



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MAY 10, 2022

Large Conference Room

Work Session

5:00 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	

2. CONTAINERS ORDINANCE

1.

Containers Ordinance - Discussion

(Requested by Valerie Manning, City Clerk)

Brian Walker, City Planner went over his staff report with the Mayor and Commissioners. Taken directly from the staff report, the following was read for the audience by Mr. Walker.

Currently, the City's Land Development Code does not specifically allow or disallow the use of shipping containers, in the style of those commonly seen on freight trains and ships and trucks transporting goods, for storage in any zoning district within the City. However, the City has received several requests to place shipping containers on parcels in both the business and residential zoning districts for permanent storage use. And while there have been few complaints about such containers, the request to use them for permanent storage has been increasing. It is staff's opinion that the use of shipping containers is a temporary one, in which they are delivered to a site, loaded with goods, and placed on a transport vehicle such as a ship, train or truck, to be transported to another facility. They are not meant to be a permanent storage fixture on sites. Steel shipping containers are built well for their purpose, which is the temporary transport of goods on a ship, rail or truck, and because they are industrial in nature and designed for transport, they are not visually appealing when left on a site for permanent storage use. Such containers come in all shapes, sizes and conditions, and if left unregulated, staff feels they have the potential to severely detract from the visually appealing commercial and residential areas that the City is trying to realize. Because the City's code does not

provide any specific guidance on shipping containers, or even define what a shipping container is, staff has worked to develop an ordinance that defines the term, and addresses where they can and cannot be placed within the City. In developing the ordinance, staff reached out to other jurisdictions within Volusia County to get an idea of how shipping containers are treated in those areas. In general, such containers are permitted as permanent structures only in industrial settings. The proposed ordinance defines a “Shipping Container” aka “Intermodal Container” as a reusable container that is originally, specifically or formerly designed for or used in the packing, shipping, movement, or transportation of freight, articles, goods, or commodities and is also designed for or capable of being mounted or moved on a rail car, truck trailer or loaded on a ship for intermodal freight transport. Such a container is not a storage shed.

EXHIBIT A - Provides an example of the type of shipping containers this ordinance addresses.



The proposed ordinance restricts the use of shipping containers for permanent storage use, to the CC-1 - Commercial Corridor District, I-1 - Wholesale-Light Industrial and I-2 - Heavy Industrial, zoning districts. “Permanent use” means more than 14 days within a calendar year, except that such containers may be placed on active construction sites for more than 14 days within a calendar year and not be considered permanent storage. The use of shipping containers for permanent storage use would be prohibited in all other straight zoning districts. They would also be prohibited on any properties within the CRA that touch Ridgewood Avenue and/or LPGA Avenue. The CC-1 - Commercial Corridor District, I-1 - Wholesale-Light Industrial, and I-2 - Heavy Industrial, zoning districts were selected as being the most appropriate zoning districts to permit shipping containers, because the purpose and intent of those districts is to provide for those storage and commercial uses which are considered intensive in relation to the other districts. The proposed ordinance also requires that such containers be placed behind the front plane of a principal structure and shall not be located within the principal rear and side yard setbacks of the CC-1 (Commercial Corridor), I-1 (Wholesale-Light Industrial) and I-2 (Heavy Industrial) zoning districts, except that such containers that have a footprint of less than 250 square feet be allowed to be placed within 8 feet of the rear property line. If the container is at all visible from public rights-of-way, it must be placed in an eight-foot high, masonry block enclosure or wall with a stucco finish painted to match the color of the principal structure. This enclosure is similar to what is required for a commercial dumpster which is essentially a metal container. Shipping containers must also sit on a concrete slab and be anchored to ensure level placement and prevent weeds from growing in and around them. To protect the life, health and safety of the public, the proposed shipping containers shall not be permitted as living quarters or office workspace. No plumbing, electric or air conditioning shall be permitted inside of a shipping container to ensure the unit will not be occupied. The material to be stored in shipping containers is subject to review by the Chief Building Official, and or Fire Chief of Fire Marshal, to ensure the materials stored within them are not hazardous. These regulations not apply to

City approved planned developments wherein such containers are used to construct unique offices, homes, restaurants, etc., that meet all requirements of the Florida Building Code, as well as all other applicable city, state and federal regulations. An example of such a development is attached titled, Container Development Examples. Shipping containers that have received a permit on any property prior to the adoption date of the ordinance may remain on the property, but can be moved only to make them less visible from any rights of way. Shipping containers not associated with an active construction site, and that do not have a permit, but that have been on a property continuously for at least one year prior to the adoption date of this Ordinance, can remain on the property, but must receive a permit. The City shall have the right to require that the container be moved to a less visible area, and meet setback or screening requirements. The presence of the container on the property must be able to be verified and providing such proof shall be the responsibility of the property owner. All other non-permitted shipping containers in the City must be removed from the property. Shipping containers must receive a permit to be placed on a property for any reason. Mr. Walker stated that staff recommends adoption of an Ordinance amending Chapter 78 - General Provisions, Section 78-14 - Definitions, to add definitions, and amend Chapter 114 - Zoning, Article III -Supplementary District Regulations, Division 4 - Buildings and Structures, to add a new section titled Shipping Containers, and renumber existing sections as needed, and add definitions to section 114-746 - Specific terms defined, of the Land Development Regulations.

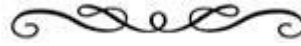
CONTAINER DEVELOPMENT EXAMPLES



There was some discussion amongst the Mayor, Commissioners, Mr. Forte and staff at this time. Mr. Forte suggested to the Commission that they take time to look over the proposed ordinance that is in their packet and send him any ideas or information that they may want to see changed or updated within the ordinance proposed and to have their comments to him no later than Friday, May 13, 2022 by the end of the day and he will get with staff with those suggestions and bring forth an updated Ordinance if there is one.

Mayor Via recessed the workshop to convene the regular City Commission meeting that was scheduled for 6:00 PM. There was **consensus** from the Commission to continue this workshop after the regular City Commission meeting.

This workshop recessed at approximately 5:57 PM.



3. UTILITY BILLING SYSTEM IMPLEMENTATION UPDATE

1. -DOC-2022-2

Utility Billing System Update

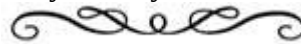
(Requested by Joseph Forte, City Manager)

Mayor Via reconvened the workshop at approximately 7:15 PM.

Stella Gurnee, Assistant City Manager to Special Projects went over the PowerPoint presentation pertaining to the Utility Billing update with the Tyler Incode Implementation. *(For a copy of the PowerPoint presentation, you may contact the City Clerk's Office)*

RESULT:	PRESENTATION
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Enacted and approved this 10th day of May, 2022, in Holly Hill



4. UPDATE ON CAPITAL PROJECT PROGRAM

Mr. Forte mentioned the Capital Improvements Projects with the Mayor and Commissioners. What he was hoping to do but won't do it tonight but will try to do it once a month, is give you an update on the overall Capital Improvement projects. Not just in Public Works but in other areas of the city. Ms. Lincoln had put this spreadsheet together and it's kind of a summary of everything that's going on, working with Mr. Khoury (Public Works Director) and Steve Juengst (Administration Manager for Public Works) that we can keep an eye on the projects and see what's happening, with what's in the budget. This is a good update. We'll do that at another date.

(A copy of the spreadsheet is available upon request in the City Clerk's Office).

Mr. Forte mentioned that the Commission agreed to go ahead and hire ZHA as a consultant to serve as a owners rep and project manager on half a dozen or more projects and we got a proposal from them and they initially tweaked it and it came down and staff met with them last week and they gave us a rundown of what they thought their responsibilities would be for those projects. At the end of the day, even after we removed three projects from the list, the cost is still around \$600,000 for their services. Mr. Forte stated that he met with one of their reps today and I trust them. I've worked with them while I was in Seminole County and I trust Andy Brooks who is the Principle for ZHA and they're even working on trying to figure out what's the value of what we're paying for? Even when we met internally, there's some things that the city can do that we don't really need them for. So, my biggest concern going

into this was that the staff - Antoine, Steve and Shawn...we just don't have time to carry out some of these projects. Well, a new issue has come up. Last week, a flurry of emails came out from the other City Managers because their projects have been increasing double digits. Doubling. And in one case a project tripled. The cost of projects is just sky-rocketing. We're seeing it locally even with Pictona; they have bi-weekly meetings over there, is met with nothing but price increases. What he thinks he would like to recommend is that we unwind this clock a little bit and we either put ZHA on hold or we eliminate moving any tasks to them and we look to do things in-house again, potentially, even hiring a Projects Manager to work under Antoine and Steve to help carry these out. I think we need to reprioritize these things because one of the things he thinks is happening is the money that the city has allocated for each of these projects, I no longer think it is enough. I think we're going to be under budget on a lot of it. The biggest priority that I think that we have right now is the trifecta is building the Public Works Building, building the new Fire Station, and renovating the old Fire Station. They kind of work hand-in-hand together to get that done and I think that would be one of the priorities, as well as, some of the waterline replacements. Today we had a bid opening for the Public Works building and although there were over thirty (30) plans picked up, we didn't get one bid back. Remember, we had this problem several years ago where we weren't getting bids back and that's what happened today. I think that it's primarily because of the amount of money that we had budgeted that these contractors don't think is enough. Another question came up as to whether or not the concrete slab is going to be sufficient for the building to go on it but that has a solution to it. We can figure that out and get an architect and engineer to determine that. But when you put a bid out and thirty (30) companies...now, some of those companies have no business picking up a bid but still, we didn't get a single bid back on that. So, that's kind of concerning to him. A lot of cities are pushing off their Capital Projects now, waiting for the market to settle down a little bit. It really kind of upsets me because this is where we have the money to do the projects and now the economy is making it difficult so that we almost can't. So, without any objection from any of the Commission members, I think I want to at least ask ZHA to take a step back, let us reorganize what our priorities are, let us look internally as to what we can or can't do and whether or not it would be more cost effective to bring someone on to help as a Project Manager. We are bringing on the Purchasing Agent next week, which he thinks will also be helpful in this whole process. That's kind of what his recommendation is. He wasn't sure if Antoine had anything he wanted to add to that. Do you agree or disagree?

Antoine Khoury, Public Works Director stated he agrees 100%.

Mayor Via stated and I don't think you're going to get an objection here. Is there anyone from the Commission that objects? There was no one.

Mayor Via stated he thinks that they may need to look to take it inward because you look at \$600,000 for that when we could maybe pay ten times less and have someone 40 hours a week.

Mr. Forte stated his main focus was not to over burden the staff. The current staff has a lot on their plate. When you look at this list of projects that's currently going on, there's a lot on the plate and I don't want to add anymore to the plate but if we can rearrange it and maybe get some help in there, I think it could still be successful.

Mayor Via stated we look forward to hearing the report on how we will work that one out.

5. EVENT COORDINATOR DISCUSSION

Mr. Forte stated as Pictona 2 continues to move on, they have hired a Tournament Coordinator who is going to schedule out tournaments and they're already scheduling. They started in October this year and they're booking into 2023 and going beyond. So, they have that part handled. Then the city has our part of the equation where we have to start to fill that venue up with other events and performances and activities. Mr. Forte mentioned that he met with a couple of promoters; Al Smith with Rick Hamilton. Rick Hamilton used to run the Ocean Center and he is very enthusiastic about it. He was out of State, he now lives in Margaretville and he actually, reached out to me when all this was happening several months ago. I met with him several times and he's offered me a proposal to do this. He would like to negotiate this proposal with him and hire him as a consultant to get these things started. His initial fee would be \$2,000 a month for the next five months so \$10,000 and then after that in November it will be \$3,000 a month and he would put in about 20 hours a week. The things he wants to bring here, we don't have a Rec Department to do it. Other things we have to worry about is like security, police, emergency services, first aid, ushers, etc., he has the ability and expertise to do this and its over my head to do it. This will be a CRA funded contractual position. I think if we don't start it now, by the time we get ready in the winter where we should be filling in, it's going to be too late. Another key point is the Ormond Performing Arts Center is closing down for renovations, that's an opportunity for a grab that we can start to get some performances that would typically take place there and he thinks their seating is less than six or seven hundred. We can grab some of those performances and maybe introduce them to our venue. Mr. Forte stated he would like to get their consensus to go ahead and work with Rick Hamilton. I think that Mr. Hamilton will be able to bring us in the back door and all of a sudden we would have a successful venue without people realizing we did it.

Commissioner Danio asked how long of a work time...sign him up for?

Mr. Forte stated Mr. Hamilton said he only wants to do this for three or four years. He's an older gentleman. This would initially be from June to October for the \$2,000 a month and then from October on...there's a 30-day termination clause for either party. He's going to have Attorney Simpson review it because there's also language in here about reimbursable expenses and we want to be sure we define exactly what that is. Not that I'm paying \$2,000 a month and \$10,000 for reimbursable things so we want to be sure we know what we're talking about. He did speak to Darq over at the Chamber of Commerce and she's an events coordinator. She's more of a "day of" coordinator for like weddings, things like that and he thinks that at some point we can probably engage her to do certain things over there but I think we need this, Mr. Hamilton's expertise. He thinks this is the right direction to go in.

There was consensus from the Mayor and Commissioners to move forward with Rick Hamilton.

6. ADJOURNMENT

The workshop adjourned at approximately 7:45 PM.


Valerie Manning, City Clerk, CMC 5/10/2022


Chris Via, Mayor 5/10/2022