



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • SEPTEMBER 25, 2018

Large Conference Room

Work Session

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

2. OUTSIDE DISPLAYS WITHIN THE CRA

1.

Outside Displays Within the CRA

(Requested by Valerie Manning, City Clerk)

Nick Conte, CRA Coordinator/Community Development Director along with Mr. Forte discussed the following addresses with the Mayor and City Commissioners as it pertains to outdoor displays within the CRA area. All of the Commissioners agreed that some resolution needed to take place along the corridor but agreed that they need more time to further discuss this. They will be meeting for another workshop on Tuesday, October 9, 2018 from 5:00 PM to 7:00 PM in the Commission Chambers.

1. Florida Coastal Furniture, 1750 Ridgewood Avenue
2. Tropical Casual Furniture, 1664 Ridgewood Avenue
3. M Pawn Shop, 1630 Ridgewood Avenue
4. Palm Casual Furniture, 1527 Ridgewood Avenue
5. Everything A Dollar, 1216 Ridgewood Avenue
6. Amish Home Furnishings, 1220 Ridgewood Avenue
7. Never Ending Garage Sale (corner of LPGA Blvd.)
8. Magnolia House Antiques, 1080 Ridgewood Avenue
9. Laura's Boutique, 1014 Ridgewood Avenue
10. Our Old Stuff Antique Mall, 1005 Ridgewood Avenue
11. Daytona Outreach Thrift Store, 610 Ridgewood Avenue
12. Dollar Plus, 600 Ridgewood Avenue
13. Dollar General, 601 Ridgewood Avenue

14. Daytona Gas & Grill, 201 Ridgewood Avenue
15. Value Pawn, 132 Ridgewood Avenue
16. Cash America, 133 Ridgewood Avenue
17. Madden's Ace Hardware, 261 Ridgewood Avenue
18. A-1 Lawn Mower Center, Inc., 1422 Ridgewood Avenue
19. Our Old Stuff Antiques, 1005 Ridgewood Avenue (2 buildings)

There was discussion amongst staff, Mayor and City Commissioners. Mr. Forte stated that staff doesn't set the standards, the Commission sets the standards. They have to go back to what was the "original intent" when somebody said outside goods and merchandise, such as lawn equipment and patio furniture and grills, does a stroller or clothes or a chair fit into that category?

Mayor Penny mentioned that there was no sunset provision put into this. The Commission has to give clear direction to staff. Is it going to be Las Vegas and anything goes or are they going to try and control it and what level of control do they put on it?

Commissioner Currie stated along the same lines, what she thinks they all should be looking at is what they talked about a few months back with the direction that the city is heading in, in taking the city in, that they have been, they are and they will be, and they had to make that decision with the fork in the road several months back, if they remember, and they said they were going to take the fork in the road that moves them forward in a positive direction and she thinks they truly need to take that into consideration here.

Commissioner Danio stated he thinks they were also intending on talking about reciprocation's and try to make everyone happy, which isn't going to happen but the city was going to do its best. Their sole intent was never to try and put people out of business. They had talked about different ideas but nothing's been mentioned yet.

Mayor Penny stated now is the appropriate time to talk about some ideas. What can they do with their main corridor, which is their main street and it's the city's first impression. The city is spending millions of dollars beautifying and landscaping and the underground utilities, so do they take the next step? The intent is never to hurt the business community. He believes by being in business for 20 years on US1, that a lot of business owners believe that a sign is the secret to a successful business and he doesn't believe that's 100% true but he believes the outdoor displays, in many ways, are an extension of the city's sign ordinances. If the city is going to take the direction, which he thinks they should take, and eliminate the outdoor displays, the city should give something back to the business owners. He thinks the city should allow a sidewalk sale once a quarter, put no permit fees in that, that allows the business owner to put their displays outside. The city has a sign grant that can be used by the business owners. At the last Commission meeting, he asked to put \$50,000 back into the CRA grant program, with the intention of this idea. The businesses that will be harmed by removing the outdoor displays, he thinks the city should, if the business owners choose to, the city will pay the first \$5,000 of their sign. Out of the 19 businesses that he counted, according to this ordinance as it's written (*the ordinance that was shown on the overhead*), 6 of those businesses are not affected by that. That gives the city 13 that the city would deal with that are going to be harmed by

removing the outdoor displays. Out of the list, several of them won't be removed because they will comply with this ordinance, such as Ace Hardware, which was approved with a site plan. He thinks there is only 8 to 10 of these businesses that either don't have signs or their signs are damaged or their signs need some help. He thinks the city can give them a lot of help with \$5,000 towards erecting a new sign or repairing their existing sign. That's his proposal. Let's try to help the business owners. If the Commission doesn't want to give them the first \$5,000 free then maybe they go back to the city's grant and give them a 75/25 so they have a little skin in the game. He is trying to think how do they help the businesses. He thinks the overwhelming sense is that the city is going to hurt the businesses. He doesn't want to hurt them. He wants them to stay even. If the city is going to remove something, he feels they should give them something back. They amended the budget to allow this to happen. They have to give staff details. How are they going to implement this? What are the details? It has to be written into this ordinance (*referring to the one shown on the overhead*) that's going to come back to the Commission. This Commission only has two more meetings after tonight.

Commissioner Danio stated the problem is, the perception is that by removing the outdoor displays, that businesses are going to fail, which probably isn't going to happen because most of them have been there long enough, he thinks, to survive. The perception also is some of these displays are not exactly attractive for 13,000 citizens because there may be five or six businesses that look not so good. Some of them are fine.

Commissioner Byrnes stated they're talking about, in some people's minds, look bad. The city is trying to take people's livelihood away. For many of these people, the reason they have outdoor displays is because every morning when they open their business they take the stuff that's in their business and put it outside so people can walk around inside the business. Bicycles, lawn mowers, things like that, sure, he can see where having them outside is not a problem and depending on how the final ordinance comes. If a business doesn't have stock, the sign doesn't do them any good at all.

Mr. Forte stated right now they have one half of the community in this room, they have half of the community that this ordinance would affect. That's who the Commission is talking to. If they brought the other half of the community into this room, the Commission might be talking differently. The Commission needs to neutralize their thoughts and keep both parties in mind as they discuss this. If the Commission is going to talk to the 16 or 18 people who have outside displays and find out what would suit them, the Commission then has to talk to neighbors on both sides of them and get their opinion as well. The Commission can't cater their question to the audience. They have to ask the same question to both sides and render an opinion if the Commission is going to represent the greater good of the entire community.

Commissioner Byrnes stated they can say that the Commission meeting is the proper place for that because it has been advertised that the Commission was going to talk about this and anybody that is interested should be there. He thinks it weighs a lot that people don't care either way and there's people here that are passionate.

Commissioner Via stated months back as Commissioner Currie alluded to, the Commission was all in agreement to move forward with something. Staff came to the

Commission with a problem and the problem was the realtor community came to the city and said that they can't market the city's properties and so the city said, "what can we do?" The Commission was all agreeing that something needed to be done. Now, this is coming up with a solution. The businesses that are represented in this room, they are very much believing this will badly hurt their business. His core principle, as a conservative, is to not impose standards that, he believes, tells you how to run your business or vise-versa. He's gone back and forth and he echoes a lot of statements that Commissioner Byrnes has said tonight but when they're talking about solutions, one of his ideas was one of the first ones was a set designated area. Maybe the Commission just needs to define that. A lot of businesses use the outdoor displays and maybe some of them abuse it but once again, who are we to say. He doesn't know where he stands on the sign grant yet. He knows himself and the Commissioners don't want to negatively affect businesses.

Commissioner Currie stated the Commission is the governing body that is responsible for this problem that's been brought to them. It is up to the Commission to say what needs to be done within their ordinances for this city. She knows that it's a tough decision that they have to make and in a lot of situations there's been a lot of times it's been tough to make a decision. Very early on when she became a Commissioner in 2012 until now, she's heard so many people, whether they were other businesses here within the city, residents, visitors, she's heard so many complaints about US1 but she's had so many compliments since the city has begun improving US1 but still asked why the city hasn't done more with some of the businesses along US1. She has to take into consideration not only the businesses but also all those other people. She knows it's always tough to make decisions sometimes. However, she goes back to just a few months ago the Commissioners had a meeting and this was some of the discussion they were having about this and the Commission clearly said it was they either take one fork in the road and stay status-quo, the way everything's been going or they continue with the investment that the Commission has taken in this community and for the Commission to be able to standby what you said, what each of you said that day, to take an investment in our community and move forward, you are going to have to fix this problem. She knows that it might be hard on some business owners, that's why offering them some assistance, in her eyes, is going to greatly help and it's going to show them the city is not trying to tear down their businesses. She would think that if the city is trying to improve a situation and make things better along the corridor, that might make her happy as a business owner because that means other businesses are going to be brought into this area that maybe wouldn't have come in before because of the certain situations that the city has with some of the businesses. It's going to help our Economic Development Director in bringing businesses in and as a business owner that brings more money because people are just going to shop. It's not necessarily something that is going to hurt the businesses, it might help them. If the city can get the corridor completely cleaned up and draw more people into this city and take advantage of a lot of what's going on to the west of them, with straight thoroughfare to Holly Hill. It's going to take moves, such as that. She agrees with once a quarter sidewalk sale but it should be on a specific day because the city isn't going to be able to track something like that and for the sign money, she's good with that as well.

Mayor Penny stated the businesses might be able to come in and apply for a permit but there would be no charge. Similar to a garage sale permit. They would come in and apply

for it so the city knows they are having it.

Commissioner Danio stated he's got a feeling Commissioner Currie is onto something when she says, as much as it may not go, it may not sink well in the ears of some of their spectators in this room but he knows for sure there's a couple of businesses out there that are lacking signs completely that would probably fare well with some decency signage.

Commissioner Byrnes stated he has people telling him that they are not going to be able to keep their business open if the city has a very tight outdoor display ordinance.

Mayor Penny stated and he knows Mr. Conte has been told by the realtors that the businesses are empty because they don't want to move next to those businesses.

Commissioner Byrnes stated and he doesn't represent future, possible people. He represents the people that live here. Realtors will tell them anything. He can't depend on what some realtor says because they're going to tell them anything that they want.

Commissioner Via stated he believes that collectively, all of the Commissioners, want to make their city better, move the city forward, make it more inviting, the city wants as much business as possible and he knows for a fact that's him. His big thing that he's trying to get over is he doesn't want to hurt the existing businesses. That's very tough for him. He thinks the Commission needs to get back to solutions of what they're talking about and start to see what they can hash out, what as a Commission body, they like. Some of the Commissioners like the quarterly sidewalk sale, he hasn't heard any support for the sign grant, necessarily. He threw out an idea about limiting it to a specific area size and maybe they can limit it to a height limit as well.

Brian Walker, City Planner stated they can limit it to a height limit as well. The proposed ordinance does give specific areas that the activity can take place. Keep in mind that they are talking about "just the redevelopment and overlay district" and right now it's a special exception. So, if they go to now having a permit solution for this, now the Commission is taking away the special exception, which means, now folks are not having to come before the Commission. So the Commission would be replacing the...that's a whole different ordinance. What this proposed ordinance does is it says, you have a specific place, there's a type, it gives parameters and regulations to what is able to be done now. If the Commission says they are going to replace that and we're going to go to a permit way of things, the city still needs to have some way of regulating how things look when people put things out during the permit period. They're talking about a whole different thing now if they are taking away the special exception.

Mayor Penny stated he doesn't ever remember any business coming in for a special exception to do something like this.

Mr. Walker stated, no. There's not a high demand for it.

Mayor Penny stated the question before this Commission is do they want more of that (*referring to a business with outdoor display*) or more Ace Hardware's? That's what the Commission has to ask themselves.

Mr. Forte stated he's not saying that the laws are right or the laws are wrong. All he's saying is it's an issue that's been brought to the staff's attention, staff is seeking the direction from the Commission on how to move forward. Staff has to either go out and seek and allow more businesses like this (referring to a business on the overhead) or businesses the other way because co-mingling is becoming problematic.

There was **consensus** to workshop this on Tuesday, October 9th beginning at 5:00 PM to 7:00 PM in the Commission Chambers.



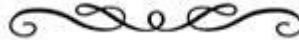
3. CANDIDATE SET UP AT THE PRECINCTS

1.

Candidate Set Up at the Precincts

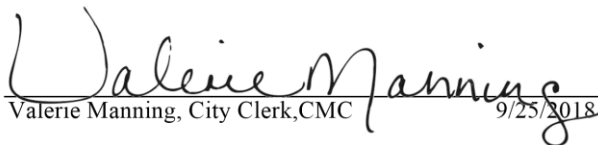
(Requested by Valerie Manning, City Clerk)

There wasn't enough time to discuss this item. The City Commission will bring this forward at a future workshop.



4. ADJOURNMENT

The workshop adjourned at approximately 7:10 PM.


Valerie Manning, City Clerk, CMC 9/25/2018


John Penny, Mayor 9/25/2018