



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • AUGUST 10, 2021

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	Absent	
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 Commissioner Johnson led the invocation.

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

2. PUBLIC COMMENTS

No one spoke.

3. APPROVAL OF MINUTES

1.

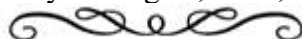
Minutes - July 27, 2021, Budget Workshop and July 27, 2021 Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 10th day of August, 2021, in Holly Hill



4. CONSENT AGENDA - ITEM (1)

Mayor Via asked if there was anyone in the audience who wishes to speak on the item on the Consent Agenda and there was no one.

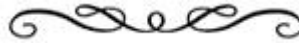
1.

Domestic Abuse Council of Volusia County MOU Beacon Center

(Requested by Lisa O'Neal, Police)

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

Enacted and approved this 10th day of August, 2021, in Holly Hill

**5. REGULAR AGENDA**

1. -2021-R-49 Resolution

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

(Requested by Stella Gurnee, Finance)

Mayor Via mentioned that he would like to see removed from the fee schedule is the \$200 minimum for residential and leave it as it is. In other words, the work without a permit fee charge to residents has reverted to 2 times the permit instead of 2 times the permit or \$200 at a minimum.

Mayor Via opened public participation. No one spoke.

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

**RESOLUTION
2021-R-49**

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

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING CERTAIN FEES, DECREASING CERTAIN FEES, AND INCREASING CERTAIN EXISTING FEES FOR VARIOUS SERVICES, PERMITS, AND CERTIFICATES PROVIDED BY THE CITY, AND INCREASING WATER AND SEWER RATES BY 5.5% FOR THE NEXT FISCAL YEARS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

1. On August 25, 2020, the City Commission adopted Resolution 2020-R-39, which was the most recent incorporation of annual modifications to various fees/costs, surcharges and administrative costs/fees relating to the Code of Ordinances, Land Development Code and various administrative costs/fees.
2. The Citywide Fee Schedule has been modified to incorporate 2020 changes in the City of Holly Hill's Code of Ordinances including Chapter 70 (Utilities) and various changes contained in the Land Development Code.
3. The Schedule of Fines, Fees, Costs and/or Penalties (which is attached hereto and incorporated herein as "Attachment "A") is being modified to reflect the changes that have been incorporated herein.

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

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

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

SECTION 3. The fees which are newly created, increased, decreased, and unchanged- as set forth in the FY 2021-2022 Proposed Citywide Fee Schedule (Attachment "A"):

1. Do not exceed the actual or estimated reasonable costs to the City of providing the services to which the fees relate;
2. Are reasonable and necessary to enable the City to provide the benefit or privilege, service or product, license or permit, use or rental, fine or penalty, or property development to which they relate;
3. Have been allocated in a manner such that the costs to a payor bear a fair and reasonable relationship to the payor's burden on, or benefits received, from the City; and

SECTION 4. The City Commission hereby approves and adopts:

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

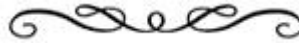
- A. Creates, increases, decreases, or removes some fees.

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

SECTION 6. The newly created fees, unchanged fees, decreased fees and increased fees listed in this Resolution and set forth in the FY 2021-2022 Proposed Citywide Fee Schedule (Attachment “A”) become effective on October 1, 2021.

APPROVED AND AUTHENTICATED on this 10th day of AUGUST, 2021.

Enacted and approved this 10th day of August, 2021, in Holly Hill



2. -2021-R-50 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving and Awarding Cubix Inc., the Contract to Provide Saniglaze Restoration, Everglaze Annual Maintenance and Quarterly Scrub and Rinse Services for All City Park Restrooms, and Authorize the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

Mayor Via opened public participation.

Heidi Heller, Holly Hill, spoke briefly.

Mayor Via closed public participation.

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

RESOLUTION

2021-R-50

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AND AWARDING CUBIX INC., THE CONTRACT TO PROVIDE SANIGLAZE RESTORATION, EVERGLAZE ANNUAL MAINTENANCE AND QUARTERLY SCRUB AND RINSE SERVICES FOR ALL CITY PARK RESTROOMS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF ORANGE COUNTY CONTRACT #Y19-1018-MW AND AWARDING CUBIX, INC., THE CONTRACT TO PROVIDE SANIGLAZE RESTORATION, EVERGLAZE ANNUAL MAINTENANCE AND QUARTERLY SCRUB AND RINSE SERVICES FOR ALL CITY PARK RESTROOMS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the restrooms in City parks are not able to be maintained up to city standards and restoration is desired; and

WHEREAS, proposals were received that will decontaminate, restore and preserve city park restrooms, provide the first year of required annual maintenance and provide quarterly scrub and rinse maintenance; and

WHEREAS, the City has been offered competitive pricing based on a contract awarded to Orange County, Florida.

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

SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute an agreement with Cubix, Inc., to provide SaniGLAZE restoration, EverGLAZE annual maintenance and quarterly scrub and rinse services for all city park restrooms.

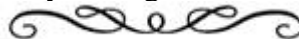
SECTION 2. That this Resolution shall take effect immediately upon its adoption.

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 10th day of AUGUST, 2021.

Enacted and approved this 10th day of August, 2021, in Holly Hill



3.

Request for Code Enforcement Lien Reduction - 1575 Hammock Lane
(Requested by Joseph Forte, City Manager)

Mr. Forte briefly went over the staff report for the lien reduction request for 1575 Hancock Lane, Holly Hill with the Mayor and City Commissioners. Mr. Forte is requesting to reduce the lien from \$21,050.00 to the amount of **\$2,163.73**. The City shall not release the \$21,050.00 lien amount until payment has been received in the amount of **\$2,163.73**. If payment is not received by 5:00 PM on September 10, 2021 the full amount of the lien shall remain in place without an option to reduce the fine in the future.

Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 10th day of August, 2021, in Holly Hill



6. PUBLIC HEARING

1. -2021-O-3041 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Rezoning the Parcel Described in Exhibit "A" from CC-1 (Commercial Corridor District) to BPUD (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

Commissioner Johnson stated for the record that he has filled out **FORM 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers**, with the City Clerk before the first reading of this agenda item at the July 27, 2021 regular City Commission meeting and it's on file. He informed the Mayor and Commissioners that he is the applicant for this property, located at 1137 S. Nova Road, for the BPUD project. At this time, Commissioner Johnson left the Commission Chambers and had no communication, input or was a part of this discussion item. Commissioner Johnson was asked to come back into the Commission Chambers once the agenda item was adopted for second and final reading.

Harry Newkirk, Newkirk Engineering was present but did not have any further comments to add since first reading.

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [3 TO 0]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Currie, Danio
ABSTAIN:	Johnson
ABSENT:	Penny

**ORDINANCE
2021-O-3041**

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY REZONING THE PARCEL DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO BPUD (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the Holly Hill Board of Planning and Appeals has recommended that the requested rezoning be granted; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan.

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

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in Exhibit “A” as BPUD (Business Planned Unit Development) pursuant to the provisions contained in the attached Development Agreement, attached to this Ordinance as Exhibit “B” and incorporated in this Ordinance by reference.

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 upon adoption/recording.

**APPROVED AND AUTHENTICATED on this 10th day of AUGUST, 2021
for second and final reading.**

EXHIBIT “A”

LEGAL DESCRIPTION

PARCEL 1:

THE NORTH 100 FEET OF THE SOUTH 1/2 OF LOT 13, EXCEPT THE WESTERLY PART IN STATE ROAD 415, BLOCK 21, OF MARY C. FLEMING'S SUBDIVISION OF THE THOMAS FITCH GRANT, AS PER MAP RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; TOGETHER WITH

PARCEL 2:

THE SOUTHERLY 110 OF LOT 13, BLOCK 21, OF MARY C. FLEMING'S SUBDIVISION OF THE THOMAS FITCH GRANT, AS PER MAP RECORDED IN MAP BOOK 1, PAGE 1, EXCEPT THAT PORTION, THEREOF, IN NOVA ROAD, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; TOGETHER WITH

PARCEL 3:

THE NORTHERLY 120 FEET OF THE SOUTHERLY 230 FEET OF LOT 13, BLOCK 21, OF MARY C. FLEMING'S SUBDIVISION OF THE THOMAS FITCH GRANT, AS PER MAP RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, EXCEPTING, THEREFROM, THAT PORTION, THEREOF, IN NOVA ROAD. ALSO DESCRIBED AS THE SOUTHERLY 120 FEET OF THE NORTHERLY 220 FEET OF THE SOUTH 1/2 OF LOT 13, EXCEPT THE WESTERLY PART IN STATE ROAD 415, BLOCK 21, OF MARY C. FLEMING'S SUBDIVISION OF THE THOMAS FITCH GRANT, AS PER MAP RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

Enacted and approved this 10th day of August, 2021, in Holly Hill



7. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte asked the Mayor and Commissioners about Trunk or Treat for this year and whether or not they would like to hold it out front like they did in 2019. There was **consensus** to move forward in planning for the time-being; asked to send a letter to the County pertaining to Vistas at Fountainhead-Support Letter since he will be out on vacation all next week and there was **consensus** to send the letter to the County.

B. City Attorney Comments

None.

C. City Commission Comments

Commissioner Danio wished everyone a safe school year and to keep the teachers in prayer for a safe school year.

Commissioner Johnson thanked staff for working on this project at 1137 S. Nova Road.

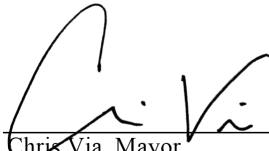
D. Mayor's Comments

Mayor Via mentioned that Congressman Mike Walt and himself was over at Pictona getting a tour of the facilities and played a game with Rainer and Julie Martens; Solar-Fit visit; the solar panels will be going on the YMCA pool.

8. ADJOURNMENT

The meeting adjourned at approximately 6:50 PM.


Valerie Manning, City Clerk, CMC 8/10/2021


Chris Via, Mayor 8/10/2021