CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JANUARY 10, 2023

City Commission Chamber	**Regular City Commission Meeting**	**6:00 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 by City Commissioner John Penny
Wiley Lowe, Pastor for Holly Hill Church of Christ, Inc., led the invocation.

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

2. PRESENTATIONS

1.

Retirement Proclamation - Diane Cole - 22 Years of Dedicated Service to the City of Holly Hill

(Requested by Valerie Manning, City Clerk)

RESULT:	**NO VOTE NEEDED**

2.

Human Trafficking Awareness Day

(Requested by Valerie Manning, City Clerk)

RESULT:	**NO VOTE NEEDED**

3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA ITEM

The City Commission meeting was recessed at approximately 6:26 PM to convene as the Community Redevelopment Agency (CRA) for the CRA meeting.

1.

CRA Property Improvement Grant Application Update

(Requested by Joseph Forte, City Manager)
Mayor Via opened public participation.
Heidi Heller, Holly Hill spoke briefly.
Mayor Via closed public participation.
The Community Redevelopment Agency (CRA) meeting adjourned at approximately 6:32 PM. The City Commission regular meeting reconvened at that approximate time.

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

5. ADJOURN AS THE CRA & RECONVENE THE CC MTG

6. PUBLIC COMMENTS

The following individual spoke to the Mayor and City Commissioners:

Jim Legary, Holly Hill, spoke briefly.

7. APPROVAL OF MINUTES

1.

Minutes - December 13, 2022 Regular City Commission Meeting and the December 20, 2022 Special City Commission Meeting

(Requested by Valerie Manning, City Clerk)
Mayor Via opened public participation. No one spoke.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 10th day of January, 2023, in Holly Hill

8. CONSENT AGENDA - ITEMS (1 - 5)

Mayor Via asked if any member of the audience wished to speak to any item on the Consent Agenda or if any member of the City Commission wished to pull an item for further discussion. There was no one.

1. –2023-R-1 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, to Approve the Auction of Items Identified to be Surplus According to Purchasing Policy Section 13.2; Providing for Severability; and Providing for an Effective Date.

(Requested by Susan Lincoln, Finance)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2023-R-1
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, TO APPROVE THE AUCTION OF ITEMS IDENTIFIED TO BE SURPLUS ACCORDING TO PURCHASING POLICY SECTION 13.2; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, TO APPROVE THE AUCTION OF ITEMS IDENTIFIED TO BE SURPLUS ACCORDING TO PURCHASING POLICY SECTION 13.2; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Police Department has identified one (1) vehicle that is no longer in use or has been replaced to include a 2015 BMW Motorcycle; and the IT Department has identified seven (7) items that are no longer in use or have been replaced to include four (4) handheld tablets, one (1) printer, and two (2) scanners.

WHEREAS, public auction of surplus vehicles will generate revenue for the City to be placed in the fund of that acquired the fixed asset.

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

SECTION 1. That the City Commission does hereby declare the items identified as surplus and authorize the sale of surplus vehicles and equipment at Manheim Auto Auction or to be scrapped if unable to be sold at auction.

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 on this 10th day of JANUARY, 2023.

Enacted and approved this 10th day of January, 2023, in Holly Hill

2. –2023-R-2 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Piggybacking of Ormond Beach Agreement 2020-24 and Affiliated Price Increase Resolution Between the City of Ormond Beach and Carmeuse Lime & Stone, Inc., for the Purchase of Quicklime for Fiscal Year 2022-2023, and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2023-R-2
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACKING OF ORMOND BEACH AGREEMENT 2020-24 AND AFFILIATED PRICE INCREASE RESOLUTION BETWEEN THE CITY OF ORMOND BEACH AND CARMEUSE LIME & STONE, INC., FOR THE PURCHASE OF QUICKLIME FOR FISCAL YEAR 2022-2023, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE

PIGGYBACK OF ORMOND BEACH BID 2020-24 AND AFFILIATED PRICE INCREASE RESOLUTION BETWEEN CARMEUSE LIME & STONE, INC., AND THE CITY OF ORMOND BEACH, AUTHORIZE EXPENDITURES FOR QUICKLIME IN AN AMOUNT NOT TO EXCEED $140,000, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the City of Ormond Beach has secured a pricing agreement with Carmeuse Lime & Stone, Inc., for their annual supply of quicklime; and

WHEREAS, Carmeuse Lime & Stone, Inc., has agreed to allow the City of Holly Hill to piggyback this agreement at same coast as they have offered the City of Ormond Beach; and

WHEREAS, Chapter 287, Florida Statutes, grants the authority to piggyback the purchase of goods and services as a form of intergovernmental cooperative purchasing in which a public purchaser requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself in order to take advantage of the better pricing that large purchasers are able to obtain in order to reduce administrative time and costs involved in the procurement process (i.e., cost of preparing bid specifications, advertising, etc.); and

WHEREAS, the City Commission approves the price increase and the piggyback of the agreement the City of Ormond Beach has with Carmeuse Lime & Stone, Inc., for the purchase of Fiscal Year 2022-23 supply of quicklime for the water treatment process 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 the piggyback of Bid 2020-24 and affiliated cost increases between the City of Ormond Beach and Carmeuse Lime & Stone, Inc., for the purchase of the Fiscal Year 2022-23 supply of quicklime in an amount not to exceed $140,000 and authorizes City Manager to execute the same.

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 10th day of JANUARY, 2023.

Enacted and approved this 10th day of January, 2023, in Holly Hill

3. –2023-R-3 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving a Contract with Dredging & Marine Construction, LLC in the Amount of $46,480 for the Design, Engineering and Construction Management of the Riverside Park Bulkhead Project, and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2023-R-3
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A CONTRACT WITH DREDGING & MARINE CONSTRUCTION, LLC IN THE AMOUNT OF $46,480 FOR THE DESIGN, ENGINEERING AND CONSTRUCTION MANAGEMENT OF THE RIVERSIDE PARK BULKHEAD PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A CONTRACT WITH DREDGING & MARINE CONSTRUCTION, LLC IN THE AMOUNT OF $46,480 FOR THE DESIGN, ENGINEERING AND CONSTRUCTION MANAGEMENT OF THE RIVERSIDE PARK BULKHEAD PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 23, 2021 City Commission approved an agreement with Dredging & Marine Consultants LLC (DMC) to serve as one of the City's General Engineering Consultants to provide Professional Design/CEI Services for marine projects; and

WHEREAS, the Riverside Park bulkhead project was prioritized during a Capital

Improvements projects planning workshop held on February 8, 2022, with the affiliated budget appropriation approved by the City Commission on March 8, 2022; and

WHEREAS, DMC has submitted a proposal to include bulkhead assessment, survey, and geotechnical investigations, bulkhead repair design and engineering, permitting, bidding assistance and construction management services in the amount of $46,480.00 for the repair or replacement of the existing bulkhead at the Riverside Park.

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

SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute the agreement with Dredging & Marine Consultants LLC in the amount of $46,480.00 to provide Professional Design/CEI Services for the Riverside Park Bulkhead Project.

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

SECTION 3. 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 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of JANUARY, 2023.

Enacted and approved this 10th day of January, 2023, in Holly Hill

4.

Halifax Humane Society 2022-2023 Renewal Agreement

(Requested by Valerie Manning, City Clerk)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 10th day of January, 2023, in Holly Hill

5.

CRA Property Improvement Grant Application Update

(Requested by Joseph Forte, City Manager)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 10th day of January, 2023, in Holly Hill

9. REGULAR AGENDA

1. –2023-R-4 Resolution

A Resolution of the City of Holly Hill, Florida, Appointing Members to the Board of Planning and Appeals and Setting Forth the Term and Expiration Date for Said Members; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Mayor Via mentioned that each City Commissioner will make their recommendation for re-appointment or a new appointment to the Board of Planning and Appeals (BOPA) board. Once each Commissioner has made their recommendation, a vote will be taken on the list of names.

Recommendations were as follows:
Commissioner Penny = Reappoint Dennis Smith
Commissioner Currie = Reappoint Robin Hanger
Commissioner Danio = Reappoint Mike Myer
Commissioner Johnson = Reappoint Tony Cassata
Mayor Via = Reappoint Loretta Arthur
Mayor Via and the Commissioners thanked the other applicants for applying to the board.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2023-R-4
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill created a Board of Planning and Appeals for the purpose of hearing and deciding appeals in reference to Development Code Administration, and to make recommendations to the Commission in regards to variance requests, zoning issues, the land development regulations, and to perform other related duties as defined by City Code; and

WHEREAS, members of said board shall not be an elected City official or City employee; and

WHEREAS, members of said board shall either be a resident of the City or own a business within the City; and

WHEREAS, the terms of office for regular members of said board shall be two years.

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

SECTION 1. That the City Commission does hereby appoint the following individuals to the Board of Planning and Appeals:

Michael Myer	**Regular Member**	**Term Expires February 2025**
Loretta Arthur	**Regular Member**	**Term Expires February 2025**
Dennis Smith	**Regular Member**	**Term Expires February 2025**
Tony Cassata	**Regular Member**	**Term Expires February 2025**
Robin Hanger	**Regular Member**	**Term Expires February 2025**

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

APPROVED AND AUTHENTICATED on this 10th day of JANUARY, 2023.

Enacted and approved this 10th day of January, 2023, in Holly Hill

2. DOC-2023-1

Request for a Lien Reduction - 322 Ridgewood Avenue

(Requested by Joseph Forte, City Manager)
Mayor Via opened public participation. No one spoke.

Reduce the lien from $8,200.00 to the amount of **$1,346.98**. The City shall not release the lien amount until payment has been received in the amount of **$1,346.98.** If payment is not received by 5:00 PM on February 14, 2023 the full amount of the lien shall remain in place without an option to reduce the lien in the future and the City of Holly Hill will pursue foreclosure for the full amount.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

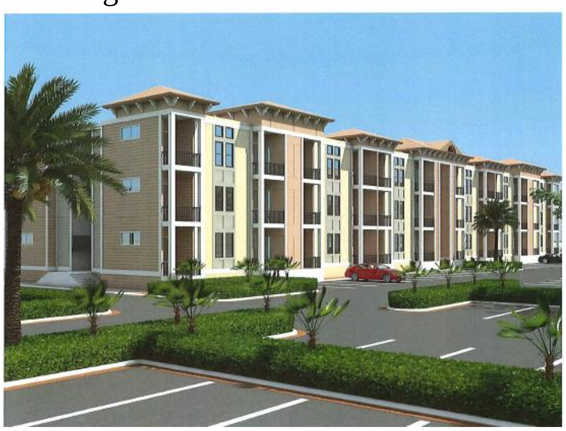
Enacted and approved this 10th day of January, 2023, in Holly Hill

10. PUBLIC HEARINGS

1. -2023-O-3054 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 Development District) to RPUD (Residential Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Brian Walker, City Planner briefly went over the staff report with the Mayor and City Commissioners as it pertained to the Zen Living Apartments on the corner of 3rd Street and Ridgewood Avenue.



The Mayor and City Commissioners were shown a variety of styles for the Zen Living Apartments, and this is the style that was emailed to them that all of them liked the best.

The applicant Kalpak Shah, the consultant Amir Malek, PE, and the property owner John Rainey were all present. Staff's recommendation to the City Commission is to adopt the Ordinance enacting a Rezone from MPUD (Mixed-Use Development District) to RPUD (Residential Planned Unit Development) with the associated Development Agreement and Preliminary Plan, including a density bonus, for approximately 5.4 acres, located on the northeast corner of Ridgewood Avenue and 3rd Street.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]**	**Next: 1/24/2023 6:00 PM**
MOVER:	Roy Johnson, District 4 - Commissioner	
SECONDER:	John C. Danio, District 3 - Commissioner	
AYES:	Via, Penny, Currie, Danio, Johnson	

11. COMMUNICATIONS

A. City Manager Comments

Mr. Forte thanked Mr. Rainey for holding onto the property at 3rd Street and Ridgewood Avenue for as long as he did until a nice project can go there and is looking forward to the Zen Living Apartment project on that location. Mr. Forte informed the Mayor and Commissioners that there will be a ground-breaking on the 6th Street farm property soon for that project; more information will follow as he gets it. Mr. Forte enjoyed the U.S. Army 3rd Infantry Division Band concert that took place this past Sunday at Pictona.

B. City Attorney Comments

None.

C. City Commission Comments

Commissioners Penny, Currie, Danio and Johnson enjoyed the U.S. Army 3rd Infantry Division Band concert that was held at Pictona this past Sunday. There was mention that there will be a Jazz Band concert sometime in March 2023 as well. They all were in agreement for the Mayor to travel for lobbying on behalf of the City Commission/the city if there was a line item for the Volusia Days.

Commissioner Penny mentioned short-term rentals; asked Mayor Via if it was okay to attend the VLC morning Mayor calls on Thursdays as the Vice-Mayor in case he is not available due to taking his children to school and Mayor Via was fine with that.

Commissioner Currie thanked the Zen Living Apartments developer for choosing Holly Hill to develop and mentioned that there are a lot of businesses wanting to come to Holly Hill.

Commissioner Danio congratulated Diane on her retirement.

Commissioner Johnson mentioned that Robin Hanger was the sponsor for the concert on Sunday and appreciated that and thanked him; vacant lots in Holly Hill are filing up and the city is doing really good.

D. Mayor's Comments

Mayor Via mentioned that Mr. Forte and himself attended the Legislative Delegation meeting in DeLand on Monday; reminded the Commissioners that the State of the City Address will be on Friday, January 20th at Riviera Senior Living beginning at 8:00 AM - 10:00 AM; National Law Enforcement Day was yesterday (Monday) and thanked our HHPD; gave out some Christmas Light Decorations certificates during the Christmas holiday to those whose properties were nicely decorated for the holidays; he mentioned that he would like to be able to lobby on behalf of the City Commission and city if needed; that if there's a budgeted line item for Volusia Days he would like to use those funds or any of them to use those funds to help lobby for the city and asked if the Commissioners were okay with that and all of them were; enjoyed attending the U.S. Army 3rd Infantry Division Band concert this past Sunday.

12. ADJOURNMENT

The meeting adjourned at approximately 7:40 PM.

Valerie Manning, City Clerk,CMC 1/10/2023

Chris Via, Mayor 1/10/2023