



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

REVISED MINUTES • SEPTEMBER 9, 2015

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	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

B. Invocation

Commissioner Capers led the invocation.

C. Pledge of Allegiance to the Flag

2. PUBLIC HEARINGS - BUDGET

1. Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Levying of Ad Valorem Taxes for the City of Holly Hill for the Fiscal Year 2015-2016; and Providing for Severability; and Providing for an Effective Date.

(Requested by Catherine Colwell, Finance)

Attorney Simpson read Resolutions 2015-R-46 and 47 in its entirety for the record. The Mayor and Commission discussed both resolutions but voted on them separately.

RESOLUTION 2015-R-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2015-2016; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on

September 9, 2015, adopted a Fiscal year 2015-2016 tentative millage rate following a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation Volusia County has been certified by the County Property Appraiser to the City of Holly Hill as \$ 512,770,533.

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

SECTION 1. The FY 2015-2016 operating millage is 7.1304 mills, which is 4.15% above the rolled-back rate of 6.8464 mills.

SECTION 2. The Final Public Hearing will be September 22, 2015.

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 adoption by the City Commission.

RESOLUTION 2015-R-47

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2015-2016; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 9, 2015, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, set forth the appropriations and revenue estimate for the Budget for Fiscal Year 2015-2016.

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

SECTION 1. The FISCAL Year 2015-2016 tentative Budget be adopted.

SECTION 2. Set the final public hearing for September 22, 2015 at 7:00 pm.

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.

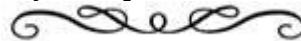
SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

RESOLUTION

Enacted and approved this 9th day of September, 2015, in Holly Hill



2. Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Budget for the City of Holly Hill for the Fiscal Year 2015-2016; and Providing for Severability; and Providing for an Effective Date

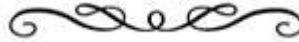
(Requested by Kurt Swartzlander, Finance)

Mayor Penny opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

RESOLUTION

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3. Resolution

A Resolution of the City of Holly Hill, Florida, Setting the Final Stormwater Utility Fee at \$7.00 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 Kurt Swartzlander, Finance)

Mayor Penny opened public participation.

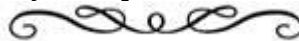
The following individual spoke to the Mayor and City Commission: Monica Peterson spoke 730 Ridgewood Avenue, Holly Hill.

Mayor Penny closed public participation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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3. **PRESENTATION**

1. -DOC-2015-42

City Catalyst Grant Presentation - Florida League of Mayors and Florida Business Watch

(Requested by Valerie Manning, City Clerk)

John Thomas from the Florida League of Mayors and Beth Rollins, Florida Business Watch presented a grant check in the amount of \$750.00 to the City of Holly Hill for the book program, community library at the YMCA.

RESULT:	PRESENTATION
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Enacted and approved this 9th day of September, 2015, in Holly Hill



4. APPROVAL OF MINUTES

1.

Minutes - August 25, 2015 - Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John F. Capers, District 3 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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5. PUBLIC PARTICIPATION

The following individuals spoke to the Mayor and City Commission: Rentha Flowers, HH Historic Society, Jim Legary, 342 Burleigh Avenue, Holly Hill.

6. CONSENT AGENDA - ITEMS (1 - 4)

Mayor Penny opened public participation on the Consent Agenda.

1.

Lease Amendment Chucherias Hondurenas

(Requested by Lynn Dehlinger, Economic Development)

The following individual spoke to the Mayor and City Commission: Jim Legary, 342 Burleigh Avenue, Holly Hill.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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2. Resolution

Fiscal Year 2016 Water and Waste Water Treatment Chemicals

(Requested by Mark Juliano, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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3.

Halifax Humane Society Agreement 2015-2016

(Requested by Steve Aldrich, Police)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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4.

General Liability, Property & Casualty and Workers Compensation Insurance

(Requested by Kurt Swartzlander, Finance)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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**7. REGULAR AGENDA**1. Resolution

PBA Bargaining Unit Agreement

(Requested by Joseph Forte, City Manager)
Mayor Penny opened public participation.

The following individual spoke to the Mayor and City Commissioners: Mike Scudiero, Coastal Florida Police Benevolent Association, Daytona Beach.

Mayor Penny closed public participation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Elizabeth Albert, District 4 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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2.

Non-Union Wage Adjustment

(Requested by Kurt Swartzlander, Finance)
Mayor Penny opened public participation. No one spoke.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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8. PUBLIC HEARING

1.

814 8Th Street Condemnation

(Requested by Larry Hites, Building and Zoning)
Mr. Hites gave an update on 814 8th Street and informed them that he has not received an application for a permit to re-roof or any application for that matter for any work being done there. There rear residence does have its own power and its own water. The status for this property is still the same since the last Commission meeting. Mr. Hites informed the Mayor and Commissioners that he has not had any further communication with the property owner for permitting or anything else. Mr. Hites stated he had a meeting with the City Manager and Larry Stevenson came in and brought in bids for a roof and Mr.

Stevenson was directed to come in and get a permit, pick a roofer and start it. He was told to get progress going or the City was going to pursue tearing the building down. There are bids but its been two weeks and no permits have been pulled to start the work.

Commissioner Albert made a motion based on the information they just received from Mr. Hites and the evidence that was presented at the last two public hearings to CONDEMN 814 8th Street, seconded by Commissioner Currie.

Larry Stevenson, 415 Golf Blvd., Daytona Beach spoke and he is representing the property owner at 814 8th Street. Mr. Stevenson informed the Mayor and Commissioners that the reason himself and Mr. Hathaway were not at the last Commission meeting is that Mr. Hathaway was hospitalized. Mr. Stevenson stated he did meet with Mr. Forte and Mr. Hites and brought them the roof estimates but also proof for the electric was checked by an electrician. They have done everything they asked them to do except doing the permit. The day he was going to do the permit, he got a buyer to buy the property. The buyer has the money to do the entire place immediately. The buyer wants to renovate it immediately, starting with the roof. The closing date is set for October 7, 2015, on or before.

Richard Parkhurst, lives in the house in the rear of the property located at 814 8th Street spoke briefly. Mr. Parkhurst informed the Mayor and Commissioners that he will be there two years at the end of September.

The motion made by Commissioner Albert and seconded by Commissioner Currie to CONDEMN 814 8th Street, PASSED, 5 - 0.

Commissioner Byrnes made a motion that the permits be acquired by September 22, 2015 then on October 13, 2015 their assessment should be done as far as to whether the roof can be replaced, having the property in complete compliance on October 13, 2015 of the roof, electrical and plumbing for the safety issues and health, DIED FOR LACK OF A SECOND.

Commissioner Capers made a motion that the buyer has 30 days from the purchase date to come in to compliance, DIED FOR LACK OF A SECOND.

Commissioner Albert made a motion that 814 8th Street needs to come fully in to compliance with the roof, electrical and plumbing on or before the City Commission meeting of October 13, 2015, seconded by Commissioner Byrnes.

Mayor Penny opened public participation. No one spoke.

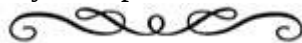
Mayor Penny asked Attorney Simpson if there is any further action that is needed if this property does not come into compliance on or before October 13, 2015?

Attorney Simpson stated, no. Staff is authorized to proceed with demolition commencing on October 14, 2015.

The motion PASSED, 5-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

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9. PUBLIC PARTICIPATION

None.

10. COMMUNICATIONS

a. City Manager & Staff Reports

Mr. Forte mentioned the \$2500.00 for the citizen survey with regard to going out for a vote for a half cent sales tax. That would be the maximum the City would have to pay out of pocket. All the cities have been asked to bring forth a Resolution in support of this at the next meeting. If the Commission supports that Resolution, he will have Mr. Swartzlander make an amendment to the budget to account for that and if not, they will pull it back out of the budget. Mr. Forte mentioned the benches down at Riverside Park pier, he doesn't have clear direction from the Commission on what to do. There are two benches at the park already. He was hearing earlier that the City is not doing anything to put more benches or picnic tables on the pier itself. Mr. Forte wants to make sure he has clear direction before they leave this evening.

Mayor Penny stated it may be helpful if staff can get some estimates as to what that would cost.

Mr. Forte stated they are in the process of getting estimates but they have not come in yet. When he gets them, he will bring them forward so they can see what the cost would be.

b. City Attorney

Attorney Simpson found the case that he was looking for on liability that Commissioner Currie asked about earlier on the property at 814 8th Street and discussed that with them.

c. Mayor's Report

Mayor Penny spoke about positivity; thanked everyone who is participating in the Mayor's Challenge.

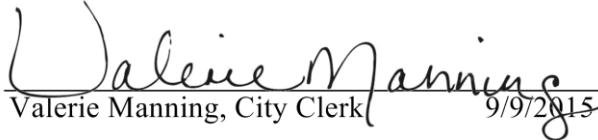
d. District Commissioners Reports

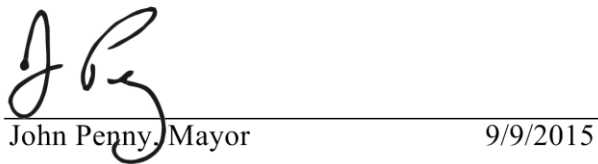
Commissioner Byrnes spoke about the Pledge of Allegiance at the schools. Commissioner Albert personally thanked the City Manager and the Police Department for helping her and her family with a personal issue over the last few months and deeply appreciate their help. On Friday, September 11 at 4:00 PM there will be a Patriot event at Dale Woodward Funeral home.

Mayor Penny reminded everyone about the 19th Annual Golf Scramble with the Chamber on Sept. 19th; Trunk or Treat event Friday, October 30th, candy donations can be dropped off at the City Clerk's office.

11. ADJOURNMENT

The meeting adjourned at approximately 9:40 pm.


Valerie Manning, City Clerk 9/9/2015


John Penny, Mayor 9/9/2015