CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● APRIL 9, 2024

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	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

b. Invocation by Mayor Chris Via
Mayor Via led the invocation.

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

2. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:
Jim Cameron, Holly Hill and Cris Bremner, Holly Hill.

3. APPROVAL OF MINUTES

1.

Minutes - March 26, 2024 Workshop and March 26, 2024 Regular City Commission 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, Currie, Danio, Johnson

Enacted and approved this 9th day of April, 2024, in Holly Hill

4. CONSENT AGENDA - ITEMS (1 - 3)

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 City Commission wished to pull an item for further discussion. There was no one.

1. 2024-R-17 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Change Order Addendum 1 with Dredging & Marine Construction, LLC in the Amount of $16,350 for the Loss of the Economy of Scale of Design and for the Addition of Grant Preparation Services for the Riverside Park Bulkhead Replacement Project, 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:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2024-R-17
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING CHANGE ORDER ADDENDUM 1 WITH DREDGING & MARINE CONSTRUCTION, LLC IN THE AMOUNT OF $16,350 FOR THE LOSS OF THE ECONOMY OF SCALE OF DESIGN AND FOR THE ADDITION OF GRANT PREPARATION SERVICES FOR THE RIVERSIDE PARK BULKHEAD REPLACEMENT PROJECT, 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 CHANGE ORDER ADDENDUM 1 WITH DREDGING & MARINE CONSTRUCTION, LLC IN THE AMOUNT OF $16,350 FOR THE LOSS OF THE ECONOMY OF SCALE OF DESIGN AND FOR THE ADDITION OF GRANT PREPARATION SERVICES FOR THE RIVERSIDE PARK BULKHEAD REPLACEMENT PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 23, 2021, the City Commission approved an agreement with Dredging & Marine Consultants LLC (DMC) to serve as one of the City's General Engineering Consultants to provide Professional Design/CEI Services for marine projects; and

WHEREAS, on January 10, 2023, the City Commission approved a proposal from

Dredging & Marine Consultants in the amount of $46,840 for the design, permitting and construction administrative work for the Riverside Park Seawall Replacement Project; and

WHEREAS, the cost of work offered was a negotiated rate based on the economy of scale of Marina Grande also repairing/replacing their section of bulkhead; and

WHEREAS, Marina Grande opted not to use DMC for the design, permitting and construction administration for their section of bulkhead; and

WHEREAS, DMC offered a change order addendum in the amount of $16,350 to account for the loss of economy of scale and to offer Florida Inland Navigation District (FIND) grant preparation and presentation to their scope of services.

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

SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute Change Order Addendum 1 with Dredging & Marine Consultants LLC in the amount of $16,350 to account for the loss of economy of scale of design and to provide grant preparation and project presentation to the FIND Board.

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

APPROVED AND AUTHENTICATED on this 9th of APRIL, 2024.

Enacted and approved this 9th day of April, 2024, in Holly Hill

2. 2024-R-18 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Piggyback of the City of Hollywood Contract IFB-0001-23-OT and Authorizing the City Manager to Execute Any Agreements with Inliner Solutions, LLC; 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, Currie, Danio, Johnson

RESOLUTION
2024-R-18
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF THE CITY OF HOLLYWOOD CONTRACT IFB-0001-23-OT AND AUTHORIZING THE CITY MANAGER TO

EXECUTE ANY AGREEMENTS WITH INLINER SOLUTIONS, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF THE CITY OF HOLLYWOOD CONTRACT IFB-0001-23-OT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS WITH INLINER SOLUTIONS, LLC; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, there are multiple areas identified within the City of Holly Hill where sanitary pipelining is in need of rehabilitation due to their age and condition; and

WHEREAS, The City of Hollywood has an active Contract Number IFB-0001-23-OT with Inliner Solutions, LLC to provide for sanitary pipelining; and

WHEREAS, The City desires to piggyback the contract IFB-0001-23-OT the City of Hollywood has with Inliner Solutions, LLC for sanitary sewer pipelining in an amount no to exceed $200,000.00 to reline sanitary pipes throughout the City.

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

SECTION 1. The City desires to have the sanitary pipes in various areas of the City of Holly Hill lined.

SECTION 2. The City of Hollywood has an active contract with Inliner Solutions, LLC for the lining of pipes.

SECTION 3. The City desires to piggyback The City of Hollywood Bid Number IFB-0001-23-0T for the Sanitary Pipe Lining in various locations in Holly Hill, FL in an amount not to exceed $200,000.00.

SECTION 4. 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 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 9th day of APRIL, 2024.

Enacted and approved this 9th day of April, 2024, in Holly Hill

3. –2024-R-19 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Sole Source Purchase and Service Installation Proposal from Instrument Specialties, Inc., for the Acquisitions of the Standardized Replacement of Auma Actuators at a Cost Not to Exceed $119,505.00 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:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2024-R-19
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE SOLE SOURCE PURCHASE AND SERVICE INSTALLATION PROPOSAL FROM INSTRUMENT SPECIALTIES, INC., FOR THE ACQUISITIONS OF THE STANDARDIZED REPLACEMENT OF AUMA ACTUATORS AT A COST NOT TO EXCEED $119,505.00 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 SOLE SOURCE PURCHASE AND SERVICE INSTALLATION PROPOSAL FROM INSTRUMENT SPECIALTIES, INC., FOR THE ACQUISITIONS OF THE STANDARDIZED REPLACEMENT OF AUMA ACTUATORS AT A COST NOT TO EXCEED $119,505.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Utility provides permitted water treatment system to help maintain the health and well-being of the community; and

WHEREAS, The water treatment system requires capital budget equipment replacement from time to time to provide uninterrupted water services as equipment ages; and

WHEREAS, Instrument Specialist, Inc., is the sole source municipal product representative of AUMA actuator valve operators; and

WHEREAS, A sole source advertisement was published for the purchase of sole source AUMA actuator pursuant to the City purchasing policy; and

WHEREAS, A proposal for replacement of 15 AUMA actuators quote was received from Instrument Specialist, Inc., for the replacement and installation of water plant AUMA actuators in an amount not to exceed $119,505.00.

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

SECTION 1. That the Commission of the City of Holly Hill accept the standardized AUMA actuator for the water treatment facility under the City's sole source purchasing policy.

SECTION 2. That the Commission of the City of Holly Hill approve a purchase and installation of the standardized AUMA actuators from Instrument Specialist, Inc., for the replacement and installation of water plant AUMA actuators in an amount not to exceed $119,505.00. and authorize 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 9th day of APRIL, 2024.

Enacted and approved this 9th day of April, 2024, in Holly Hill

5. REGULAR AGENDA

1. –2024-R-20 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding a Contract to Mead and Hunt for Water Utility Optimization and Resilience Improvement Engineering Services; and Authorizing the City Manager to Negotiate Rates and Enter into an Agreement; and Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)
THIS RESOLUTION NUMBER WAS READ INTO THE RECORD - HOWEVER, THERE WAS CONSENSUS TO CALL A "SPECIAL CALLED CITY COMMISSION MEETING" FOR APRIL 16, 2024 @ 5:00 PM TO HEAR ORAL PRESENTATIONS BY BOTH RFQ SUBMITTAL FIRMS - KIMLEY-HORN & ASSOCIATES AND MEAD & HUNT, INC. - THERE WAS NO VOTE TAKEN ON THIS RESOLUTION.

ONLY A VOTE TO HAVE THE "SPECIAL CALLED CITY COMMISSION MEETING" ON APRIL 16, 2024 @ 5:00 PM.

Commissioner Penny made a motion for a ***SPECIAL CALLED CITY COMMISSION FOR TUESDAY, APRIL 16, 2024 from 5:00 PM - 6:00 PM to HEAR ORAL PRESENTATIONS FROM BOTH ENGINEERING FIRMS, KIMLEY-HORN & ASSOCIATES, INC., AND MEAD & HUNT, INC.****, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

RESULT:	MOVED TO SPECIAL CALLED CC MEETING

RESOLUTION
2024-R-20
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A CONTRACT TO MEAD AND HUNT FOR WATER UTILITY OPTIMIZATION AND RESILIENCE IMPROVEMENT ENGINEERING SERVICES; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE RATES AND ENTER INTO AN AGREEMENT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A CONTRACT TO MEAD AND HUNT FOR WATER UTILITY OPTIMIZATION AND RESILIENCE IMPROVEMENT ENGINEERING SERVICES; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE RATES AND ENTER INTO AN AGREEMENT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City solicited for Professional Water Engineering Services through Request for Proposals RFQ-WA-02; and

WHEREAS, the City received two (2) responses to RFQ-WA-02 on March 14, 2024; and

WHEREAS, the City Commission received oral presentations on April 16, 2024 selection committee met on March 21, 2024 to rank the proposals for recommendation of contract award; and

WHEREAS, the City Commission heard presentations at an advertised meeting and unanimously voted Mead and Hunt as the as the number one ranked firm for contract award.

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

SECTION 1. That the City Commission approve the ranking of the survey proposals and authorize the City Manager to negotiate rates and enter into an agreement with Mead and Hunt for water utility optimization and resilience improvement engineering services.

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 23th day of APRIL, 2024.

Enacted and approved this 9th day of April, 2024, in Holly Hill

6. PUBLIC HEARINGS

1. -2024-O-3073 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified in Exhibit A, by Virtue of a Small-Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Density Single-Family Residential to Low-Medium Density Residential; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

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

ORDINANCE
2024-O-3073
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED IN EXHIBIT A, BY VIRTUE OF A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY SINGLE-FAMILY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED IN EXHIBIT A, BY VIRTUE OF A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY SINGLE-FAMILY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission has reviewed the future land use designation for the parcel described in Exhibit A and determined that it is necessary to amend its Future Land Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

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

SECTION 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcels identified in Exhibit A, as Low-Medium Density Residential.

SECTION 2. The City Manager is authorized and directed to submit the proposed amendment to the Florida Department of Commerce and Volusia Growth Management Commission.

SECTION 3. 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 4. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 5. The proposed amendment will not become final until thirty-one (31) days following adoption by the City Commission unless a challenge is filed per 163.3187(5)

Fla. Stat. If a timely challenge is filed, the amendment will not become effective until the State Land Planning Agency issues a final order determining that the amendment is in compliance. In any event, the amendment shall not become effective until certification of consistency is provided by the Volusia Growth Management Commission and approval is noticed by the Florida Department of Commerce.

APPROVED AND AUTHENTICATED on this 9th day of APRIL, 2024 for second and final reading.

ATTACHMENT "A"

A PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 37, TOWNSHIP-15-SOUTH, RANGE 33 EAST, VOLUSIA COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT A FOUND 1/2 INCH IRON ROD (NO ID) MARKING THE SOUTHWEST CORNER OF LOT 6 OF THE MAP OF HENRY E. CLIFTON PROPERTY, HOLLY HILL AS PER MAP OR PLAT THERE OF RECORDED IN MAP BOOK 9, PAGE 68 OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA AND RUN THENCE NORTH 25 DEGREES 49 MINUTES 47 SECONDS WEST ALONG THE WESTERLY BOUNDARY OF SAID LOT 6 A DISTANCE OF 438.26 FEET TO A FOUND 4" X 4" CONCRETE MONUMENT (LB#7129/PSM#5095) MARKING THE INTERSECTION OF SAID WESTERLY BOUNDARY WITH THE SOUTHERLY RIGHT OF WAY BOUNDARY OF 3RD ST; THENCE N 64 DEGREES 13 MINUTES 59 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY BOUNDARY A DISTANCE OF 237.43 FEET TO A FOUND 4" X 4" CONCRETE MONUMENT (LB#7129/PSM#5095) MARKING THE INTERSECTION OF SAID RIGHT OF WAY BOUNDARY WITH THE EASTERLY BOUNDARY OF THE WEST 48 FEET OF LOT 3 OF THE AFORESAID MAP OF HENRY E. CLIFTON PROPERTY, HOLLY HILL; THENCE LEAVING SAID RIGHT OF WAY BOUNDARY RUN SOUTH 25 DEGREES 43 MINUTES 09 SECONDS EAST ALONG EASTERLY BOUNDARY OF THE WEST 48 FEET OF LOT 3 A DISTANCE OF 437.93 FEET TO A FOUND 4"X4" CONCRETE MONUMENT(NO ID) MARKING THE SOUTHEAST CORNER OF SAID WEST 48 FEET OF LOT 3; THENCE SOUTH 64 DEGREES 09 MINUTES 09 SECONDS WEST ALONG THE SOUTHERLY BOUNDARY OF SAID LOT 3 AND THE SOUTHERLY BOUNDARY OF LOTS 4, 5, AND 6 OF SAID MAP OF HENRY E. CLIFTON PROPERTY, HOLLY HILL A DISTANCE OF 236.59 FEET TO THE POINT OF BEGINNING.

Enacted and approved this 9th day of April, 2024, in Holly Hill

2. –2024-O-3074 Ordinance

FIRST READING - Ordinance 3074 - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Described in Attachment "A", by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Low Density Residential to Low-Medium Density Residential; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And FIRST READING - Ordinance 3075 - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Amending the Official Zoning Map to Designate the Property Described in Attachment "A" from R-2 (Low-Medium Density Single-Family Residential) to RPUD (Residential Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Ex parte Communications were as follows:
Mayor Via asked if any member of the City Commission needed to disclose any ex parte communication with the applicant, they can do that now.
Mayor Via stated he had a meeting request from the applicant to meet here at City Hall and he met with their attorney at City Hall for a good 20 minutes and in the conversation was the Assistant City Manager Mr. Walker and furthermore, he has spoken to several citizens in the neighborhood and they have expressed their concerns to him and that was the extent of his ex parte communication.
Commissioner Penny stated he had the same meeting with the applicant's attorney, two representatives from the applicant and he had several conversations with Alicia Fulford at 610 3rd Street and he's sure he spoke to her husband Bucky but he doesn't remember when.
Commissioner Currie stated she had a request as well from the applicant's attorney and two other representatives, the Assistant City Manager was there during the meeting and she has had no other ex parte communication with any citizens or residents.
Commissioner Danio stated, same. He had a meeting with the applicant and one of the young ladies that worked with the applicant and Mr. Walker at City Hall in Mr. Forte's office.
Commissioner Johnson stated, none whatsoever. He did not meet with anyone or speak to anyone.
Brian Walker, City Planner went through his staff report for the Mayor and City Commissioners. This agenda item will be presented as one, however, both Ordinances will be voted on separately. This agenda item is to consider two Ordinances, one enacting a Small-Scale Future Land Use Map Amendment from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), and another separate Ordinance, enacting a Rezone from R-2 (Low Medium-Density Single-Family Residential) to RPUD (Residential Planned Unit Development) for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue. Mr. Walker went over the background history of the property, which is currently undeveloped. Six of the eight lots are part of the Anastasia Court Plat approved by the Holly Hill City Commission on October 11, 2005, while two lots are part of the Mason and Carswell's Plat approved sometime in the early 1900's. The applicant has purchased the lots and desires to develop the area into a 17-lot townhome community. The subject property abuts residential homes on the south and west, a retention pond to the north, and

Center Avenue with homes on the east. The property is zoned R-2, which permits single-family residential homes. Because the applicant is looking to build 17 townhomes arranged 4 buildings, they need to rezone the property. Although the R-4A and R-6 zoning districts allow for townhome development, the applicant is proposing a Residential Planned Unit Development for their project. This is because the R-4A and R-6 zoning districts do not allow for any flexibility with regard to development standards. For example, the R-4A zoning district allows a maximum density of 7 dwelling units per net buildable acre. However, the applicant is proposing 9.71 du per net buildable acre. The R-6 zoning district requires a 30-foot rear setback while the applicant's project proposes a 5-foot rear setback. For these reasons, the project does not qualify for the R-4A or R-6 zoning districts. Therefore, the applicant is requesting a Residential Planned Unit Development (RPUD) which allows for some flexibility with respect to development standards. They are also proposing to provide enhanced development standards in other areas of the project, such as with buffers and landscaping. Mr. Walker informed the Mayor and City Commissioners that the applicant is also seeking an increase in permitted density from a maximum of 6 dwelling units (du) per net buildable acre, to a maximum of 10 du per net buildable acre. This represents an additional 7 units on the property. The City and developer are proposing a partnership wherein the City will allow the developer to count the land area of the City's retention pond to the north, toward their open space requirement, and to make improvements to the City pond that will be used toward meeting the project's stormwater requirements. In exchange, the developer will assume responsibility for all aesthetic aspects related to the entire pond's maintenance. The City will continue to be responsible for the pond's functionality. The City must approve all improvements to the City's stormwater retention pond and may reject the proposed improvements at its discretion if the City determines the proposed improvements will adversely impact the overall stormwater system, be too costly for the City to functionally maintain or is otherwise not in the best interest of the City. The City's right to reject proposed improvements is not limited to whether the proposed improvements meet stormwater regulatory requirements. Mr. Walker stated a Special Assessment District as well as an agreement to implement it, along with a stormwater maintenance agreement will be completed prior to second reading. Mr. Walker stated the site information, zoning and land uses, project analysis, transportation, water and wastewater demands, school concurrency, solid waste, stormwater management, consistency with Urban Sprawl Rule, consistency with the Comprehensive Plan, and the appropriateness of the requested zoning designation, all that information has been included in the agenda packet. Staff finds that the requested small-scale future land use map amendment is consistent with the City's Comprehensive Plan. The City has available capacity to serve the increased demand on facilities and infrastructure created by the requested amendment. Additionally, the requested amendment does not encourage the proliferation of sprawl. Mr. Walker stated it is staff's recommendation to adopt an Ordinance of the City of Holly Hill Florida, enacting a Small-Scale Future Land Use Map Amendment from Low Density Residential (LDR) to Low-Medium Density Residential (LMDR), for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue and adopt another separate Ordinance enacting a Rezone from R-2 (Low Medium-Density Single-Family Residential) to RPUD (Residential Planned Unit Development) and approve the associated Preliminary Plan and Written Development Agreement, for 8 lots together totaling approximately 2.11 acres, located approximately 400 feet northwest of 3rd Street on the west side of Center Avenue.

Rob Merrell, Attorney from Cobb Cole Law Firm and Matthew Dowst, Engineer from Mark Dowst & Associates, Inc., were both present to discuss this project called the Anastasia Court Townhomes, as described and presented by Mr. Walker in and during his staff report to the Mayor and City Commissioners. Attorney Merrell wanted to inform the Mayor and Commissioners and the public that Commissioner Johnson wasn't able to have a disclosure meeting with the applicant because he knew Commissioner Johnson was not feeling well during that time. He wanted to make it clear that Commissioner Johnson wasn't intentionally left out. Mr. Walker did a great job summarizing everything tonight for the project in his staff report.

There was some discussion amongst the Mayor, City Commissioners, staff, Attorney Merrell and Mr. Dowst, engineer from Mark Dowst & Associates, Inc., at this time.

Mayor Via opened public participation.

Jim Legary, Holly Hill; Bucky Fulford, Holly Hill.

Mayor Via closed public participation.

Mayor Via opened the floor for a motion to DENY for ORDINANCE 3074, FOR FIRST READING ON THE FUTURE LAND USE. NO MOTION WAS MADE.

Commissioner Currie made a motion to ***APPROVE ORDINANCE 3074, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY DESCRIBED IN ATTACHMENT "A", BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM LOW DENSITY RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL,*** *seconded by Commissioner Johnson.*

PASSED, 4-1 (Mayor - Nay)

Commissioner Currie made a motion to ***APPROVE ORDINANCE 3075, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN ATTACHMENT A FROM R-2 (LOW-MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT)***, seconded by Commissioner Penny.

PASSED, 4-1 (Mayor - Nay)

(This meeting in its entirety is available on CD upon request in the City Clerk's Office or available online on the city's YouTube channel).

RESULT:	**APPROVED AT 1ST READING [4 TO 1]**	**Next: 5/28/2024 6:00 PM**
MOVER:	Penny Currie, District 2 - Commissioner	
SECONDER:	Roy Johnson, District 4 - Commissioner	
AYES:	Penny, Currie, Danio, Johnson	
NAYS:	Via	

7. COMMUNICATIONS

A. City Manager Comments

Mr. Forte followed up on citizens comments and he wanted to bring to the Mayor and City Commissioners attention that on February 28th following the February 27th City

Commission meeting, at that time, Police Chie Miller, sent an email out to all of his personnel *"thanking them for their efforts reminding them that Bike Week starts on March 1st and he says to be aware of the traffic but in addition to that, he received a complaint last night at the Commission meeting about speeding primarily during Bike Week on Walker Street, this time it's between Ridgewood and Riverside; please step up enforcement in this area during Bike Week."* So, I just want you to know that the Chief did send that email out to all personnel the very next day. Unfortunately, he's not here anymore so I can't find out what the results of that were but Mr. Forte stated he wanted them to know that was responded to immediately. Mr. Forte stated also, he will make available to the resident, information from Volusia County with regard to feral cats. Their processes are not unlike, he should say, the City of Holly Hill's processes are not unlike that of Volusia County where an animal, a feral cat colony that is unmaintained, is the responsibility of the property owners or surrounding people to obtain a trap that they will be instructed on how to use and then the cat will be brought out, spayed, neutered, vaccinated, and ear tipped and returned to the general area. What Holly Hill does is very much the same as what Volusia County and the surrounding cities do. He has printed that information out if anyone would like a copy of that information and wanted to make everyone aware of that.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Penny mentioned it was a spirited debate tonight; he enjoys this Commission that they can agree to disagree sometimes and they had some constructive information from the applicant and from the citizens and from staff. Publicly thanked Heidi Heller for orchestrating the Brazilian Peppertree eradication at Sunrise Park last month. May 11th, the fundraiser for the Holly Hill School at Copper Bottom from 12:00 PM - 4:00 PM.

Commissioner Currie mentioned the Veterans Memorial Monument dedication date that was scheduled for May 11th and asked if the Mayor and Commissioners can please consider changing it so that all of the Commissioners and Mr. Forte can be there. She expressed her concerns and shared her reasoning as to why she was not going to be able to make the May 11th date.

There was ***consensus*** to change the date to Wednesday, May 8th from 6:00 PM - 7:00 PM. Staff will meet one more time with the American Legion Post 120 and DAV to finalize the details.

Commissioner Danio stated the best part of this Commission is that they always seem to figure things out and he appreciates that.

Commissioner Johnson mentioned that Holly Hill is still moving forward; we have a lot of sport places, different things with Pictona, Holly Hill keeps moving forward, blessed to be on the TPO board; traffic is still bad; LPGA needs improvements and its in the plans and in the works for changes.

Commissioner Penny informed the Commissioners that Holly Hill School has a fishing clinic on May 11th from 9:00 AM - 11:00 AM at Sunrise Park.

D. Mayor's Comments

Mayor Via thanked John Cox and members of staff for putting together the public engagement workshops for the Community Redevelopment Area (CRA) that are being held over at Sica Hall. There is was one today and one more on Tuesday, April 16th at 6:00 PM - 7:00 PM. Very good information and turnout from the community. Mr. Walker came forward and gave an update on the Flomich car wash property. There has been a demo permit submitted to staff and once that is issued that will take place; they are being fined $1,000 per day and will not receive a lien reduction on that property. They will be held accountable for that lien. Direction was given to Mr. Forte to look into this tomorrow and get this squared away as fast as possible. An update/progress was given by Attorney Simpson regarding 618 Flomich and he has been able to get in touch with the attorney on this and the Mayor informed the Commission that he spoke to person who is a neighbor to that property who wants to hold a protest in front of the house and he got some information from Attorney Simpson as to whether or not he should or should not be involved and upon Attorney Simpson further looking into it, he probably shouldn’t.

8. ADJOURNMENT

The meeting adjourned at approximately 8:30 PM.

Valerie Manning

Valerie Manning, City Clerk,CMC 4/9/2024

Chris Via

Chris Via, Mayor 4/9/2024