

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

November 22, 2011

1. CALL TO ORDER

A. Roll Call

Mayor Johnson called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue, at approximately 7:00 pm. Attending with Mayor Johnson were Commissioners John Penny, Rick Glass, Donnie Moore and Liz Towsley-Patton.

Also attending were the following staff members: City Manager James McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Police Chief Mark Barker, Fire Chief Ron Spencer, Economic Development Director Lynn Dehlinger, City Planner/Consultant Tom Harowski, Community Services Director Jacki Maswary, Assistant Finance Director Catherine Coldwell, Officer Chris Yates, and City Clerk Valerie Manning.

B. Invocation

Mayor Johnson led invocation.

C. Pledge of Allegiance to the Flag

Mayor Johnson led the Pledge of Allegiance.

2. APPROVAL OF MINUTES

A. Minutes from the Regular City Commission meeting – November 8, 2011 (*City Clerk*)

B. Minutes from the Canvassing Board – Special Election – November 8, 2011 (*City Clerk*)

*Commissioner Glass moved **APPROVAL** for the **MINUTES**, seconded by Commissioner Moore.*

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Moore – Yes, Penny – Yes, Patton – Yes, and Mayor – Yes

3. PUBLIC PARTICIPATION – Regarding items not on the agenda.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Rocky Rivera, 1614 Birmingham, Holly Hill – Addressed the City Commission regarding a ticket he received from the police department about a busted taillight and shared his concerns about it.
- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by thanking the voters for the turnout during the election and thanked Andrew Gant for his coverings of the meetings.

Mayor Johnson closed public participation.

4. CONSENT AGENDA

No items.

5. BUSINESS AGENDA

A. FIRST READING OF ORDINANCE 2905, PORTABLE STORAGE UNITS IN RESIDENTIAL NEIGHBORHOODS (*City Planner*)

Attorney Simpson read by short title only:

ORDINANCE NO. 2905

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 114-744 LIMITING THE SIZE OF PORTABLE STORAGE UNITS IN RESIDENTIAL AREAS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved APPROVAL for First Reading of Ordinance 2905, seconded by Commissioner Moore.

Mr. Harowski gave a brief staff report regarding the portable storage units in residential neighborhoods.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Matthew Hudson, 131 Daytona Avenue, Holly Hill – Addressed the City Commission shared his concerns about the portable storage units; suggested that they don't make laws just to make laws.
- Arthur Byrnes, 296 Jeffery Street, Holly Hill – Addressed the City Commission by stating they are taking a good step by doing this, especially for during the hurricane season; mentioned that he has a POD at his house because he is cleaning out his garage and they are needed at times; commended the Commission for taking this step.

Mayor Johnson closed public participation.

The Mayor and City Commission briefly discussed the storage units.

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Moore – Yes, Penny – Yes, Patton – Yes, and Mayor – Yes

B. FIRST READING OF ORDINANCE 2906, AMENDMENT TO THE COMMUNITY REDEVELOPMENT AREA (*City Planner*)

Attorney Simpson read by short title only:

ORDINANCE NO. 2906

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ADOPTING A REVISED BOUNDARY DESCRIPTION FOR THE HOLLY HILL COMMUNITY REDEVELOPMENT AGENCY; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey stated this ordinance will add the Holly Hill Middle School property to the Community Redevelopment Area.

*Commissioner Glass moved **APPROVAL** for **First Reading of Ordinance 2906**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking what does the City intend to do with the property and he would like public participation discussions before a project starts on that property.

Mayor Johnson closed public participation.

Mr. McCroskey stated a study will be done to determine the highest and best use of that property.

Commissioner Penny agreed and stated he would like to see that done before he votes on anything final.

The motion **CARRIED** 4-1 by roll call vote: Glass – Yes, Moore – Yes, Patton – Yes, Penny – No, and Mayor – Yes

**C. FIRST READING OF ORDINANCE 2907, AMENDMENT TO SECTION 2-30
SALARY, HEALTH AND LIFE INSURANCE: EXPENSES** *(Finance Director)*

Attorney Simpson read by short title only:

ORDINANCE NO. 2907

**AN ORDINANCE OF THE CITY OF HOLLY HILL,
FLORIDA, AMENDING SECTION 2-30 (EXPENSE
ALLOWANCE, HEALTH AND LIFE INSURANCE, AND
HONORARIUM) TO PROVIDE THAT THE CITY
COMMISSION MEMBERS SHALL BE COMPENSATED
BI-WEEKLY; PROVIDING FOR CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

Commissioner Glass moved APPROVAL for First Reading of Ordinance 2907, seconded by Commissioner Penny.

Mayor Johnson opened public participation. No one spoke.

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Penny – Yes, Moore – Yes, Patton – Yes, and Mayor – Yes

D. RESOLUTION 2011-R-83, SPECIAL EVENT CALENDAR 2012 *(City Manager)*

Attorney Simpson read by short title only:

RESOLUTION NO. 2011-R-83

**A RESOLUTION BY THE CITY OF HOLLY HILL,
FLORIDA DESIGNATING THE SPECIAL EVENT
DATES FOR 2012, AND PROVIDING AN EFFECTIVE
DATE.**

*Commissioner Penny moved **APPROVAL** for **Resolution 2011-R-83**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Eddie Colosimo, Bikers for First Amendment Rights (B.F.F.A.R.), Holly Hill – Addressed the City Commission by thanking the Mayor and City Commissioners for allowing Biketoberfest/Bike week to be a 10-day event.

Mayor Johnson closed public participation.

The motion **CARRIED** 5-0 by roll call vote: Penny – Yes, Moore – Yes, Patton – Yes, Glass – Yes, and Mayor – Yes

E. RESOLUTION 2011-R-84, CIVIC CENTER DESIGNATION OF THE MARKET
(Economic Development Director)

Attorney Simpson read by short title only:

RESOLUTION 2011-R-84

**A RESOLUTION OF THE CITY OF HOLLY HILL,
FLORIDA, DESIGNATING 101 SECOND STREET AS
A CIVIC CENTER; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTING
RESOLUTIONS; AND PROVIDING AN EFFECTIVE
DATE.**

*Commissioner Moore moved **APPROVAL** for **Resolution 2011-R-84**, seconded by Commissioner Glass.*

Ms. Dehlinger gave a brief staff report regarding the Civic Center designation of The Market to the Mayor and City Commissioners.

Mr. McCroskey stated this will allow alcohol sales at The Market.

Attorney Simpson spoke briefly about the liquor license and the Mayor and City Commission discussed the designation and the liquor license.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Ron Zabo, Holly Hill – Addressed the City Commission by stating that he agreed with Commissioner Patton in that there was no need for a liquor license at The Market.

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- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking about the Townline Lounge across from The Market and the parking; wasn't expecting that The Market was supposed to be a revenue center and that's not the neighborhood for traffic.
- Carol Ireland, owner of Townline Lounge, Riverside Drive, Holly Hill – Addressed the City Commission shared her concerns about The Market, liability insurance and informed the Mayor and City Commissioners that the day of the grand opening of The Market, her business suffered.
- Polly Cappuccio, owner of RiverLily Inn Bed and Breakfast, 558 Riverside Drive, Holly Hill – Addressed the City Commission by stating that she enjoys going to The Market on Fridays and meeting her neighbors, listening to music and having a glass of wine.
- Eddie Colosimo, BFFAR, Holly Hill – Addressed the City Commission by stating the Civic Center idea is good but the alcohol license is not needed.
- Penny Currie, Holly Hill – Addressed the City Commission by stating that the liquor license is not needed but The Market is a good idea.
- Arthur Byrnes, 265 Jeffery Street, Holly Hill – Addressed the City Commission by suggesting that there may be problems if they allow a liquor license at The Market; shared his concerns about the liability issues and lawsuits that could come forward; doesn't think the liquor license is a good idea.
- Matthew Hudson, 131 Daytona Avenue, Holly Hill – Addressed the City Commission by saying that designating The Market as a Civic Center is a good idea but does not agree that it needs a liquor license.
- Lloyd Flanigan, Deleon Springs – Addressed the City Commission by stating they don't need a liquor license at The Market to have a Farmer's Market; he runs and owns one in Deleon Springs and his runs quite well without liquor; wished the City well and offered to help if they needed it.

Mayor Johnson closed public participation.

There was some discussion amongst the Mayor and City Commissioners about the liquor license at The Market.

The motion **CARRIED** 4-1 by roll call vote: Moore – Yes, Glass – Yes, Patton – No, Penny – Yes, and Mayor – Yes

F. RESOLUTION 2011-R-85, FY 2010-2011 AMENDED BUDGET *(Finance Director)*

Attorney Simpson read by short title only:

RESOLUTION 2011-R-85

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE FINAL BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2010-2011; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Penny moved APPROVAL for Resolution 2011-R-85, seconded by Commissioner Moore.

Mr. Swartzlander stated this is the end of year housekeeping for revenues; cleanup of items and funds.

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission asked about the CRA trust fund and Mr. Swartzlander clarified that information for Mr. Legary.

Mayor Johnson closed public participation.

The motion **CARRIED** 5-0 by roll call vote: Penny – Yes, Moore – Yes, Glass – Yes, Patton – Yes, and Mayor – Yes

G. RESOLUTION 2011-R-86, SPECIAL USE PERMIT *(City Manager)*

Attorney Simpson read by short title only:

RESOLUTION NO. 2011-R-86

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A SPECIAL USE PERMIT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved APPROVAL for Resolution 2011-R-86, seconded by Commissioner Moore.

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Mr. McCroskey stated this resolution would be used for non-profit functions to raise money. Various people have come in and asked to do a special event and staff thought this would be a user-friendly approach. They would pay \$100 fee and the city would receive a letter from the non-profit agency requesting the event.

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Eddie Colosim, B.F.F.A.R, Holly Hill – Addressed the City Commission by discussing the Angel Flight plane that he would like to have displayed out in the front of his business.

Mayor Johnson closed public participation.

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Moore – Yes, Patton – Yes, Penny – Yes, and Mayor – Yes

H. JOINT PARTICIPATION AGREEMENT (JPA) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF HOLLY HILL
(City Manager)

Mr. McCroskey stated that Fred Ferrell, the City's Engineer is here if they have any questions.

Mayor Johnson opened public participation. No one spoke.

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Moore – Yes, Penny – Yes, Patton – Yes, and Mayor – Yes

6. COMMUNICATIONS

A. City Manager

Mr. McCroskey stated thanked the Police Department for the recent raid at Ross Point Park; thanked Ms. Dehlinger for doing a great job at The Market; reminded everyone about the Volusia County Food Drive that the employees are doing and encouraged the Mayor and City Commissioners to join in.

B. City Attorney

None.

C. City Clerk

None.

D. Mayor & Commissioners

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Commissioner Penny reminded everyone about the upcoming Annual Tree Lighting Ceremony on Friday, December 2nd at 5:30 in front of City Hall and the Christmas parade on Saturday starting at 10:00 am; would to re-address park rules as it pertains to smoking/non-smoking; mentioned the positive and negative feedbacks he's been hearing and the public's perception.

Commissioner Glass mentioned that there is a new business in town who does L.E.D. lights and encouraged people to go see him.

Commissioner Moore mentioned the ribbon cutting and grand opening at The Market; shared his concerns about the News-Journal.

Commissioner Patton stated they will have their difference of opinions at times; shared her concerns about the process of everything and at times they will disagree.

Mayor Johnson stated they try to be positive and learn from what the people have to say.

7. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 9:30 pm.

Valerie Manning
City Clerk/Administrative Assistant