

MINUTES

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

January 23, 2007

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 7:00 p.m. Attending with Mayor Via were Commissioners John Penny, Gilles Blais, Mark Reed and Traci A. Anderson.

Also attending were City Manager Joe Forte, Assistant City Attorney Scott Simpson, Public Safety Director Don Shinnamon, Finance Director Kurt Swartzlander, Financial Technical Advisor Brenda Gubernator, Public Works Director/City Engineer Chris Hurst, Community Development Director/City Planner Doug Gutierrez, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Valerie Manning.

B. Invocation

Mayor Via delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Via presented a *Certificate of Appreciation* from the City of Daytona Beach to Chief Shinnamon for Holly Hill's assistance to Daytona Beach in the aftermath of the Christmas Day 2005 tornado.

3. CONSENT AGENDA

- Minutes from the Regular City Commission meeting – January 9, 2007
- Minutes from the City Commission Workshop – January 9, 2007
- **Report of Purchases over \$5,000**
*Volusia County – \$13,829.08

*Commissioner Reed moved **APPROVAL** of the items on the consent agenda, seconded by Commissioner Blais.*

The motion **CARRIED** 5-0 on roll call: Reed – Yes, Blais – Yes, Penny – Yes, Anderson – Yes, Mayor Via – Yes.

4. AUDIENCE PARTICIPATION
Regarding items not on the agenda.

Vicky Zimmerman, 1237, Moravia Avenue, shared her concerns about the rental properties in her neighborhood that have not been keeping up their properties. Mr. Forte informed her that he would have Code Enforcement check into it for her.

Jennifer Capers, 1512 Riverside Drive, informed the Commissioners that Bud Holbein had placed a smoker next to her house last Friday and it smoked out her whole house. Mrs. Capers shared her concerns about the various harassment issues that she and her family have been experiencing pertaining to Mr. Holbein and expressed her concern for the safety of her children.

Mike Hull, 12 Stuart Drive, asked the Commissioners if there is something that could be done about the Chamber doors in the back. They are rather noisy when someone enters or leaves the Chambers. Mr. Forte informed Mr. Hull that he would have staff do something about it.

5. FIRST READING OF ORDINANCE 2789, AMENDMENT TO THE EXISTING MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) – CONSTRUCTION OF A MARINA

Mr. Simpson read by short title:

ORDINANCE NO. 2789

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA FOR THE FOURTH AMENDMENT TO ORDINANCE 2714, THE MARINA GRANDE RESIDENTIAL BASED MPUD (MIXED USE PLANNED UNIT DEVELOPMENT) DEVELOPMENT AGREEMENT, AS PREVIOUSLY AMENDED, TO SPECIFICALLY PERMIT THE CONSTRUCTION OF BOAT DOCKAGE FACILITIES AS AN ACCESSORY USE TO THE PRINCIPAL RESIDENTIAL USE, LIMITED TO 86 SLIPS AND INCORPORATING IT INTO THIS ORDINANCE FOR THE PURPOSE OF REGULATING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Mr. Forte gave a brief summary of the Mixed Use Planned Unit Development (MPUD) and mentioned that this is the Fourth Amendment and the first large-scale amendment. All of the other amendments they talked about but were actually administrative changes to the MPUD.

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Attorney Michael Woods, Cobb and Cole, 150 Magnolia Avenue, Daytona Beach, was present representing Holly Hill I Associates, LTD., to discuss the MPUD Agreement. Their request for tonight is to amend the agreement so that they could construct a new boat dockage facility at Marina Grande which would include up to 86 boat slips.

Randy Fultz, Boca Developers, Flagler Beach, gave a brief presentation to the Commissioners pertaining to the request of the 86 boat slips at Marina Grande.

Attorney Simpson spoke briefly about what an allocation formula is for boat slips. *(More conversation took place at the workshop after the meeting).*

*Commissioner Blais made a motion to **APPROVE** the First Reading of Ordinance 2789, seconded by Commissioner Penny.*

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

6. RESOLUTION 2007-R-01, REQUEST FOR INCLUSION – STATE REVOLVING FUND (SRF) – WASTEWATER PLANT EXPANSION

Mr. Simpson read by short title:

RESOLUTION 2007-R-01

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF), ADOPTION OF THE WASTEWATER FACILITY PLAN FOR THE IMPLEMENTATION OF THE WASTEWATER TREATMENT PLANT EXPANSION, AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Blais made a motion to **APPROVE** Resolution 2007-R-01, seconded by Commissioner Anderson.*

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

7. RESOLUTION 2007-R-02, CIVIL SERVICE BOARD APPOINTMENTS

Mr. Simpson read by short title:

RESOLUTION NO. 2007-R-02

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

*Commissioner Penny made a motion to **APPROVE** Resolution 2007-R-02 and insert the appointed names of Arthur Desautels and Phil Sommerlad, seconded by Commissioner Blais.*

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

8. COMMITTEE REPORTS

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

Commissioner Blais mentioned the MPO meeting this morning and informed the Commission that the new Chairman for the MPO is County Chairman Frank Bruno.

Mayor Via mentioned the WAV meeting from last week and said that a summary of the meeting is in their mailboxes. Mayor Via asked Mr. Forte if he had any opinions pertaining to paying by quarter or by the month to WAV.

Mr. Forte reminded them that back when they discussed this in September or October to go monthly, there was a reason for that and the conditions of WAV have not changed other than more anticipation that it may change, so his recommendation would be to stay monthly.

Mayor Via spoke about VCOG briefly and briefly mentioned the School Concurrency meetings that will be coming up; one on January 29th in DeLand and one on January 31st. Mayor Via encouraged the Commission to attend the one on January 31st. Mr. Gutierrez let the Commission know that he would be attending the one on January 31st. Mayor Via reminded the Commission about the Annual Awards Banquet this Thursday, January 25th at 6:30 p.m.

9. COMMUNICATIONS

A. City Manager

Mr. Forte updated the Commission about the meeting that took place with the Humane Society and stated that it went well but it didn't change the outcome of the cost but that they will get justification as to why the Humane Society has increases. Mr. Forte briefly gave the Commission a summary of what will happen at the Community Redevelopment Agency meeting on January 30th at 6:00 p.m. which pertains to listening to the top four consultants that have been picked by the Master Plan Selection Committee. Each consultant will have 30 minutes to do a presentation and the Commission will be able to ask questions of the consultants and that the Community Redevelopment Advisory Board members have been asked to attend the meeting as well for listening purposes and possible discussion with the Agency at the end of the meeting.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Penny thanked those who attended the breakfast on January 13th at Sica Hall.

Commissioner Blais spoke briefly about his trip to Orlando for doing service work for Disabled American Veterans and mentioned the traffic on I-4 and mentioned that it's almost to a standstill.

Commissioner Reed mentioned the Builders Care Group and the house that Dan Daugherty has been working on. Builders Care asked him if there is some provision that the City can grant them some financial aide. This project that they took on in Holly Hill is probably bigger than anything they ever envisioned. Commissioner Reed thinks they are helping people who need help; they have a matching grant with the County; the County will match whatever donations the City can give to them. Is there provision for the City to make a donation to a charitable organization?

Mr. Forte informed the Commission that they can offer to make a donation to any charitable organization and that would come out their budget line item for that; that may or may not impact another charitable organization. It doesn't mean that the City can't amend the budget down the road. The City doesn't have a program but the City does have a small line item for charitable contributions. The budget would have to be amended towards the end of the fiscal year.

Mayor Via gave a summary of his meeting at VCOG pertaining to Builders Care and mentioned that Greg France came before VCOG and asked for the money for administrative purposes and stated that the County would match those funds.

Commissioner Reed asked the Commission if they have any desire to put a Charter Referendum out during the 2007 election. Do they want to go to a strong-Mayor form of government instead of a City Manager form of government? Commissioner Reed expressed his concerns pertaining to the last City Commission meeting over the discussion of a motorcycle parade and Eddie Colosimo.

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There was consensus from the Commission not to go to the strong-Mayor form of government.

Commissioner Reed mentioned the minutes from the January 9, 2007 City Commission meeting and spoke about the permits for bike parades and that the consensus from the Commission was “no” and then the next day, he heard that the Mayor met with Mr. Colosimo and told him he could have the parade. Are they going to have a Commission that forms policy?

Mayor Via referred to the minutes as well pertaining to that issue and that Mr. Forte stated that Mr. Colosimo could hold their bike parade, they could assemble in any public park, they could use the City’s public streets. Mayor Via informed the Commission that’s what he was talking to Mr. Colosimo about. Mayor Via agrees that the City has *nothing* to do with that parade. It’s peaceful assembly by citizens and visitors that would assemble and have a parade. The City is *not* sponsoring any bike parade and Mr. Colosimo understands that.

Mayor Via mentioned that he will be asking the Volusia League of Cities to help sponsor a budget workshop for Volusia County.

10. ADJOURNMENT

The meeting officially adjourned at approximately 8:45 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor