CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● MARCH 9, 2021

City Commission Chamber	Regular City Commission Meeting	6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation by City Commissioner John Danio
Pastor Steve Deal from Eclectic Church, 340 Flomich Avenue led the invocation.

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

2. PUBLIC COMMENTS

The following individual spoke to the Mayor and City Commission:

Suzanne Scheiber, Team Leader for Dream Green Volusia. Ms. Scheiber handed out a flyer pertaining to Watergoat Products for the Mayor and City Commission to look over and possibly consider purchasing a watergoat trash barrier for the city.

3. APPROVAL OF MINUTES

1.

Minutes - February 23, 2021, Workshop on Stormwater Projects and February 23, 2021, Regular City Commission and CRA Meeting

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

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

Enacted and approved this 9th day of March, 2021, in Holly Hill

4. CONSENT AGENDA - ITEMS (1 - 4)

Mayor Via asked if there was anyone in the audience that wished to speak on any item on the Consent Agenda or if any member of the Commission would like to pull an item for further discussion and there was no one.

1. 2021-R-19 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Project Mirage Pond Stormwater Improvement (21SW01) Agreements; and Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION
2021-R-19
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT MIRAGE POND STORMWATER IMPROVEMENT (21SW01) AGREEMENTS; AND 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 ENTER INTO AN AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT MIRAGE POND STORMWATER IMPROVEMENT (21SW01) AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed capital project as part of the Fiscal Year 2020-2021 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal from Mead and Hunt, Inc., to perform the engineering services for this project.

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 enter into an agreement with Mead and Hunt, Inc., to provide professional services for the project Mirage Pond Stormwater Improvements not to exceed $91,726.00.

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 9th day of MARCH, 2021.

Enacted and approved this 9th day of March, 2021, in Holly Hill

2. 2021-R-20 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Waive the Procurement Process of Formal Bidding and to Enter into an Agreement with Duval Fleet and Alan Jay Fleet Sales; and Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2021-R-20
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO WAIVE THE PROCUREMENT PROCESS OF FORMAL BIDDING AND TO ENTER INTO AN AGREEMENT WITH DUVAL FLEET AND ALAN JAY FLEET SALES; AND 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 WAIVE THE PROCUREMENT PROCESS OF FORMAL BIDDING AND TO ENTER INTO AN AGREEMENT WITH DUVAL FLEET AND ALAN JAY FLEET SALES; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, $135,000 was budgeted for the replacement of three (3) City vehicles in the 2020-2021 fiscal year; and

WHEREAS, the Fleet Division, in cooperation with City departments, developed a schedule of vehicle replacement; and

WHEREAS, Three (3) City vehicles have been identified as in need of most immediate replacement; and

WHEREAS, Contracts have been executed with the Florida Sheriff's Association; and Sourcewell to ensure that prices have been negotiated to a rate beneficial to the City.

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

SECTION 1. That the City Commission does hereby approve the City Manager to waive the procurement process of formal bidding and enter into an agreement with Duval Fleet with pricing as negotiated by the Florida Sheriff's Association Light Vehicle Contract FSA20-VEH 18.0. for the purchase of (2) two vehicles and enter into an agreement with Alan Jay Fleet Sales piggybacking Contract # 2021 120716-NFA that was negotiated by Sourcewell and awarded to the National Auto Fleet Group and their partner Alan Jay Automotive for the purchase of (1) one city vehicle from Alan Jay Fleet Sales respectively.

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 9th day of MARCH, 2021.

Enacted and approved this 9th day of March, 2021, in Holly Hill

3. 2021-R-21 Resolution

A Resolution of the City of Holly Hill, Florida, Approving the Dissolution of the Eastern Volusia Regional Water Authority and the Termination of Amended Interlocal Agreement Creating the Eastern Volusia Regional Water Authority with the City of Daytona Beach and the City of South Daytona; Authorizing the Mayor and City Clerk to Execute the Termination Agreement; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

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

RESOLUTION
2021-R-21
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE DISSOLUTION OF THE EASTERN VOLUSIA REGIONAL WATER AUTHORITY AND THE TERMINATION OF AMENDED INTERLOCAL AGREEMENT CREATING THE EASTERN VOLUSIA REGIONAL WATER AUTHORITY WITH THE CITY OF DAYTONA BEACH AND THE CITY OF SOUTH DAYTONA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE TERMINATION AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE DISSOLUTION OF THE EASTERN VOLUSIA REGIONAL WATER AUTHORITY AND THE TERMINATION OF AMENDED INTERLOCAL AGREEMENT CREATING THE EASTERN VOLUSIA REGIONAL WATER AUTHORITY WITH THE CITY OF DAYTONA BEACH AND THE CITY OF SOUTH DAYTONA; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE TERMINATION AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by Resolution 2007-R-04, the City Commission approved an Interlocal Agreement with the City of Daytona Beach and the City of South Daytona, creating the Eastern Volusia Regional Water Authority (EVRWA); and

WHEREAS, the City Commission approved an amendment to the Interlocal Agreement to meet audit standards; and

WHEREAS, the Cities of Holly Hill, South Daytona, and Daytona Beach (“the Cities”), each appointed a member to the Board of Directors of EVRWA to represent their respective interests; and

WHEREAS, at its September 24, 2020, board meeting, the Board of Directors of EVRWA approved a recommendation to dissolve EVRWA and to terminate the Interlocal

Agreement since the Water Authority of Volusia was dissolved and the need coordination between the water authorities was eliminated; and

WHEREAS, a termination agreement has been prepared for the Cities to execute; and

WHEREAS, the termination agreement provides that the fund balance held by EVRWA of approximately $39,875.93 as of August 31, 2020, will be placed in an escrow account held by the City of Daytona Beach until all winding down costs have been met and, thereafter, will be distributed among the member cities based upon their pro rata level of contribution; and

WHEREAS, the City Manager and Public Works Director recommend approval of the Termination of the Amended Interlocal Agreement and the dissolution of EVRWA.

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

SECTION 1. The recommendation of the Board of Directors of EVRWA to dissolve EVRWA and to terminate the Interlocal Agreement is hereby accepted.

SECTION 2. Based on the recitals above, the City Commission hereby approves the Termination of the Amended Interlocal Agreement and authorizes the Mayor and the City Clerk to execute the termination subject to City Attorney approval.

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

APPROVED AND AUTHENTICATED on this 9th day of MARCH, 2021.

Enacted and approved this 9th day of March, 2021, in Holly Hill

4.

SunTrust Deposit Account Resolution and Authorization for Business Entities

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 9th day of March, 2021, in Holly Hill

5. REGULAR AGENDA

1.

Request for Lien Reduction - 1730 Buena Vista

(Requested by Joseph Forte, City Manager)
Mr. Forte briefly went over the staff report in the agenda packet with the Mayor and City Commissioners for the request to reduce the lien at 1730 Buena Vista Avenue, Holly Hill. Mr. Forte mentioned that the property is currently owned by Christopher Morrell. Mr. Forte read into the record some background history on the property. According to the Claim of Lien created on April 22, 2020 the property has been accumulating fines for violations of the International Property Maintenance Code for excessive weeds, exterior surfaces in violation of the IPMC. The order of lien has applied a Special Master fee of $250.00 plus $50.00 per day per violation against the property. The fine began accumulating on December 22, 2019. As of the request for a lien reduction, the amount of the lien was $41,500.00 plus administrative costs. There is an "AS IS" purchase and sale agreement on the property with the buyer identified as Reese Pennington, a realtor with RHP Properties, LLC. Mr. Forte informed the Mayor and Commissioners that he negotiated with the property owner and Mr. Pennington to enter into an agreement where the city will release the lien for an agreed upon settlement of $4,583.88. However, within 90-days of Mr. Pennington owning the property, the property must be brought into compliance or the lien will be reinstated and continue to accumulate. The city will receive payment for administrative and direct costs in the amount of $4,583.88. Mr. Forte stated it's the staff's recommendation to reduce the lien from $41,500.00 to the amount of $4,583.88. The city shall not release the $41,500.00 lien amount until payment has been received in the amount of $4,583.88. If payment is not received by 5:00 PM on April 6, 2021 the full amount of the lien shall remain in place without an option to reduce the fine in the future and be subject to foreclosure.
Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 9th day of March, 2021, in Holly Hill

6. PUBLIC HEARING

1. 2021-O-3037 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Volusia County Florida, Annexing by Voluntary Petition Approximately 1.45 Acres Identified as Parcel Numbers 4242-31-01-0270 and 4242-31-01-0280 Contiguous to the City of Holly Hill; Redefining Boundaries of the City of Holly Hill to Include Said Property and the Adjacent Rights-Of-Way of North Nova Road and Old Kings Road; Directing the City Clerk to File the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Volusia County and with the Department of State; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Brian Walker, City Planner briefly went over the staff report within the agenda packet with the Mayor and City Commissioners regarding the voluntary petition for annexation into Holly Hill. Mr. Walker stated the request is to annex two parcels totaling approximately 1.45 acres, located approximately 500 feet south of Flomich Street between N Nova Road and Old Kings Road. The parcels abut one another and are more specifically known as 1529 Old Kings Road and 1860 N Nova Road. This application precedes a comprehensive plan amendment (CPA-2021-03) and a Rezone (Z-2021-03). Some background history on the parcels: the subject parcels are located approximately 500 feet south of Flomich Street between N Nova Road and Old Kings Road and they are developed commercially with a fence sales business and a car lot. The applicant has submitted a petition for voluntary annexation for both parcels. Both parcels are under common ownership. The annexation will result in a city limit that is reasonably compact and does not create an enclave. Therefore, the request meets the statutory requirements. Mr. Walker stated that this request precedes a request for a comprehensive plan amendment and rezone. The proposed comprehensive plan map amendment will request General Commercial future land use, and the proposed rezone will be to CC-1 (Corridor Commercial), which is consistent with the abutting property in the City of Holly Hill. The Board of Planning and Appeals met at their regular meeting on March 1, 2021 and voted unanimously to recommend approval to the City Commission of the petition to annex the properties known as 1529 Old Kings Road and 1860 N Nova Road totaling approximately 1.45 acres, along with the adjacent rights-of-way, located approximately 500 feet south of Flomich Street between the two parcels as mentioned earlier.
Mayor Via opened public participation. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]**	**Next: 3/23/2021 6:00 PM**
MOVER:	Roy Johnson, District 4 - Commissioner	
SECONDER:	John Penny, District 1 - Commissioner	
AYES:	Via, Penny, Danio, Johnson	
ABSENT:	Currie	

7. COMMUNICATIONS

A. City Manager & Staff Comments

a.

JAG Grant FY 2019-2020 Allocation of Funds

(Requested by Valerie Manning, City Clerk)
Mr. Forte mentioned that this item just needs ***consensus***; it's more for informational purposes. There was consensus to allocate funds for the JAG Grant FY2019-2020 to Stewart Marchman Act Healthcare - Adult Drug Court program in the amount of $144,648. Mr. Forte mentioned that at the next meeting he will be bringing to the Commission the Ferndale and Kansas properties that are next to Peacock, to approve the surplus and intent to sell those properties. Laptops that the city purchased last year are available to sell or to be used for business purposes for the elected officials. Mr. Forte mentioned that he will put an agenda item on the next meeting for the Commission to decide what to do with them.

B. City Attorney Comments

None.

C. City Commission Comments

Commissioner Penny spoke about the COVID vaccinations and that they are available for the school board officials; the Johnson & Johnson vaccine is available. He attended the Mayors Roundtable meeting yesterday on behalf of Mayor Via and gave a short summary of what was discussed; thanked Public Works crew for keeping the city's medians clean, they are doing a great job.

Commissioner Danio thanked Pastor Steve Deal from Eclectic Church for coming to the meeting tonight, doing the invocation and speaking to the Commissioners.

Commissioner Johnson stated there are a lot of good churches in Holly Hill and thanked Pastor Deal for coming tonight. Commissioner Johnson asked Mr. Forte if our Fire Department trucks have the Opticom system on them. For those that may not know what that is, the Opticom system is designed by Global Traffic Technologies and it's a traffic control system that provides a green light at intersections right-of-ways for the emergency vehicles. The receiver is connected to a circuit card which is located inside of the traffic control cabinet.

Mr. Forte stated that he would check with Fire Chief Bland tomorrow. He remembers that when he was in the Fire Department they did have them but not sure about today. He will find out and get back to him.

D. Mayor's Comments

Mayor Via thanked Commissioner Penny for attending the Mayors Roundtable meeting yesterday, he appreciates that. Mayor Via also mentioned that he noticed a Public Works employee keeping the gateway signs clean and wanted to say "thank you", they are doing a great job. Mayor Via spoke briefly about a meeting he attended with over 100 realtors who spoke about short-term rentals. Mayor Via thanked Chief Aldrich for hosting a meeting here in the Commission Chambers for holding a collaborative meeting between city officials, school representatives, Faith organization leaders and local drug/mental health professionals. Chief Aldrich met with them to coordinate Drug Awareness and Drug Prevention programs in the area to better serve our community's youth population. The goal of that meeting was to establish a workable means to identify troubled youth and ensure they are aware of the resource available to assist them and their families as they deal with any short term or long-term dependency issues. On March 25th the community leaders will meet again here in the Commission Chambers from 2:00 pm to 3:00 pm to discuss further how to best present drug prevention messages and programs to the community.

8. ADJOURNMENT

The meeting adjourned at approximately 7:45 PM.

Valerie Manning, City Clerk,CMC 3/9/2021

Chris Via, Mayor 3/9/2021