CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JULY 14, 2020

City Commission Chamber	Regular City Commission Meeting	7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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 Roy Johnson

c. Pledge of Allegiance
The Pledge of Allegiance was led by Vice-Mayor Penny.

2. POSITIVITY AWARD - JULIE & RAINER MARTENS - PICTONA AT HOLLY HILL

1.

Julie and Rainer Martens - Pictona at Holly Hill

(Requested by Valerie Manning, City Clerk)

3. PRESENTATION

1.

Purple Heart City Proclamation

(Requested by Valerie Manning, City Clerk)
Postponed to August 11, 2020 City Commission meeting.

RESULT:	NO VOTE NEEDED

4. PUBLIC COMMENTS

The following individuals came forward to speak to the Mayor and City Commissioners: Dawn Bowlin, 1716 Center Avenue, Holly Hill shared her concerns about all permits not being listed online. Ms. Bowlin mentioned 1717 Birmingham property pertaining to a fence that was put up; Christina Bowlin, 1716 Center Avenue, Holly Hill shared her concerns about the same issue as Mrs. Bowlin did.

5. APPROVAL OF MINUTES

1.

Minutes - June 23, 2020, Workshop with Fountainhead; and June 23, 2020 Regular City Commission and CRA Meeting

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 14th day of July, 2020, in Holly Hill

6. CONSENT AGENDA - ITEMS (1 - 6)

Vice-Mayor Penny asked if there was anyone in the audience who wishes to speak on any item on the Consent Agenda?

Dawn Bowlin, 1716 Center Avenue, Holly Hill wanted to speak about Resolution 2020-R-31, Interlocal Agreement for the transfer and provision of reclaimed water by and between the City of Holly Hill and the City of Ormond Beach and the EPA involvement.

Vice-Mayor Penny asked if there was any Commissioner that would like to pull any item from the Consent Agenda?

Mayor Via asked if they could pull item number six, “Authorize Utility Billing Automated Notification Services Agreement”.

Vote on Consent Agenda items 1-5 only for now.

1. 2020-R-31 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the Mayor and the City Manager to Execute an Interlocal Agreement for the Transfer and Provision of Reclaimed Water by and Between the City of Holly Hill and the City of Ormond Beach; Providing Conditions for the Transfer and Reclaimed Water; 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
2020-R-31
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE TRANSFER AND PROVISION OF RECLAIMED WATER BY AND BETWEEN THE CITY OF HOLLY HILL AND THE CITY OF ORMOND BEACH; PROVIDING CONDITIONS FOR THE TRANSFER AND RECLAIMED WATER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT FOR THE TRANSFER AND PROVISION OF RECLAIMED WATER BY AND BETWEEN THE CITY OF HOLLY HILL AND THE CITY OF ORMOND BEACH; PROVIDING CONDITIONS FOR THE TRANSFER AND RECLAIMED WATER; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Interlocal Cooperation Act of 1969, *Section 163.01, Florida Statutes*, authorizes any public agency of the State of Florida to exercise jointly with any other public agency, any power, privilege, or authority which said agencies share in common and which each may exercise separately; and

WHEREAS, the provision of such power, privilege, or authority includes the provision of services and the use, operation and maintenance of real and personal property; and

WHEREAS, the execution of an Interlocal Agreement for the transfer and provision of reclaimed water by and between the City of Holly Hill and the City of Ormond Beach serves the interest of both cities.

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

SECTION 1. The City Commission of the City of Holly Hill hereby authorizes the Mayor and City Manager to execute an Interlocal Agreement for the transfer and provision of reclaimed water by and between the City of Holly Hill and the City of Ormond Beach Agreement, a copy of the agreement being attached hereto and incorporated by reference.

SECTION 2. That this Resolution shall take effect immediately upon its adoption.

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 14th day of JULY, 2020.

Enacted and approved this 14th day of July, 2020, in Holly Hill

2. –2020-R-32 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Piggy-Backing of Seminole County Contract IFB-603606-19/BJC and Authorizing the City Manager to Award the "Roadway Resurfacing Project FY2020" to Halifax Paving, Inc.; 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
2020-R-32
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGY-BACKING OF SEMINOLE COUNTY CONTRACT IFB-603606-19/BJC AND AUTHORIZING THE CITY MANAGER TO AWARD THE "ROADWAY RESURFACING PROJECT FY2020" TO HALIFAX PAVING, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGY-BACKING OF SEMINOLE COUNTY CONTRACT IFB-603606-19/BJC AND AUTHORIZING THE CITY MANAGER TO AWARD THE "ROADWAY RESURFACING PROJECT FY2020" TO HALIFAX PAVING, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has planned for a city-wide multi-year resurfacing program; and

WHEREAS, the City desires to proceed with the work required for the FY2020 portion of the program; and

WHEREAS, the City desires to piggy-back the Seminole County Contract IFB-603606-19/BJC; and

WHEREAS, the City desires Halifax Paving, Inc., be awarded this project under the Seminole County Contract IFB-603606-19/BJC, as well as, being the low, responsive bidder with a bid of $382,336.51.

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 piggy-back the Seminole County Contract #IFB603616-19/BJC and award the "Roadway Resurfacing Project FY2020" to Halifax Paving Inc.

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 JULY, 2020.

Enacted and approved this 14th day of July, 2020, in Holly Hill

3. 2020-R-33 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Sign a One Year Lease Agreement Extension Between the City of Holly Hill and the Volusia/Flagler YMCA, Establishing the Terms of This Agreement; Providing for Severability; and Providing an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION
2020-R-33
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN A ONE YEAR LEASE AGREEMENT EXTENSION BETWEEN THE CITY OF HOLLY HILL AND THE VOLUSIA/FLAGLER YMCA, ESTABLISHING THE TERMS OF THIS AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN A ONE YEAR LEASE AGREEMENT EXTENSION BETWEEN THE CITY OF HOLLY HILL AND THE VOLUSIA/FLAGLER YMCA, ESTABLISHING THE TERMS OF THIS AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill desires to continue its relationship with the Volusia Flagler YMCA in order to provide recreational programs at the recreational facility located at 1046 Daytona Avenue; and

WHEREAS, the YMCA has a nationally recognized reputation and long-term history of providing quality community recreation programs; and

WHEREAS, the City of Holly Hill and the Volusia Flagler YMCA entered into a three year agreement on June 1, 2010 and approved a three year extension to the lease agreement on January 8, 2003 and another three year extension on September 27, 2016; and

WHEREAS, the City of Holly Hill and the Volusia Flagler YMCA wish to extend this agreement for one additional year.

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

SECTION 1. That the City Manager is hereby authorized to sign the lease agreement, attached hereto, so that the Volusia Flagler YMCA may continue to perform as a recreation provider at the Daytona Avenue facility.

SECTION 2. That the term of this agreement shall commence on October 1, 2020 and end on September 30, 2021 and shall have one additional year renewal at the discretion of the City Manager.

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 14th day of JULY, 2020.

Enacted and approved this 14th day of July, 2020, in Holly Hill

4.

TPO Funding Agreement for FY2020-2021 with City Holly Hill

(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 14th day of July, 2020, in Holly Hill

5.

Purchase Orders with Hydra Service, Inc. - for the Purchase of Spare Pumps and Spare Parts for All Internal and External Lift Station Pumps

(Requested by Antoine Khoury, Public Works)

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

6.

Authorize Utility Billing Automated Notification Services Agreement

(Requested by Stella Gurnee, Finance)

This Consent Agenda item was pulled for further discussion by Mayor Via. Mayor Via wanted to know the process that the city would be going through to be able to notify people when they are late and when their water is going to be shut off and maybe, before Mrs. Gurnee gets into that, what is the city's current process?

Stella Gurnee, Finance Director, stated the process that the city is proposing is through the company that does the city's utility bill printing. So, they get a file from the city to print the utility bills that has…and they will get a file for this notification that will have the customers phone number or email address if they've set up for email and then staff will give them the script and they will call the customer when the bill is past due and depending on the script that staff writes, so it may say, "Mrs. Smith, this is a friendly reminder from the City of Holly Hill. Your water bill is currently due for $125. Please pay by a certain date to avoid disconnection." Now, that's not the actual script. Staff will come up with it and the City Manager will approve it before she has staff do it. That company will then transmit these automated phone calls and they will also give them instructions on how they can pay online with the city's current online system, it will give them the phone number, website that they can contact and pay. That's how the proposed system will work. Prior to COVID-19, there was no additional phone call or notification. It was just on the bill that it was past due by such and such a date and if they didn't pay then it would go through a cutoff process and be cutoff. Since COVID-19 has occurred and we had several months that people were not able to pay, the staff over in Utility Billing has really stepped up to the plate and they've been doing a lot of manual phone calls and spent a lot of time calling each person when they went back to doing the shut offs this pass month. This will certainly cut down on all that staff time in calling and it will automate the system and she thinks it will be good for the customer to because sometimes you just get busy and you forget and I should have paid my water bill. This will be a friendly reminder to get it paid. Relatively speaking, it's not real expensive compared to the other options available.

Mayor Via stated thank you so much. This is something that the city really was in need of, he believes, especially talking to people that have been late. Another thing he thinks the city needs to get out there is when we are educating people on how they can pay online, to set up automatic payments because a lot of people complain about the credit card fee is one of the biggest responses he gets back from people, is they say, "How is the city charging this extra fee and in reality, and maybe Mrs. Gurnee can touch on this, but if he says it correctly then that's fine but that fee just goes directly to the credit card company processing the transaction fee but if you set up automatic payment, you are not charged that fee every month. Is that correct?

Mrs. Gurnee stated that is correct.

Mayor Via stated he thinks it's great for, especially for the amount of money; not to exceed $5,000 and he really appreciates that. The last question he has on it is, how are they going to opt in? Are the current customers already going to be opted in through their phone number or do they all have to opt in one-by-one?

Mrs. Gurnee stated the current customers will already use the information that staff has on file, either phone number or if they're set up for e-billing, their email or a text is another option that she forgot to mention. This company will also kick back to us if we have customers that kick back that don't have a valid phone number and then staff can work on getting those phone numbers updated and will certainly, and they have in the past since she's been here, they will put messages on the bills trying to get people to call in and update their phone numbers and emails with staff.

Mayor Via stated, great. Thank you.

Vice-Mayor Penny asked do they have to opt in for the text message?

Mrs. Gurnee stated she doesn't think so; she will double check on it.

Vice-Mayor Penny stated he knows there are some antique plans out there that charge people for text messages.

Mrs. Gurnee stated she knows the email they have to opt in to be emailed billed. She will follow up and check on the text message.

Commissioner Currie stated that was kind of her question. In any form, do they have to fill out a form or kind of like the Code Red to say, "Yes, I want to be notified about this", or is the city automatically signing everybody up that the city has information for?

Mrs. Gurnee stated, right. It's automatically signing everybody up that the city has information on their account.

Commissioner Currie stated, okay.

Mayor Via made a motion ***to APPROVE CONSENT AGENDA ITEM #6, AUTHORIZE UTILITY BILLING AUTOMATED NOTIFICATION SERVICES AGREEMENT****, seconded by Commissioner Currie.*

PASSED, 5-0

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

7. REGULAR AGENDA

1.

Request for Lien Reduction - 1202 Ridgewood Avenue - Maple Leaf Gardens Association

(Requested by Joseph Forte, City Manager)
Mr. Forte discussed the staff report for the lien reduction for 1202 Ridgewood Avenue, Maple Leaf Gardens. Staff has been working on this property since 2013 by record and probably for some time prior to that. They have been cited many times and the city has had a difficult time trying to get them into compliance. This request is to reduce the lien from $156,200.00 to the amount of $17,250.85. The City shall not release the current total lien amount until payment has been received and cleared in the amount of $17,250.85. If payment is not received by 5:00 PM on July 10, 2020 the full amount of the lien shall remain in place without an option to reduce the fine in the future.
Vice-Mayor Penny opened public participation. No one spoke.

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

Enacted and approved this 14th day of July, 2020, in Holly Hill

8. PUBLIC HEARING

1. 2020-O-3028 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Approving the Seventh Amendment to Marina Grande Residential Based Mixed Use Planned Unit Development (Mpud) Development Agreement; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Brian Walker, City Planner)
Brian Walker, City Planner discussed the staff report for second and final reading of Ordinance 3028 approving the 7th Amendment to Marina Grande Residential Based Use Planned Unit Development (MPUD) Agreement. At the City Commission meeting held

on June 9th, the City Commission took into consideration public input and requested that some modifications be made to the proposed temporary signage plan. The applicant has made the requested modifications which are attached as Exhibit A. The applicant requests that the plan as shown in Exhibit A, be approved for three (3) years from the date of the approval of this requested 7th amendment or until such time that the owners no longer own or control five (5) units of the total residential units, whichever occurs sooner. In considering whether or not to approve the applicant's request, the Commission must consider whether or not the request is consistent with the policies of the City's comprehensive plan. The comprehensive plan's Future Land Use Element, includes one policy which addresses signage. The policy reads as follows:

Policy 1.2.8 *- Such regulations shall ensure that new and replacement signs shall adhere to the community standard for aesthetics and minimize confusion that results from visual disarray, while allowing reasonable identification and promotion of businesses.*

This policy references the city's land development regulations, but does not include specific measurable standards that can be applied to the proposed banner sign or to any of the proposed signage. The Board of Planning and Appeals and the City Commission is left to its judgment as to whether or not the proposed signage program adheres to community standards for aesthetics; minimizes confusion from visual disarray; and allows reasonable identification and promotion of business. The City Commission can approve the proposed amendment to the MPUD agreement if the City Commission, in its opinion, finds the proposed signage program consistent with Policy 1.2.8 of the Future Land Use Element.

Rob Merrell, Cobb Cole was present to answer questions.

Vice-Mayor Penny opened public participation.

Heidi Heller, Holly Hill, thanked MG for continuing with the development for the remaining units and that they had faith in Holly Hill to do that.

Vice-Mayor Penny closed public participation.

RESULT:	**ADOPTED AT 2ND READING [UNANIMOUS]**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE
2020-O-3028
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE SEVENTH AMENDMENT TO MARINA GRANDE RESIDENTIAL BASED MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE SEVENTH AMENDMENT TO MARINA GRANDE RESIDENTIAL BASED MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Owner/Developer of Marina Grande have proposed a Seventh Amendment to the MPUD, to allow temporary signage as shown in Exhibit A of the proposed Seventh Amendment to the Marina Grande (MPUD) development agreement;

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

SECTION 1. The City Commission of the City of Holly Hill hereby approves the Seventh Amendment to Marina Grande Residential Based Mixed Use Planned Unit Development (MPUD) Development Agreement, a true and correct copy attached hereto.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

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

SECTION 4. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JULY, 2020 for second reading.

Enacted and approved this 14th day of July, 2020, in Holly Hill

9. COMMUNICATIONS

A. City Manager & Staff Comments
Mr. Forte mentioned that the city is a distribution site for masks in the Police Department lobby at 8:00 AM. Two per person.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Johnson mentioned things are still moving ahead; less cases because people are wearing masks.
Vice-Mayor Penny mentioned that David Heald passed away recently. Pictona officially opens tomorrow and the restaurant will open possibly Friday. Welcomed Tony Cassatta and thankful for his company, Bob Space Racers made hand sanitizers.

D. Mayor's Comments
Mayor Via thanked Scott and Joe for getting him set up to attend the meeting by teleconference. Thanked staff for the paving of Flomich that was approved tonight. Thanked staff for working on the interlocal agreement with Ormond.

10. ADJOURNMENT

The meeting adjourned at approximately 8:00 PM.

Valerie Manning, City Clerk,CMC 7/14/2020

Chris Via, Mayor 7/14/2020