CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● FEBRUARY 25, 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	Present	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Penny Currie
Commissioner Currie led the invocation.

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

2. PUBLIC COMMENTS

Mayor Penny opened public comments.

Danielle Latona, Holly Hill.

Mayor Penny closed public comments.

3. APPROVAL OF MINUTES

1.

Minutes - February 11, 2025 - Regular City Commission Meeting

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

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

Enacted and approved this 25th day of February, 2025, in Holly Hill

4. CONSENT AGENDA - ITEMS (1 - 6)

Mayor Penny asked if there was anyone in the audience who wishes to speak on any item on the Consent Agenda or if any member of the Commission wished to pull an item for further discussion. There was no one.

1. –2025-R-12 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute Engineering Contract with Parker Mynchenberg & Associates, Inc., for Force Main Improvements for Lift Stations 12, 14 and 16 for 64,605.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2025-R-12
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE ENGINEERING CONTRACT WITH PARKER MYNCHENBERG & ASSOCIATES, INC., FOR FORCE MAIN IMPROVEMENTS FOR LIFT STATIONS 12, 14 AND 16 FOR 64,605.00; 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 EXECUTE ENGINEERING CONTRACT WITH PARKER MYNCHENBERG & ASSOCIATES, INC., FOR FORCE MAIN IMPROVEMENTS FOR LIFT STATIONS 12, 14 AND 16 FOR 64,605.00; PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to improve the sewer force mains for Lift Stations 12, 14 and 16 in the Southeast sewer collection area; and

WHEREAS, the City entered into a Professional Consultant Services Agreement for Engineering/CEI Services with Parker Mynchenberg & Associates, Inc., Resolution 2022-R-23.

WHEREAS, Parker Mynchenberg & Associates, Inc., has provided a proposal for engineering design, pricing assistance, contract administration and other miscellaneous services to complete the sewer force main improvements for Lift Stations 12, 14 and 16 to connect directly to master lift station 11 for $64,605.00.

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 execute the Engineering Contract with Parker Mynchenberg & Associates, Inc., for engineering services to complete sewer force main improvements for Lift Stations 12, 14 and 16 for $64,605.00.

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 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

2. 2025-R-13 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute Change Order No. 2 with Sawcross, Inc., for a Second Influent Screen Funded with SAHFI (SRF-WW6410A0) Grant Funding in the Amount of $627,270.56; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2025-R-13
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 WITH SAWCROSS, INC., FOR A SECOND INFLUENT SCREEN FUNDED WITH SAHFI (SRF-WW6410A0) GRANT FUNDING IN THE AMOUNT OF $627,270.56; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF HOLLY

HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 WITH SAWCROSS, INC., FOR A SECOND INFLUENT SCREEN FUNDED WITH SAHFI (SRF-WW6410A0) GRANT FUNDING IN THE AMOUNT OF $627,270.56; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission entered into a $8,971,000 contract with Sawcross, Inc., for a 3rd Biological Treatment Unit (BTU) and Influent Treatment Modification for the City wastewater plant on February 12, 2024 with Resolution 2024-R-9; and

WHEREAS, the Sawcross, Inc., bid price only included one new influent screen to minimize impact to the City utility reserve funds; and

WHEREAS, the City applied for and received a Supplemental Appropriation for a Hurricanes Fiona and Ian (SAHFI) with the "Clean Water State Revolving Funding Planning, Design, and Contract Loan Agreement WW6410A0" grant for $9.3 million dollars with Resolution 2024-R-72 on September 24, 2024 with the Florida Department of Environmental Protection (FDEP) for resilient wastewater improvements; and

WHEREAS, Mead and Hunt, Inc., the engineer of record for the City wastewater project, has recommended the City expedite the second influent screen to meet the SAHFI grant resilience requirements immediately; and

WHEREAS, Sawcross, Inc., provided Change Order No. 2 for $627,270.56 to provide a resilient second influent screen to be installed with their improvements in fulfillment of the SAHFI grant requirements.

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 approved Change Order No. 2 with Sawcross, Inc., for a resilient second influent screen in an amount of $627,270.56.

SECTION 2. The City Manager is hereby authorized to execute Change Order No. 2 and make any budget amendments to charge the equipment to the SAHFI "Clean Water State Revolving Funding Planning, Design, and Contract Loan Agreement WW6410A0" reimbursable funding program.

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 become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

3. 2025-R-14 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Extend the Agreement with Mead and Hunt, Inc., to Provide Professional Consultant Services for the Capital Wastewater Treatment Plant; Providing for Severability; and Proving an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2025-R-14
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXTEND THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL CONSULTANT SERVICES FOR THE CAPITAL WASTEWATER TREATMENT PLANT; PROVIDING FOR SEVERABILITY; AND PROVING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXTEND THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL CONSULTANT SERVICES FOR THE CAPITAL WASTEWATER TREATMENT PLANT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to create resilient treatment capital improvements to the City's WWTP utilizing ARPA and SAHFI funding; and

WHEREAS, the capital improvements will add redundant capacity to the wastewater system to make the facility more resilient in the event of natural disasters such as tropical storms, tidal rise and hurricanes; and

WHEREAS, the City entered into a Professional Consultant Services Agreement with Mead and Hunt, Inc., with Resolution 2022-R-28 on May 10, 2025 for ARPA and subsequently additional related task for the SAHFI Capital Improvement Projects with

Resolution 2024-R-92 on November 12, 2024; and

WHEREAS, the City wishes to extend the Professional Consultant Services Agreement for the renewal periods allowed in the original contract.

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 extend the agreement with Mead and Hunt, Inc., to provide professional services for Wastewater Treatment Plant Improvements related the ARPA and SAHFI funding for the renewal of the first of 2 - 1 year renewals.

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 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

4. -2025-R-15 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Waiver of the Formal Bid Procedure for the Purchase of a Used Spotter Truck from Kenworth of Jacksonville in the Amount of $69,600 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:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2025-R-15
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE WAIVER OF THE FORMAL BID PROCEDURE FOR THE PURCHASE OF A USED SPOTTER TRUCK FROM KENWORTH OF JACKSONVILLE IN THE AMOUNT OF $69,600 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 WAIVER OF THE FORMAL BID PROCEDURE FOR THE PURCHASE OF A USED SPOTTER TRUCK FROM KENWORTH OF JACKSONVILLE IN THE AMOUNT OF $69,600 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the replacement of a sludge hauling truck with a used spotter truck was approved in the fiscal year 2024/2025 budget; and

WHEREAS, the purchase of a used spotter truck cannot be bid in a formal procedure due to necessary differences in specifications; and

WHEREAS, the City Commission has authority under Chapter 8 of the Holly Hill Purchasing Policy to waive the formal bid process if specific criteria are met; and

WHEREAS, this purchase meets the criteria of obtaining materials, equipment or services which cannot be purchased under normal bid procedures as confirmed by the Finance Department; and

WHEREAS, staff have researched available used spotter trucks to select the used vehicle with the best value.

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 approve the waiver of the formal bid procedure for the purchase of a 2019 Ottawa T2 spotter truck from Kenworth of Jacksonville in the amount of $69,600 and authorize 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 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

5. –2025-R-16 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving a Joint Project Grant with Volusia County and the City of Holly Hill for Chemical Tank Replacement at the City Utility Treatment Facility and a Budget Amendment Request Transferring City Cost Share Fund into a Project Fund and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2025-R-16
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A JOINT PROJECT GRANT WITH VOLUSIA COUNTY AND THE CITY OF HOLLY HILL FOR CHEMICAL TANK REPLACEMENT AT THE CITY UTILITY TREATMENT FACILITY AND A BUDGET AMENDMENT REQUEST TRANSFERRING CITY COST SHARE FUND INTO A PROJECT FUND AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING JOINT PROJECT GRANT WITH VOLUSIA COUNTY AND CITY FOR CHEMICAL TANK REPLACEMENT AT THE CITY UTILITY TREATMENT FACILITY AND A BUDGET AMENDMENT REQUEST TRANSFERRING CITY COST SHARE FUND INTO A PROJECT FUND AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City operates water and wastewater treatment facilities to maintain the health and well-being of the community using chemicals; and

WHEREAS, the City desires to replace the chemical storage tanks to create a safer and more resilient treatment process; and

WHEREAS, The City applied for and has been award a Transform 360 joint project grant of $800,000.00 with Volusia County, FL with the County funding 75% of the project through a County Development Block Grant known as the Volusia Transform 360 grant;

WHEREAS, The City has adequate reserves with a budget amendment to fund its 25% cost allocation.

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 approves joint project grant agreement of $800,000 for the replacement of chemical tanks for the utility treatment system and authorizes the City Manager to execute the same.

SECTION 2. That the City Commission of the City of Holly Hill approves a budget amendment in the amount of $200,000 to fund the City portion of the chemical tank replacement program and authorizes the City Manager to execute the same

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 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

6. –2025-R-17 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Appointing a Member to the Firefighters Pension Fund Board of Trustees; Setting Forth the Term and Expiration Date for Said Member; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION
2025-R-17
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with City Code Section 42-63, Board of Trustees, states the following: (a) The Board shall consist of five trustees, two of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission, and two of whom shall be members of the system, who shall be elected by a majority of the firefighters who are members of the system. The fifth trustee shall be chosen by a majority of the previous four trustees as provided herein, and such person's name shall be submitted to the Holly Hill City Commission. Upon receipt of the fifth person's name, the Holly Hill City Commission shall, as a ministerial duty, appoint such person to the board as a fifth trustee; and

WHEREAS, the Board shall consist of five trustees, two of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission; and

WHEREAS, the fifth trustee shall be chosen by a majority of the previous four trustees as provided herein, and such person's name shall be submitted to the Holly Hill City Commission.

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 individual to the Firefighters Pension Fund Board of Trustees:

Brandon Davis **5th Trustee to Board**

SECTION 2. That the term for said member is set to fulfill the unexpired term of Fire Chief Jim Bland, whose term expires December 31, 2026.

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

APPROVED AND AUTHENTICATED on this 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

5. REGULAR AGENDA

1. 2025-R-18 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding a Playground at 7Th Street Neighborhood Park and Authorizing the City Manager to

Execute a Contract with the Awarded Vendor; Providing for Severability; and Providing an Effective Date.

(Requested by Antoine Khoury, Public Works)
Mayor Penny opened public participation. No one spoke.

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

RESOLUTION
2025-R-18
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A PLAYGROUND AT 7TH STREET NEIGHBORHOOD PARK AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE AWARDED VENDOR; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A PLAYGROUND AT 7TH STREET NEIGHBORHOOD PARK AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE AWARDED VENDOR; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an additional playground at 7th Street Neighborhood Park has been identified in the fiscal year 2024-2025 budget as desired; and

WHEREAS, the City of Holly Hill has received an award of $102,966 from a Community Development Block Grant towards this project; and

WHEREAS, (10) ten proposals were received by the deadline of Tuesday, February 11, 2025 at 10:00am; and

WHEREAS, the City Commission met in a workshop on Tuesday, February 25,2024 at 5:00pm to discuss the proposals.

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

SECTION 1. That the City Commission has selected the proposal from ______________________ for a playground at the 7th Street Neighborhood Park.

SECTION 2. That the City Commission authorizes the City Manager to execute an agreement with the awarded vendor.

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 25th day of FEBRUARY, 2025.

Enacted and approved this 25th day of February, 2025, in Holly Hill

2.

700 Grove Avenue - Nuisance Abatement

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Penny opened public participation.
Wayne Johnson, the occupant, spoke.
Mayor Penny closed public participation.
Commissioner Currie made a motion ***that based on the evidence presented, that the Commission finds that the property is in violation of Section 26- 61, sub-paragraph 1, 2, 3 and 11 and that the respondent is given to March 10, 2025 to remedy the violations by removing the items that constitute the violations causing to be a public nuisance; that a status report will be provided on the March 11, 2025 Commission meeting providing an update and at that meeting, the Commission has the discretion to provide additional days and staff will make sure the occupant has notice, even though he's here, he's hearing it but staff will make sure a notice goes out telling the occupant of the meeting on March 11, 2025 and that this Order also authorizes staff to go back on the property until ownership changes to remedy any of the same type of violation after providing the property owner notice and at least 14 days to remedy it; the Commission is authorizing that staff can go back on the property to remove the items,*** *seconded by Commissioner Johnson.*

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

Enacted and approved this 25th day of February, 2025, in Holly Hill

6. PUBLIC HEARINGS

1. –2025-O-3082 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Repealing Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings); Adopting a New Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings) to Adopting New Rules for Conducting City Meetings; Providing for Severability; and Providing an Effective Date.

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

Jim Legary, Holly Hill, spoke.

Mayor Penny closed public participation.

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

ORDINANCE
2025-O-3082
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS); ADOPTING A NEW CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS) TO ADOPTING NEW RULES FOR CONDUCTING CITY MEETINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS); ADOPTING A NEW CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS) TO ADOPTING NEW RULES FOR CONDUCTING CITY MEETINGS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined it is in the best interest of the City to update the current rules for conducting public meetings, including new decorum standards for public participation.

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 repeals Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings) and adopts a new Chapter 2 (Administration, Article II (City Commission), Division 2 (Meetings) to read as follows:

DIVISION 2. - MEETINGS

Sec. 2-46. - Regular meetings.

The city commission shall regularly meet on the second and fourth Tuesday of each month, except that the mayor or acting mayor may determine to cancel or amend the date of not more than one meeting per month. Notice of the cancelled or amended meeting shall be provided to each commissioner and shall be published in the same manner that the notice of the commission meeting is published.

Sec. 2-47. - Holding meetings, etc., other than in city hall.

Upon motion approved by a majority of the city commission at a regularly scheduled meeting, the affairs of the city government may be conducted at a location other than city hall. Such location, together with the time of the meeting shall be contained in the motion.

Sec. 2-48. - Agenda.

The tentative agenda shall be prepared with explanatory information where necessary and forwarded to the commissioner by the preceding Friday. No agenda shall be necessary for special meetings.

Sec. 2-49. - Order of business.

The conduct of business shall be based upon the agenda created and scheduled for the regular commission meeting being held.

Sec. 2-50. - General rules of procedure.

(a) Except as otherwise provided in this division, Robert's Rules of Order, Newly Revised, shall govern all meetings.

(b) A decision of the commission shall be made by a majority vote or as otherwise specified in the Charter or state law.

(c) After voting has begun, a commissioner does not have the right to the floor.

(d) Resolutions may be adopted when first presented by a majority vote. However, upon motion made to postpone consideration of the resolution, the chair shall call for an immediate vote as to such postponement and, if carried by a majority of those present, vote on the resolution shall then be delayed until the next regularly scheduled meeting. Upon such motion to postpone, debate shall be limited only to the propriety of such postponement.

(e) The meeting is adjourned only after declared by the mayor who acts as chairman or whoever acts in his absence as provided by the Charter.

Sec. 2-51. - Authority of mayor or person acting as mayor.

The mayor, or the person acting in his/her absence as provided by the Charter at commission meetings (presiding officer) shall:

() Preside at all meetings of the City Commission. In the absence of the Mayor, the Vice Mayor shall preside. The Mayor may call the Vice Mayor member to temporarily chair the meeting to make a motion, or to cover a temporary absence, such substitution is not to continue beyond adjournment.

() Call the meetings of the City Commission to order, recessed and adjourned.

() Preserve order and enforce the rules of decorum and conduct set forth herein.

() Determine all points of order, subject to the right of any Commission member to appeal to the City Commission. If any appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority of the Commission sitting and eligible to vote is required to reverse the ruling of the presiding officer.

(e) Call a member to order if his/her remarks are not relevant to the subject under discussion, or for lack of decorum.

(f) Not abstain from voting, unless required by law.

(g) Have the right to discuss a motion as any other commissioner without relinquishing the chair.

(h) Have the right to make a motion or second a motion after relinquishing the chair.

(i) Have the right to call for a reading of the motion after discussion but before voting.

(j) Upon a tie vote, rule the motion is lost.

(k) Recognize commissioners in the order of their request to speak except the maker of the motion may be the first speaker.

(l) Have the right to call a recess for a definite period if no objection is raised. If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is not debatable but is amendable as to time.

(m) Have the right to refer the subject to the next regular meeting if no objection is raised. If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is debatable and amendable.

(n) If no motion is pending, may ask, "Is there any further business?" Hearing no response, the chair may then state, "Since there is no further business, the meeting is adjourned." If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is not debatable nor amendable.

(o) Have the right, if no motion is pending upon an uncompleted agenda, to call an "adjourned meeting", call for a specific time and date before or on the next regular meeting. This is not debatable but is amendable as to time.

(p) In matters concerning the city's operation, shall deal only through the city manager or in his absence, the assistant city manager.

(q) Have the right to continue a regular or special called commission meeting for good reason to a specific time and date.

Sec. 2-52. - Conduct of commissioners.

The following provisions shall govern the conduct of a commissioner:

(a) Shall not abstain from voting, unless required by law.

(b) He/she may, only after recognition by the chair, introduce motions, discuss subjects and vote.

(c) He/she may request to consider a subject informally if no objection. If there is objection, he/she is obliged to put a motion which must be seconded to determine the result by a majority vote. This is debatable but not amendable.

(d) Each commissioner is limited to five minutes' discussion on each subject. This time limitation may be automatically extended if no objection. If objection is made, motion to extend time must be seconded and approved by a majority vote. This is amendable but not debatable.

(e) He/she may appeal from a decision of the chair without a second. This is debatable if the question was debatable, is not amendable and is decided by a majority vote.

(f) He/she may move to recess, stating a definite time. This takes a second and is decided by a majority vote. It is not debatable but the time is amendable.

(g) He/she may move to refer the subject to the next regular meeting. This is seconded, decided by a majority vote, is debatable and amendable.

(h) If no motion is pending, he/she may move to adjourn. Upon the incompletion of the agenda, an adjourned meeting may be "moved" by specifying time and date before or on the date of the next regular meeting. These motions are seconded and decided by a majority vote. They are not debatable but are amendable as to time.

(i) In matters concerning the city's operation, he/she shall deal only through city manager or in his absence, the assistant city manager.

Sec. 2-53. - Penalty for absence from meetings.

Absence from three consecutive regular meetings of the city commission shall operate to vacate the seat of a commissioner, unless a leave of absence is first granted by the city commission or such absence is excused by the city commission after the fact.

Secs. 2-54.- Local Rules.

The following Local Rules of Procedure ("Local Rules") shall be applicable to the City Commission and the conduct of City business, as well as preparation and publication of agendas of the City Commission of the City of Holly Hill, Florida. To the extent these Local Rules shall modify or conflict with the standard "Robert's Rules of Order" as adopted above, these Local Rules shall prevail to the extent of their conflict or inconsistency with "Robert's Rules of Order".

(a) Regular meetings of the City Commission shall typically be held on the second and fourth Tuesdays of each month, with exceptions due to conflicts such as holidays and School Board meeting night when the millage is discussed. These meeting dates and times are subject to change as determined necessary by the City Commission or to comply with the City's Charter. There shall be no regular City Commission meeting on the date of a Holly Hill municipal election. A meeting that would otherwise have been scheduled for such date shall be held on the Wednesday immediately following the election at 6:00 p.m.

(b) Workshops of the City Commission shall be held as needed at such time and place as set by the Mayor or the City Manager. Every effort shall be made to avoid the scheduling of workshops in the months of November and December. Workshops may also be scheduled at other times as determined necessary by the City Commission, Mayor or the City Manager. Workshops are intended to address City issues by allowing staff to discuss with the Commission as a whole and the Mayor and Commissioners to discuss with one another these issues. Public comment is not required during workshops.

(c) All regular City Commission meetings shall be held in the City Commission Chambers at City Hall unless otherwise designated by the City Commission. All City Commission workshops shall typically be held in the Second Floor Conference Room or the Commission Chambers at City Hall, as determined by the City Manager.

(d) There may also be special meetings or workshops at such other times designated in advance by the Mayor for the purposes of holding joint meetings with City boards, commissions, etc., to include receiving annual reports and presentations from the City's boards, committees, agencies and authorities, or for such other purposes as may be deemed necessary or desirable by the Mayor.

(e) Special meetings shall be called at the request of the Mayor.

(f) Ex-Parte Communication and Quasi-Judicial Proceedings shall be governed by applicable federal and state law.

(g) To the extent compatible with the conduct of business, all workshops shall be held on an informal basis. The applicability of the City's general rules shall not be strictly applied. Presentations made at workshop meetings shall be limited to twenty (20) minutes, unless the Commission, by consensus, agrees to extend the time.

(h) The City Manager shall be responsible for the organization and placement of items on the City Commission Agenda; however, the Agenda and Agenda packets shall be prepared by the City Clerk.

(i) With regard to the agenda for regular City Commission meetings, the following shall apply:

(1) To the extent possible, the City Administration shall group all matters by subject area and shall place as many items as possible on the consent portion of the agenda. Those items of a controversial nature or those that need an explanation shall not be placed on the Consent Agenda.

(2) The Consent Agenda shall be considered by the Commission only after the public has had an opportunity to comment on the items included. Should a Commission member need further discussion to occur on a Consent Agenda Item, he/she may request for the item to be pulled and discussed separately. Those items pulled shall be discussed immediately following the

Consent Agenda approval with an opportunity for the public to comment before the City Commission takes action.

(j) Any items received during the public participation (non-agenda) portion of the agenda may, at the discretion of the Commission, be discussed and/or voted on by the City Commission at the time of such presentation, may be directed to the City Manager for action or resolution by the Commission or may be added to a subsequent meeting or workshop agenda if a member of the City Commission so specifically requests.

(k) Any member of the commission may request a Roll Call for any item. The commission must vote on the request for a Roll Call vote and if approved, the Roll Call votes shall be called in the order of the commissioner making the motion followed by the commissioner making the second followed by the commissioners remaining in District order, followed by the Mayor voting last.

(l) Once a motion has been made, seconded, and voted upon, it is final, except that the Commission may reconsider that matter at the same meeting at which the motion was voted upon or the immediate subsequent meeting. Only a Commission member on the prevailing side of the vote can bring an item back for reconsideration at the immediate subsequent meeting. If reconsideration is requested for an immediate subsequent meeting, the Commission member requesting reconsideration shall notify the City Clerk in advance of the meeting at which the reconsideration shall take place and provide the reasons for requesting reconsideration to allow the City Clerk to include the request as part of the meeting agenda and properly notice the item to be reconsidered. The City Clerk shall consult with the City Attorney's Office to determine the sufficiency of notice to interested parties. To reconsider a final vote of the City Commission, a motion to reconsider shall be made by a member of the Commission that voted on the prevailing side. The City Commission shall establish for the public record the reasons that a reconsideration of the final vote was warranted.

(m) A motion made by a Commission member to approve an item on the agenda or the consent agenda by reference to the agenda item number and/or the title of the agenda item shall automatically incorporate staff's recommended motion (as set forth in the agenda packet) unless a clear indication to the contrary is made on the record.

(n) The City Commission of the City of Holly Hill is committed to maintaining civility in public and political discourse and encourages the public to do the same. All comments by members of the City Commission, advisory board members, City staff/consultants and/or the public shall avoid the use of language that is obscene or is likely to produce imminent lawless action.

(o) Cell phone ringers shall be disabled while a meeting or workshop is in progress.

Sec. 2-55. - Public Participation.

The City of Holly Hill recognizes the statutorily created right of the public to be heard on propositions in front of City Commission as set forth in Section 286.0114, Florida Statutes, and is committed to democratic, participatory local government. The following rules, guidelines, and procedures are intended to promote orderly conduct and defined methods for participation. The presiding officer shall have the authority to enforce these rules and may request the removal of any individual who has been warned of and persists with prohibited conduct.

(a) General Rule

(1) Members of the public shall be given a reasonable opportunity to be heard on a proposition before City Commission, subject to the rules, guidelines, and procedures set forth herein. The opportunity to be heard need not occur at the same meeting at which City Commission takes official action on the proposition if the opportunity occurs at a meeting that is

during the decision-making process and is within reasonable proximity in time before the meeting at which City Commission takes the official action.

(2) Public comments on agenda items shall be relevant to the agenda item. Public comments on non-agenda items shall be pertinent to the City or City business.

(3) Public participation is not required under the following circumstances:

(i) An official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, and public participation would cause an unreasonable delay in the ability of the City Commission to act;

(ii) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(iii) A meeting that is exempt from s. 286.011, Florida Statutes; or

(iv) A meeting during which the board or commission is acting in a quasi-judicial capacity, unless otherwise provided by law.

(b) Meeting Decorum and Conduct:

(1) Individuals may only make comments from the podium, or such other reasonable accommodation, after being recognized by the presiding officer.

(2) Prior to commenting, individuals are asked to clearly state their name and city of residence for the record in order to preserve an accurate public record reflected in the meeting minutes for future reference.

(3) All comments shall be directed to the presiding officer.

(4) Repetitive, redundant, or immaterial presentations or requests by the same presenter, may be limited, and shall not resume unless authorized by a majority vote of the City Commission.

(5) Comments shall be limited to the allotted times set forth herein, but additional comments may be submitted in writing to supplement and fully address any issue. The presiding officer shall have the discretion to provide additional time for a representative who can produce supporting documentation or evidence that he or she is authorized to speak on behalf of a group or faction comprised of five or more members of the public.

(6) Individuals attending a City Commission meeting may choose to either hold a sign or place a sign along the rear wall of Commission Chambers. Signs shall not be placed or held in any manner which obstructs the view of other audience members or obstructs access to or from Commission Chambers. Signs shall not be waived or lighted in any manner that causes distraction to the Commission members or members of the audience during a City Commission meeting or workshop. Signs shall not be affixed to the walls or other surfaces within the meeting room.

(7) It is unlawful for any individual to willfully and maliciously interrupt or disturb a meeting of the City Commission. An interruption or disturbance includes but is not limited to speaking when not recognized by the presiding officer, making comments that are nor relevant to or related to the issue being discussed. Anyone who causes such a disturbance or interruption, after two (2) warnings have been given by the presiding officer, shall be ordered to leave the meeting and the building. If the individual refuses to leave, the presiding officer shall recess the meeting and direct the City Manager to request the individual be escorted out by a law enforcement officer and in either situation may not return during the same meeting.

(c) Procedures and Guidelines for Public Participation:

(1) Public Participation - Non-Agenda

(i) Each individual shall be afforded no more than three (3) minutes to speak unless such time is extended by a majority vote of City Commission.

(ii) If an item brought forward under Public Participation - Non Agenda requires a longer presentation by the presenter or shall require staff research of materials, the item may be scheduled for a future City Commission meeting under Public Participation - Agenda if a member of City Commission so specifically requests.

(2) Public Participation - Agenda

(i) The City Commission shall reserve a section of the agenda dedicated to hearing Public Participation items requiring more than three (3) minutes to fully address.

A. Presentation by requestor

B. Questions of the requestor by City Commission

C. Presentation by City staff, if necessary

D. Questions of City staff by City Commission

E. Public comments, if any action is to be taken by City Commission.

F. Take action or provide direction, if necessary

(iii) The requester and City staff shall each be given 10 minutes to address the agenda item, unless extended by the majority vote of Commission. Presentations shall be clear, concise, and to the point. Presentation materials shall be provided to the City Clerk at least 48 hours prior to the meeting date. The City Clerk shall upload the presentation materials to the computer in Commission Chambers. If action is to be taken by City Commission, the public shall be afforded no more than three (3) minutes each to speak.

(d) Public Hearings, Regular Agenda, and Consent Agenda Items

(i) Members of the public shall be given an opportunity to be heard on public hearing items and regular agenda items once the applicant has completed his or her presentation, the City Staff has completed its presentation on the issue, and interested parties, if any, have completed their presentation; and before a decision has been made by City Commission.

(ii) Applicant(s) and City Staff shall have as much time as necessary to make their presentation before the City Commission. Each member of the public shall have no more than three (3) minutes to be heard once recognized by the presiding officer.

(e) Submission of Petitions

(i) Petitions may be presented to the Commission during public participation at a meeting or by mailing or hand-delivering to the City Clerk.

(ii) If the petition is presented at a meeting, the presenter shall present the petition to the presiding officer through the City Clerk along with a brief overview of the reason for the petition. Such presentation shall be limited to three (3) minutes.

(iii) If the petition is sent by mail or hand-delivered to the City Clerk, the petition shall provide the reason for the petition. Upon receipt of the petition, the City Clerk shall place the item on the agenda with a copy of the petition for the next available meeting for discussion.

Sec. 2-56 - OPENING INVOCATION.

It shall be the policy of the City Commission that the procedures stated in this rule concerning opening invocation shall govern all official meetings of the City Commission and that the members of the City Commission and City staff shall adhere to these rules. These policies and procedures are not intended, shall not be implemented, and shall not be construed in any way to affiliate the City Commission or the City with, nor express a preference for or against any faith, belief, opinion, religion, or denomination. Rather, these policies and procedures are intended to acknowledge and express the City Commission respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the City.

(a) After the Call to Order of all official meetings of the City Commission an Opening Invocation as described herein shall occur. The opening invocation shall occur and be completed during the opening, ceremonial portion of the City Commission meeting and shall in no event occur, or be construed to occur, during the policymaking or legislative portions of the City Commission meeting. If the city commissioner or selected speaker is absent or unable to provide the invocation, the invocation shall consist of a brief moment of silence.

(b) A member of the public wishing to offer an innovation at an official meeting may contact the City Clerk two weeks in advance. The City Clerk shall notify the assigned commission and request the commissioner yield their invocation to the guest.

(c) No member of the City Commission, City employee or staff shall engage in any prior inquiry, review, or involvement in, the content of any invocation to be offered by an invocation speaker.

(d) No member of the City Commission, City employee or staff, or any other person in attendance at the meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the City Commission Chambers and return upon completion of the opening invocation is afforded to those who do not wish to participate or witness the

opening invocation. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances.

(e) The following statement shall be placed at the bottom of City Commission meeting agendas:

Any invocation that is offered before the official start of the City Commission meeting shall be the voluntary offering of a member of the City Commission or a private person, to and for the benefit of the City Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Commission Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.

Sec. 2-57. - CITY BOARD, COMMITTEE, COMMISSION AND AGENDA APPOINTMENTS.

All appointments to city boards, commissions, and committees whose members are not subject to appointment by other entities, and in accordance with any applicable restrictions by State Statute, shall be made in accordance with the following procedures:

(a) All vacancies subject to appointment to such city boards, commissions, and committees shall be made on a nomination basis by a member of the City Commission. This nomination shall be construed to be a Motion to Appoint. When more than one nominee has been identified for a single vacancy, voting may be conducted by written ballot which shall include the name of the Commission member and the name of the nominee. Written ballots shall be read aloud into the record.

(b) Volunteer applications for City boards, commissions, and committees shall be established and maintained by the City Clerk's office.

(c) Appointments for vacancies occurring on a board wherein the particular member has, for whatever reason, not fulfilled their entire term of membership on that particular board, commission, or committee, shall be to complete the unexpired term only, unless the unexpired term is for a period of time less than six (6) months. In that event, the appointed member shall then be allowed to serve the following full regular term without reappointment.

Sec. 2-58 - CEREMONIAL GUIDELINES

(a) *Certificates of Achievement* are ceremonial documents that recognize an individual's service or extraordinary achievement. They do not have any legislative value.

(b) Prepared on appropriate paper that includes a watermark of the City Seal in the background, along with the *who* and *what* (the achievement) as supplied by the requestor and shall be signed by the Mayor.

(c) *Proclamations* are official City related announcements and/or public declarations issued by the Mayor. They are ceremonial in nature and do not have any legislative value. The Mayor is authorized to sign a request for a Proclamation at the Mayor discretion. A member of the public or City Commission may make a request for a Proclamation during a City Commission meeting.

(d) Proclamations will be prepared on 8 ½ x 11 paper, be enclosed in a certificate holder, and include the following:

(i) *Whereas* clauses providing information that basically describe the five W's (who, what, when, where, and why)

(ii) A *Now, Therefore Be It Resolved* clause

proclaiming a specific event

(iii) An execution date representing the date the Mayor signed the document or the date of the event

(iv) Signature of the Mayor

(v) City Seal

(e) These ceremonial declarations are issued for the following reasons:

(i) Recognition of action or service above and beyond the call of duty,

(ii) Recognition of extraordinary achievement,

(iii) Supporting actions that improve the quality of life of the Holly Hill community, or

(iv) To raise public awareness of issues that directly affect the Holly Hill community.

(f) Request Process

(i) A request for a Proclamation or Certificate of Achievement should be submitted to the City Clerk's Office at least ten (10) business days prior to the event, along with a sample proclamation. Individuals/organizations are encouraged to submit their request as early as possible. Applications received after the deadline will be prepared based upon staff availability. Requesters shall be advised when issuance cannot occur by the event date.

(g) The City Clerk, or his/her designee, shall initially review all requests for Proclamations and forward to the City Manager for final approval. The City Manager can seek concurrence from the Mayor if there are concerns.

(h) Receipt of Final Document

(i) Individuals/organizations have several options for receiving the finalized document with the approval of the Mayor.

A. Proclamation/Certificate can be picked up from the City Clerk's Office/City Hall.

B. Presentation can occur prior to the start of any City Commission meeting/workshop.

C. Presentation can occur at a regularly scheduled Commission meeting, which may require additional information for agenda purposes.

D. Presentation can occur at an event sponsored by the individual/organization subject to the availability of the Mayor or a City Commission member.

(ii) Coordination shall be handled by the City Clerk's Office.

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 25th day of FEBRUARY, 2025 for second and final reading.

Enacted and approved this 25th day of February, 2025, in Holly Hill

2. –2025-O-3083 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Repealing Chapter 2, Article III, Division III (Code Enforcement); Chapter 3 (Enforcement); and Chapter 26, Article III (Sanitary Nuisances); Adopting a New Chapter 3 (Code Enforcement/Nuisance Abatement) Consolidating All Code Enforcement and Nuisance Abatement Provisions into a Single Chapter and Amending the Code Enforcement and Nuisance Abatement Provisions; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Penny opened public participation.
Phillip Wahby, Holly Hill and Danielle Latona, Holly Hill.
Mayor Penny closed public participation.
Attorney Simpson let the Mayor and Commissioners know that this is nothing new. That a vast majority of this is what is already in the Code book now. The vast of these are not new regulations. This is bringing the four different areas together into one Code section.
(A copy of this agenda item/meeting in its entirety is available online or available upon request on a CD in the City Clerk's Office).

RESULT:	**APPROVED AT 1ST READING [4 TO 1]**	**Next: 3/11/2025 6:00 PM**
MOVER:	Roy Johnson, City Commissioner	
SECONDER:	Debra Snow, City Commissioner	
AYES:	Penny, Snow, Currie, Johnson	
NAYS:	DeLanoy	

3.

Shared Use and Maintenance Agreement for Stormwater Facilities

(Requested by Brian Walker, Board of Planning and Appeals)
Rob Merrell, Attorney with Cobb Cole, spoke briefly about the Shared Use and Maintenance Agreement for Stormwater Facilities. The engineer, Mark Dowst with Mark Dowst and Associates will be present at the next meeting for second reading to help explain further. Mr. Dowst was here for first reading when this first went before the Commission.
Mayor Penny opened public participation.
Tracy Anderson, Holly Hill.
Mayor Penny closed public participation.
(A copy of this agenda item/meeting in its entirety is available online or available upon request on a CD in the City Clerk's Office).

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

Enacted and approved this 25th day of February, 2025, in Holly Hill

4. 2025-R-19 Resolution

Anastasia Ct - Resolution of Intent to Use Non-AD Valorem Assessment Collection Method

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Penny opened public participation. No one spoke.

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

RESOLUTION
2025-R-19
ANASTASIA CT - RESOLUTION OF INTENT TO USE NON-AD VALOREM ASSESSMENT COLLECTION METHOD

A RESOLUTION OF THE CITY COMMISSION OF HOLLY HILL, FLORIDA, ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS FOR MORE THAN ONE YEAR LEVIED ON CERTAIN REAL PROPERTY IN HOLLY HILL, FLORIDA, TO FUND THE ANNUAL COSTS OF MOWING, GROUNDS MAINTENANCE AND OTHER SERVICES RELATED TO MAINTAINING THE APPEARANCE OF THE CITY STORMWATER RETENTION POND NEAR THE INTERSECTION OF 4TH STREET AND CENTER AVENUE; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. AUTHORITY. This Resolution of the City of Holly Hill, Florida (the "City") is adopted pursuant to Sections 166.021 and 197.3632, Florida Statutes, and other applicable provisions of law.

SECTION 2. FINDINGS. It is hereby ascertained, determined and declared as follows:

(A) The City Commission of Holly Hill, Florida (the "City Commission"), intends to use the uniform method for collecting non-ad valorem assessments levied against the real property comprising the proposed Anastasia Court residential townhome project to be located on Anastasia Court, Holly Hill, 32117 (such real property is collectively referred to herein as the "Anastasia Court Assessment Area"). A legal description of the Anastasia Court Assessment Area is attached hereto as Exhibit A and incorporated herein. This Resolution is adopted pursuant to and is authorized by Section 197.3632, Florida Statutes, which will allow such assessments to be collected annually, commencing in November 2025, in the same manner as provided for ad valorem taxes. The assessments will continue from year to year.

(B) The City Commission held a duly advertised public hearing for the purpose of considering the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit B.

SECTION 3. UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS.

(A) Commencing with the ad valorem tax bills issued in November 2025, and continuing each year thereafter, the City hereby announces its intention to use the uniform method of collecting non-ad valorem assessments in the Anastasia Court Assessment Area for more than one year as authorized in Section 197.3632, Florida Statutes, as amended, to fund the annual costs of mowing, grounds maintenance and other services related to maintaining the appearance of the City stormwater retention pond located west of the intersection of 4th Street and Center Avenue, adjacent to the Anastasia Court Assessment Area.

(B) The City hereby determines that the levy of such assessments is needed to fund the cost of providing such services for the special benefit of the real property comprising the Anastasia Court Assessment Area.

(C) Adoption of this Resolution is solely for the purpose of complying with the statutory requirements that the City publicly announce to the Florida Department of Revenue, the Volusia County Property Appraiser and the Volusia County Tax Collector that it may levy non-ad valorem assessments and use the uniform method of collection. Adoption of this Resolution shall not be deemed to commit or require the City to impose any assessments.

(D) Upon adoption, the City Manager, or designee thereof, is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Volusia County Property Appraiser and the Volusia County Tax Collector.

SECTION 4. CONSTRUCTION; EFFECTIVE DATE. This Resolution shall be liberally construed to effect the purposes hereof and shall become effective immediately upon adoption.

APPROVED AND AUTHENTICATED on this 25th day of FEBRUARY, 2025.

EXHIBIT A

LEGAL DESCRIPTION OF THE

ANASTASIA COURT ASSESSMENT AREA

EXHIBIT B

PROOF OF PUBLICATION

Enacted and approved this 25th day of February, 2025, in Holly Hill

5.

1538 Cordova Avenue - Variance Request

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Penny opened public participation.
Jeff Lowe, the applicant, Holly Hill, spoke.
Mayor Penny closed public participation.

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

Enacted and approved this 25th day of February, 2025, in Holly Hill

7. COMMUNICATIONS

A. City Manager Comments

Mr. Forte reminded the Mayor and Commissioners that by this Friday he should have all of their nominations for the Charter Review Committee so he can get them on the March 11th agenda. Mr. Forte stated that he found out today, and he sent the Commission an email, that we were in violation of one of our water testing criteria. We test our water weekly internally and we were supposed to test it annually to a third-party testing company and in the changing of supervisors at the Water Plant, the outgoing supervisor thought the incoming supervisor sent it out and the incoming supervisor thought the outgoing supervisor sent it out. There’s no record of it. No log of it so we are technically in violation. That does not mean that our water failed. It just means that we didn’t send it out for independent testing. We have to send a letter to all of our Utility customers letting them know that we are in violation. It was an oversight. The water is not in danger, the water did not fail. We just failed to have it tested by a third-party.

B. City Attorney Comments

None.

C. Mayor's Comments

Mayor Penny thanked staff for the recent concert series at Pictona. There have been over 500 people in attendance. There will be another one on March 28th at 7:00 PM, Rocky & The Rollers - Decades Dance Party. Great venue. Mayor Penny mentioned that he has been noticing lately that the city has more tenants moving out of homes or homeowners moving out and they put them up for sale and all their belongings are being dumped on the front yard and then Waste Pro takes it away and then two weeks later the house is for sale, and he’s not talking about storm damage stuff. This is just junk that people are putting out there. He understands Code Enforcement then calls Waste Pro to come do a special pickup and then we bill that person. His concern is if it's a tenant and we bill that person, they've moved or if it's a homeowner and they put their house up for sale, they've moved and now we have an uncollectible bill. Is there any way, through all this new Code Enforcement stuff, to fast track that so that $300 bill gets slapped as a tax lien on that property so that we get collected? Because he has, in the last two weeks, he has seen at least five or six houses in my neighborhood like that.

Mr. Forte stated that's the very reason why we have larger deposits, is for that. The mess comes because the people moving out do put it out in the right-of-way and then people driving by pick through it and then it leaves this bigger disaster. We do run the risk, sometimes, of people not paying that bill but that’s why we have that last utility bill that’s due and that’s why we have larger deposits, primarily on rental homes.

D. City Commission Comments

Commissioner Currie thanked everyone for coming out and being a part of the process. It’s good to see.

Commissioner DeLanoy briefly explained why he voted “no” on Ordinance 3083 for first reading. There was some discussion amongst the Mayor and Commissioners at this time.

He did ask for the Commission to hold a workshop before the next meeting to talk about that section of the Ordinance that he is concerned with in the Ordinance before the second reading. There was ***consensus*** to hold a workshop on March 11, 2025 at 5:30 PM. Mr. Forte stated that he will get with Attorney Simpson and work on the wording to be sure that he is comfortable with the language moving forward.

Commissioner Johnson mentioned all the improvements to the playgrounds; has a TPO meeting tomorrow and Bike Week starts this week.

Commissioner Snow mentioned one of the things she said during her campaign was she believes in the homeowners and she believes they are our stakeholders, they are the most valuable assets we have and she brings that with her to all my meetings with Mr. Forte and all the questions she asks and the one thing she knows is that our staff, and our managers, give people way more opportunity than the law says they need to. If you go in the planning department and you need to correct somebody, some somebody will work with you as long as you show progress and the intent to get it fixed. She doesn’t believe we've made any changes to our homeowners being our priorities.

Mayor Penny reminded everyone about the Easter Egg event on April 12th starting at 10:00 AM - 12:00 PM here at City Hall.

8. ADJOURNMENT

The meeting adjourned at approximately 7:45 PM.

Valerie Manning

Valerie Manning, City Clerk,CMC 2/25/2025

John Penny, Mayor 2/25/2025