,000 to construct the bathrooms plus all of the concrete and piping that needs to go along with that. Mr. Forte stated he kind of leaves it open for the Commissioners discussion. Some of the Commissioners were here

during the time those restrooms were removed, some of the Commissioners were not. He's going to look to the Commissioners guidance to see which direction the Commission wants to go in. Either they are going forward with these bathrooms, it's in the budget or determining to not go forward. Deputy Police Chief Jeff Miller is here. He did ask Deputy Chief Miller, and this is only if the Commissioners want, he did ask Deputy Chief Miller to pull any reports that they may have had out of there. Deputy Chief Miller has firsthand knowledge of what the conditions were prior to them being torn down. He has more information than I would about the conditions. If the Commissioners would like for Deputy Chief Miller to give them information, he certainly can but Mr. Forte thinks the Commission should have a discussion first and then determine if the Commission needs that information from Deputy Chief Miller.

Mayor Via stated he agrees unless a Commissioner would like to hear from the Deputy Chief.

At this time there was discussion amongst the Commissioners, Deputy Chief Miller and staff about the previous conditions that took place at the restrooms, their interest in putting the restrooms back and the need for them due to the playground that is there and several of the Commissioners that were in office during the time of the bathrooms being torn down, did recall finding out about the restrooms being torn down after the fact. ***(full discussion of this agenda item is available upon request to the City Clerk's office).***

Mayor Via opened public participation.

The following individuals spoke to the Mayor and Commissioners:

Camille Ingham, 334 and 336 Daytona Avenue, Holly Hill spoke in opposition of putting the restrooms back there because of the problems that were going on there and suggested they use the money for the PD or FD; Lynne Smith, 107 7th Street, Holly Hill suggested they use the money for other higher priority projects that the money could be better used for; the Police Department has done a fine job by moving undesirables out of the parks (she has noticed that); at Ross Point Park there's not a lot of undesirables there for any long periods of time; at night she can see a police car there whether it's for speeding or whatever else, they are there; she is for bringing bathrooms back to the park for the reasons that Commissioner Currie stated; Steve Smith, 1410 Riverside Drive, Holly Hill glad to see that the bathrooms will almost be put back at the park and it deserves one; Jim Legary, 342 Burleigh Avenue, Holly Hill remembers a lot of the conversation of the bathrooms and the neighbors across the street from the park saying that it blocked their view; he agrees that the park needs a bathroom but suggested it be monitored.

Mayor Via closed public participation.

(full discussion of this agenda item is available upon request to the City Clerk's office).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John Penny, District 1 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2019-R-69
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGY-BACK LAKE COUNTY CONTRACT #16-0214 WITH LEESBURG CONCRETE COMPANY, INC., TO PROVIDE AND INSTALL PRE-CAST RESTROOMS AT ROSS POINT PARK; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2020-R-XX

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGY-BACK LAKE COUNTY CONTRACT #16-0214 WITH LEESBURG CONCRETE COMPANY, INC. TO PROVIDE AND INSTALL PRE-CAST RESTROOMS AT ROSS POINT PARK; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Lake County, Florida has contract #16-0214 with Leesburg Concrete Company, Inc. for providing and installing pre-cast restrooms; and

WHEREAS, the City desires to piggy-back this contract for restrooms to be provided and installed at Ross Point Park.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA AS FOLLOWS:

SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to piggy-back the Lake County, Florida contract #16-0214 with Leesburg Concrete Company, Inc.

SECTION 2. That this Resolution shall take effect immediately upon its adoption.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED this 8th day of October, 2019.

Enacted and approved this 8th day of October, 2019, in Holly Hill

7. PUBLIC HEARINGS

1. –2019-O-3022 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Rezoning the Parcel Described in Exhibit "A" from MPUD (Mixed-Use Planned Unit Development) to MPUD (Mixed-Use Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, City Planner)
Mayor Via asked if there has been any ex parte communication that needed to be disclosed.
Commissioner Penny informed the Mayor and Commissioners that he met with Ms. Ingham. She emailed him and came up to his office yesterday and they had some discussion about the project.
Brian Walker, City Planner recapped the staff report from the first hearing that was in their agenda packets, Attorney Michael O. Sznapstajler with Cobb Cole, 149 S. Ridgewood Avenue, Daytona Beach were present on behalf of the applicant, Madison Bay, LLC, Mr. Stacy Banach who was also present and there to answer any questions or concerns that the Mayor or Commissioners had. Mr. Walker mentioned that there had been some changes since the meeting on September 24, 2019 and the first one has to do with the PUD agreement, it has been updated. The applicant has added language stating that they will provide a covered bus shelter. The preferred location that they had stated would be on Ridgewood Avenue. If by some reason or for some reason that site is not available then they are proposing to put one on 3rd Street. The only reason that a bus shelter would not be built would be if for some reason Holly Hill said that they could not do so or some other agency for some reason had the authority to say they were not able to do that. The bus shelters proposed to be placed on the applicant's property and that is something that they have agreed to, which did come up at the meeting on September 24th. Another issue that came up had to do with the dumpster at Miriam Avenue or abuts up against Miriam Avenue. The applicant would like to keep the dumpster in its current location but they have agreed to more than double the buffer and landscaping between the back of the buffer and Miriam Avenue and staff is fine with that. So, that will be a the Commission's pleasure. The preliminary site plan has been updated to show that each building will have eighty-six (86) units. There had been some discussion because the preliminary…
Commissioner Currie asked what happened to the eighty (80) units? Did this change from last meeting?
Mr. Walker stated they actually proposed ninety (90) units and then they were discussing eighty (80).
Commissioner Currie stated what she approved was eighty (80) units. Where did this change?
Mr. Forte stated remember what they have is a land…thirty-five (35) units per acre. At the last meeting there were two documents that were conflicting. One had eighty (80) units per building, the other had ninety (90) units per building.
Commissioner Currie stated she thought they approved eighty (80) units per building.
Mr. Forte stated and what the Commission is doing tonight and this clarified all the differences. So, they have the size of the building isn't changing. They still have seven (7) stories and now they have…Mr. Walker and himself talked about it today because they wanted clarification. They have a maximum of eighty-six (86) units in the entire building, which doesn't change the size of the building, doesn't change the footprint of

the building and it's still within the maximum amount of units per acre that the applicant can put on the property.

There was further discussion about this agenda item amongst the Mayor, Commissioners, Attorney Michael O. Sznapstajler with Cobb Cole, Mr. Banach (the applicant) and staff. (full discussion of this agenda item/meeting is available upon request to the City Clerk's office).

Mayor Via opened public participation.

Camille Ingham, 334 and 336 Daytona Avenue, Holly Hill and Heidi Heller, 460 Ridgewood Avenue, Holly Hill.

Mayor Via closed public participation.

Commissioner Penny made a motion to ***APPROVE Ordinance 3022 for Second and Final Reading along with MINIMUM PARKING FOR THE SITE SHALL BE .8 PARKING SPACES PER DWELLING UNIT, PHASE 1 SHALL HAVE A MINIMUM OF SEVENTY-TWO (72) PARKING SPACES, MINIMUM; PHASE 2 WILL HAVE SEVENTY (70) PARKING SPACES MINIMUM, HOWEVER, STAFF CAN ADMINISTRATIVELY AMEND PHASE 2 SEVENTY (70) PARKING SPACES AS LONG AS THE TOTAL PARKING FOR THE SITE COMPLIES WITH THE .8 PARKING REQUIREMENT AND THIRTY-TWO (32) UNITS PER ACRE,*** *seconded by Commissioner Currie.*

PASSED, 5-0.

RESULT:	**ADOPTED AT 2ND READING [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE
2019-O-3022
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN EXHIBIT "A" FROM MPUD (MIXED-USE PLANNED UNIT DEVELOPMENT) TO MPUD (MIXED-USE PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN EXHIBIT A FROM MPUD (MIXED-USE DEVELOPMENT DISTRICT) TO MPUD (MIXED-USE DEVELOPMENT DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County,

Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the Holly Hill Board of Planning and Appeals has recommended that the requested rezoning be granted; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement and is consistent with its adopted comprehensive plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in Exhibit A as MPUD (Mixed-Use Development) pursuant to the provisions contained in the attached Development Agreement, attached to this Ordinance as Exhibit B and incorporated in this Ordinance by reference.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 4. That this Ordinance shall become effective upon recording.

APPROVED AND AUTHENTICATED on this 8th day of OCTOBER, 2019

for second reading.

EXHIBIT "A"

LEGAL DESCRIPTION

Legal Descriptions

42440123-0150 (0.70 AC +/-):
W 153 FT OF LOTS 15 & 16 BLK 23 M & C HOLLY HILL MB 2 PG 90 PER OR 4860 PG 0435 PER OR 5629 PG 2641-2642

AND

42440123-0170 (0.97 AC +/-):
W 245 FT OF LOTS 17 & 18 EXC ST BLK 23 M & C HOLLY HILL PER OR 4860 PG 0435 PER OR 5629 PG 2641-2642

AND

PID# 42440123-0130 (3.23 AC +/-):
LOTS 13 & 14 EXC RD & LOTS 15 & 16 EXC W 153 FT & E 85 FT OF LOTS 17 & 18 & W 180 FT OF LOT 20 & OF S 80 FT OF LOT 21 BLK 23 M & C HOLLY HILL PER OR 3847 PG 1209 PER OR 5593 PG 4601

AND

A PORTION OF 42440123-0220 (0.47 AC +/- OF THE TOTAL 0.91 AC +/-):
N 20 FT OF LOT 21 & LOT 22 BLK 23M & C HOLLY HILL PER MB 2 PG 90 PER OR 5601 PG 2923-2924

EXHIBIT "B"

DEVELOPMENT AGREEMENT

Enacted and approved this 8th day of October, 2019, in Holly Hill

8. COMMUNICATIONS

A. City Manager & Staff Comments
No comments

B. City Attorney Comments
No comments

C. City Commission Comments
Commissioner Johnson mentioned he reads the paper and there's a lot of things in there he likes and some things he doesn't. The millage was 6.5 but they were able to get it 6.25, they all pretty much agreed to it and that's what they needed to do to make the budget balance out. There's no problem, everything went well. It turned out well and Holly Hill is still moving forward and he's very proud in the way that it's going.

Commissioner Penny reminded them to sign up for Trunk or Treat and the Car Show is the day after, Saturday. If they want to be a vendor, they can set up their tent Friday night and come out to the Car show Saturday.

Commissioner Currie shared her concerns about the article that was placed in the *Daytona Beach News-Journal* about the millage rate and the Mayor's comments. Thanks to the Finance Department they were able to lower it to 6.25 and she thanked them for doing that. The Commission worked together to get the millage rate down. Every time she speaks of this Commission its "we" and that's how she feels and she thinks they have a fantastic Commission right now.

D. Mayor's Comments
Mayor Via shared his concerns about a newspaper article that was wrote up about Holly Hill's millage rate and what the paper put in there about his comments and how they were simply not true; parts of that article were taken out of context. He didn't want it to come off like he was taking the credit about the millage rate because that is not what happened. He apologizes if anyone's feelings were hurt. Mayor Via reminded everyone about the Chamber breakfast next Tuesday, October 15th. When things happen, he will always recognize it as the whole Commission and this Commission is moving forward.

9. ADJOURNMENT

The meeting adjourned at approximately 8:50 PM.

Valerie Manning, City Clerk,CMC 10/8/2019

Chris Via, Mayor 10/8/2019