M I N U T E S
REGULAR COMMISSION MEETING
CITY OF HOLLY HILL, FLORIDA

JANUARY 22, 2008

1. CALL TO ORDER

- *The Honor Guard of the ROTC presented the Colors at this time.*

A. Roll Call

Mayor Via called the meeting to order in the Commission Chambers at City Hall, 1065 Ridgewood Avenue at approximately 7:00 p.m. Attending with Mayor Via were Commissioners John Penny, Rick Glass, Mark Reed and Liz Towsley.

Also attending were the following staff members: City Manager Joe Forte, Assistant City Attorney Scott Simpson, PAL/Recreation Executive Director Chuck Beach, Public Safety Director Don Shinnamon, Public Works Director/City Engineer Chris Hurst, Finance Director Kurt Swartzlander, Financial Technical Advisor Brenda Gubernator, Assistant Finance Director Susan Worde, Human Resources Director Diane Cole, Chief Building Official/Interim City Manager Tim Harbuck, Community Redevelopment Area Coordinator Marsha Radulovich, and City Clerk Valerie Manning.

B. Invocation

Pastor Wiley Lowe, from the Holly Hill Church of Christ, delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PROCLAMATIONS AND PRESENTATIONS

- Jordon N. Walker – November 25, 2007

Mayor Via presented a proclamation to family and friends of Jordon Walker; various friends came up and spoke briefly about Jordon Walker and how special he was in their lives.

- Brenda Gubernator – 36 Years of Service to the City of Holly Hill

Mayor Via presented a proclamation to Brenda Gubernator for 36 years of service with the City.

- City Manager Joe Forte was surprisingly presented with a proclamation and plaque for his years of service with the City and to wish him well in his new position as Deputy County Manager for Seminole County starting February 18th.

3. CONSENT AGENDA

- Minutes from the Community Redevelopment Agency – January 8, 2008
- Minutes from the Regular City Commission meeting – January 8, 2008
- Minutes from the City Commission workshop – January 8, 2008
- Change Order 2 – U.S. 1 & Nova Road – Landscaping – Reduction in contract amount – $8,477.65
- Disposal of Surplus Property – Fire Department
- Community Redevelopment Area (CRA) Sidewalk Leveling Program – not to exceed $5,000 – work completed by Precision Sidewalk Safety (removal of trip hazards within the CRA)
- Municipal Code Corporation – $5,785 (Codification of 2007 Ordinances – Supplement No. 11)

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

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

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Mayor Fred Costello, Ormond Beach, presented Mr. Forte with a proclamation from the City of Ormond Beach wishing him well in his new position and thanking him for all the years of support and working together as neighboring cities.

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Rose Schuhmacher, Director of the Chamber of Commerce, reminded the Mayor and Commissioners about the special reception for Mr. Forte on Tuesday, February 5th at Sica Hall from 5:00 p.m. to 7:00 p.m. and everyone is invited from the public as well. Ms. Schuhmacher also asked the Mayor and Commission if the reception could be advertised on the digital sign as well.

*Commissioner Reed made a motion to **APPROVE** the usage of the digital sign for Mr. Forte's farewell reception, seconded by Commissioner Glass.*

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

Gilles Blais, 710 Magnolia Avenue, mentioned that the City lost a pillar of the community who was laid to rest yesterday who served this City on the Board of Adjustment for six years and mentioned that it's people like him that help make this City grow and help the community.

Irene Tadora, 340 Cumberland Avenue, Ormond Beach, shared her concerns and comments with the Mayor and Commissioners about her rental properties in Holly Hill.

Mike Cleary, 364 Dorothy Avenue, shared his concerns and comments with the Mayor and Commissioners about the ongoing drug activity that takes place on his street.

Dan Daugherty, 1682 Riverside Drive, came forward to thank Commissioners Reed and Towsley for helping an elderly neighbor over the weekend of the Rolex practice and that neighbor has sent a thank you card as well.

Jim Legary, 342 Burleigh Avenue, asked what the current state of Frank's Junk Yard; the one located on Center Avenue.

Mr. Forte informed Mr. Legary that the building has been removed and a temporary building has been put up and it has been fenced and in the meantime, the owner will be working on rebuilding that structure.

James Robinson, II, 1332 Riverside Drive, reiterated what he spoke about at the last Commission meeting about finding a new City Manager. Mr. Robinson mentioned that he hopes that the Commission will consider improving the CRA Board with the requirement of having three or four members be citizens of the City. Mr. Robinson spoke briefly about the sidewalks and re-examine or look at the minutes and see some of the things that have been presented and the money that is being spent on businesses that don't conform to the Overlay District.

Steve Burdagous, 340 Cumberland Avenue, Ormond Beach, mentioned his rental properties in Holly Hill and shared similar concerns as Ms. Tadora has with the Mayor and Commissioners.

Marge Benkin, 1491 Center Avenue, spoke about the temporary building that was put up at Frank's Auto and said that it's a mobile home/trailer. Ms. Benkin wanted to know how they got a permit for that?

Mr. Forte informed Ms. Benkin that it's the same that somebody would get if their home burned; it's a temporary facility. Even after the hurricanes, when some properties got damaged, mobile homes were brought in as temporary living units.

Ms. Benkin wanted to know who does she see about the investigation on the fire.

Mr. Forte informed Ms. Benkin that she can see Lt. Ed Brown over at the Fire Department.

5. PUBLIC HEARING – SECOND READING OF ORDINANCE 2823, PURCHASING GUIDELINES FOR ALL CITY FUND PURCHASES

Attorney Simpson read by short title:

ORDINANCE NO. 2823

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, CREATING SECTION 30-77 (APPLICABILITY OF PURCHASING GUIDELINES) PROVIDING THAT THE CITY'S PURCHASING GUIDELINES ARE APPLICABLE TO ALL PURCHASES OF THE CITY FUNDS REGARDLESS OF THE SOURCE OF THE FUNDS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

Commissioner Glass made a motion to ***APPROVE*** *the Second Reading of Ordinance 2823, seconded by Commissioner Penny.*

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

6. PUBLIC HEARING – FIRST READING OF ORDINANCE 2824, REZONING REQUEST – 360 WALKER STREET – APPLICANT: GARY WISNIEWSKI

Attorney Simpson read by short title:

ORDINANCE NO. 2824

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2352, THE LAND DEVELOPMENT REGULATIONS, AS PREVIOUSLY AMENDED, BY REZONING APPROXIMATELY 2.75 ACRES LOCATED AT 360 WALKER STREET TAX PARCEL ID 4242-04-33-0291 FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO I-2 (HEAVY INDUSTRIAL) FOR THE PURPOSE OF REGULATING THE USE AND DEVELOPMENT OF THIS PROPERTY; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Doug Gutierrez, Community Development Director/City Planner, gave a brief summary/staff report to the Mayor and Commission regarding a rezoning request from Gary Wisniewski for property located at 360 Walker Street. Mr. Wisniewski wants to rezone from CC-1 (Commercial Corridor District) to I-2 (Heavy Industrial) for the purpose of regulating the use and development of this property. Mr. Gutierrez mentioned that Mary Hansen, Esq. is here to represent Mr. Wisniewski if there are any questions or concerns about the rezoning request.

There was some discussion amongst the Mayor, City Commissioners, Attorney Simpson, and staff about the rezoning request and discussed some concerns about the future use of that property. Ms. Mary Hansen, Esq., spoke briefly about the request and discussed the reason why Mr. Wisniewski would like to rezone that property. Ms. Hansen answered any and all questions that the Mayor and City Commission had.

Mayor Via opened public participation.

James Robinson, II, 1332 Riverside Drive, spoke briefly about commercial property in Holly Hill and its zoning.

Russell Bennett, Copy Cat Printing, Inc., 1678 Ridgewood Avenue, spoke briefly about zoning and doesn't understand why the use of the property can't stay what it's zoned for right now. Mr. Bennett wanted to know what the purpose is for changing the zoning.

Ms. Hansen, Esq., answered any questions and concerns that the public had. Changing the zoning would give Ms. Wisniewski the historical uses of the property which for this case is the bulk petroleum but to do that he would need the mixed use component of the I-2 which is not available in either I-1 or the IPUD.

Commissioner Reed explained why he couldn't support a zoning change to I-2 when there are houses next door. Commissioner Reed mentioned that he would feel more comfortable if this was a PUD where the Commission specifically sets the criteria and then the bulk storage of fuel could be allowed in that case because the Commission would know what is going to be there.

Commissioner Penny spoke briefly about the surrounding houses of this property and asked if the owners of those house been there since the mid ′60s and early ′70s?

Ms. Hansen does not know how long those owners have been there.

Commissioner Penny shared his concerns that if a new owner moved in over there and there is a boat storage yard there and it turns into a salvage yard, they probably wouldn't like that.

Mr. Gutierrez mentioned that the owners will and have been notified. If there are any concerns or questions they can call or come to the meetings if they have an issue. An IPUD is something where the Commission establishes what uses would be permitted there; that's the development agreement. Mr. Gutierrez mentioned that an IPUD is an alternative.

Mr. Forte informed the Mayor and Commission that it would be one PUD and the Commission would list the allowable uses; the Commission would determine what the future of that property would be permitted for and then if there were any changes to that list of uses then the applicant or the property owner would come back and request an amendment by the Commission.

Mayor Via asked about the process for the IPUD in reference to the applicant.

Attorney Simpson mentioned that the applicant would have to make that as a submittal; the Commission couldn't impose that. An IPUD has a site plan and it includes a development agreement that the parties execute that outlines the type of uses and other issues; it would give the Commission a better picture of what would go in there when they combine the site plan and the development agreement.

Mayor Via asked what is the applicant's process to do the IPUD.

Attorney Simpson stated an IPUD is a form of rezoning. In terms of time, there is a significant amount of time and money for the applicant in that they would have to have a site plan prepared, development agreement – there is a lot more effort that goes into it.

*Commissioner Penny made a motion to **APPROVE** for discussion purposes, seconded by Commissioner Reed.*

Commissioner Penny mentioned that he is conflicted for reasons that Attorney Simpson stated earlier; three of the permitted uses in the I-2 but not the CC-1 are the businesses that the citizens are most angry about. Commissioner Penny stated he wouldn't want to buy a house and wake up behind a salvage yard suddenly when there wasn't one there before. Commissioner Penny mentioned that he would deny this on question seven in the staff report, "*Will the rezoning have an effect on the use or value of the affected area?" and the answer is, "the proposed rezoning could have a positive effect on the value of the surrounding properties dependent on the proposed use."* Commissioner Penny stated he would say it could also have a negative effect. Considering the people who live there, he can't support it; he likes Commissioner Glass' recommendation for this to be a PUD.

Commissioner Reed mentioned the applicant has talked about bulk storage of petroleum products and some people feel it is really unsafe but he does not; Commissioner Reed feels it is a safe thing to do. He knows that propane storages are safer than gasoline tanks but with a blanket like this, he can't support it.

Commissioner Towsley agreed. She would like to see something a little more concrete for the residents that are there; she would prefer a PUD.

Mayor Via mentioned that the residents have been notified about this.

Mr. Gutierrez spoke briefly about the buffer and setbacks if this went to a PUD; there would have to be a special exception.

Ms. Hansen, Esq., mentioned she would like to do a continuance to look at this. She doesn't know if bulk petroleum is going to go in there; she knows that they can't impose an IPUD because it's an agreement but she would like to go ahead and look at it with her client to see if there is some compromise that they can strike; she will be happy to work with Attorney Simpson and then come back to the Commission. Ms. Hansen mentioned that she would expect that since an IPUD requires a hearing process, that the Commission would not also require, within a IPUD, a special exception; the PUD process would be the special exception.

Attorney Simpson mentioned one of the things that could be asked for is to look at the I-1, Light Industrial because in I-1 the bulk petroleum is a special exception.

Gary Wisniewski, 4564 Phips Street, Port Orange, the applicant, spoke briefly about his request; he is a general contractor; he bought a yard and it's 2.75 acres and there is approximately 190 feet width on it; he has spoken to the people from the railroad and anything that he does that has to do with petroleum has to be approximately 55 feet from the edge of the train tracks to the propane storage. His intention is to get *AmeriGas* on this site and they are going to buff it with walls, etc.

Attorney Simpson informed the Mayor and Commission that they can do the first reading of the rezoning ordinance but they would still have to do the second reading. But there is no way to give the applicant the *limited* use within the I-2 of one of those uses by contract and not the others.

Mr. Forte stated there is one option that Ms. Hansen could consider and that's if they downgrade the zoning tonight from an I-2 to an I-1, they go to second reading for an I-1 on February 12th and then at that time they will hear the first and only reading for the special exception for a bulk petroleum plant.

Ms. Hansen stated I-1 does not allow her client's existing use.

Mr. Forte stated then Mr. Wisniewski would be there as a non-conforming use and he would remain that way unless he abandoned the use.

Tim Harbuck, Chief Building Official/Interim City Manager, stated I-1 does allow that. Mr. Harbuck mentioned that one of the major concerns of the Commission is the salvage yard and under I-1 it is a special exception and in the criteria for the special exception, *"no salvage yard shall abut residential property"*.

Mr. Gutierrez mentioned that he will modify the staff report for second reading from an I-2 to I-1, Light Industrial and will bring back a special exception as well.

Mayor Via stated there is a motion to approve this as the I-2 and there is a second; is there an amendment on the floor to change the I-2 to the I-1.

Attorney Simpson stated they can withdrawal the motion and the second; he will change the title now and re-read the title to say "I-1" instead of I-2 and then they can vote on that. Technically, ordinances are supposed to be read twice by title.

Commissioners Penny and Reed withdrew their motion and second.

Attorney Simpson read by short title (*revised*):

ORDINANCE NO. 2824

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2352, THE LAND DEVELOPMENT REGULATIONS, AS PREVIOUSLY AMENDED, BY REZONING APPROXIMATELY 2.75 ACRES LOCATED AT 360 WALKER STREET TAX PARCEL ID 4242-04-33-0291 FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO ~~I-2 (HEAVY INDUSTRIAL)~~ I-1 (WHOLESALE LIGHT INDUSTRIAL) FOR THE PURPOSE OF REGULATING THE USE AND DEVELOPMENT OF THIS PROPERTY; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Commissioner Penny made a motion to ***APPROVE*** *the First Reading of Ordinance 2824, seconded by Commissioner Glass.*

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

7. RESOLUTION 2008-R-02, CIVIL SERVICE BOARD APPOINTMENT

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-02

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE CIVIL SERVICE BOARD; SETTING FORTH THE TERM EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** Resolution 2008-R-02, seconded by Commissioner Reed.*

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

8. RESOLUTION 2008-R-03, FLORIDA LEAGUE OF CITIES LEGISLATIVE PRIORITIES FOR 2008

Attorney Simpson read by short title:

RESOLUTION 2008-R-03

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT THE FOLLOWING ISSUES DURING THE 2008 LEGISLATIVE SESSION; PROVIDING FOR CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** Resolution 2008-R-03, seconded by Commissioner Penny.*

There was some discussion amongst the Mayor, Commissioners, and staff. They made the following changes within the Resolution before approving: *~~Broadens municipal home rule and other authority to issue tax increment financed bonds and other forms of indebtedness without approval by referendum~~; and ~~Authorizes the use of electronic traffic infraction detectors at traffic intersections~~*

Mayor Via asked for a vote on the *amendment* to the motion already made to remove those two items within the Resolution. A "yes" vote means that they want to "remove" – (*Broadens municipal home rule and other authority to issue tax-increment financed bonds and other forms of indebtedness without approval by referendum)* and a "no" vote means that they want to leave it in the Resolution.

*Commissioner Towsley made a motion to **REMOVE** the following language from the Resolution (Broadens municipal home rule and other authority to issue tax-increment financed bonds and other forms of indebtedness without approval by referendum), seconded by Commissioner Reed.*

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

Mayor Via stated for the next amendment, which is to remove it from the Resolution to (*Authorizes the use of electronic traffic infraction detectors at traffic intersections)* – is there a motion?

*Commissioner Towsley made a motion to **REMOVE** the following language from the Resolution (Authorizes the use of electronic traffic infraction detectors at traffic intersections), seconded by Commissioner Reed.*

Mayor Via stated a "yes" vote means to "remove" it from the Resolution.

The motion **CARRIED** 3-2 on roll call: Towsley – Yes, Reed – Yes, Glass – Yes, Penny – No, Mayor Via – No

Mayor Via mentioned that they will vote on the body of the motion which is everything with the two amendments.

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

9. RESOLUTION 2008-R-04, "HOW SHALL WE GROW?" SUPPORT PROGRAM

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-04

A RESOLUTION OF THE "HOW SHALL WE GROW?" CONGRESS OF REGIONAL LEADERS; SUPPORTING FLORIDA FOREVER AND A SUCCESSOR PROGRAM FOR THE FUTURE AND REQUESTING SUPPORT FOR PRIORITY ACTION TO PRESERVE CENTRAL FLORIDA'S "SEVEN JEWELS"; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass made a motion to **APPROVE** Resolution 2008-R-04, seconded by Commissioner Reed.*

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

10. RESOLUTION 2008-R-05, DISSOLUTION OF THE FLORIDA MUNICIPAL PENSION TRUST FUND (FMPTF) 401(a) PLAN

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-05

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, TERMINATING PARTICIPATION IN THE FLORIDA MUNICIPAL PENSION TRUST FUND 401(a) DEFINED CONTRIBUTION PLAN FOR ALL EMPLOYEES; PROVIDING FOR ELIGIBLE PARTICIPANTS TO JOIN OTHER CITY SPONSORED PLANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

Commissioner Glass made a motion to ***APPROVE*** *Resolution 2008-R-05, seconded by Commissioner Penny.*

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

11. RESOLUTION 2008-R-06, AMENDING THE INTERNATIONAL CITY MANAGERS ASSOCIATION (ICMA) 401 (a) PLAN

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-06

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RELATING TO AN EXISTING MONEY PURCHASE PLAN FOR THE CITY MANAGER; AND AMENDING SAID PLAN TO INCLUDE ELIGIBLE MANAGEMENT EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

Commissioner Towsley made a motion to ***APPROVE*** *Resolution 2008-R-06, seconded by Commissioner Reed.*

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

Mayor Via recessed the meeting at approximately 9:30 p.m.

Mayor Via reconvened the meeting at approximately 9:40 p.m.

12. RESOLUTION 2008-R-07, WRECKER SERVICE AGREEMENT

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-07

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE AWARD OF THE WRECKER CONTRACT TO UNIVERSAL TOWING, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE THE WRECKER AGREEMENT WITH SAID COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

There was some discussion amongst the Mayor, Commission, and staff about the Wrecker Service Contract. Commissioner Glass has filed out FORM 8A with the City Clerk *(see attached)* and will not be voting on this because he does some welding for a majority of the towing companies.

Commissioner Reed mentioned that there was an open bid process and they had a tow company selected and a motion was made and then they had somebody complain; the whole thing was a fiasco; that first contract with Fryer's Towing Company should have been awarded that evening to them; whoever won the very first bid should get that contract because they did it in a fair and timely manner and if other people didn't go ahead with it then that's their problem.

Commissioner Penny stated two weeks after that meeting he begged the Commission to do that.

Attorney Simpson stated during the first meeting, the Commission rejected those bids; a motion was made to reject all those bids so those options are not out there anymore.

*Commissioner Reed made a motion to **APPROVE** Resolution 2008-R-07, seconded by Commissioner Penny.*

The motion **CARRIED** 4-0 on roll call: Reed – Yes, Penny – Yes, Towsley – Yes, Glass – Abstained (filed Form 8A with City Clerk; see attached), Mayor Via – Yes

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

Commissioner Glass gave a brief committee report on the MPO; Orange Avenue bridge was discussed at the meeting; VOTRAN was discussed as well.

Mayor Via gave a brief committee report on WAV; TAC Committee.

14. COMMUNICATIONS
A. City Manager

Mr. Forte mentioned that the City was contacted by a developer who is interested in a piece of property that is behind Aloha Marina off of Nova Road and they are interested in that property for an affordable housing project; similar to Charleston Place where they bid for the housing credits. It's a competitive process and in order to win that competitive process there are a lot of hurdles for the developer to jump over and one of those is a local government match. Mr. Forte spoke briefly on what the City did with Charleston Place. This company wants to come in on a much smaller scale and their local match is approximately $157,000 but the City doesn't have that in the budget. Mr. Forte mentioned to the developer that he would bring it to the Commission tonight and see if they would like to some how find that money or find a creative way to bring that money about and what he means by that is they can create a mechanism in the City established impact fees that they could waive the impact fees as part of the local match to that; he doesn't think that it would add up to what they need from the City but he wants to know if this is something that the Commission would like to entertain and staff will work on it or if the Commission is not interested in it.

There was consensus from the Commission to move forward in finding creative ways to fund the affordable housing project without going into the General Fund as it sits right now, using some of the things the Commission talked about, including the County.

Mr. Forte mentioned that he is concluding his final meeting tonight; he thanked the Mayor and Commission and all the previous Mayors and Commissioners for the opportunity that they have given him to serve as their City Manager for almost eight years. Mr. Forte mentioned that tonight he leaves a lot of friends behind; his Department Heads have become friends, the Commissioners and a lot of the residents in the City – he lost a couple but he made a lot. Mr. Forte thanked Attorney Scott Simpson and Butch Simpson; Scott Simpson has been his mentor and he has learned a lot from him; thanked Dora and his three children.

B. City Attorney

Attorney Simpson mentioned that he is going to miss Mr. Forte and enjoyed working with him.

C. Mayor & Commissioners

Commissioner Towsley brought up the e-mail that was sent from Mr. Forte about the two-year terms for elected officials; about the referendum deadlines; she would like to workshop this so it could possible be on the November ballot; the ordinance on the trees and shrubs – Mr. Petty's ordeal with the letter – they need to get the ordinance worked out.

Mr. Forte informed Commissioner Towsley that he spoke with Mr. Petty and told him the City was going to look into the ordinance; what they are talking about are plantings in the right-of-ways and what the liability is and what the City accepts when somebody does a planting in the right-of-way.

Commissioner Towsley mentioned this one is for the Mayor – she is asking that the Mayor have respect for not only the Commissioners but especially for her because a lot of business owners have been coming to her and telling her things that he has said; if the Mayor wants cohesiveness, that falls on his shoulders too so that they can all work together as a group. Commissioner Towsley spoke with Mr. Forte about making a correction in the *Heartbeat* for the Capers business and that they are up and running and she has spoken with the Capers and she doesn't appreciate the Mayor calling and offering an apology to them when she had already apologized and had sent them a formal letter.

Commissioner Reed mentioned what he would like to put as the highest priorities is the CRA expenditures and what they want to do; the Master Plan – let's get started with that. It has come to his attention just about all the amenities and all those things they want to do, they could actually fund with an ECHO grant through the County; the County has excess monies and he knows they have CRA money but if the County has grant money, they should use that. They could do more with the ECHO grant money and would strongly suggest that possibly Ms. Radulovich start looking into writing those grant requests. All the other workshops could be lumped together; three or four of them and get them done in the next couple of meetings.

Commissioner Penny spoke about Bike Week that is going to be coming up soon; he mentioned the parade application and he would like to see if staff could put together an application just as a technicality; formality that the City has it in place so that staff can plan for these things in a routine manner so that the City is protected; it's not costing the individual any money; their liability insurance is amended for little or no cost. This is something that he would like to give staff direction to bring back as soon as possible.

Chief Shinnamon mentioned that he can bring the one-page application to the next Commission meeting

Commissioner Penny thanked Mr. Forte for the opportunity of working with him; he will be missed and they will remain friends; it's sad to see Mr. Forte go but it's an opportunity for Mr. Forte and his family and he understands that.

Mr. Forte mentioned that everybody should have received the draft advertisement for the City Manager position from Colin Baenziger and he has only received one response back from the Commissioners and it was from Commissioner Towsley, which Ms. Cole has with her tonight. Mr. Forte mentioned that Mr. Baenziger is looking for some final action on that so he can get started on the advertisement.

Diane Cole, Human Resources Director, shared the e-mail response from Commissioner Towsley to the Mayor and Commissioners at this time. There was consensus from the Commission that they were pleased with the draft and that is Mr. Baenziger's profession and thought that he would do a good job and to direct him to move forward with the ad.

Mayor Via reminded everyone about voting on January 29th and where the County is with that; early voting was discussed and he is not a fan of early voting and he thinks it's a waste of public money; he mentioned the FCCMA letter and they are there to assist the City if needed and Ms. Cole received the letter too; ECHO grants and CRA was discussed; the workshops were briefly discussed – Commission Day; goal setting sessions; budget workshops. The naming of 2nd Street at Marina Grande is important and he would like to name it *Smokey Yunick Way* because of the property that is right next to the park.

Commissioner Penny brought up the restrooms in the parks and Mr. Forte informed the Commission that by going to single units, they have created private rooms and he thinks the City should think about restricting or limiting the number of restrooms that they build in parks.

Mr. Forte will put some dates next to the workshop items and send them out to the Mayor and Commissioners.

15. ADJOURNMENT

The meeting officially adjourned at approximately 10:05 p.m.

Attest:	City of Holly Hill, Florida
______________________________	______________________________
Valerie Manning City Clerk	Roland D. Via Mayor

<u>Florida Statutes 286.011 and Government-In-The-Sunshine Manual</u>
"*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.