CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JULY 24, 2018

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
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Excused	
John C. Danio	District 3 - Commissioner	Present	
Chris Via	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

b. Invocation
Commissioner Byrnes led the invocation.

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

2. POSITIVITY AWARD - MADDEN'S ACE HARDWARE

1.

Madden's Ace Hardware

(Requested by Valerie Manning, City Clerk)

3. PRESENTATIONS

1.

Legislative Update from Representative Patrick Henry, Distict 26

(Requested by Valerie Manning, City Clerk)

2.

Presentation by CCFAW Representative for Trap Neuter Release (TNR) Program

(Requested by Valerie Manning, City Clerk)
Patrick Henry, District 26 Representative came forward and gave a brief update on the Legislative issues to the Mayor and City Commissioners.

4. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:

Mike Chuven, 407 Miriam Avenue, Holly Hill, shared an invitation to the Special Olympics Volusia Annual Summer Picnic to the Mayor and City Commissioners. It will be on Saturday, August 11, 2018 in Hollyland Park from 11:00 AM to 3:00 PM with lunch beginning at noon. Lunch will be provided by and sponsored by Squadron #120 Sons of the American Legion Holly Hill.

Lynne Smith, 107 7th Street, Holly Hill, presented Commissioner Byrnes with a shirt that says, "Head of the Ignorance Campaign" and congratulated him on his "Ignorance Campaign" and for anyone who has mistaken his intent, which he has explained thoroughly, she is here to support that. When Commissioner Byrnes says someone is being ignorant, he is using it in the way of being misinformed and he is not insulting people's intelligence. Since Commissioner Byrnes will be outgoing on the Commission, she feels he has done a fine job in trying to educate people who come up to the dais who are misinformed about the facts. She is glad to see some newcomers to the meeting tonight and would encourage everyone here and listening to have more people come to these Commission meetings so that they are informed about what's going on in Holly Hill so that they feel that their voice is being heard by the Commission and their concerns can be addressed. For the Boy Scouts that are attending the meeting tonight, it's good to listen about what's going on in the community and to be a part of than not be a part of what's going on. In honor of Commissioner Byrnes campaign, she had this shirt made for him that says, he's the head of this campaign and on the back it says, "Proud to Serve Holly Hill."

Commissioner Byrnes thanked Mrs. Smith for the shirt and was very surprised.

Dennis Smith, 107 7th Street, Holly Hill, spoke in reference to the last presentation by CCFAW and said that everyone that has a dog, has to pay a fee for a license, wouldn't it be more beneficial to the city after hearing the numbers and the cost that the city has, to want to be a colony person, they should pay a fee to the city to recoup the city's money. Is there any way that he can get a list of active cat colonies at addresses so that they know?

Mr. Forte stated, it's public record so the city has it.

5. APPROVAL OF MINUTES

1.

Minutes - June 28, 2018 - Workshop on Pickleball in Hollyland Park Discussion

(Requested by Valerie Manning, City Clerk)
At this time, Mayor Penny asked for a motion and second to excuse Commissioner Currie

from tonight's City Commission meeting.

Commissioner Byrnes made a motion to ***EXCUSE COMMISSIONER*** *CURRIE from the City Commission meeting, seconded by Commissioner Danio.*

PASSED, 4-0.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Danio, Via, Penny

Enacted and approved this 24th day of July, 2018, in Holly Hill

6. CONSENT AGENDA - ITEM (1)

Mayor Penny asked if any member of the Commission would like to pull the item for further discussion or if any member of the audience would like to discuss this item. **There was no one.**

1. Resolution

Resolution 2018-R-42 A Resolution of the City of Holly Hill, Florida, Authorizing the Continuation of the Memorandum of Understanding by and Between the City of Holly Hill, Florida, and Concerned Citizens for Welfare (CCFAW) a Trap/Neuter/Return (TNR) Program for Control of the Free Roaming Cat Population; and Providing for Severability; Providing and Allowing for Budgetary Concerns; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION

Enacted and approved this 24th day of July, 2018, in Holly Hill

7. REGULAR AGENDA

1.

Maximum Millage - Holly Hill Operating Fiscal Year 2018 - 2019

(Requested by John McKinney, Finance)
John McKinney, Finance Director, spoke briefly pertaining to the maximum millage rate for FY2018-2019. Mr. McKinney suggested a 6.75 millage rate *(as discussed in previous budget workshops)* and informed the Mayor and City Commissioners that they can lower it after if they approve that rate but it can't be higher.
Mayor Penny opened public participation. No one spoke.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Danio, Via, Penny

Enacted and approved this 24th day of July, 2018, in Holly Hill

8. PUBLIC HEARINGS

1. Resolution

Resolution 2018-R-43 A Resolution of the City of Holly Hill, Florida, Relating to the Provision of Code Repairs and Nuisance Abatement Services in the City; Establishing the Assessment to be Levied Against Each Specifically Benefited Property in the City for the Fiscal Year Commencing October 1, 201; Imposing Code Assessments Against Specifically Identified Properties Located Within the City; Approving the Assessment Roll for Such Fiscal Year and Directing Delivery Thereof to the Tax Collector; Providing for Severability; and Providing an Effective Date.

(Requested by John McKinney, Finance)
Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Danio, Via, Penny

RESOLUTION

Enacted and approved this 24th day of July, 2018, in Holly Hill

2. Resolution

Resolution 2018-R-44 A Resolution of the City of Holly Hill, Florida, Setting the Proposed Stormwater Utility Fee at $8.00 Per Equivalent Residential Unit; Establishing the Equivalent Residential Unit for Non-Residential and Multi-Family Properties;

Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by John McKinney, Finance)
Mr. Forte read the entirety of the Resolution into the record:

RESOLUTION 2018-R-44
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SETTING THE PROPOSED STORMWATER UTILITY FEE AT $8.00 PER EQUIVALENT RESIDENTIAL UNIT; ESTABLISHING THE EQUIVALENT RESIDENTIAL UNIT FOR NON-RESIDENTIAL AND MULTI-FAMILY PROPERTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission has determined, due to the amount of stormwater maintenance required to preserve retention areas and canals in good condition, that it is in the best interest of the City of Holly Hill to set the stormwater utility fee at $8.00 per equivalent residential unit (ERU) per month or $96.00 per equivalent residential unit (ERU) per year; and

WHEREAS, for non-residential and multi-family properties, the City Commission has determined, based on the recommendation of the City Engineer, that the single-family equivalent unit should be 2,050 square feet.

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

SECTION 1. The proposed stormwater utility fee is hereby set at $8.00 per equivalent residential unit (ERU) per month or $96.00 per equivalent residential unit (ERU) per year.

SECTION 2. For non-residential and multi-family properties the single-family equivalent unit shall be 2,050 square feet.

SECTION 3. A Public Hearing will be held on September 10, 2018 to set the Final Rate.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, 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 5. That all resolutions made in conflict with this Resolution are hereby repealed.

SECTION 6. That this Resolution shall become effective immediately upon its adoption.

Commissioner Via voted no against this because he doesn't like to see the utility fees go up.
They've had a long discussion about this in the budget workshops.

Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [3 TO 1]**
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Byrnes, Danio, Penny
NAYS:	Via

RESOLUTION

Enacted and approved this 24th day of July, 2018, in Holly Hill

3. Ordinance

SECOND READING - Ordinance 3007 An Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map to Designate the Parcel Identified as 320 10Th Street as General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date. AND SECOND READING - Ordinance 3008 An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Amending the Official Zoning Map to Designated the Property at 320 10Th Street as More Specifically Described in Attachment "A" from B-4 Highway Business District to CC-1 Commercial Corridor District; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Brian Walker, City Planner)
Mr. Forte informed the Mayor and Commissioners that there are two (2) Ordinances in this agenda item but they will be voting on them separately for the record.

Brian Walker, City Planner briefly went over the staff report in the packet for both Ordinances that pertain to the Future Land Use Map for the parcel identified as 320 10th Street, Holly Hill as indicated in the staff report.

Mayor Penny stated before they vote on this, they have to disclose if they had any ex parte communication with the applicant, Robin Hanger, for the item being discussed. Mayor Penny, Commissioners Byrnes and Via have spoken to Mr. Hanger about this.

Ordinance 3008:

*City Commissioner Byrnes **APPROVED ORDINANCE 3008 for first reading**, seconded by Commissioner Via.*

PASSED, 4-0.

Mayor Penny opened public participation for BOTH Ordinances on FIRST READING. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]**	**Next: 8/14/2018 7:00 PM**
MOVER:	Chris Via, District 4 - Commissioner	
SECONDER:	John C. Danio, District 3 - Commissioner	
AYES:	Byrnes, Danio, Via, Penny	

9. COMMUNICATIONS

A. City Manager & Staff Comments

a.

Lift Station #1 Rehabilitation (17WW01) Change Order #1 - Final

(Requested by Antoine Khoury, Public Works)
Mr. Forte gave an update o the Change Order #1 for Lift Station #1 Rehabilitation.

*Commissioner Byrnes made a motion to **APPROVE CHANGE ORDER #1 for LIFT STATION #1 REHABILITATION**, seconded by Commissioner Danio.*

Mayor Penny opened public participation. No one spoke.

PASSED, 4-0.

Mr. Forte mentioned that it has been brought to his attention that in a previous election year, a City Commission meeting was cancelled due to the fact that it was on the same evening. He would like to know if they would like to consider cancelling the August 28th City Commission meeting since it is the same night as a regularly scheduled meeting and if something needs to be addressed and they need to meet, they can do that.

Mayor Penny asked the Commissioners for their thoughts and there was ***consensus*** to cancel the August 28, 2018 City Commission meeting on election day but if something comes up and they need to meet, they are okay with doing that. Mayor Penny asked for a motion and second.

*Commissioner Via made a motion to **CANCEL THE TUESDAY, AUGUST 28, 2018 REGULARLY SCHEDULED CITY COMMISSION MEETING SINCE IT FALLS***

***ON ELECTION DAY**, seconded by Commissioner Danio.*

Mayor Penny opened public participation. No one spoke.

PASSED, 4-0.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Byrnes thanked Lynne Smith for his shirt and those that were wearing them. He greatly appreciated it and was very surprised.

Commissioner Via reminded everyone about the Splash-In on the Halifax event on Labor Day weekend, September 1, 2018 at Sunrise Park North and South side from 12:00 PM to 4:00 PM, free event and open to the public.

D. Mayor's Comments
Mayor Penny thanked Patrick Henry for coming this evening and giving everyone an update on the Legislative issues; spoke about the Advocacy Team being created through the Volusia League of Cities and that a meeting will be held on August 6th in DeLand from 9:00 AM to 10:00 AM and you need to be invited to attend so contact him if interested; mentioned the School Marshal System being discussed by other cities; he recommends a one (1) year approval for $11,000 under contract but there was ***consensus*** from the Commission to have a "SRO Officer" there, they are able to arrest and have more authority if something were to happen; there was ***consensus*** to have the Superintendent to come to the next City Commission meeting on August 14th for a brief presentation and then they can decide what they want to do as far as money goes; the City Manager will contact the Superintendent and will invite him to the meeting.

10. ADJOURNMENT

The meeting adjourned at approximately 8:30 PM.

Valerie Manning, City Clerk,CMC 7/24/2018

John Penny, Mayor 7/24/2018