



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MARCH 8, 2016

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

Motion to excuse Commissioner Byrnes from the City Commission meeting made by Commissioner Currie, seconded by Commissioner Albert. **PASSED, 4-0.**

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Absent	
Penny Currie	District 2 - Commissioner	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

B. Invocation

The invocation was led by Pastor John Pruitt from Faith Baptist Church, Holly Hill.

C. Pledge of Allegiance to the Flag

Mayor Penny led the Pledge of Allegiance to the Flag.

2. PRESENTATION - NONE

3. PUBLIC PARTICIPATION

The following individuals spoke to the Mayor and City Commission:

Mike Chuven, 407 Miriam Avenue, Holly Hill, stated he has had problems with issues in his neighborhood and he just wants to say the Police Department has been on his street so many times he suggested the put up a substation but their professionalism and their dedication to the community along with problems he's dealing with across the street plus at the Holly Hill Elementary school, he thinks they deserve a bunch of kudos. Mr. Chuven stated has anybody heard of the 31 Million Word Deficit? Unfortunately, what that is, is children that come from homes of lower financial status by the time they get to kindergarten they already have a deficit of 31 million words. They obviously haven't heard any words growing up. They can Google it, 31 million words deficit and there's about 30 different places you can go. The question is, how do we cure that? They discussed it at the SAC meeting at the school the other day in trying to come up with ways that we can involve the parents and get them to help the children and obviously, when they get in to kindergarten 31 million words short they are lagging way behind the other children that are in the school and it creates that deficit of having....not lowering the standards but the teachers having to teach down to the lower

educated children to try and bring them up to speed. It cheats the more educated children or the more fluent children as it appears. So they need to figure out a way to bring up the children before they get to kindergarten. It was discussed and asked by Mayor Penny at the meeting, how can the City of Holly Hill help? Mr. Chuven stated he's been thinking about it and its a hard answer. The only thing he can think of is what if the City with the YMCA can possibly with their summer program or reading program that they can invite the poor of our community to bring their children there, pre-elementary children to the reading so that they can hear what's being told and try to introduce them to more words that way. If there's a way to try and get to the community, into the homes of the poor and help them to improve in their homes the ability to teach their children or have their children learn more words. The City has a free library at the YMCA, there's a way for maybe them to get over there. Its a very well stocked library. There's ways to get books for the kindergarten, pre-kindergarten children that can be distributed somehow to the different families and help them and maybe introduce them and try to get them to start a reading program. Its a hard task, its hard to figure out what to do. Its not simple but its something if we all put our minds together, we should be able to come up with something to at least help. They can't do anything for the adults that are out there now but if we can improve the children coming up, we can improve their status on life when they become adults and their children.

Dorothy Featherston, owner of Artsy Fartsy Antiques, 109 Ridgewood Avenue, Holly Hill, stated she's been in business here for about two years and she is always looking for new ways and creative ways to bring our customers in the door. Two weeks ago she spoke with Lee and Jennifer who are owners of Southern State of Mind Food Truck and their food is amazing and they have a very loyal following of customers throughout the area. Ms. Featherston stated she thought it would be fantastic to have them set up in Artsy Fartsy's parking lot. They were very interested in serving their awesome food here in Holly Hill on a recurring basis. After asking a few questions of Mr. Harowski and Mr. Forte, they both confirmed that there is just no provisions in our code to allow her to host them in her parking lot. Ms. Featherston shared a little bit more of mobile food vendors. They offer affordable, high quality menu items at a low cost way to rejuvenate public spaces and increase economic activity in the city. Ms. Featherston stated she believes offering Holly Hill residents and professionals some more options for lunch during the week would be welcomed. With proper planning and reasonable permitting process in place, food trucks can pave the way for new restaurants to open up in Holly Hill. There's a document that the City Clerk passed out for me published by the National League of Cities that gives some great recommendations for integrated food trucks into the City. Ms. Featherston stated she is asking for the Commission to consider researching what it would take for Holly Hill to give permitting for food vendors on a recurring basis. She would like to even offer Artsy Fartsy's parking lot as a test pilot location. If the City needs more substantiation about whether or not this works for Holly Hill and she would be happy to bear the cost of advertising and permitting for those vendors on her lot. This would increase weekly lunch time traffic.

Roger Healey, 1211 Charter Oaks Circle, Holly Hill, stated he wanted to follow up with Mr. Chuven's comments. Maybe the City can organize a movie program, an educational movie program during the summer through the YMCA where people come, watch a movie, participate maybe in the swimming or something like that but do it in a combination of an hour or so of movies instructing reading, spelling, or whatever. We should be able to get that through the library system and keep it going through the summer so that when they come

back in the Fall, they at least have some knowledge of what schools about. That's something in addition to reading. You can tell a kid they're going to go work on their reading, they're going to run in the other direction but if they have a movie to watch that may be more appealing to the young person.

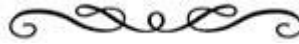
4. APPROVAL OF MINUTES

1.

Minutes - February 23, 2016 - Workshop Minutes and Regular City Commission Meeting
(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Currie, Capers, Albert, Penny
ABSENT:	Byrnes

Enacted and approved this 8th day of March, 2016, in Holly Hill



5. CONSENT AGENDA - NONE

6. REGULAR AGENDA - NONE

7. PUBLIC HEARINGS

Attorney Simpson read Ordinances 2970, 2971, and 2972 for second and final readings at once and each one was voted on separately for second and final reading.

Mayor Penny opened public participation for all three Ordinances. No one spoke.

1. Ordinance

Annexation - 1011 10Th Street - Ordinance 2970 - Second and Final Reading
(Requested by Thomas Harowski, Board of Planning and Appeals)

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Currie, Capers, Albert, Penny
ABSENT:	Byrnes

ORDINANCE

Enacted and approved this 8th day of March, 2016, in Holly Hill



2. Ordinance

Comprehensive Plan Amendment - 1011 10Th Street - Ordinance 2971 - Second and Final Reading

(Requested by Thomas Harowski, Board of Planning and Appeals)

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Currie, Capers, Albert, Penny
ABSENT:	Byrnes

ORDINANCE

Enacted and approved this 8th day of March, 2016, in Holly Hill

3. Ordinance

Rezoning - 1011 10Th Street - Ordinance 2972 - Second and Final Reading

(Requested by Elizabeth Nelson, Board of Planning and Appeals)

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Currie, Capers, Albert, Penny
ABSENT:	Byrnes

ORDINANCE

Enacted and approved this 8th day of March, 2016, in Holly Hill

4. Ordinance

Police Pension Ordinance Amendment - Ordinance 2973 - Second and Final Reading

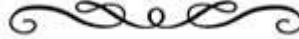
(Requested by Steve Aldrich, Police)

Mayor Penny opened public participation. No one spoke.

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 3/22/2016 7:00 PM
MOVER:	Penny Currie, District 2 - Commissioner	
SECONDER:	John F. Capers, District 3 - Commissioner	
AYES:	Currie, Capers, Albert, Penny	
ABSENT:	Byrnes	

ORDINANCE

Enacted and approved this 8th day of March, 2016, in Holly Hill



8. COMMUNICATIONS

a. City Manager & Staff Comments

Mr. Forte stated as they may be aware, the County and the widening of LPGA the City's raw waterline that comes from the western well fields into the City is in the way and have to be moved. Part of the bid process that the County went through is a two part bid. One was for the work the County has to do and one is for the relocation of the City's raw waterline. When the County went out to bid the lowest bid for the County portion of the line is not the lowest bid for the total bid. The options that the City have are, the City can either pull our portion out and pay for it separately and its about \$166,000. In doing that, the City would pay the lower cost for the City's work but we have to pay the higher cost difference for the County work which would exceed about \$180,000 or the City goes with the County's low bid, the City would pay \$166,000 for the City's work which is about twice what we had in the budget. We had \$85,000 in the budget but its going to cost the City \$166,000 to get that work done. The cheaper of the two alternatives is to go ahead and let the County issue their notice to proceed with their low bid contractor, the City's portion is a little bit higher but if we went with our portion, we would have to pay the entire project difference which would be over \$180,000. The cheaper of the two would be for the County to issue a notice to proceed with their low bid contractor. Where the City would get the funds from the City is when Ms. Maswary was here last year she had budgeted for a land acquisition fund for the water and wastewater department that he doesn't think they're going to need so staff will come back with a budget amendment and allocate the funds from the land acquisition to go ahead and pay for the additional \$180,000 more that they will need for that project. Mr. Forte stated the reason he is bringing it up tonight, they have to within 10 days, a letter he received from the County which was dated March 1st, he's not sure when staff actually got it in their hands, he only got it this week, the City has to respond to the County within 10 days to say the City is either going to go with their bid or with our lower bid. His recommendation is to go with the County's lower bid for the overall project and the City reallocated funds in the land acquisition and go ahead and pay that difference.

Commissioner Albert stated its nice to know its not coming out of the Fund Balance.

Mr. Forte stated its not coming out of the Fund Balance but it is coming out of an acquisition fund.

Commissioner Currie asked, Mr. Forte, what is the reason that the City has to pay the difference for the County?

Mr. Forte stated he hopes he's explaining it right. The way the bid went out is its a total bid but its an A and B - A portion is what the County cost is for their work and the B portion is the work for the City's. Unfortunately, they're both not proportionate. The one where the City's bid is lower, the County bid is higher. Where the County bid is lower, the City's bid is higher. Where the County bid is lower and the City's bid is higher, its higher by about \$80,000 than the City expected. On the part where the City's bid is lower, the County bid is higher by \$180,000. Its cheaper for the City to pay and we can't separate the bid. It would be good to have a motion to go ahead and issue them the letter saying they can go ahead with their low bid and at the next City Commission meeting, he will have a budget amendment to move those funds.

*Commissioner Currie made a motion to direct the City Manager to go ahead and have communication with the County on the issue of the raw waterline, seconded by Commissioner Albert. **Passed, 4-0.***

Mayor Penny opened public participation. No one spoke.

Commissioner Capers stated he has one question. What could we do to prevent this from occurring in the future? Is there something that the City did wrong?

Mr. Forte stated we really can't. Its nothing the City did wrong. The raw waterline has been there for many, many years. Its the well fields out on the west side of 95 on LPGA that come down into our plant, clean it up and make portable water with it. It just so happens that it runs in an exiting right of way but when the County started widening LPGA, the City's raw waterline is now, it will be underneath the roadway so they have to move it out from underneath the road back into right of way area so because of the widening, that's what happened.

Commissioner Capers asked, they're not moving existing piping, they're moving that and putting brand new...

Mr. Forte stated he would suspect that they are going to put in new piping because that's the City's water supply. Its going to be a very short period of time that they have to reconnect those pipes to feed that raw waterline in and then there's a period of time to get it in there. The City has interconnects between Daytona Beach and Ormond Beach that during that time period the City will get water from them to make sure the City sustains its production but it should be a very quick turn over and once it passes the DPA requirement for the water to get through then the City will be back to production.

Commissioner Albert stated just anticipating future situations they're dealing with the County, are they to anticipate an issue like this in the whole Rio Way where the City is moving pipe in that area as well.

Mr. Forte stated Rio Way, where the County purchased the property and they're putting in a retention pond, there's a stormwater pipe that runs through that section, south, and that is the joint project agreement that the City has with the County where they're going to pay for the portion of the pipe in the area that they are developing but because the whole line is being moved, the City has to pay for that portion of the pipe that's in the City's area.

The motion passed, 4-0.

Mr. Forte stated to follow up from the discussion at the last Commission meeting, what he projects he will be bringing forward to the Commission to vote on is the lease option property on Riverside Drive, across the street from Ms. Albright's house. After some discussion with the City Attorney and the property owner, he thinks that's an option. There are two options there but the lease option maintains the integrity of the park and everything that's there.

Mr. Forte reminded them that there are a couple of board appointments that need to be filled by the Commission still.

- b. City Attorney
None.

- c. Mayor's Comments

Mayor Penny briefly discussed the food truck issue that Ms. Featherston spoke about during public participation. He's been talking to Mr. Forte about this for several weeks. There was some interest from some other property owners who have wanted to invite food trucks into their place of business and he talked to a couple of the food trucks coming for a food truck festival once a month or once every other month like they do in Palm Coast. As Ms. Featherston found out, there is no ordinance to allow the City to do this. They have to be cognoscente of the brick and mortar restaurants that are here that the City doesn't step on their toes. He has talked with a couple of them and he knows Mr. Forte has talked to at least one of the business owners that didn't have any major objections at this point. He thinks Mr. Forte has talked to most of or all of the Commissioners about it. At this time he would like to see if they can give Mr. Forte direction to bring back an ordinance. Mayor Penny stated he is in favor of exploring it, its something that's trending.

Mr. Forte stated there's two avenues for this. One is, what some cities do or they host a food truck night on city property or government property, that's one aspect of it. The other aspect of it is what Ms. Featherston had discussed by allowing food trucks to provide services on private property or business property. Those are two avenues they can look at it. It would have to go before the Planning and Appeals first unless the City does some type of special exception for the government.

Attorney Simpson stated if it was just government it would be more of a regulatory as opposed to a zoning regulation but when you start putting it on private property that probably deems more of a land development regulation which should go through the Planning and Appeals and come back to the Commission with a recommendation. If that has to go there, the City may want to have both avenues looked at.

Mayor Penny stated he knows at least one of the popular food trucks has been asked to go to Florida Health Care once a week and they can't do it right now. He is in favor of Mr. Forte bringing something back.

Commissioner Currie stated she would also like to be able to have something brought back on both avenues, on a government property and private property.

Mr. Forte stated it would likely not come back to the Commission until the end of May beginning of June based on getting it to the Planning and Appeals and through the time process.

Commissioner Currie asked does it have to be so long? She would think that would be a nice area to capture during spring time.

Mr. Forte stated he would like to do it next week if possible but in order to get it in front of the Planning and Appeals Board, if its a land development regulation, their next meeting is April 4th and there's no item to bring to them for that meeting so it would probably make their May meeting then to the City Commission for approval on the ordinance which is two readings, the end of May beginning of June.

Mayor Penny asked if they could be separated then? Can they look at the governmental property faster?

Mr. Forte stated he thinks they can do that if they want to have a special event and try to host it on the City property. One of the suggestions was hosting it on the 4th Tuesday of the month on a Commission meeting night where there is a built-in audience where there are members of the public coming to the meeting, Commissioners coming in and staff that is here and of course, try to attract members of the public driving by City Hall seeing the food trucks may want to come in and try it. They could sample that and see if it would work. In the meantime, still do the land development regulations.

Commissioner Currie stated she would agree with that. She would also like to expand that not only here but possibly, every quarter...whatever they can come up with in hosting something like that or twice a year during some of our events that we already have established.

Mayor Penny stated he thinks Palm Coast does it every 60 days.

Mr. Forte stated they do it every other month.

Commissioner Currie stated the food trucks have gotten very popular. She thinks they do it down south in one of those cities too.

Commissioner Albert stated she doesn't know about all that but she thinks it would be neat if they could just generate some foot traffic right around here and she thinks having the trucks here on a Commission meeting night would be a good thing. She would like to support it as quickly as possible and then if they have to leg work on the private property, in the meantime, she thinks they should do that.

Commissioner Capers stated one of the things he was curious about, are we going to try and do the music in the park that failed last year? Because to him, to have an event, and then have food come in other than just having people to try and come to the food. He doesn't know if the City has a founders day or races for the kids or could do something like that then have the food trucks come in. Its funny to him because and no disrespect to these food trucks but we always called them roach coaches, it was kind of the last place you would want to eat.

Mayor Penny stated its a lot different. Its a whole different menu.

Mr. Forte stated these are different. The roach coach are the prepared meals, usually a deli kind of thing, wrapped sandwiches and they go out and sell them. These food trucks are fresh food that is prepared on the truck. They're basically mobile catering kitchens. The quality of food is substantially different than what Commissioner Capers had mentioned and he, too, is very familiar with those.

Commissioner Capers stated he thinks its a good idea.

Mr. Forte stated and if it works out, they can have somebody play music on the steps of City Hall to try to be an attraction and of course try to grow it. But just remember, and he hasn't talked to any of the food vendors, typically, the little research that he did, is they have to take money also. What he read about, like what Commissioner Capers was talking about, they try to get 60 patrons to their window during that event. We're not going to get that here. We would have to get 120 people for two food vendors in order to make it work. Odds are, they're not going to make money on these first couple of trips. Does the City charge them a fee to do this? Typically, the City would but in this case, he doesn't think they're going to make money so he doesn't think the City would charge them a fee and by the same token, if any of the City's local businesses wanted to set up tents and sell their goods, they certainly can at no cost to them as well. Its kind of a trial basis to see if it looks like it would get any attention and the only ones that are going to be able to tell us it works is the food vendors. Maybe during the Trunk or Treat event get some vendors out there as well.

Commissioner Albert stated they have to be considerate to those who have always been at those events too.

Commissioner Currie stated she thinks if they allow their businesses here locally to set up as well, if they desire, kinds of evens things out.

Commissioner Capers stated the problem with that is, if you have too many trucks, and he knows this from the car shows, if you have too many food vendors then there's not enough business and nobody wins.

Mayor Penny stated there are three main food trucks in town and they rotate days. The gentleman that approached him is the same gentleman that Ms. Featherston spoke to. He said he would volunteer to organize it and work it out. Maybe they just have one the first time and as it builds they add a second one. Mayor Penny stated he thinks they would be

setting it up for failure if they invited all three of them at once. The details can be worked out. Mr. Forte will bring that back to the Commission. Mayor Penny stated he wanted to acknowledge Florida Power and Light and their team of volunteers. They showed up at the Boys and Girls Club this past Saturday. They did some pressure cleaning, painting, and laying sod. There are two events that the Commission needs to RSVP to. One is the Volusia League of Cities dinner in Oak Hill on March 24th and there is a FAITH meeting which is March 14th at 6:30 PM at Bethune-Cookman. There are two questions that they are going to ask you if you go as a representative of the city, those should be in your email that was sent.

Mr. Forte stated he would hate for any of them to go to that meeting without an answer, the Mayor and himself talked about it this afternoon, asking where did they come up with the \$62,000 fee representing Holly Hill's portion of that and whether or not any of the other agencies within Volusia County responded. At this point, he thinks it would be fiscally irresponsible for the City to commit any dollar amount not in a budget process. They just can't arbitrarily take a number out of thin air and say okay this is what we're going to allocate unless they go through a budget process and determine what the fair share amount is. Anybody that goes to that meeting, he knows it puts everybody on the spot, are you going to commit this money or not and really the answer is, we're not in the budget process and we don't know what the funds are or the revenue source would be to sustain any dollar amount at this time. Although he does agree that Holly Hill does have some obligation to address this issue but we just don't know what the dollar amount is right now.

Mayor Penny stated for those who didn't get the email or haven't looked at your email. The two questions are, do you believe homelessness is a countywide problem and the second question is, will you be an advocate for and vote for funding up to \$62,336.23 from your city in the 2016-2017 budget towards operating a countywide homelessness assistance center. He just doesn't think the City has enough information to say yes to that right now.

Commissioner Albert asked Mayor Penny if FAITH is partners with his group, the Mayors group?

Mayor Penny stated, no. They do come to one of the subcommittee meetings, they have representation there. The difficulty is, until we know what the costs are and know what our fair share is, he doesn't think its prudent to commit that amount of money and it would probably be a five year commitment that they're looking for. If any of the Commissioners can attend, RSVP and if you can't, RSVP and tell them you can't but if you do attend, be prepared to be asked those two questions. Mayor Penny reminded everyone about the annual Easter Egg Hunt on Saturday, March 19th at 10:00 am to 12:00 pm on the front lawn of City Hall.

d. District Commissioners Comments

Commissioners Currie, Capers and Albert discussed what could be done to help the school kids with their reading. Commissioner Currie suggested handing out books during special events and mentioned during the Kids on The Hill event, books are handed out to the kids; suggested maybe a movie night at the YMCA with the kids or a summer camp with them.

Commissioner Albert discussed the volunteers during the summer time for the kids at the school, free tutoring is offered to the kids as well, there are many places now that offer VPK for 4 year olds now and informed everyone that Dolly Parton has that Imagination Library that she has created for the kids as well that parents can get involved with.

Commissioner Capers informed the Mayor and Commissioners that Jason Myers from Synergy Billing was in the paper again, good recognition for Holly Hill and asked about the underground utilities, when that was going to start to take place.

Mr. Forte stated the first phase is running the conduit from the right of way to the buildings and once that conduit is in they will take a power line from the meter box through the underground up the pole, that will be for the next six months they will be working on that. The next phase would be the notice to proceed for the primary line which runs north and south on US1. Once that is in place then they go through and make those connections to the underground utilities. At that point, the power company will come by and top off the top of the pole which has their power on it. Then there will be Brighthouse and AT&T that have to run their conduit, that will take place during the first phase. They will come in after FPL is done and run their primary down US1 and make connection.

9. ADJOURNMENT

The meeting adjourned at approximately 7:55 pm.


Valerie Manning, City Clerk CMC 3/8/2016


John Penny, Mayor 3/8/2016