



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • JUNE 25, 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 City Commissioner John Penny

Pastor Chuck McKeown, United Brethren in Christ (UBIC) led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. PUBLIC COMMENTS

Mayor Via stated we understand that the you have many valid questions that need to be answered and so this is unusual for the meeting. Usually, we go right into public comments but we thought it was important tonight for transparency purpose to go ahead and answer all of those lingering questions. The ones that I've been fielding non-stop since the report has come out. City staff, as well as, I'm sure the City Commission, received those same phone calls. I know I've spoken to many of you here in the audience. I'm looking out and seeing many familiar faces but I still think it's important and I asked that the City Manager provide some of those answers and then afterwards I'm going to then open up public comments and allow you to come up and speak and say whatever you want for 5 minutes about anything not on our agenda tonight. You can feel free to ask questions but I just want to remind everyone that this setting isn't a Q&A. On Thursday night we will be hosting right here in these same Chambers a "Meet and Greet" with our new Police Chief who's coming in to be sworn in. You will be able to meet him and you will be able to hear his vision but you will also be able to ask questions. I expect other people to be there that maybe couldn't have been here tonight. We will be answering these questions there as well. At this time I just wanted to make sure everybody was aware that we're going to go through this process that way and I'd ask for everybody to please stay respectful throughout this meeting. Everyone will get their chance to speak, I promise you. We want to hear it and we welcome all comments from the audience. With that, at this time, I'd like to turn the microphone over to our City Manager

Mr. Forte.

Mr. Forte stated, thank you Mayor. I was asked to put together a brief, I don't want to say presentation, but a brief statement about primarily what would be the infamous e-mail that everybody is talking about. I'm going to just go right into it and then afterward, as we take public comment, I'll keep note of any question that's not addressed and I'll do the best I can to address those questions. Keeping in mind that there are still outstanding lawsuits, both personal and through the EEOC, so some questions I may not be able to answer. I'll probably lean over to Attorney Scott Simpson for some advice if I need to.

Mr. Forte began to read his statement into the record: Let me begin. To gain insight into the decisions I made, we need to kind of rewind the clock several months before September 20, 2023 when Robert Milne sent me an e-mail. It's crucial to apply the reasonable person standard, was the decisions I made then reasonable based on the facts available at that time. I aim to answer all the questions openly tonight and transparently. I'm going to try to address the Robert Milne e-mail of September 25, 2023, as well as, the resignations of Miller, Yates and Fountain, Bentley's demotion and pay decrease and the actions taken against Investigator Ballentine. I have compiled nearly four pages in response to what I knew of Robert Milne's e-mail and the circumstances at that time. I reviewed again everything he stated in the e-mail and to the Investigators and I've researched every claim he made. Some of it is quite technical and contains matters of Labor Law, and the Police Officers Bill of Rights. So, for time's sake, I will go through the areas that are pertinent to this case specifically, but I want you to know I have much more detailed information on everything that was stated in the in the e-mail. Here's what I knew. Jeff Miller served as Police Chief and at the time, was considered to be serving well. No one and I'll emphasize no one, approached my office or HR with reports of inappropriate behavior or language except once when his assistant raised concerns to HR about his frequent use of explicit language using the "F" word. Although she requested confidentiality, when I was informed that same day I promptly directed Miller to adjust his language. More recently a memo was issued to the department wide to cease the use of foul language. It should be noted, before Miller was appointed Police Chief, I personally met with every Sergeant, including Milne and specifically asked if they had any reservations about his appointment. I received no objections. That would have been an opportune time for Milne to make me aware of his concerns. It never happened. On September 25, 2023 I received an e-mail from Robert Milne that seemed to be a personal attack or a character assassination against Miller. Possibly stemming from Milne's recent unsuccessful pursuit of a Disability Pension. It was no secret that Milne and Miller disliked each other. The e-mail raised questions about Milne's credibility given the timeline and circumstances surrounding his departure from the Department. I'm going to give you a little bit of a timeline that I knew at that time. September 30th of 2021 Milne voluntarily demoted. He would have you believe it was for various reasons when in fact it was because he failed to properly handle a missing person's investigation and in lieu of an IA, he self-demoted and signed a release waving any and all rights to the grievance process or to make any claim against the city, all this in the presence of his union representative. January 25, 2022 was the last time Robert Milne worked as a police officer in the Holly Hill Police Department. He went out on Family Medical Leave. February 3rd of 2022 Milne's law enforcement authority was suspended. I'm unable to expand on the details surrounding the suspension of that authority. April 25, 2022 Milne exhausted all of his FMLA and was separated from

employment, in essence, he was terminated. Robert Milne did not retire from the Holly Hill Police Department as some may have thought. August 12, 2022 a workers comp benefits denial form regarding Milne stated the claimant knowingly and intentionally made false fraudulent and misleading oral and written statements regarding the alleged accident in support of his claim and in order to obtain workers compensation benefits. Thereby, discrediting him in my mind. On April 17th the Pension Board unanimously voted against Milne to sign a denial order letter in former Milne's disability case, all were in favor. Milne's credibility was further challenged when he waited 20 months after leaving the department and 17 months after he was separated to disclose his concerns to me. His timing coincided with the denial of his Disability Pension raising doubt about his motivations. To further my concerns of credibility, within the email Milan declared himself spiraling out of control, suffering from panic attacks, nightmares, suicidal ideation, the process of forming ideas from conceptions implementation, alcoholism bringing on board depression and anxiety and blacking out in his patrol car. All these statements steered me to reach a conclusion that Robert Milne was being vindictive and lacked credibility. All that information is in the public record, in the email that was produced, it's no secret in what I just said. To be abundantly clear, at no point in all of my years working here, did anyone ever report any inappropriate behavior taking place in the police department. Especially not to the magnitude that has recently been reported. Milne's e-mail insinuated inappropriate behavior from Miller over seven and a half years of his tenure that he had with the Holly Hill Police Department. It should be noted that Milne's e-mail did not have any indication of the circumstances uncovered during this IA. He alleged various misconducts by Miller, such as inappropriate viewing of videos and other behaviors, which I addressed promptly with Miller the next day. I concluded that there was no issues with an officer eating her meals in her patrol car; that was not unusual. I also concluded that the videos mentioned were not that of porn as some may have imagined but were Netflix shows, to this day, that's all that I've been told and the photos of Traylor's ex-girlfriends were described as Traylor boasting about them not so much as Miller asking for them. It all seemed plausible at the time. After reading the Volusia County, after the Volusia County Sheriff's Office interviews, Yates and Fountain resigned under investigation, akin to a resignation, oh sorry, akin to a termination. Concerning Bentley, while it was challenging to conclude wrongdoing, two allegations were sustained resulting in his demotion. The appropriate CJSTC Form 78 was completed on all four of them and sent to FDLE as required. With regard to Bentley, I demoted him from Sergeant to MPO 2, Master Patrol Officer 2. The reason for making him MPO 2 was to avoid the opportunity for Bentley to be able to promote up to MPO if I demoted him to Patrol Officer, thereby, receiving a wage increase and that's exactly what I was trying to avoid. I want to be clear when I say that he received a pay decrease, as some have stated he has not. The fact is he's now earning 10% less than he was as a Sergeant, period. Any reference to percent raises due to his position are due to the union contracts, which include differential pay for certain positions. The bottom line is he's annually making 10% less than he was prior to his demotion. The reasons for the decision to demote rather than terminate is due to the information that I received in the IA about Bentley. The claims made in subsequent investigation did not rise to the level of termination as some would think. Even after a lengthy discussion with the city's Attorney assigned to this case, it was agreed that termination would not be applicable. Lastly, Officer Ballentine was suspended for a week. His indiscretion sending the calendar of invite was reviewed and the ladies involved were

interviewed by the Human Resources Manager and it was determined that a week suspension was appropriate for his actions. Reflecting on the situation in the same hindsight that most of you do that are sitting in this audience, I do regret not advancing the matter to an IA knowing what I know today. Going forward, all allegations will be thoroughly investigated and referred to Internal Affairs as necessary. With the appointment of BK Williams as the new Police Chief starting on July 8th, I expect positive changes and full compliance within the Holly Hill Police Department. That's my statement, Mayor and I'll be available. Obviously, I'm here to answer any questions that come up this evening at your direction.

Mayor Via opened public comments.

The following individuals spoke to the Mayor and City Commissioners:

Robert Milne, New Smyrna Beach; James Kenny, Port Orange; Mary Teresa Nichols, Holly Hill; Mason Godfrey, Ormond Beach; Mark Dickinson, confidential address; Jim Legary, Holly Hill; Gabriel Varga, Ormond Beach; Paul Tomasi, Holly Hill; Arthur Byrnes, Holly Hill; Michele Pelham, Holly Hill; Robin Hanger, Holly Hill; Lynn Smith, Holly Hill; Linda Ennis, Holly Hill.

Mayor Via closed public comments.

3. APPROVAL OF MINUTES

Mayor Via opened public participation. No one spoke.

1.

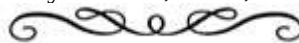
Minutes - June 11, 2024 - Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 25th day of June, 2024, in Holly Hill



4. CONSENT AGENDA - ITEMS (1 - 6)

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

1. -2024-R-43 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 Tidal Backflow Preventer Not to Exceed \$68,089; 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-43

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 TIDAL BACKFLOW PREVENTER NOT TO EXCEED \$68,089; 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 TIDAL BACKFLOW PREVENTER NOT TO EXCEED \$68,089; 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 2023-24 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 Tidal Backflow Preventer not to exceed \$68,089.

SECTION 2. 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. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of JUNE, 2024.

Enacted and approved this 25th day of June, 2024, in Holly Hill



2. -2024-R-44 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the FY2024/2025 CDBG Annual Plan Application as Submitted; Providing for Severability; and Providing 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-44

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FY2024/2025 CDBG ANNUAL PLAN APPLICATION AS SUBMITTED; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FY2024/2025 CDBG ANNUAL PLAN APPLICATION AS SUBMITTED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Volusia County qualifies as an urban entitlement community and receives funds directly from the U.S. Department of Housing and Urban Development's Community Block Grant Program; and

WHEREAS, The City of Holly Hill is a participating City in the Community Development Block Grant program and is anticipated to receive \$102,966 in grant funds to carry out community development activities; and

WHEREAS, staff has selected the 7th Street Neighborhood Park Playground as the fiscal year 2024-2025 CDBG Project; and

WHEREAS, due to the timeline of the grant process, these projects have been submitted to Volusia County Community Assistance as a placeholder contingent upon City Commission Approval.

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

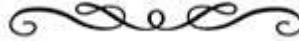
SECTION 1. That the City Commission of the City of Holly Hill approve the FY 2024/2025 CDBG Annual Plan Applications as submitted.

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 25th day of JUNE, 2024.

Enacted and approved this 25th day of June, 2024, in Holly Hill



3. -2024-R-45 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into a Three (3) Year Contract, with the Option for Two One Year Renewals, with H&H Liquid Sludge Disposal, Inc., to Provide Sludge Removal, Hauling and Disposal Services; 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-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE (3) YEAR CONTRACT, WITH THE OPTION FOR TWO ONE YEAR RENEWALS, WITH H&H LIQUID SLUDGE DISPOSAL, INC., TO PROVIDE SLUDGE REMOVAL, HAULING AND DISPOSAL SERVICES; 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 A THREE (3) YEAR CONTRACT, WITH THE OPTION FOR TWO ONE YEAR RENEWALS, WITH H&H LIQUID SLUDGE DISPOSAL, INC., TO PROVIDE SLUDGE REMOVAL, HAULING AND DISPOSAL SERVICES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approves the Utility operational budget annually to include sludge disposal; and

WHEREAS, the City has competitively bid the contract which had the bid

opening on May 28, 2024; and

WHEREAS, H&H Liquid Sludge Disposal, Inc., was the lowest responsive bidder, at \$37.00/CY for year 1, \$38.50/CY for year 2 and \$39.75 CY for year 3.

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 a three (3) year agreement, with the option for two one year renewals, with H&H Liquid Sludge Disposal, Inc., to provide sludge removal, hauling and disposal services taking effect on October 1, 2024.

SECTION 2. 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. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 25th day of JUNE, 2024.

Enacted and approved this 25th day of June, 2024, in Holly Hill



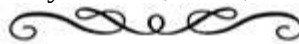
4.

River to Sea Transportation Planning Organization (TPO) Funding Agreement for FY2024-2025

(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, Currie, Danio, Johnson

Enacted and approved this 25th day of June, 2024, in Holly Hill



5.

JAG Grant FY2023 Allocation of Funds

(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, Currie, Danio, Johnson

Enacted and approved this 25th day of June, 2024, in Holly Hill



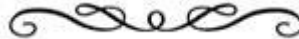
6.

Brown & Brown - Second One-Year Renewal Agreement - Employee Benefits Insurance
Agent of Record

(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, Currie, Danio, Johnson

Enacted and approved this 25th day of June, 2024, in Holly Hill



5. REGULAR AGENDA

1. -2024-R-46 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding the Replacement Playground at Sunrise Park and Authorizing the City Manager to Execute a Contract with the Awarded Vendor; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

Mayor Via opened public participation.

Arthur Byrnes, Holly Hill; Lynn Smith, Holly Hill.

Mayor Via closed public participation.

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

RESOLUTION 2024-R-46

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL,
FLORIDA, AWARDING THE REPLACEMENT PLAYGROUND AT SUNRISE
PARK AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT**

**WITH THE AWARDED VENDOR; PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF HOLLY HILL, FLORIDA, AWARDED THE
REPLACEMENT PLAYGROUND AT SUNRISE PARK AND
AUTHORIZING THE CITY MANAGER TO EXECUTE A
CONTRACT WITH THE AWARDED VENDOR; AND
PROVIDING FOR SEVERABILITY; AND PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, a replacement playground at Sunrise Park North has been identified in the fiscal year 2023-2024 budget as desired; and

WHEREAS, the City of Holly Hill has received an award of \$94,857 from a Community Development Block Grant towards this project; and

WHEREAS, bids were received on March 12, 2024 with a fixed budget of \$250,000 but were rejected by the City Commission on March 26, 2024 as they did not offer the statement desired project; and

WHEREAS, this project was re-broadcast on April 26, 2024 with a fixed budget of \$350,000; and

WHEREAS, a bid opening was held on June 11, 2024 in which proposals from (8) eight playground manufacturers were received.

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

SECTION 1. That the City Commission has selected a desired proposal for the replacement of the Sunrise Park North playground.

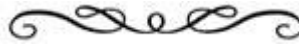
SECTION 2. That the City Commission authorizes the City Manager to execute an agreement with the awarded vendor.

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 25th day of JUNE, 2024.

Enacted and approved this 25th day of June, 2024, in Holly Hill



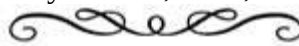
2.

Lien Reduction - 654 6Th Street

(Requested by Brian Walker, Board of Planning and Appeals)

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

Enacted and approved this 25th day of June, 2024, in Holly Hill



6. **PUBLIC HEARINGS - NONE**

7. **COMMUNICATIONS**

A. City Manager Comments

Mr. Forte mentioned that he thinks tonight it's the end of an era and the start of a new. It's time for him to go back to doing his job as a city manager and wait for Chief Williams. When he gets sworn in as Chief, he will take over that department on July 8th and set all these things aside and let Chief Williams do the job that he's hired to do. Mr. Forte stated from his perspective it's been extremely time consuming and he has a job to do and he needs to get started on that and continuing to do that. He is no longer responding to anonymous e-mails and some of the other, what he will call frivolous communications that he's been getting. It's time for him to move forward. Mr. Forte thanked the Mayor and the Commission for their support.

The CDBG-DR (Disaster Recovery) Item:

Mr. Forte spoke briefly on this item, mostly for informational purposes only. These are monies that were made available to the city following some of the Hurricanes. Actually, money that was made available to the County following the Hurricanes, that they opened up this application process. Public Works, Mr. Khoury and especially, Mr. Juengst submitted for three grant applications. It's competitive but there's a lot of money that's available and so we put in for a couple of items. Over the next 30-days or so the County will be taking votes on that and hopefully will be funded for at least one or more of those projects that we submitted. Three (3) projects have been identified as strong candidates for the application of funding assistance. They are: the cleaning and lining of sanitary sewer pipes; the cleaning and lining of storm sewer pipes and the replacement and flood protection of chemical storage tanks used in the treatment process for water and wastewater. *(more information in the agenda packet on this item)*

a.

Community Development Block Grant Disaster Recovery Funds (CDBG-DR)
Applications

(Requested by Joseph Forte, City Manager)



B. City Attorney Comments

None.

C. City Commission Comments

Commissioner Penny stated we went through a lot tonight and he just wants to say, it's his opinion, that there's no other City Commission, City Manager more accessible than these people sitting up here right now. Commissioner Penny stated he will personally refuse to respond to any anonymous, unsigned e-mails. He will also not respond to people that are unwilling to learn and grow from the truth. He continually heard so many mis facts spoken tonight by individuals in this audience, I chose not to respond because they wouldn't listen to him anyways. But when it comes to our City Manager, we heard people calling for him to resign or to be fired. He appreciates Mr. Forte's transparency. He has known him for a long time. He's not a 25-year old professional politician like he was accused of tonight. He thinks it's 19. He has known Mr. Forte for a long time and he doesn't know a person that has a better moral or ethical compass than Mr. Forte. The easy thing for him to do is to tender his resignation right now and walk away. Mr. Forte doesn't need this. There's only one person in this audience that knows the sleepless nights that he spent, the mental anguish that's been put on his body, the stress that's been put on his stomach and his digestive system and his brain and I appreciate that sir (Mr. Forte) because the easy thing is for you to leave.

Mr. Forte stated, thank you.

Commissioner Penny stated and I appreciate that you're going to stay with us and we're going to move forward, so thank you my friend.

Mr. Forte stated, thank you.

Commissioner Currie stated I would just like to start out by saying Mr. Forte didn't bring up Milne's mental health records to slam him here and make him look bad. Those were already out. They are in the IA report if you read the summary. They are in there and I've seen news reports where Milne was on camera talking about those same issues. Mr. Forte didn't bring him up here, he just reiterated them so that everybody knew and it was more of fair playing field. I can tell you that September of 2023 and I can only speak for myself because I don't talk to these guys about that stuff, I'm not allowed to, I sat down in Mr. Forte's office and he told me about an e-mail he received from previous officer Milne. I listened to the e-mail and what had to be said in there and I also knew because again I have close connections to the PD and always have, I also knew that Mr. Milne went through some troubled times and he was less than truthful in a couple situations where medical people deemed him as such. So, those things all being taken into account, the fact that this e-mail came within a month, I can't remember exactly but I know it was within a month of the denial of the disciplinary retirement. He hasn't been at the

department since January 25th of 2022, so now all of a sudden we see something we have to say something according to his e-mail but he hadn't been here. He didn't choose to say something when he left. He chose to wait until after his disability claim was denied and that's the exact way I looked at it so I agreed with Mr. Forte. I thought it was a little more out of retaliation than anything else. Am I sorry for that? Oh hell yeah, sorry for the curse word, yes, I am because hindsight being 2020 Monday back, Monday quarter backing, I wish I had taken it more serious and didn't look at the fact that he was not super credible but I can tell you now in my discussions with Mr. Forte, moving forward, every single complaint, I don't care how valid it sounds, how credible the person is, we are looking into every single one of them. As a matter of fact, I think we had a couple complaints in the PD amongst a couple female officers that immediately was looked into. They were a he said, she said thing but it was taken care of and that's the way things will be handled here on out to ensure any information, that any of us receive, we take it with a little more of a open eye. I can assure you of that. I can tell you, I have known Mr. Forte since probably the early 90s, I think it was. When did you come here? Ninety, Ninety-two, something like.

Mr. Forte stated a month after Forrest got here.

Commissioner Currie stated I think he was your training officer.

Mr. Forte stated, no. Back when I was in the Fire Department.

Commissioner Currie stated, okay. I've known him a long, long time. Like I said, I volunteered in the PD for 20 years for the Police Explorers. I have known Mr. Forte for 10 years of my 12 years as a City Commissioner. He's been here and I do not know of another City Manager in the State of Florida that is so respected. He's respected by his peers, he's respected by other Council people. Every time we go to something I can't talk to Joe because everybody else wants to talk to Joe. He is very respected not only in our County but in the entire State. I don't know a person that has more integrity, more honesty, more professionalism, more transparency because the other city manager I had to deal with certainly wasn't any of that. That would be McCroskey. I'm not afraid to say it. We had our going. You could have a McCroskey back people. Who wants that? This man (Mr. Forte) is very serious about any allegations. That's why when a victim made the complaint, he immediately had the Sheriff's department do the internal affairs investigation because he didn't want us doing that on ourselves. He had them do it and that's how Mr. Chitwood came about doing the internal affairs investigation. The Sheriff's department just doesn't willy-nilly come into a department and start doing an IA. They have to be requested to do so. He made those steps and made it possible. We did learn about all this crap from our former, I don't want to call him a Chief either, but for those reasons and probably many more that I'm not thinking about. Sir, (Mr. Forte), I have no intentions of asking you to relieve yourself of your duties or anything even close to that. Thank you for everything you have done since you and I have been on this together for almost 10 years now.

Mr. Forte stated, thank you.

Commissioner Danio stated we went to the same elementary school together I think. I've known Joe longer than anybody. First of all, I want to clear up this politician stuff. I'm a

civil servant in my eight year. There's no politician here. Joe Forte is a man of integrity but the best thing about Joe Forte for this city is that he's cheap and that's a good thing to have when you're a City Manager. He's very frugal people so keep that in mind but he is a man of integrity. Unfortunately, and I'm a boss, when you get a bad pizza, I could be napping but I'm to blame and it's the same thing when it comes to the City Manager. He's in charge. When it comes down to it, if something goes wrong, he's to blame. He could be in Hawaii on cruise but he's to blame. Unfortunately, that's just the way the hammer falls. Unlike my constituent or whatever, you know, I'm not going to belabor this here but thank you for doing your job and I'm behind you all the way and everybody else thanks you for sticking around and going through this. Hopefully, we didn't keep you here too long.

Commissioner Johnson stated I wouldn't go so far to say he's cheap but I'd say more anything expensive, right? I would look at myself more as being cheap and frugal. That's a good thing. Joe, I really appreciate it. Every time I call you for anything, if you don't answer you call back and you give me an answer. You always look into things. I remember when I was still the outgoing Mayor at the time, we brought it up to hire you back and I think he's (Attorney Simpson) was the one that instigated it. Was that true Scott? We decided to bring you back Joe. I think it was a good decision. I think it works out good and I really appreciate you hanging in there you. You don't let the people get to you that are so negative or against you. Things like that and all. I'm old and I let things roll off my back. I don't let things bother me very much. I've been in business in this area for 50 years and I have a lot of people who have worked for me, work with me and all. The one thing that bothers me more than anything else tonight and other times that I pick up on is that we have a former Commissioner that is a criminal because of what he did with some lady that he was working with that absolutely no charges was even brought against him and then we was accused of hiring the criminal that did that. It was brought up again tonight. This past City Commissioner is not even alive, he's been dead for like 2 years or something. What is the purpose of it? If I was a family member of this Commissioner that actually never had any charges brought against him, I think I would file a lawsuit against some of these people accusing like that, you know? I mean that is just totally ridiculous. Some things you can just, you're here, you can deal with it, you can let...you can take care of it, but if somebody can't do it anymore, his family's got to deal with it. You know what I mean? Why keep bringing that up when absolutely not one single charge was filed against him. It just doesn't make any sense. I've heard so many times lately, you hear it online, and then I heard it in person tonight, it's just ridiculous. I don't like that but otherwise, I deal with the situation. I know that bad things come. I've been through it; a lot worse back when we was dealing with the flag issue and all, which was totally false. We went through all that. On the brighter side, tomorrow is another TPO meeting. I know for sure that this Police Department is going to get straightened out and I know for sure that this new Police Chief is going to get it straightened out. I remember probably about a month ago his former boss, which used to be the Daytona Beach Police Chief called me and told me this guy has applied and name is Byron Williams. He said if you guys don't hire him, you're stupid or something like. He said he will do it and get it straightened out. This came together with all these applicants and he came out on top. I thought it was great. I called him back and told him, I said well, you're

correct, I said, if we don't hire him, we're idiots but we hired him. The former Police Chief of Daytona said he will be here for the inaugurations. I appreciate Joe and I really appreciate you hanging in there. I appreciate you getting things straightened out. I knew you would. I didn't have any question about it. I knew you weren't going to roll over and play dead and give up. Thank you very much.

Mr. Forte stated I got a good Mayor and City Commission and a good City Attorney.

D. Mayor's Comments

Mayor Via stressed and pointed out how he feels about this because he knows that there are some in the audience that have requested that the Commission look at the City Manager and throw him out. Mayor Via stated what I have to say is I have worked with him for eight years now this is my eighth year and I can tell you there has been numerous incidents that when he found out about anything he took such immediate action. With certainty, I know that if he knew or suspected any of the activity that was in that report, I know with all of my being that he would have immediately went to investigators. There is not a person in the world that can convince me otherwise. There's not many people in this world that I can say that about. Those are my facts. Did I still investigate this? Did I question him to know end? Did I speak to the Sheriff specifically, about this? Did I speak with staff members? Did I speak to department heads? Yes, yes, and yes. Am I furious about what happened down there under that Chief? I don't even want to call him Chief. I am furious. I am upset. No one should ever have to go through that ever. But I have to say, Mr. Forte, when you hold the reasonable standard, when you hold up what a reasonable person would do and you hold you to that standard, I believe, that you did take reasonable action to look into it as far as you could with the information that you had at the time and therefore, I will stand by you through this because I believe that you made the right decisions. Furthermore, I believe that you are doing the best decisions. Now, we can't correct what was done; what was done is done and now all that is left is to pick up the pieces and to be better than we were. I'm confident he is the best man in this position to do that and I can tell you with certainty nothing like this will happen again. I'm going to be a citizen, just a normal citizen, in a few months, I'm going out of office, but I've loved my time in office but he feels confident that we will have protection on our streets that we can be proud of. That I can trust, that my family will be protected and that's what I can do as your Mayor and that's what I'm going to be committed to do and I call for our citizens to get behind this next Police Chief. I call for our citizens to get behind our Holly Hill Police Department because these are the times that they need it. It's easy to say we support police, it's easy to say but it's harder when they need us to stand up for them and that's what I'm calling upon every fellow citizen of mine and that's what I will be doing. Mayor Via mentioned that he has received many calls from various people in high ranks regarding Police Williams and he was very impressed and he looks forward to him starting. He wants to make this a model agency. We will be better than ever.

8. ADJOURNMENT

The meeting adjourned at approximately 7:30 PM.


Valerie Manning, City Clerk, CMC 6/25/2024


Chris Via, Mayor 6/25/2024