

MINUTES

**MINUTES
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA**

OCTOBER 13, 2009

1. CALL TO ORDER

A. Roll Call

Mayor Via called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:03 p.m. Attending with Mayor Via were Commissioners John Penny, Rick Glass, Mark Reed and Liz Towsley.

Also attending were the following staff members: Interim City Manager/Finance Director Kurt Swartzlander, Assistant City Attorney Scott Simpson, Public Works Director/City Engineer Chris Hurst, Community Development Director Doug Gutierrez, Police Chief Mark Barker, Fire Chief Ron Spencer, Assistant Finance Director Susan Worde, Audit Specialist/Analyst Catherine Colwell, Community Redevelopment Area Coordinator Marsha Radulovich, Human Resources Director Diane Cole, Economic Development Director Lynn Dehlinger and City Clerk Valerie Manning.

B. Invocation

Mayor Via delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PROCLAMATIONS AND PRESENTATIONS

None.

3. CONSENT AGENDA

- Minutes from the Regular City Commission meeting – September 22, 2009
- Minutes from the City Commission workshop – September 22, 2009
- Law Enforcement Trust Fund (LETF) Request – \$1,438 (**Interactive crime mapping software and an independent Holly Hill Police Department Website**)

*Commissioner Glass moved **APPROVAL** for Consent Agenda, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Reed – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

4. PUBLIC PARTICIPATION
Regarding items not on the agenda.

The following individuals came forward to speak to the Mayor and City Commission: Roger Healey, Principal Julie Roseboom from Holly Hill Elementary, Rocky Rivera, Sandra from Trinity Lutheran Church, and Jim Legary.

5. NUISANCE ABATEMENT – 1023 RIDGEWOOD AVENUE / 1020 HARTFORD AVENUE ~ APPLICANT: CLIFF BENJAMIN

Mr. Gutierrez suggested that this item be continued to a date certain, November 10, 2009 City Commission meeting to allow the applicant to come into compliance.

*Commissioner Glass moved **APPROVAL** to continue the nuisance abatement until November 10, 2009 City Commission meeting, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Reed – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

6. SPECIAL EXCEPTION – TO APPROVE TRUCK AND TRAILER RENTALS IN THE B-3 ZONING DISTRICT – APPLICANT: ARPIT PATEL

Mayor Via opened public participation.

The following individuals came forward to speak to the Mayor and City Commission: Peter Myrick and Rocky Rivera.

Mayor Via closed public participation.

*Commissioner Reed moved **APPROVAL** for the Special Exception located at 563 Flomich Avenue, and not requesting the applicant to put up a new additional fence on property and allowing 180 days to comply, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

MINUTES

7. **PUBLIC HEARING** – SECOND READING OF ORDINANCE 2856,
COMMUNITY REDEVELOPMENT ADVISORY (CRA) BOARD
DISSOLUTION

Attorney Simpson read by short title:

ORDINANCE NO. 2856

**AN ORDINANCE OF THE CITY OF HOLLY HILL,
FLORIDA, REPEALING SECTIONS 2-171 – 2-176 OF THE
CODE OF ORDINANCE THEREBY ELIMINATING THE
COMMUNITY REDEVELOPMENT ADVISORY (CRA)
BOARD; PROVIDING FOR CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

Mayor Via opened for public participation.

The following individual came forward to speak to the Mayor and City Commission: Rocky Rivera.

Mayor Via closed public participation.

*Commissioner Glass moved **APPROVAL** for the Second Reading of Ordinance 2856, seconded by Commissioner Reed.*

The motion **CARRIED** 4-1 by roll call vote: Glass – Yes, Reed – Yes, Towsley – Yes, Penny – Yes, Mayor Via – No

MINUTES

8. **PUBLIC HEARING** – SECOND READING OF ORDINANCE 2857 – AMENDMENT TO CHAPTER 90, DIVISION 6, OFF-STREET PARKING AND LOADING FACILITIES

Attorney Simpson read by short title:

ORDINANCE NO. 2857

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CHAPTER 90. DEVELOPMENT STANDARDS, DIVISION 6 OFF-STREET PARKING AND LOADING FACILITIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Reed moved **APPROVAL** for the Second Reading of Ordinance 2857, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Glass – Yes, Penny – Yes, Towsley – Yes, Mayor Via – Yes

9. **RATIFICATION OF THE POLICE BENEVOLENT ASSOCIATION (PBA) UNION CONTRACT**

Mayor Via opened for public participation.

The following individual came forward to speak to the Mayor and City Commission: Rocky Rivera.

Mayor Via closed public participation.

*Commissioner Towsley moved **APPROVAL** for the Ratification of the Police Benevolent Association (PBA) Union Contract, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Towsley – Yes, Glass – Yes, Penny – Yes, Reed – Yes, Mayor Via – Yes

MINUTES

10. FIRST READING OF ORDINANCE 2858, TECO FRANCHISE AGREEMENT

Attorney Simpson read by short title:

ORDINANCE NO. 2858

AN ORDINANCE GRANTING TO PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS OF WAY OF THE CITY OF HOLLY HILL, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING AN EFFECTIVE DATE; AND REPEALING PRIOR ORDINANCE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for the First Reading of Ordinance 2858, seconded by Commissioner Towsley.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Towsley – Yes, Penny – Yes, Reed – Yes, Mayor Via – Yes

11. CITY MANAGER CANDIDATE LIST

At this time the City Clerk, who is an applicant, stepped down from recording the City Commission meeting and the Human Resources Director Diane Cole filled in during this item of discussion.

*There was **CONSENSUS** on the following top five (5) City Manager Candidates, in alphabetical order: Dennis Beach, John Drago, John McCue, Anthony Otte, and Oel Wingo.*

Mr. Swartzlander informed the Mayor and City Commission that on Monday, October 26th from 6:00 pm to 8:00 pm at Sica Hall, the City will be hosting a “meet and greet” for the top five (5) candidates; this is open to the public. On Tuesday, October 27th the candidates will report to the City Manager’s office and will be given a tour of the City and then return for lunch with the Department Heads. That afternoon, the candidates will have one-on-one interviews with each member of the City Commission and the candidates will rotate every one-half hour then will rotate again for 15 more minutes for question follow-ups. At 7:00 pm at the regular City Commission meeting the candidates will be interviewed by the City Commission with additional questions before the public.

MINUTES

There was **CONSENSUS** from the Mayor and City Commission to hold a special City Commission meeting on Tuesday, November 3rd to consider hiring the new City Manager of their choice.

12. COMMITTEE REPORTS

Members of the Commission are encouraged to give a brief report from the various committees on which they serve.

Mayor Via gave a committee report on Sunrail and transportation money.

Commissioner Reed gave a committee report on EVRWA.

13. COMMUNICATIONS

A. Interim City Manager

Mr. Swartzlander spoke briefly about the Public Defenders building – the County is willing to sell that back to the City for \$30,000; the building is in the CRA and in the Master Plan.

*There was **CONSENSUS** from the Mayor and City Commission to buy the building back.*

Mr. Swartzlander mentioned that the people that offer the free tax preparation are offering to do taxes free of charge to working families but need a location to do it; he will see if the Recreation Center will be available in February or March.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Penny mentioned that there are reflectors on the south end of Riverside Drive; Holly Hill Elementary is having a Carnival on October 22nd from 4:00 pm to 7:00 pm and asked if the Commissioners could stop by or help out; reminded the Commission about the \$30 donation to the Boys & Girls Club.

Commissioner Glass spoke about the Volusia League of Cities dinner.

Commissioner Towsley spoke about her trip to Helen, Georgia; bike washes – special events; yard sales.

*There was **CONSENSUS** to allow four (4) yard sales for the year. The ordinance will have to be amended.*

Mayor Via thanked all the applicants that applied; November 14th is “Doggy Day” at the dog park; gave a White Cane Day update from earlier in the week.

MINUTES

14. ADJOURNMENT

The meeting officially adjourned at approximately 9:50 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor

Florida Statutes 286.011 and Government-In-The-Sunshine Manual

“The minutes of Sunshine Law meetings need not be verbatim transcripts of the meetings; rather the use of the term “minutes” as stated in F.S. 286.011, contemplates a brief summary or series of brief notes or memoranda reflecting the events of the meeting.”

*A verbatim copy of Sunshine Law meetings (e.g. City Commission meetings/workshops/Agency meetings and CRA meetings) are available upon request to the City Clerk during regular business hours, Monday through Friday,
8:00 a.m. to 5:00 p.m.*