



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MARCH 12, 2019

City Commission Chamber

Regular City Commission Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation

Commissioner Johnson led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. POSITIVITY AWARD - NONE

3. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:

Ray Plate, 1580 Riverside Drive, Holly Hill, spoke about the digital speed signs on Riverside Drive that say 25 MPH. Shared his concerns about coming from Flomich Street area, there is no indication of the speed and requested another sign be placed there and offered to pay for it. Staff informed Mr. Plate that they will look into putting a sign there for safety.

Jim Schultz, 117 Harvard Drive, Ormond Beach, shared his concerns about various topics and the First Amendment, which is free speech.

Heidi Heller, 460 Ridgewood Avenue, Holly Hill, stated a couple of weeks ago when she addressed her concerns about a guardrail that she thought should be needed at 15th and Calle Grande and an intersection at 10th Street and US1. She attended the HUD Grant meeting and she was speaking with Steve Juengst about them and also about the pothole that was on her street, 6th and Carswell. Before the weekend happened, it was fixed and she wants to say thank you to Mr. Juengst.

Lynne Smith, 107 7th Street, Holly Hill, how many of the different businesses who were

affected by the change of signage, have applied for the sign grant and how many have come into compliance with the new regulations? Any idea?

Mr. Forte stated, no.

Mayor Via asked none have come into compliance?

Commissioner Currie stated didn't they have one come in for the sign grant?

Mr. Forte stated they had one ask about a sign grant.

Commissioner Currie stated, okay.

Mr. Forte stated but nobody has applied for a sign grant.

Mrs. Smith stated she was just checking because they were going to be so affected, she wanted to see what proactive steps are going to be taken on their part. She wanted to report from her park ambassador, that in picking up the garbage, he found a bag of needles in Sunrise Park towards the end where the one walkway is that goes around to Sunrise south, most used and some still new.

4. APPROVAL OF MINUTES

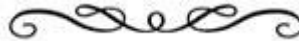
1.

Minutes - February 26, 2019 - Regular City Commission and CRA Meeting

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 12th day of March, 2019, in Holly Hill



5. CONSENT AGENDA - ITEM (1)

Mayor Via 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 would like to pull an item. **There was no one.**

1. -2019-R-22 Resolution

A Resolution of the City Commission of Holly Hill, Florida, Establishing Participation in the Senior Management Service Class; Providing for Authority to the City Manger for Implementing Administrative Actions; and Providing for Scrivener's Errors, Conflicts; Providing for Severability; and Providing an Effective Date.

(Requested by John McKinney, Finance)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2019-R-22

A RESOLUTION OF THE CITY COMMISSION OF HOLLY HILL, FLORIDA, ESTABLISHING PARTICIPATION IN THE SENIOR MANAGEMENT SERVICE CLASS; PROVIDING FOR AUTHORITY TO THE CITY MANGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; AND PROVIDING FOR SCRIVENER'S ERRORS, CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF HOLLY HILL, FLORIDA, ESTABLISHING PARTICIPATION IN THE SENIOR MANAGEMENT SERVICE CLASS; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; AND PROVIDING FOR SCRIVENER'S ERRORS AND CONFLICTS; AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida State Legislature has established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class"; and

WHEREAS, participation in the Senior Management Service Class shall be designated by the City Commission of the City of Holly Hill, Florida as indicated in the Florida Statute Chapter 121; and

WHEREAS, the City Commission of the City of Holly Hill had previously designated the City Manager as part of the Senior Management Service Class as indicated in the Florida Statute Chapter 121; and

WHEREAS, the City Commission of the City of Holly Hill now designates the additional positions of the Assistant City Manager / Finance Director, Public Works Director / City Engineer, Community Development Director / City Planner and Human Resources Manager

as part of the Senior Management Service Class as indicated in the Florida Statute Chapter 121.

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City Commission of the City of Holly Hill designates the following positions as the Senior Management Service Class: City Manager, Assistant City Manager / Finance Director, Public Works Director / City Engineer, Community Development Director / City Planner and Human Resources Manager.

SECTION 2. COMMISSION APPROVAL. The City may designate these positions for inclusion in the Senior Management Service Class of the Florida Retirement System, provided that the intent to designate the positions for inclusion in the class shall be published once a week for two (2) consecutive weeks in the local newspaper of jurisdiction. For those now designated it would be for all service performed effective April 1, 2019.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution.

SECTION 4. SCRIVENER'S ERRORS. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 5. CONFLICTS. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. 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 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 12th day of MARCH, 2019.

Enacted and approved this 12th day of March, 2019, in Holly Hill



6. REGULAR AGENDA

1. -2019-R-23 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Agreement with Charter Communications Operating, LLC to Install and Maintain the VOIP Phone Solution Per RFP 19- IT-10, and Authorizing E the City Manager to Execute the Agreement; Providing for Severability; and Providing for an Effective Date.

(Requested by John McKinney, Finance)

Mayor Via opened public participation. No one spoke.

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

RESOLUTION

2019-R-23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE AGREEMENT WITH CHARTER COMMUNICATIONS OPERATING, LLC TO INSTALL AND MAINTAIN THE VOIP PHONE SOLUTION PER RFP 19- IT-10, AND AUTHORIZING E THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE AGREEMENT WITH CHARTER COMMUNICATIONS OPERATING, LLC TO INSTALL AND MAINTAIN THE VOIP PHONE SOLUTION PER RFP 19-IT-10, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY;

AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill issued RFP 19-IT-10 VOIP Phone Solution to install and maintain telecommunications within the City; and

WHEREAS, Due to the condition of the current phone system replacement is required to maintain service life and technology advancement; and

WHEREAS, the City of Holly Hill desires to start a ten year agreement; and

WHEREAS, Charter Communications Operating, LLC herein known as Spectrum will perform the necessary installations and maintenance per the terms and conditions of RFP 19-IT-10 VOIP Phone Solution; and

WHEREAS, City staff recommends approval of the award to Spectrum.

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, Florida does hereby approve the agreement with Spectrum to perform the installation and maintenance of the city VOIP Phone Solution.

SECTION 2. That the City Manager of the City of Holly Hill is hereby authorized to execute the agreement with Spectrum to install the VOIP Phone Solution.

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 12th day of MARCH, 2019.

Enacted and approved this 12th day of March, 2019, in Holly Hill



2.

Reduction of Lien Request - 1570 Hammock Drive - Property Owner Alumni Partners II, LLC - Lien on Property Are from Code Enforcement Liens

(Requested by Joseph Forte, City Manager)

Mayor Via opened public participation.

Heidi Heller, 460 Ridgewood Avenue, Holly Hill, stated after hearing what Mr. Forte said (referring to the staff report in the agenda packet), she has other concerns and some of them have been answered. Mr. Forte mentioned that there are other properties that the

Alumni Partners own and they have 93 according to the Property Appraiser here in Volusia County. He also mentioned that \$8,000 was spent by the Alumni Partners to clean it up but they didn't do a good job. If we are here to beautify the area and the land, they need to redo their land again. There was a fence on the north and south side, that needs to be replaced and they should put a fence up in the back. They should make it look like one of your neighbor's yard or your yard and not have it the way it is. The \$8,000 that was used to clean it up, it took a long time for that grass and weeds to grow. In fact, nine years because they haven't been doing it for nine years. They've been blighting the neighborhood. The city doesn't like people talking about Holly Hill in a disparaging way, that's one source of it. She doesn't think that proportion of liens should be granted to these people because of their intentional decision not to fix the property. They have also not paid property tax for nine years. It's not the city's concern, directly, but indirectly, they're not doing that. The Holly Hill part of that is \$439.00. That's it for nine years. Way different than what the people from the ordinances for display and can those people, from now on, if this passes, can they get a lien violation and let it accrue up nine years or however many years and only pay the same proportion? If the city is going to be fair to everybody? She is hoping that something else can be figured out. If there is a business going in, let them fix and maintain it accurately.

Mayor Via closed public participation.

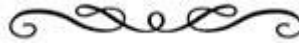
Commissioner Penny stated he thinks it's typical that lien reductions are brought before this Commission when there's a change in ownership. It's his understanding that the goal of Code Enforcement and the goal of liens is to come into compliance so that they can have a better city and have better properties. Although, you usually get people's attention by hitting them in the wallet but someone like this who is an absentee owner of that and is part of a hedge fund that's got close to 100 properties all over Volusia County, they don't really care about this property. It's unfortunate that, that's the way Code Enforcement rules work. That the liens just accumulate and accumulate and accumulate until someone, like the applicant tonight, buys it and wants to improve it. Commissioner Penny stated he can assure them that the new owner will be held to the city's Code Enforcement rules. He is in full favor of this. This is what is meant to be done. If the city held their guns to the original lien, the transfer of title would have never happened, the business would never expand, the city would never increase its tax base or our city would become stagnate. He wholeheartedly supports this.

Commissioner Currie stated she feels the same way as Commissioner Penny as far as the lien reduction. They've done it for several properties and the reason that they do that is to obtain compliance to try and get these properties in better condition, to a new owner who is going to be held to keep the Code Enforcement up on it because fortunately, she is very happy to see that this Commission has found it necessary to buckle down on its Code Enforcement and that is something she has ran on since she first ran for office in 2012. She is in support of it but as far as the outside sales people, that's apples and oranges. That is not the same thing the Commission is discussing. That is totally different from a lien reduction on a residence that wasn't taken care of, that had code violations, it stacked up and added up. Totally different from outside sales. They will be held to the same code, as far as, Code Enforcement is concerned. Once the time frame comes around in July because this Commission is determined to make this city a much better city by sight and

have people respect us as Holly Hill residents more than what they have over 30/40 years and she thinks people are starting to do that. She hears other cities she goes to, how good the city is starting to look, how productive we are on our economic growth. She is proud of this Commission, the work we've done, and the citizens we have that are getting so involved.

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

Enacted and approved this 12th day of March, 2019, in Holly Hill



7. PUBLIC HEARINGS - NONE

None.

8. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte stated just a quick follow up from some of the comments earlier. Mr. Plate was commenting on the speeding on Riverside Drive and the sign. The city will go ahead and get another sign installed south of Flomich so when people enter the city, they can see that before they get to the flashing sign. The other thing that the city will do, is those flashing signs collect data so staff will download that data and take a look at what the speeds are on the street. It's not an immediate, it has to be downloaded. It collects the same kind of data that the speed trailer does but the trailer is an immediate data information, staff has to download it off the display signs. Staff will go ahead and get that done so they have a little bit of base line to go on.

Mayor Via asked how often are we going to download that information?

Mr. Forte stated, as needed.

Mayor Via asked is it monthly so they can keep track if it's working?

Mr. Forte stated not necessarily, just based on complaints.

Mayor Via stated, okay.

Commissioner Danio asked about the regular speed signs. How many are there?

Mr. Forte stated he doesn't know how many there are but the one that is next to the flashing sign and came from in front of Mr. Plates house, so staff will put one just a little bit further north of Mr. Plate's house towards Flomich. You don't want to have too many signs because then you get into sign pollution. There has to be this balance between proper signage, speed control. They have to remember, putting those digital signs in, they had to have a power source. They had to put it near a pole, had to have room, align a site. He drove that road several times, Mr. Khoury (Public Works Director) drove the road

several times, they had to find the right spot to put that digital sign.

Commissioner Currie stated okay, so that's why they weren't placed at the very north end or the very south end...

Mr. Forte stated they don't want it at the very north end, you want people to come into the city and then see the sign a block or two in. People will get a sign when they come into the city, they will get a digital sign a third of the way in.

Commissioner Curries stated, okay.

Mr. Forte stated it's just distribution, placement of the signs. The city will go ahead and take care of that. Mr. Forte informed the Commission that staff will follow up with matters at Sunrise Park, as far as, the paraphernalia that Ron has been picking up and identifying. Lastly, he didn't get a chance to speak with all of the Commissioners and this is, again, regarding Code Enforcement, staff is doing much better in Code Enforcement, they are collecting monies on a weekly basis, they are citing more people than ever before and they are coming into compliance. He had an issue on one street and he asked one of the Code Officers to go out and cite the entire street, the street was in pretty bad shape. From that he had an idea that the city can do something that they will call "Operation Street Sweep". I wanted to pick one street a month for Code Enforcement to go out and do that street. Now, I'm not talking 8th Street from Nova Road to Ridgewood Avenue, I'm talking a block or two. For example, I'm talking Magnolia between 6th Street and 8th Street. That kind of distance. You do too big you lose control and it becomes...

Commissioner Currie asked why did you pick my District?

Mr. Forte stated it's one of the harder ones to find a problem with. Then the idea came if I did one a month that's twelve streets...now this is in addition to the workload that Code Enforcement is already doing. If they do one a month, that's twelve streets and he's got four Districts then he can get each of the Commissioners to participate and buy into this if they provide him three of what they think are the worst streets in your District. The Mayor's not included. He gets to help those that need help finding streets. If the Commission is in favor of that, they can let him know what they think are three bad streets in their District that the city can work on cleaning up and take pride in our city and pride in our District to clean these streets up. He would suggest one on the east side of the railroad tracks and maybe two on the west side of the railroad tracks so that they have a good division of what's going on over there. He wanted to throw that out there and maybe it's something, when they go around and they are primarily complaint driven, and they go and they're doing little nickels and dimes here and there, they don't see the overwhelming success. If they do a street, that street looks good and it makes a big difference. People start to notice it.

Commissioner Penny stated you're talking residential streets.

Mr. Forte stated residential streets not commercial. Just residential.

Commissioner Currie stated she likes that idea. They have to have a plan. There's a lot of different plans they can utilize but that's a start and she likes that. And that's going to,

also, as all of the Commissioners have discussed before, going to be reliant upon them when they get phone calls not to then turn it around on our Code Officers or back to the City Manager. The Commission needs to stand up for what they're doing.

Mr. Forte stated it's your city, it's my city, it's our city and this is the buy-in and when the public realizes that the elected officials and the staff are trying to clean the city up. There's only one question he asks when somebody complains that they're being picked on from Code Enforcement and that is, "Are you in compliance or not?". That's the only thing I have to ask.

Commissioner Currie stated and she would think that everybody would like this only because it's going to help increase their property values eventually.

Mayor Via stated he thinks our Code Enforcement is doing a darn good job with what they're doing right now. I don't think that this extra step is necessary Mr. Forte.

Mr. Forte stated he's going to do it whether they give me three street names or not.

Mayor Via stated, okay.

Mr. Forte stated he's just trying to open it up for Commissioners. We need to clean the city...

Mayor Via stated it's a good thing he doesn't have to pick three streets.

Mr. Forte stated I'm going to clean streets whether you give me three streets or not.

Commissioner Currie stated Mayor, it's all about being proactive and not reactive.

Mr. Forte stated they don't want to be overboard. He knows where the Mayor is going. They don't want to be overboard.

Mayor Via stated that's where he's going.

Mr. Forte stated he'll give them a perfect example. He had a resident whose husband was a former employee came in to the city with a complaint of several houses on their street and it was in District 2 and Code Enforcement went out and cited the whole street and surprisingly...

Mayor Via asked the whole street had issues? Every house?

Mr. Forte stated not every house but he would say probably 80% of the houses on that street had problems and of the 80% that had problems, 80% of those cleaned the problems up. So, it worked.

Commissioner Currie stated and she knows from walking around every street of this city campaigning, there are some problem streets.

Mr. Forte stated there are some streets. So, they clean a street, it's going to make a difference.

Commissioner Currie stated there were some streets she was like, "wow, this is pretty bad. I've never been here. This is pretty bad."

Mr. Forte stated, yes.

Commissioner Currie stated she thinks it's necessary. She thinks a plan is always good and she thinks tackling it proactively instead of just always reactive is much better. That's just her opinion. Commissioner Currie asked Mr. Forte when does he want this information by.

Mr. Forte stated, April.

B. City Attorney Comments

None.

C. City Commission Comments

Commissioner Danio stated he's looking forward to the Volusia League of Cities dinner on the 28th. Attended the Pickleball event last Saturday. It seems like they had a pretty good turnout. Hopefully, the city will have some kind of groundbreaking ceremony.

Commissioner Currie stated they said they were.

Commissioner Danio stated that would be great. A lot of traffic with Bike Week but it does generate a lot of revenue in the city but be cautious and have fun.

Commissioner Johnson stated about the water tower and getting a city logo on there. Art Festival event coming up; Volusia League of Cities sold out, that's great. Grand Opening soon for the Fitness Court on March 30th. Holly Hill is doing really good.

Commissioner Penny mentioned the trip to Tallahassee is tomorrow on Home Rule, Half Cent Sales Tax issue, lobby on behalf of the distilleries; there are two House Bills out there.

Commissioner Currie attended the Pickleball event last Saturday; looks like a lot of fun. Went over the upcoming events; March 30th is the Fitness Court Grand Opening from 11:00 AM - 12:00 PM Sunrise North; Bike Week is here, be careful; Arts Festival on April 6-7, 2019 at City Hall; Child Abuse Prevention on April 10, 2019 at City Hall from 5:00 PM - 7:00 PM; Easter Egg Hunt on April 13, 2019 at City Hall from 10:00 AM - 12:00 PM; thanked Mayor Via and Commissioner Penny for going to Tallahassee on behalf of the city for Home Rule. It's very important to the cities.

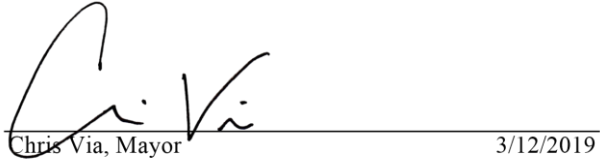
D. Mayor's Comments

Mayor Via stated they are 100% sold out for the March 28th Volusia League of Cities dinner that the city is hosting. Great job to staff. Attended the Elected Institute for Municipal Officials session last week and completed that. It was very good. It's a leadership course and he really enjoyed it. Tomorrow, Commissioner Penny and himself are headed to Tallahassee to lobby on some Home Rule issues. Hopefully, they make some headway there. Mentioned the calendar of events that was sent out to everyone by Mr. Conte and mentioned he's looking forward to those events. At the city's next regular City Commission meeting, he partnered with Holly Hill School to do an essay "If I Were Mayor for a Day" and the winner actually gets to be Mayor for a Day. After here, the winner will be able to come here and meet all of the staff, they will come to the Commission meeting that night and meet the Commission and give her a proclamation. The school picked the winner. He left it up to the school to pick.

9. ADJOURNMENT

The meeting adjourned at approximately 8:00 PM.


Valerie Manning, City Clerk, CMC 3/12/2019


Chris Via, Mayor 3/12/2019