CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JUNE 14, 2022

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	Absent	
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 City Commissioner John Danio
Commissioner Danio led the invocation.

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

2. PRESENTATION

1.

Discussion - Mid-Year Budget Review

(Requested by Susan Lincoln, City Commission)

RESULT:	INFORMATION ONLY

Enacted and approved this 14th day of June, 2022, in Holly Hill

3. PUBLIC COMMENTS

4. APPROVAL OF MINUTES

1.

Minutes - May 24, 2022 Workshop and May 24, 2022 Regular City Commission and CRA Meeting

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

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

5. CONSENT AGENDA - ITEMS (1 - 6)

Vice Mayor asked if any member of the audience wished to speak on any item on the Consent Agenda or if any member of the Commission wished to pull an item for discussion. There was no one.

1. –2022-R-37 Resolution

A Resolution of the City of Holly Hill, Volusia County, Florida, Adopting the Holly Hill City Comprehensive Emergency Management Plan (CEMP); Providing for Conflicting Resolutions; Providing for Severability; and Providing for an Effective Date.

(Requested by Joseph Forte, City Manager)

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

RESOLUTION
2022-R-37
A RESOLUTION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE HOLLY HILL CITY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP); PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA ADOPTING THE HOLLY HILL CITY COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP); PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the purpose of the CEMP is to develop a comprehensive emergency management program that will provide a system to mitigate the effects of an emergency or disaster, preserve life, increase response during emergencies, provide necessary assistance, and establish a recovery system, in order to return the community to its normal state of affairs; and

WHEREAS, this plan attempts to clearly define the roles and responsibilities of each department and function within the City organization by providing guidance in accomplishing the objectives of its guidelines, plans, assessments and resources; and

WHEREAS, certain State and Federal disaster reimbursements require local jurisdictions to adopt a CEMP and train in accordance with its guidelines utilizing the National Incident Management System (NIMS) and Incident Command Systems (ICS); and

WHEREAS, certain Federal grant programs now require an adopted CEMP; and

WHEREAS, the Police Chief and City Manager recommend the City Commission adopt the presented Comprehensive Emergency Management Plan; and

WHEREAS, the City Commission deems it in the best interest of the City of Holly Hill to formally adopt the Comprehensive Emergency Management Plan.

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

SECTION 1. The Comprehensive Emergency Management Plan, dated May 2022 attached hereto, along with all appendices and compendiums as periodically amended by the City Manager, are hereby adopted, to replace any and all others previously adopted.

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 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

2.

Truist Deposit Account Resolution and Authorization for Business Entities

(Requested by Susan Lincoln, City Commission)

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

3.

Approval of FDOT State Highway Lighting, Maintenance and Compensation Agreement FY 22-23 Work Order

(Requested by Antoine Khoury, Public Works)

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

4.

River to Sea Transportation Planning Organization (TPO) Funding Agreement for FY2022-2023

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

5.

Pictona 2 - FPL Underground Easement for Utility Line

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

6.

Disposal of Fixed Assets

(Requested by Susan Lincoln, City Commission)

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

6. REGULAR AGENDA

1. –2022-R-38 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2021-2022 Annual Operating Budget, Appropriating FDOT Speed and Aggressive Grant Award to the Fiscal Year 2021-2022 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

(Requested by Susan Lincoln, City Commission)
Vice Mayor opened public participation. No one spoke.

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

RESOLUTION
2022-R-38
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET, APPROPRIATING FDOT SPEED AND AGGRESSIVE GRANT AWARD TO THE FISCAL YEAR 2021-

2022 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city applied for a $40,000 Speed and Aggressive Driving grant from State of Florida Department of Transportation; and

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2021-R-73 approving the Annual Operating Budget for Fiscal Year 2021-2022; and

WHEREAS, the City of Holly Hill, by subsequent Resolutions amended the operating budget for Fiscal Year 2021-2022; and

WHEREAS, the City requires all expenditures to be fully budgeted and requires a budget amendment to identify the revenue source and encumber the expenditure; and

WHEREAS, the City of Holly Hill City Commission desires to set forth and appropriate certain revenues and expenses.

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

SECTION 1. BUDGET AMENDMENT. The grant award funds are hereby appropriated as set forth in Composite Exhibit "A" attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 2021-2022 budget.

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. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2021 through September 30, 2022. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

2. 2022-R-39 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2021-2022 Annual Operating Budget, Appropriating Volusia County ECHO Grant Award; Providing for Severability; and Providing for an Effective Date.

(Requested by Susan Lincoln, City Commission)
Vice Mayor opened public participation. No one spoke.

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

RESOLUTION
2022-R-39
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET, APPROPRIATING VOLUSIA COUNTY ECHO GRANT AWARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET, APPROPRIATING VOLUSIA COUNTY ECHO GRANT AWARD; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On January 18, 2022, the City Commission adopted resolution 2022-R-9 approving the City to accept the Volusia County ECHO Grants-in-Aid award in the amount of $2,500,000.00; and

WHEREAS, The City of Holly Hill Commission adopted Resolution 2021-R-73 approving the Annual Operating Budget for Fiscal Year 2021-2022; and

WHEREAS, the City of Holly Hill, by subsequent Resolutions amended the operating budget for Fiscal Year 2021-2022; and

WHEREAS, the City requires all expenditures to be fully budgeted and requires a budget amendment to identify the revenue source and encumber the expenditure; and

WHEREAS, the City of Holly Hill City Commission desires to set forth and appropriate certain revenues and expenses.

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

SECTION 1. BUDGET AMENDMENT. The grant award funds are hereby appropriated as set forth in Composite Exhibit "A" attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 2021-2022 budget.

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. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2021 through September 30, 2022. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

3. –2022-R-40 Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Comprehensive City Wide Adopted Fee Schedule for the City of Holly Hill for the Fiscal Year 2021-2022; and Providing for Severability; and Providing for an Effective Date.

(Requested by Susan Lincoln, City Commission)
Vice Mayor opened public participation. No one spoke.

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

RESOLUTION
2022-R-40
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE CITY WIDE ADOPTED FEE SCHEDULE FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2021-2022; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE CITY-WIDE ADOPTED FEE SCHEDULE FOR THE CITY OF HOLLY HILL FOR FISCAL YEAR 2021-2022 TO INCLUDE FIRE INSPECTION FEES RELATED TO BUILDING PERMITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Florida, has made the following determinations:

1. On August 10, 2021, the City Commission adopted Resolution 2021-R-49, the Citywide Fee Schedule for Fiscal Year 2021-2022.

2. The Citywide Fee Schedule has been modified to include Fire Inspection Fees related to Building permits.

3. The Schedule of Fines, Fees, Costs and/or Penalties (which is attached hereto and incorporated herein as “Attachment “A”) is being modified to reflect the changes that have been incorporated herein.

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

SECTION 1. Notice of the public meeting and public hearing at which this Resolution was considered was properly given, and all oral and written presentations made to and heard by the City Commission were properly considered.

SECTION 2. There is a reasonable relationship between the fees to be collected for the provision of various City services and the City's costs in providing those services.

SECTION 3. The fees which are newly created- as set forth in the Amended FY 2021-2022 Citywide Fee Schedule (Exhibit “A”):

1. Do not exceed the actual or estimated reasonable costs to the City of providing the services to which the fees relate;

2. Are reasonable and necessary to enable the City to provide the benefit or privilege, service or product, license or permit, use or rental, fine or penalty, or property development to which they relate;

3. Have been allocated in a manner such that the costs to a payor bear a fair and reasonable relationship to the payor's burden on, or benefits received, from the City; and

SECTION 4. The City Commission hereby approves and adopts:

1. The Amended FY 2021-2022 Citywide Fee Schedule (Exhibit “A”) which:

   A. Creates Fire Inspection Fees related to Building Permits.

SECTION 5. Any fee, rate, charge, penalty, fine, table, or schedule contained in the Amended FY 2021-2022 Citywide Fee Schedule (Attachment “A”), as adopted in this Resolution, will prevail and apply in the event of a conflict with any other fee, rate, charge, penalty, fine, table, or schedule.

SECTION 6. The newly created fees listed in this Resolution and set forth in the Amended FY 2021-2022 Citywide Fee Schedule (Exhibit “A”) become effective on June 15, 2022.

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

4. –2022-R-41 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Non-Competitive Procurement of the Veterans Memorial Monument from Coldspring USA for the City Hall Veterans Memorial Site; Providing for Severability; and Providing for an Effective Date.

(Requested by Susan Lincoln, City Commission)
Vice Mayor opened public participation. No one spoke.

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

RESOLUTION
2022-R-41
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE NON-COMPETITIVE PROCUREMENT OF THE VETERANS MEMORIAL MONUMENT FROM COLDSPRING USA FOR THE CITY HALL VETERANS MEMORIAL SITE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE NON-COMPETITIVE NEGOTIATION PURCHASE OF VETERANS MEMORIAL MONUMENT FROM COLDSPRING USA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill Commission has agreed to purchase the Veterans Memorial monument; and

WHEREAS, the City has secured a pricing agreement permitted under the City's purchasing guidelines with Coldspring for the specified design; and

WHEREAS, by Section 2.31 of the City of Holly Hill Purchasing Policy, "Non-competitive negotiation may be used when the award of a contract is not feasible under any other formal procedure. Circumstances under which a contract may be awarded by noncompetitive negotiation are limited copyrights and exceptional purchases." In addition, the City Commission must approve the award of a contract if the dollar amount exceeds $25,000; and

WHEREAS, the price agreement for the purchase of the Veterans Memorial site has been budgeted.

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

SECTION 1. That Coldspring is hereby determined to design the monument for the exceptional purchase for the City of Holly Hill Veterans Memorial site and the City Manager is authorized to issue purchase order to Coldspring to procure and install per the price proposal in an annual amount not to exceed $89,220.00.

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

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

5. –2022-R-42 Resolution

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

(Requested by Valerie Manning, City Clerk)
Michael V. Moon was appointed by the City Commission. Mr. Moon's name will be inserted into the Resolution.

Vice Mayor opened public participation. No one spoke.

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

RESOLUTION
2022-R-42
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATES FOR SAID MEMBER; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE

MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

SECTION 1. That the City Commission does hereby appoint the following individual to the Firefighters Pension Fund Board of Trustees:

<> **Commission Representative**

SECTION 2. That the term for said member is set for the remaining term of Damon Sansom who resigned from the board in April 2022. The newly appointed board member's term will expire on December 31, 2022.

SECTION 3. That this Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022.

Enacted and approved this 14th day of June, 2022, in Holly Hill

6.

Request for Lien Reduction - 733 Acirema Drive

(Requested by Joseph Forte, City Manager)
Mr. Forte read through his staff report that was included in the agenda packet for this item. The City has received a request for a Reduction of Lien "code enforcement liens"

that have been placed on the real property located at 733 Acirema Drive, Holly Hill, FL 32117. (The property is currently owned by Asilia Holdings, LLC as Trustee only). An order of non-compliance was signed by the Special Master on November 24, 2020. The property remained non-compliant until May 18, 2022. The order of lien has applied a Special Master fee of $250.00 plus $50.00 per day per violation against the property. As of the request for a lien reduction, the amount of the lien is $101,200.00 plus administrative costs. The property is now in compliance and therefore qualifies for a lien reduction. I negotiated with the buyer of the property representing the owner for an agreed upon settlement of $5,775.19 no later than July 15, 2022. Mr. Forte mentioned that the owners of the property have agreed to this, which is why there is no one present tonight.

Vice Mayor opened public participation. No one spoke.

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

7.

Request for Lien Reduction - 645 Ridgewood Avenue

(Requested by Joseph Forte, City Manager)

Mr. Forte read through the staff report that was included in the agenda packet for this item. The City has received a request for a Reduction of Lien “code enforcement liens” that have been placed on the real property located at 645 Ridgewood Ave, Holly Hill, FL 32117. (The property is currently owned by 645 Ridgewood Retail, LLC (Daniel Moon). An order of non-compliance was signed by the Special Master on august 25, 2021. The Order determined a Finding of Fact that the property was still in violation of one code under Section 26-61 for the accumulation of trash and litter. The property remained non-compliant until April 23, 2022. The order of lien has applied a Special Master fee of $250.00 plus $50.00 per day per violation against the property of which there was one violation. As of the request for a lien reduction, the amount of the lien was $10,550.00 plus administrative costs. The property is now in compliance for these violations and therefore qualifies for a lien reduction. Mr. Forte mentioned that he was recommending a lien reduction to $1,589.53 and that he **DID NOT** come into an agreement with Mr. Moon, who is here this evening in the audience and may want to speak about this. Mr. Forte informed the Vice Mayor and Commissioners that this is the normal analysis and process he uses in determining what a reduction in lien should cost. This would have to be paid by 5:00 PM on July 15, 2022.

Vice Mayor Penny asked Mr. Walker, City Planner, are there any other current code violations on this property?

Mr. Walker stated not that have…not that have remained unresolved. No.

Vice Mayor Penny stated he was under the impression that there are current code

violations, they just haven't gone to the Special Master yet.
Mr. Forte stated the property has been cited for other violations unrelated to this lien reduction.
Mr. Walker stated so, the remaining violations on the property with regard to debris, it was brought to his attention, was resolved today. That Waste Pro had gone out today and had done a large cleaning in terms of the piles of debris. Waste Pro was supposed to come back a second time because the first round was not adequate. In speaking with the Code Officer this afternoon, he said that he expected that once that second sweep went through and they were supposed to come back this afternoon, that the Code violations would be resolved. So, are there open violations? Yes. But it's his understanding that they have been resolved today, which would mean they would have been closed today.
Vice Mayor Penny asked aren't there electrical issues and some other Code violations also?
Mr. Walker stated if there are electrical and other Code violations that are in addition to the trash and debris, that's possible but those have not been brought to his attention.
Vice Mayor Penny stated okay, thank you.
Vice Mayor opened public participation.
Daniel Moon, owner of 645 Ridgewood Avenue, the applicant for the reduction of lien request, spoke to the Vice Mayor and City Commissioners at this time and explained the violations and the issues that he had on the property. He wasn't aware of the lien on the property or the violations. He has leased the property now and he is asking for the city to work with him on the lien.
Commissioner Currie stated I understand that you may be out of town a lot if you're building other restaurants but do you have a manager at your store?
Mr. Moon stated, yes but they don't open mail, they're not authorized.
Commissioner Currie stated so you have nobody to oversee your operations while you're gone sometimes?
Mr. Moon stated he does. He has several people overseeing that.
Vice Mayor Penny asked do they drive pass the parking lot and see the piles of debris that were there for a month after it was cleaned and piled there?
Mr. Moon stated that was a Waste Pro issue. He doesn't know why they didn't pick up the rest of the stuff. Maybe it was a little bit further into the property.
Commissioner Currie stated if she may, it may be Waste Pro's issue for not picking it all up for Mr. Moon but as a business owner or resident, it's our responsibility to make sure it gets done and if it didn't, we call them and say, "why wasn't this completed or all picked up, we need you to come back out here and pick it up and stay on top of it". Commissioner Currie stated her problem is there is, apparently, no oversight, she doesn't know what the dilemma is. Did you attend the Special Master hearing or did someone attend the Special Master hearing for you? Commissioner Currie asked if Mr. Walker, the City Planner, could come forward and speak on that for a few minutes on the timeline on how long this had been going on.
Mr. Walker stated the actual notice went out on June 16, 2021, the city didn't hear anything. On July 2, 2021 a notice of violation went out and again, no response. On August 2, 2021 a notice to appear was mailed by certified mail and posted at the property on August 5, 2021. On August 19, 2021 there was a Special Master meeting and no one showed up. On August 26, 2021 the Special Master's Orders were received and signed. On November 24, 2021 the lien letter was sent to Mr. Moon informing him of the fact that a lien was going to be placed on the property. On December 16, 2021 the lien was

recorded. The property did not come into compliance until April 2022.
Commissioner Currie thanked Mr. Walker. She is sure as much as Mr. Moon travels, he had to have been there a few times during that whole period to have received notice. She is letting Mr. Moon know that Mr. Forte is being nice to him in bringing the Commission the typical conclusion to a lien. Most of the time I don't really have a problem voting for Mr. Forte's suggestions and I can tell you, Mr. Moon, I am very tempted to not vote for this one but I am willing to. There's no way I am going to agree to let you pay less than the $1500 because you were very aware of what was going on. I know that you might be busy and traveling but there was a good chunk of time there and I know you had to have been in town at least once a month to check on your business and do what you have to do. Commissioner Currie stated she thinks this just went neglected because most people don't take Code Enforcement serious.
Mr. Moon stated, no. That's not the case. This was in the heart of COVID-19, right?
Commissioner Currie stated and the city is giving you a break by only making you pay $1500 of the lien. That's how she feels.
Mr. Moon stated the only reason he is here, like he said, it's been extremely difficult the last couple of years. Extremely difficult. Restaurants…he doesn't know how many closed or how many are in this area but we remained open. We've been in COVID for two years.
Commissioner Currie stated she understands. The economy is doing a lot better now.
Mr. Moon stated and that's the good news. It's great news.
Commissioner Currie stated it's great that you're opening up another restaurant, I'm happy to see that.
Mr. Moon stated it's $1500…
Commissioner Currie informed Vice Mayor Penny that she wasn't going to get into a dispute with Mr. Moon.
Mr. Moon stated it's $1500…it's difficult for him to swallow that knowing that he carried that property for 7 to 8 years, he tried to lease the property, he still can't give the property away. He finally got someone to lease it. Again, he thinks it's a win-win at the end of the day.
Vice Mayor Penny asked was the grass cut today?
Mr. Moon stated he doesn't know.
Vice Mayor Penny stated here's what he would ask the Commission to do. He would ask that the Commission table this concern until the next regularly scheduled Commission meeting so that I can feel confident that there aren't any other current Code violations. When I drove pass it today the grass is 16 inches tall, it's full of weeds. I drove pass that around 2:00 PM and maybe Waste Pro came by once but they haven't come by the second time. In good conscience, I can't address this lien knowing that there may be possible other concerns that the citizens have to drive past. I know that it's a tough time for restaurants but we're trying to improve our city one business at a time. Maybe if the property was cleaner Mr. Moon could have leased it a lot sooner. But to chop down a bunch of stuff and throw it on the side of the road, nobody thinks Waste Pro will pick up that much. You have to call them and arrange a special pick up and pay for that pick up. He is not going to discuss it with Mr. Moon.
Mr. Moon stated he is refinancing the property and I need to know today.
Commissioner Currie stated well, that's what we're doing. This is all a part of the process.
Mr. Moon stated the property is leased now, it's not his responsibility. I have a full lease

with a tenant so he's responsible.

Commissioner Currie stated actually, the ultimate responsibility in Code Enforcement issues comes back to you.

Mr. Moon stated it's his responsibility.

Commissioner Currie stated that's between you and him.

Vice Mayor stated let's not debate it, Commission. We've heard Mr. Moon, we've given him his five minutes to speak, I will give you two more minutes for a closing statement and then the Commission will take action on this issue.

Mr. Moon stated we opened up this business back in 2015 and with a lot of success, we put a good footprint with Holly Hill. Pre-COVID they were very busy. We had a lot of judges, doctors, physicians coming in. We are proud of what we've done with the city. He's not asking for a red carpet over at the restaurant be we've paid our dues for the last seven years and have helped the city and we're expanding now and that's the good news. All he is asking is…$1500 is a lot of money. He is asking for some kind of reduction so we can continue our partnership and continue to grow and make this city a better place not only for the residents but for other businesses. That's what the city wants. They want other businesses to look at ours and say they survived, they're doing well, let's check out Holly Hill.

Vice Mayor opened public participation. No one spoke.

Commissioner Johnson read Mr. Forte's recommendation for the lien reduction for this property.

Mr. Forte stated the original lien amount was $10,550.00 and when he added in the administrative costs and then 10% of that original lien it became to $1,589.53.

Commissioner Johnson stated so that's what the city is reducing it to, $1,589.53.

Commissioner Johnson made a motion to ***REDUCE THE LIEN TO $1,589.53, DIED FOR LACK OF A SECOND****.*

Commissioner Currie made a motion to ***TABLE THIS ITEM UNTIL THE NEXT SCHEDULED CITY COMMISSION MEETING ON JUNE 28, 2022 AT 6:00 PM****, seconded by Commissioner Johnson.*

Commissioner Currie ***WITHDREW HER MOTION TO HEAR WHAT MR. MOON HAS TO SAY AS FAR AS THE TWO-WEEK TIME FRAME LOOKS LIKE FOR HIM.***

Mr. Moon stated what he would like to suggest…how long will it take for the city to find out if there are any other Code violations?

Vice Mayor stated they just found out.

Mr. Moon stated if that's the case with those two items, I will have those items done in one week.

Vice Mayor stated so he'll be done in two weeks from now.

Mr. Moon stated if you reduce this right now to what I'm requesting or whatever the administrative fee is, I will pay. If it's $500, if it's $565 I'll pay this today, I'll pay that right now and in return the city will have both of those items done within one week and if they're not done in one week, he will pay the original lien. I will come back and pay the original lien for $10,550.00.

Vice Mayor Penny stated, did you hear that Mr. Forte? What Mr. Moon said if we reduce it to your recommendation tonight, he will pay it tomorrow…

Mr. Forte stated no, he didn't say that.

Commissioner Currie stated no, that's not what he's saying.

Mr. Moon stated Mr. Forte already told him what he owes is the $1,589.53 and I'm

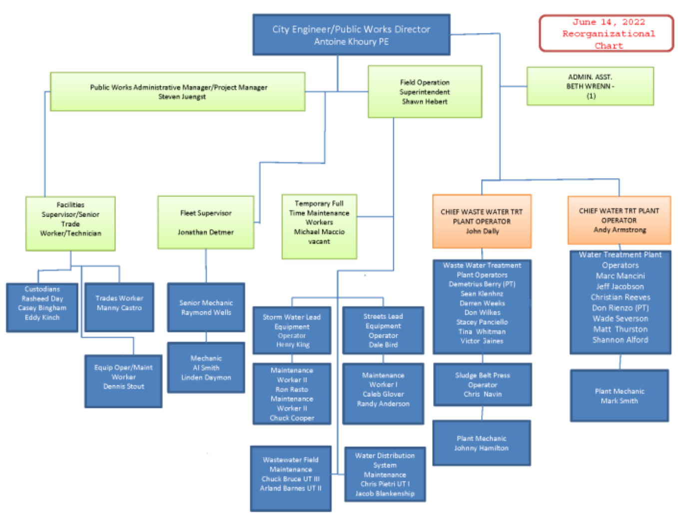
saying, no. That's too much. What I'm requesting right now is that I will make sure that these two existing violations will be cured in one week. In return, reduce the amount…let's just say 50%.
Vice Mayor Penny stated 50% of $10,000 is $5,000.
Mr. Moon stated no, of the $1,589.53.
Vice Mayor Penny stated, right but we've already reduced it by 85%.
Mr. Moon stated but what I'm requesting is reduce it 50%, he'll pay the $700 and he will make sure that these two additional, which is not even related to why we are here today, he will make sure that those additional violations will be fixed in one week, if not, I will pay the spread up to the $10,700.00.
Vice Mayor Penny stated, okay. Thank you.
Commissioner Currie made a motion to ***TABLE THIS ITEM UNTIL THE NEXT SCHEDULED CITY COMMISSION MEETING ON JUNE 28, 2022 AT 6:00 PM****, seconded by Commissioner Johnson.*
Vice Mayor Penny stated at that next meeting he would be in favor of reducing the lien to staff's recommendation of the $1,589.53.
Vice Mayor opened public participation. No one spoke.
PASSED, 3-1 (Danio, Nay)

RESULT:	**TABLED**	**Next: 6/28/2022 6:00 PM**

8.

Public Works Reorganization

(Requested by Antoine Khoury, Public Works)
Mr. Forte briefly explained the reorganizational chart for Public Works.



Vice Mayor opened public participation. No one spoke.

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

Enacted and approved this 14th day of June, 2022, in Holly Hill

7. PUBLIC HEARINGS

1. 2022-O-3052 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending Chapter 78 – General Provisions, Section 78-14 – Definitions, to Add Definitions, and Amend Chapter 114 – Zoning, Article Iii – Supplementary District Regulations, Division 4 – Buildings and Structures, to Add a New Section Titled Shipping Containers, Renumber Existing Sections as Needed, and Add Definitions to Section 114-746 – Specific Terms Defined, of the Land Development Regulations; and Providing for Conflicts, Severability, Applicability, and an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Mr. Walker briefly went over his staff report that was included in the agenda packet to the Mayor and City Commissioners.

Vice Mayor 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:	Penny, Currie, Danio, Johnson
ABSENT:	Via

ORDINANCE
2022-O-3052
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 78 – GENERAL PROVISIONS, SECTION 78-14 – DEFINITIONS, TO ADD DEFINITIONS, AND AMEND CHAPTER 114 – ZONING, ARTICLE III – SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 4 – BUILDINGS AND STRUCTURES, TO ADD A NEW SECTION TITLED SHIPPING CONTAINERS, RENUMBER EXISTING SECTIONS AS NEEDED, AND ADD DEFINITIONS TO SECTION 114-746 – SPECIFIC TERMS DEFINED, OF THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 78 - GENERAL

PROVISIONS, SECTION 78-14 - DEFINITIONS, TO ADD DEFINITIONS, AND AMEND CHAPTER 114 - ZONING, ARTICLE III - SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 4 - BUILDINGS AND STRUCTURES, TO ADD A NEW SECTION TITLED SHIPPING CONTAINERS, RENUMBER EXISTING SECTIONS AS NEEDED, AND ADD DEFINITIONS TO SECTION 114-746 - SPECIFIC TERMS DEFINED, OF THE LAND DEVELOPMENT REGULATIONS; AND PROVIDING FOR CONFLICTS, SEVERABILITY, APPLICABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapters 166 and 163, *Florida Statutes*, include authority to enact regulations to protect the health, safety, and welfare, and in the interest of the citizens of the City; and

WHEREAS, the City desires continued improvement in the appearance and quality of its residential and commercial areas including the Community Redevelopment District; and

WHEREAS, the City has received request to place shipping containers on residential and commercial property; and

WHEREAS, the City of Holly Hill does not currently contain specific standards for shipping containers in its *Land Development Code*; and

WHEREAS, the City of Holly Hill desires to create specific standards for shipping containers in its *Land Development Code*; and

WHEREAS, the City of Holly Hill has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance including but not limited to Section 166.041(3)(c)(2), *Florida Statutes*; and

WHEREAS, for purposes of this Ordinance, underlined type shall constitute additions to the original text, and ~~strikethrough~~ shall constitute deletions to the original text.

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

SECTION 1. RECITALS. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. ADOPTION. The City Commission of Holly Hill hereby amends Chapter 78 - General Provisions, Section 78-14 - Definitions, to add definitions, and amend Chapter 114 - Zoning, Article III - Supplementary District Regulations, Division 4 - Buildings and Structures, to add a new section titled Shipping Containers, renumber existing sections as needed, and add definitions to section 114-746 - Specific terms defined, of the Land Development Regulations, as follows:

Chapter 78 - General Provisions, Section 78-14 - Definitions

"Shipping Container" aka "Intermodal Container" is defined as a reusable container that is originally, specifically or formerly designed for or used in the packing, shipping, movement, or transportation of freight, articles, goods, or commodities and is also designed for or capable of being mounted or moved on a rail car, truck trailer, or loaded on a ship for intermodal freight transport. Such a container is not a shed.

Chapter 114 - Zoning, Article III - Supplementary District Regulations, Division 4 - Buildings and Structures

Sec. 114-742. - Principal buildings and accessory structures.

E. *Shipping Containers aka Intermodal Container.* Shipping containers placed on a parcel for more than 14 days within a calendar year, excluding containers temporarily placed on active construction sites for the duration of active construction only, shall be governed by the following regulations:

1. Shipping containers shall only be permitted within the CC-1 (Commercial Corridor), I-1 (Wholesale-Light Industrial) and I-2 (Heavy Industrial) zoning districts.

2. Shipping containers shall be prohibited on properties that abut Ridgewood or LPGA Avenue within the Community Redevelopment Area.

3. Shipping containers shall only be permitted in conjunction with a principal use, provided that they are recognized as clearly incidental and subordinate to the principal use.

4. Shipping containers shall be mounted and anchored per standards that meet or exceed the requirements per the Florida Building Code.

5. The shipping container shall count toward the maximum lot coverage percent.

6. If visible from any rights-of-way, shipping containers shall require complete screening with a decorative 8-foot block masonry stucco finished enclosure or wall with a rounded top or decorative cap finished with stucco and painted to match the colors of the principal structure. The masonry enclosure or wall shall meet or exceed the minimum requirements per the Florida Building Code. In lieu of the aforementioned enclosure or wall, the container can be "skinned," meaning to cover the outside of the container with material such as stucco, aluminum siding, or wood. Skinning does not mean painting.

7. Shipping containers shall be located behind the front plane of a principal structure and shall not be located within the principal rear and side yard setbacks of the CC-1 (Commercial Corridor), I-1 (Wholesale-Light Industrial) and I-2 (Heavy Industrial) zoning districts, except that such containers that have a footprint of less than 250 square feet will be allowed to be placed within 8 feet of the rear property line.

8. Shipping containers shall not be located within any easement.

9. Shipping containers shall be maintained in good condition at all times.

10. Shipping containers shall not be permitted for any advertising purpose and shall be kept clean of all alpha-numeric signage and writing except where markings, labels and placards may be required in accordance with the United States Department of Transportation Emergency Response Guide.

11. Shipping containers shall be used for storage purposes only and shall not be permitted or retrofitted as living quarters or office workspace.

12. No plumbing or air conditioning shall be permitted inside of a shipping container.

13. Materials stored within shipping containers are subject to review by the Chief Building Official, Fire Chief or Fire Marshal.

14. Shipping containers shall not be rented out or leased.

15. Shipping containers shall be stand-alone steel units without fabrication including but not limited to roofs, except as otherwise required, overhangs, porches, additional doors or windows and internal partitions.

16. In the instance where more than one shipping container may be permitted, they shall not be stacked.

17. Shipping containers shall not occupy required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities or landscape areas for a site.

18. Use and placement of shipping containers for any reason shall require a permit.

19. Shipping containers placed within the floodplain must meet all floodplain ordinance and FEMA requirements, and may require an approved site plan prior to permitting.

20. These regulations shall not apply to container developments in City approved planned developments wherein such containers are used to construct unique offices, homes, restaurants, etc. that meet all requirements of the Florida Building Code, as well as all other applicable city, state and federal regulations.

Sec. 114-746. - Specific terms defined.
"Shipping Container" aka "Intermodal Container" is defined as a reusable container that is originally, specifically or formerly designed for or used in the packing, shipping, movement, or transportation of freight, articles, goods, or commodities and is also designed for or capable of being mounted or moved on a rail car, truck trailer, or loaded on a ship for intermodal freight transport. Such a container is not a shed.

SECTION 3. APPLICABILITY. This ordinance shall apply as follows:
Shipping containers that received a permit on any property prior to the adoption date of the Ordinance shall have the ability to remain on the property, but must conform to the screening or "skinning" requirements.

Shipping containers that do not have a permit, but that have been on a property continuously for at least one year prior to the adoption date of the ordinance, can remain on the property but must apply for and receive a permit, and conform to the screening or "skinning" requirements. The City shall have the right to require that such containers be moved to a less visible area and meet setback requirements. The presence of a container on the property for the year prior to the adoption date of the ordinance must be able to be verified.

All other non-permitted containers must be able to meet all requirements, including zoning, and receive a permit, or be removed from the property within 30 days of the adoption date of the ordinance.

SECTION 4. ADMINISTRATIVE ACTIONS. The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Ordinance and to take any and all necessary administrative actions to include, but not be limited to, the adoption of administrative forms, policies, procedures, processes and rules.

SECTION 5. CODIFICATION. The provisions of this Ordinance, including its recitals, shall become and be made a part of the City of Holly Hill's Land Development Regulations and the Sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 1, 4, 5, 6, 7, and 8 shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6. CONFLICTS. All ordinances or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. SEVERABILITY. 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 of competent jurisdiction, 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 thereof.

SECTION 8. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JUNE, 2022 for second and final reading.

Enacted and approved this 14th day of June, 2022, in Holly Hill

8. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte mentioned last Saturday the city was supposed to have the ribbon cutting ceremony and the forecasted weather was going to be bad so it was canceled. They now want to move it to October 2022 with a bigger event to include a sanctioned BBQ contests. The challenge that we have is the city is going to be starting the South seawall construction somewhere just before that. But ideally October 14th and 15th is the weekend that they would like to do this. If the Commission doesn't have any objection, he would like to go ahead and schedule that and because the South seawall project is not FEMA related so we're not bound by the FEMA timeline. We can see if the notice to proceed on that can be given and by the time they get the materials, maybe they can start that the week after October 14th and 15th. Is this going to be a city sanctioned event or a third-party special event? That has to do with permitting, costs participation. Right now he just needs the date to be confirmed. ***There was consensus to October 14th and 15th for the ribbon cutting.*** Mr. Forte gave a brief update on the Overhead to Underground project. Staff sent the map off to FPL and this is going to be called **Phase 3** now because what the city thought was Phase 1 was really their Phases 1 and 2 so for consistency sake, the city will call this Phase 3. It goes from Walker Street to the north city limits. FPL will provide the city with a high level projection of what that cost is going to be and then that's restricting (??) the 10% change. Once we get that back we will then determine if we're going to move forward. If we do move forward then we have to provide FPL with a non-refundable deposit for them to go ahead and do the rest of the design and the engineering on that. If this next phase comes back at $6 million dollars, we're not going to have enough money to do it. If the complete project $3.5 million dollars, $4 million dollars, maybe a little bit more then we will be able to do it. Before the city starts doing anything as far as acquiring easements and moving forward, we need to first get that high level price projection from them (FPL) and see if it's going to be in the ballpark as to whether or not we will be able to do it. Mr. Forte gave a brief summary of the horse issue on Anniston Avenue with Mr. and Mrs. Gamache, which included them attending the Special Master hearing last week, June 9th, and in summary they were ordered to have the horse removed due to the violations with the city's ordinances and they were given five (5) days to get that done, which was yesterday, otherwise fines would be placed upon the property. The Special Master gave the city authority to enter upon the property to seize the horse, transport it and have the horse bordered at the owner's expense. Mr. Forte went by yesterday to speak with Mr. Gamache and the horse was still there in the morning and I told him we would be coming back in the afternoon because in the morning he said he couldn't find a place to place the horse so Mr. Walker and myself called several boarding facilities and we found at least 4, 5, or 6 facilities that were willing to board the horse and one was even able to hire a transport company to transport the horse to the facility. We met with Mr. Gamache later that afternoon around 3:00 PM and explained that to him and he promised me that the horse would be gone by Wednesday morning and it was going to go up to a property that they have in South or North Carolina. We took him on his word that this horse is going to be gone on Wednesday morning some time before noon, and if not, the city is going to take our steps to go ahead and compenscate the horse, take possession of it. He does have another person who has a facility in Port Orange who was going to pick up the horse today. The one person that was going to transport the horse to the Carolina's truck broke down and couldn't get here until Thursday and Mr. Gamache wanted an extension and he told him no. He suggested he get in touch with the person he knows in Port Orange to come get the horse. Tomorrow we will see if it has been transported out or if it stays on the property waiting for the other transport to take it to the Carolinas. Mr. Forte spoke on the violations and the fees that will occur if the sanitary nuisances and horse isn't removed. I would like to believe that the horse will be gone by the end of the week.

a. Voting Delegate Needed for FLC Annual Conference in August 2022

Mr. Forte mentioned since Commissioner Currie is the only one attending the FLC Annual Conference in August, the Commission has to delegate her as the Voting Delegate during the conference.

*Commissioner Danio made a motion to **APPOINT COMMISSIONER CURRIE AS THE FLC ANNUAL CONFERENCE VOTING DELEGATE FOR 2022**, seconded by Commissioner Johnson.*

Vice Mayor opened public participation. No one spoke.

PASSED, 4-0.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Johnson asked if the Mayor could fill in for him at the TPO meeting next week, June 22nd because he will be out of State with Dallas' baseball tournament.

Commissioner Danio mentioned that he won't be here for the next Commission meeting, he will be on vacation.

D. Mayor's Comments
Vice Mayor Penny mentioned the he and Commissioner Danio went down to watch a couple of amphibious planes land at Sunrise Park. He did get the email that it was canceled but his neighbor contacted him and said there were planes landing in the Halifax river. Those are really cool planes. There might have to be some changes to the landing field because of the amount of brick that's there. There's some huge potential there. Observation deck on the north side of Sunrise Park. The Commission might need to give staff direction to look at that observation deck and ask is that an asset or a liability? There are a lot of rotten boards on that deck/dock. Several of the planks don't have anything keeping them down, some have one screw in them. It's not a fishing dock because it's too far from the river. Looking over the dock to the ground underneath, there was several items that belonged to a homeless person, a bicycle was underneath. He thinks that the Commission should take a look at that and see what can be done.

9. ADJOURNMENT

The meeting adjourned at approximately 7:50 PM.

Valerie Manning
Valerie Manning, City Clerk,CMC 6/14/2022

Chris Via
Chris Via, Mayor 6/14/2022