CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JANUARY 28, 2025

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
John Penny	Mayor	Present	
Debra Snow	City Commissioner	Present	
Penny Currie	City Commissioner	Absent	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Debra Snow
Commissioner Snow led the invocation.

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

2. PUBLIC COMMENTS

Mayor Penny opened public participation.

Katie Savage, Holly Hill; Danielle Latona, Holly Hill; Gabriel Varga, Daytona Beach; Ellen Borger, Holly Hill.

Mayor Penny closed public participation.

3. APPROVAL OF MINUTES

1.

Minutes - January 14, 2025 Workshop and January 14, 2025 Regular City Commission and CRA Meeting

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

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Debra Snow, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, DeLanoy, Johnson
ABSENT:	Currie

Enacted and approved this 28th day of January, 2025, in Holly Hill

4. CONSENT AGENDA - ITEM (1)

1. –2025-R-7 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding an Agreement with Gregori Construction, Inc., in the Amount of $700,111.50 for the Replacement of the Riverside Park Bulkhead and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Mayor Penny opened public participation.

Gabriel Varga, Daytona Beach and Danielle Alderette, Holly Hill.

Mayor Penny closed public participation.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, DeLanoy, Johnson
ABSENT:	Currie

RESOLUTION
2025-R-7
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING AN AGREEMENT WITH GREGORI CONSTRUCTION, INC., IN THE AMOUNT OF $700,111.50 FOR THE REPLACEMENT OF THE RIVERSIDE PARK BULKHEAD 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, AWARDING AN AGREEMENT WITH GREGORI CONSTRUCTION, INC., IN THE AMOUNT OF $700,111.50 FOR THE REPLACEMENT OF THE RIVERSIDE PARK BULKHEAD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Riverside Park bulkhead is in need of a replacement; and

WHEREAS, there is $736,810 available for the Riverside Park Bulkhead Project under general ledger 301-8110-580-6300, Project 22-BG-10; and

WHEREAS, five (5) bids were received for the replacement of the bulkhead, with Gregori Construction, Inc. the presumptive low bidder at $700,110.50; and

WHEREAS, the Project Engineer, Dredging and Marine Consultants (DMC), has reviewed the bid submitted, vetted references and has recommended that the replacement of the Riverside Park bulkhead be awarded to Gregori Construction; and

WHEREAS, City staff have reviewed the bid submitted by Gregori Construction and concur with DMC's recommendation of award.

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 awards an agreement with Gregori Construction, Inc., in the amount of $700,111.50 for the replacement of the Riverside Park bulkhead, and authorizes the 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 28th day of JANUARY, 2025.

Enacted and approved this 28th day of January, 2025, in Holly Hill

5. REGULAR AGENDA

1. DOC-2025-1

Request for Lien Reduction - 1319 Bender Avenue

(Requested by Joseph Forte, City Manager)
Mayor Penny opened public participation.

(Inaudible; Myron Kehoe (?) a gentleman from New York)

Mayor Penny closed public participation.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, DeLanoy, Johnson
ABSENT:	Currie

Enacted and approved this 28th day of January, 2025, in Holly Hill

6. PUBLIC HEARINGS

1. –2025-O-3081 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Approving the First Major Amendment to the Fountainhead Mixed Use Planned Unit Development (MPUD) Development Agreement; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Mark Watts and John Ferguson, from Cobb Cole submitted a letter during tonight's meeting pertaining to the conversations and recommendations during first reading on January 11, 2025 for the First Major Amendment to the MPUD. The letter is a follow up of the conversations taken place with staff, Attorney Simpson, Mr. Watts, Mr. Ferguson and their client, Fountainhead for second reading for consideration of adopting the First Major Amendment.
(A copy of this letter is available upon request in the City Clerk's Office).
Mayor Penny opened public participation. No one spoke.
Commissioner Snow made a motion to ***ADOPT ORDINANCE 3081, with the following amendment - that the City Commission will approve subject to amending Section 4 to state that "this Ordinance does not become effective until the applicant submits an acceptable waiver of the jobs incentive money for new uses that would come on the property pursuant to the rezoning that is being approved and with the increase square feet from 30,000 to 40,000"****, seconded by Commissioner Johnson.*

RESULT:	**ADOPTED AT 2ND READING [UNANIMOUS]**
MOVER:	Debra Snow, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, DeLanoy, Johnson
ABSENT:	Currie

ORDINANCE
2025-O-3081
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING

ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Fountainhead Mixed Use Planned Unit Development, has proposed a Major Amendment to the BPUD on property described in **Exhibit A**, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement, and further amended by a small scale MPUD agreement signed on November 23, 2024; and

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 City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that the proposed amendment to the Land Development Regulations 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 City Commission of the City of Holly Hill hereby approves the First Major Amendment to Fountainhead Mixed Use Planned Unit Development, a true and correct copy attached hereto as **Exhibit B**.

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 immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 28th day of JANUARY, 2025 for second and final reading.

EXHIBIT "A"

Legal Description:

42-14-32 LOT 1 FOUNTAINHEAD MB 58 PG 91 PER OR 8288 PG 1366

42-14-32 LOT 2 FOUNTAINHEAD MB 58 PG 91 PER OR 7443 PG 3395

EXHIBIT "B" (SEE ATTACHED)

EXHIBIT "C" (AMENDED)

Enacted and approved this 28th day of January, 2025, in Holly Hill

7. COMMUNICATIONS

A. City Manager Comments

a.

Reorganization of the Public Works Department

(Requested by Joseph Forte, City Manager)
Mr. Forte went over the new Public Works Organizational Chart with the Mayor and City Commissioners. Staff has completed working on the job description and will go ahead and advertise Mr. Khoury's replacement as a Storm Water Manager; someone that has storm water experience that will be able to come in here and oversee the field crews of what the city needs to do, what the city can do to help minimize and mitigate some flooding that the city is responsible for. For example with our roadside ditches, with our catch basins, with swales, all the things that over time, have fallen out of maintenance. He is hoping that staff will be able to hire somebody that will come in and get the city back on a continuing maintenance program. There's really nothing for anyone to vote on or to build consensus. He just wanted to make sure that the Commission were aware of the changes and what they are moving forward with in the Public Works Department. In addition to that, he wanted to make the Commission aware, he sent the Commission an email this afternoon, that the city completed the scope of services for the Stormwater Master Plan, that was sent to Volusia County this afternoon. Once the city gets that approved Volusia County will actually oversee the contract for the new Stormwater Master Plan, which will take into account the 2015 Stormwater Master Plan conclusions, in addition to the recent Vulnerability Assessment, as well as, the recent damages that were incurred from hurricanes Ian and Milton. In addition to that, the city is asking for twelve (12) very specific stormwater projects during that study. That is underway and we're pretty happy with that and then as you already know, we're moving forward with the duckbills and the stormwater pipelining already. Mr. Forte mentioned that he noticed this week that Volusia County has a gradall at Enterprise Court and the LPGA canal. It looks like they're doing some clearing of that northeast canal, as well as, there's a gradall up on Calle Grande, near the Calle Grande arches. He doesn't know how much they're doing because they didn't tell him. They might just do those two little openings and never see them again or they may be trying to work on clearing that entire canal, which Mayor, you and I know, has got some choke points in it.
Mayor Penny stated they were on Commercial Drive today, he saw them.
Mr. Forte stated so, it looks like the city got their attention with our meetings with them and it's all progress going in the right direction.

RESULT:	**INFORMATION ONLY**

Enacted and approved this 28th day of January, 2025, in Holly Hill

B. City Attorney Comments
None.

C. Mayor's Comments

i. Corporate Citizen of the Year 2024

Mayor Penny stated reminded the Commissioners about the Charter Review Committee appointees needed and that they need to start thinking of an appointee that they want to select. He is trying to see if they can get that on first meeting in February 2025 so they can get this process going. He knew this was just a matter of time before the fluoride issue would come up and it's come up tonight during public comments and it's in our city's Charter.

Mr. Forte stated they don't have an application for that appointee so that will just be a nomination from the floor and supported by the City Commission.

Mayor Penny stated, right. Think of someone that you want to bring forward for that Charter Review Committee. He reminded the Commissioners that tomorrow there is a Ribbon Cutting on 1609 N. Nova Road at Alexis Golf Shop at 4:00 PM. This Saturday, February 1, 2025 in Deltona, there's a Newly Elected Officials meeting if you are able to go. On February 8th is the Mayor's 2025 Gala at Hilton Daytona Beach Oceanfront Resort hosted by The City of Daytona Beach, which all of us have been invited to attend. He will not be able to attend. It's his mother's 80th birthday week and they will be in Orlando celebrating her. So, if anyone wants to bring a guest or know someone else who might want to come, get with Mr. Forte.

Mr. Forte stated he will open it up to other staff people first.

Mayor Penny stated okay, however he wants to do it. At this time Mayor Penny brought up the Corporate Citizen of the Year 2025 nominee. They discussed this at workshop a couple of weeks ago and there was consensus that they move forward with Madden Enterprises.

*Commissioner Snow made a motion to nominate **MARK AND GERI MADDEN, OWNERS OF MADDEN ENTERPRISES – MADDENS ACE HARDWARE HOLLY HILL AS CORPORATE CITIZEN OF THE YEAR 2024**, seconded by Commissioner Johnson.*

Mayor Penny opened public participation.

Danielle Latona, Holly Hill.

Mayor Penny closed public participation.

PASSED, 4-0.

ii. Citizen of the Year 2024

At this time Mayor Penny brought up the Citizen of the Year 2025 nominee. They discussed this at workshop a couple of weeks ago and there was consensus that they move forward with Jim Legary.

Commissioner Johnson made a motion to nominate ***JIM LEGARY AS CITIZEN OF THE YEAR 2024****, seconded by Commissioner Snow.*

Mayor Penny opened public participation. No one spoke.

PASSED, 4-0.

D. City Commission Comments

Commissioner Snow stated well, I have to share. I got called a bobblehead again tonight and it’s kind of funny because I've been called a bobblehead since I was 30 and got Dystonia. It’s kind of my trademark thing, “Debbie the bobblehead”, but you can only say that if you mean it as a term of endearment. I don't want it used any other way and I don't appreciate it. Thank you.

Commissioner Johnson mentioned the Ribbon Cutting tomorrow and the Sports Center is still doing good and moving forward.

8. ADJOURNMENT

The meeting adjourned at approximately 6:50 PM.

Valerie Manning

Valerie Manning, City Clerk,CMC 1/28/2025

John Penny, Mayor 1/28/2025