



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • JULY 23, 2019

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

b. Invocation

Commissioner Johnson led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

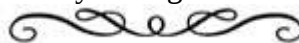
2. POSITIVITY AWARD - COMM. DANIO'S CHOICE

1.

Positivity Award - Commissioner Danio's Choice

(Requested by Valerie Manning, City Clerk)

Commissioner Danio presented Rose Schuhmacher with the Positivity Award on behalf of all that she does for the community at-large and businesses for Holly Hill.



3. PRESENTATION

1.

36Th Annual National Night Out

(Requested by Valerie Manning, City Clerk)

PROCLAMATION

BY THE MAYOR OF THE CITY OF HOLLY HILL, FLORIDA

NATIONAL NIGHT OUT

TUESDAY, AUGUST 6, 2019

IN THE CITY OF HOLLY HILL, FLORIDA

WHEREAS, the National Association of Town Watch (NATW) is sponsoring a unique nationwide crime, drug and violence prevention program on Tuesday, August 6, 2019 entitled "*National Night Out*"; and

WHEREAS, the *36th Annual National Night Out* provides a unique opportunity for the City of Holly Hill to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, the residents of Holly Hill play a vital role in assisting the Holly Hill Police Department in combating crime, drug and violence efforts in the City of Holly Hill and is supporting National Night Out 2019; and

WHEREAS, it is essential that all citizens of Holly Hill be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs, and violence in their neighborhoods; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of National Night Out program.

NOW, THEREFORE, I, Chris Via, Mayor of the City of Holly Hill, Florida, and on behalf of the City Commission, do hereby proclaim Tuesday, August 6, 2019 as:

NATIONAL NIGHT OUT

call upon all citizens of Holly Hill to join the Holly Hill Police Department and The National Association of Town Watch in supporting the *36th Annual National Night Out*.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 23rd day of July, 2019.

RESULT: NO VOTE NEEDED



4. PUBLIC COMMENTS

The following individuals came to speak before the Mayor and City Commissioners:

Lynne Smith, Holly Hill and Jim Legary, Holly Hill.

5. APPROVAL OF MINUTES

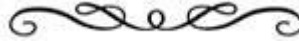
1.

Minutes - July 9, 2019 FY2020 General Fund, Local Option Fuel Tax Fund, and Building Fund Budget Workshop and July 9, 2019 Regular City Commission Meeting and July 16, 2019 Budget Workshop for CRA Fund and Solid Waste Fund

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 23rd day of July, 2019, in Holly Hill



6. CONSENT AGENDA - ITEMS (1 - 3)

Mayor Via asked if there was anyone in the audience who wishes to speak on any item on the Consent Agenda or if any member of the Commission would like to discuss any item. **There was no one.**

1. -2019-R-41 Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2018-2019; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

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

RESOLUTION

2019-R-41

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2018-2019; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2018-2019; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill, by Resolution 2018-R-64, adopted an operating budget for Fiscal Year 2018-2019; and

WHEREAS, the budget adjustment increase revenues and expenditures in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated

herein; and

WHEREAS, the budget adjustments will allow the City of Holly Hill to adjust the Fiscal Year 2018-2019 budget.

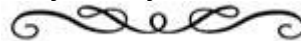
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. Amended Budget: The City Commission of the City of Holly Hill amends the Fiscal Year 2018-2019 budget by revising the budget in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein.

SECTION 2. Effective Date. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 23rd day of JULY, 2019.

Enacted and approved this 23rd day of July, 2019, in Holly Hill



2. -2019-R-42 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the Agreement with Live Flyer, Inc., to Provide for a Pedestrian Bridge Replacement on Riverside Drive at the Intersection with Peterson Court; Providing for Severability; Providing for Conflicting Resolutions; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION

2019-R-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE AGREEMENT WITH LIVE FLYER, INC., TO PROVIDE FOR A PEDESTRIAN BRIDGE REPLACEMENT ON RIVERSIDE DRIVE AT THE INTERSECTION WITH PETERSON COURT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDED THE BID TO LIVE FLYER, INC., APPROVING THE AGREEMENT

WITH LIVE FLYER, INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT WITH LIVE FLYER, INC., TO PROVIDE FOR A PEDESTRIAN BRIDGE REPLACEMENT ON RIVERSIDE DRIVE AT THE INTERSECTION WITH PETERSON COURT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has planned and budgeted for the replacement of the Pedestrian Bridge Replacement on Riverside Drive at the intersection with Peterson Court; and

WHEREAS, three contractors submitted qualifications and costs for this work; and

WHEREAS, an Evaluation Committee reviewed the qualifications of the submitting firms; and

WHEREAS, the Evaluation Committee unanimously found Live Flyer, Inc., to be the lowest and most responsive bidder.

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

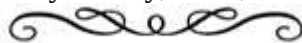
SECTION 1. That the City Commission of the City of Holly Hill does hereby award the bid to Live Flyer, Inc., approve the agreement with Live Flyer, Inc., and authorize the City Manager to enter into an agreement with Live Flyer, Inc., for the Pedestrian Bridge Replacement on Riverside Drive at the intersection with Peterson Court.

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 23rd day of JULY, 2019.

Enacted and approved this 23rd day of July, 2019, in Holly Hill



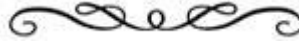
3.

JAGD Grant 2017 2019-JAGD-VOLU-5-N3-047 Holly Hill Police Unmanned Aircraft Systems (UAS)

(Requested by Steve Aldrich, Police)

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

Enacted and approved this 23rd day of July, 2019, in Holly Hill



7. REGULAR AGENDA

1.

Maximum Millage-Fiscal Year 2018-2019

(Requested by Stella Gurnee, Finance)

Mayor Via opened public participation.

Jim Cameron, Senior Vice President, Government Relations from Daytona Beach spoke to the Mayor and City Commissioners.

Mayor Via closed public participation.

There were two (2) motions that were made during this agenda item:

*Commissioner Penny made a motion to **keep the MAXIMUM MILLAGE RATE AT 6.5000**, seconded by Commissioner Danio.*

PASSED, 3-1 (Mayor Via voting “nay”)

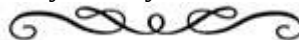
*Commissioner Penny made a motion to **APPROVE the first public hearing on the budget for September 9, 2019 at 7:00 PM and the second public hearing on the budget for September 24, 2019 in the City Commission Chambers**, seconded by Commissioner Danio.*

Mayor Via opened public participation. No one spoke.

PASSED, 4-0.

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

Enacted and approved this 23rd day of July, 2019, in Holly Hill



2. -2019-O-3018 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending Section 70-125, Section 70-276, and Section 70-277 of the Holly Hill Code of Ordinance to Change Rates and Methodology of Charging Water and Sewer Fees; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Stella Gurnee, Finance)

Mayor Via opened public participation. No one spoke.

RESULT:	APPROVED AT 1ST READING [UNANIMOUS]	Next: 8/13/2019 7:00 PM
MOVER:	Roy Johnson, District 4 - Commissioner	
SECONDER:	John Penny, District 1 - Commissioner	
AYES:	Via, Penny, Danio, Johnson	
ABSENT:	Currie	



8. PUBLIC HEARING

1. -2019-O-3017 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending Section 70-49 of the Holly Hill Code of Ordinance to Change When Water and Sewer Impact Fees Are Paid; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

Mayor Via opened public participation. No one spoke.

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

ORDINANCE

2019-O-3017

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 70-49 OF THE HOLLY HILL CODE OF ORDINANCE TO CHANGE WHEN WATER AND SEWER IMPACT FEES ARE PAID; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 70-49 OF THE HOLLY HILL CODE OF ORDINANCE TO CHANGE WHEN WATER AND SEWER IMPACT FEES ARE PAID; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida law was amended in 2019 to prohibit a local government from collecting impact fees prior to the date of issuance of a building permit; and

WHEREAS, currently water and sewer impact fees are required to be paid prior to the issuance of a building permit, which is inconsistent with the new law; and

WHEREAS, all other impact fees levied by the City are to be paid prior to issuance of the certificate of occupancy; and

WHEREAS, words which are underlined (underlined) are additions to the text and words with strike through (~~strike through~~) the characters are deletions from the text.

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 amends Section 70-49 (When payable; penalty for nonpayment.) to read as follows:

Sec. 70-49. - When payable; penalty for nonpayment.

- (a) Except as provided in this division, the fee provided in section 70-47, shall be imposed on every equivalent living unit initially connected to the city's water supply system or wastewater treatment system after April 23, 1991, whether those units are new or existing and whether those units are inside or outside the municipal limits.
- (b) The impact fees due under this division shall be paid prior to the issuance of a certificate of occupancy. ~~building permit~~.

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 23rd day of JULY, 2019 for second reading.

Enacted and approved this 23rd day of July, 2019, in Holly Hill



9. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte thanked the Finance Department for doing a good job balancing the budget. It's a tight budget but overall it's a good budget.

B. City Attorney Comments

Not present tonight.

C. City Commission Comments

Commissioner Danio congratulated Rose for receiving the Positivity Award and mentioned that there is a lot of good things going on in Holly Hill.

Commissioner Johnson mentioned all the good things taking place in Holly Hill and how he appreciates the employees and all the good work that they do and mentioned that he would like to see LPGA Blvd., wider.

Commissioner Penny asked about the National Clean Up Day for September 21st and Mr. Forte stated that he will register the city but it's not quite time yet and that he is trying to add another location as well.

There was some discussion about moving National Night Out to the first Tuesday in October 2020 from now on due to the weather being a little cooler and more kids would be able to attend because they will be back in school and would receive the advertisements.

*Commissioner Penny made a motion to **APPROVE** moving **NATIONAL NIGHT OUT to the FIRST TUESDAY IN OCTOBER BEGINNING 2020**, seconded by Commissioner Danio.*

Mayor Via opened public participation. No one spoke.

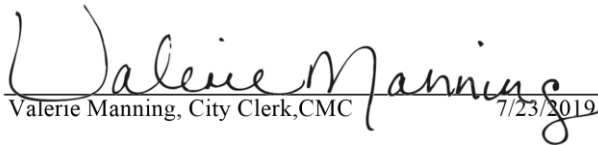
PASSED, 4-0.

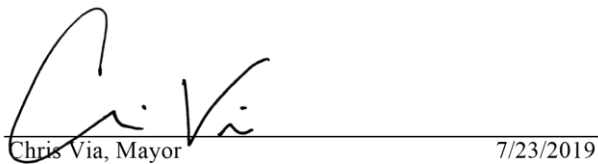
D. Mayor's Comments

Mayor Via thanked the Finance Department and Mrs. Gurnee for a job well done on the budget and appreciates all of their hard work.

10. ADJOURNMENT

The meeting adjourned at approximately 8:00 PM.


Valerie Manning, City Clerk, CMC 7/23/2019


Chris Via, Mayor 7/23/2019