

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

**JANUARY 25, 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 7:00pm. Attending with Mayor Johnson were Commissioners John Penny, Rick Glass, Donnie Moore and Liz Towsley Patton.

Also attending were the following staff members: Interim City Manager Mark D. Barker, City Attorney Scott Simpson, Administrative Services Director Kurt Swartzlander, City Planner Thomas Harowski, Human Resource Manager Diane Cole, Information Technology Manager Scott Gutauckis, Acting Police Chief Steve Aldrich, Fire Chief Ron Spencer, Interim Public Works Director Jackie Maswary, Audit Specialist Catherine Colwell, Economic Development Director Lynn Dehlinger, and City Clerk Joshua Fruecht.

**B. Invocation**

Rev. Wiley Lowe delivered the Invocation.

**C. Pledge of Allegiance to the Flag**

Mayor Johnson led the Pledge of Allegiance.

**2. MINUTES**

A. Minutes from the City Commission workshop – January 11, 2011

B. Minutes from the Regular City Commission meeting – January 11, 2011

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

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Moore – Yes, Penny – Yes, Patton – Yes, Mayor Johnson – Yes.

**3. PUBLIC PARTICIPATION**

A. Regarding items not on the agenda.

**Mayor Johnson opened public participation for items not on the agenda.** The following individuals came forward to speak to the City Commission:

- Jim Cameron (Daytona Beach Chamber of Commerce) – Addressed the City Commission regarding Volusia Day on Wednesday, March, 21, 2011.
- Steve Smith (1410 Riverside Drive, Holly Hill, FL 32117) – Addressed the City Commission regarding a proposed ban on smoking in public parks.
- Alan Sanford (1126 Riverside Drive, Holly Hill, FL 32117) – Addressed the City Commission regarding his group, Citizens for Good Park Policy.

**Mayor Johnson closed Public Participation.**

#### 4. PRESENTATION & DISCUSSION

##### A. Service Awards

Interim City Manager Mark D. Barker recognized the following City Employees for their service to the City of Holly Hill.

- Sergeant Jeff Miller
- Corporal Denise Marquez
- Investigator Angelo Alexogiannis
- Driver/Engineer Randy Nowell

##### B. Commission Plaque

Information Technology Manager Scott Gutauckis presented the City Commission with the proposed layout of the Commission Plaques to recognize past and present members of the City Commission for their service to the City of Holly Hill.

After brief discussion amongst the Mayor and City Commissioners, there was a majority **consensus** for staff to move forward with the project based on the layout presented.

##### C. Brick Pavers

Interim Public Works Director Jackie Maswray presented the City Commission with a sample of the brick pavers currently in stock at Public Works. These pavers may be laser engraved and used to memorialize employees and others who have made significant contributions to the City of Holly Hill.

##### D. Marina Grande Park Expenditure

City Planner Thomas Harowski presented the City Commission with a summary of expenditures that the developer of the Marina Grande project claimed for the 2<sup>nd</sup> Street park. The developer is asking the City Commission to accept this summary as evidence of compliance with the development agreement. The report claims \$977,000.00 in direct construction expenses, \$208,000.00 in soft costs including design, permitting and legal costs, and \$146,000.00 in estimated costs for the observation pier, which is programmed but not yet expended.

After discussion amongst the Mayor, City Commissioners, City Attorney Scott Simpson, City Planner Thomas Harowski, Applicant's Attorney Rob Merrill, and Marine Grande Developer Bret Dill, *Commissioner Glass* moved **APPROVAL**, of the applicant's request that the developer has satisfied the obligations for the public amenities on the 2nd Street park, contingent on the completion of the pier, contingent on providing weeding, maintenance, and replacement of dead plants in the park, contingent upon the irrigation system being operational, contingent upon the lighting of the park satisfying the city's needs. The motion was seconded by *Commissioner Moore*.

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Moore – Yes, Penny – Yes, Patton – Yes, Mayor Johnson – Yes.

**5. CONSENT AGENDA**

- A. RESOLUTION NO. 2011-R-07, A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A WRECKER SERVICES AGREEMENT EXTENSION WITH UNIVERSAL TOWING INC.; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

**Mayor Johnson asked for a motion to approve the Consent Agenda.**

*Commissioner Glass* moved **APPROVAL** for the **CONSENT AGENDA**, seconded by *Commissioner Penny*.

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny – Yes, Moore – Yes, Patton – Yes, Mayor Johnson – Yes.

**6. BUSINESS AGENDA**

- A. SECOND READING OF ORDINANCE NO. 2886

City Attorney Scott Simpson read by short title:

**ORDINANCE NO. 2886, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING THE ADOPTED COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, BY REVISING MAP 1, THE FUTURE LAND USE MAP, TO CHANGE THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 1.6 ACRES CONSISTING OF TAX PARCEL NUMBERS 4244-01-20-0060 AND 0061 FROM LOW DENSITY RESIDENTIAL TO GENERAL COMMERCIAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN**

**CONFLICT HEREWITH; AND PROVIDING WHEN THIS  
ORDINANCE SHALL TAKE EFFECT.**

*Commissioner Penny moved **APPROVAL** for **ORDINANCE NO. 2886**, seconded by  
Commissioner Moore.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

**Mayor Johnson closed Public Participation.**

The motion **CARRIED** 5-0 unanimously: Penny – Yes, Moore– Yes, Glass – Yes,  
Patton – Yes, Mayor Johnson – Yes.

**B. SECOND READING OF ORDINANCE NO. 2887**

City Attorney Scott Simpson read by short title:

**ORDINANCE NO. 2887, AN ORDINANCE OF THE CITY  
OF HOLLY HILL, FLORIDA AMENDING THE ADOPTED  
COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED,  
BY REVISING MAP 1, THE FUTURE LAND USE MAP, TO  
CHANGE THE FUTURE LAND USE DESIGNATION OF  
APPROXIMATELY 0.36 ACRES CONSISTING OF TAX  
PARCELS 4242-19-01-0190 AND 4242-19-01-0200, FROM  
VOLUSIA COUNTY MIXED-USE, LIGHT INDUSTRIAL  
LAND USE TO CITY OF HOLLY HILL GENERAL  
COMMERCIAL; PROVIDING FOR SEVERABILITY;  
REPEALING ALL LAWS OR PARTS OF LAWS IN  
CONFLICT HEREWITH; AND PROVIDING WHEN THIS  
ORDINANCE SHALL TAKE EFFECT.**

*Commissioner Glass moved **APPROVAL** for **ORDINANCE NO. 2887**, seconded by  
Commissioner Penny.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

**Mayor Johnson closed Public Participation.**

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Penny– Yes, Moore – Yes,  
Patton – Yes, Mayor Johnson – Yes.

**C. SECOND READING OF ORDINANCE NO. 2888**

City Attorney Scott Simpson read by short title:

**ORDINANCE NO. 2888, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.36 ACRES LOCATED ON THE WEST SIDE OF NOVA ROAD BETWEEN ALCAZAR STREET AND ALABAMA AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CURRENT COUNTY ZONING OF I-1 TO CITY ZONING CC-1 (COMMERCIAL CORRIDOR); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore moved **APPROVAL** for **ORDINANCE NO. 2888**, seconded by Commissioner Glass.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

**Mayor Johnson closed Public Participation.**

The motion **CARRIED** 5-0 unanimously: Moore – Yes, Glass– Yes, Penny – Yes, Patton – Yes, Mayor Johnson – Yes.

**D. SECOND READING OF ORDINANCE NO. 2889**

City Attorney Scott Simpson read by short title:

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2352, THE LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 0.91 ACRES CONSISTING OF PARCELS A AND B LOCATED ON THE SOUTHWEST CORNER OF 8TH STREET AND CARSWELL AVENUE AND PARCEL C LOCATED ON THE SOUTHEAST CORNER OF 8TH STREET AND CARSWELL AVENUE, MORE PARTICULARLY DESCRIBED HEREIN, FROM THE CURRENT CITY ZONING OF CC-1 (COMMERCIAL CORRIDOR) TO CITY ZONING I-2 (HEAVY INDUSTRIAL); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Glass moved **APPROVAL** for **ORDINANCE NO. 2889**, seconded by Commissioner Patton.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Patton – Yes, Penny – Yes, Moore – Yes, Mayor Johnson – Yes.

E. SECOND READING OF ORDINANCE NO. 2890

City Attorney Scott Simpson read by short title:

**ORDINANCE NO. 2890, AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING SECTION 70-125 (USAGE CHARGES GENERALLY), SECTION 70-276 (ESTABLISHMENT) AND SECTION 70-131 (DISCONTINUANCE OF SERVICE) TO ELIMINATE THE AVAILABILITY FEE, PROVIDING FOR A RENEWAL AND REPLACEMENT FEE FOR ALL UNITS, PROVIDING FOR A MINIMUM MONTHLY BILL INCLUDING 2000 AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore moved APPROVAL for ORDINANCE NO. 2890, seconded by Commissioner Glass.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

**Mayor Johnson closed Public Participation.**

The motion **CARRIED** 5-0 unanimously: Moore – Yes, Glass– Yes, Penny – Yes, Patton – Yes, Mayor Johnson – Yes.

F. RESOLUTION NO. 2011-R-03

City Attorney Scott Simpson read by short title:

**RESOLUTION NO. 2011-R-03, A RESOLUTION BY THE CITY OF HOLLY HILL, FLORIDA DESIGNATING THE SPECIAL EVENT DATES FOR 2011, AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Glass moved APPROVAL for RESOLUTION NO. 2011-R-03, with the correction of Relay for Life being held on April 8-9, 2011, seconded by Commissioner Patton.*

**City Clerk Joshua Fruecht opened public participation.** No one spoke.

**Mayor Johnson closed Public Participation.**

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Patton– Yes, Penny – Yes, Moore – Yes, Mayor Johnson – Yes.

## 7. COMMUNICATIONS

### A. City Manager

Interim City Manager Mark Barker reminded the Mayor and City Commissioners that there would be a Special City Commission meeting on Tuesday, February 1, 2011, at 6:00 pm, in the large conference room to discuss the selection and hiring process for the vacant City Manager position.

### B. City Attorney

City Attorney Scott Simpson apologized to the City Commission for having to leave early on January 11, 2011.

### C. City Clerk

City Clerk Joshua Fruecht had no comments.

### D. Mayor & Commissioners

#### Commissioner Patton

Commissioner Liz Patton provided the Commission with a TPO Board update, and informed everyone that there is legislation coming forward regarding texting while driving.

#### Commissioner Moore

Commissioner Donnie Moore thanked Officer Rommel Scalf for providing the security detail, and thanked the public for coming out.

#### Commissioner Penny

Commissioner John Penny thanked everyone for coming out, and asked about the City sponsoring a Citizen's Academy to spark civic interest.

After brief discussion amongst the Mayor and Commissioners there was a majority **consensus** for staff to move forward with developing a Citizens Academy. City Clerk Joshua Fruecht informed the members of the City Commission that he would have an outline for the Citizens Academy for them to review in March 2011.

#### Commissioner Glass

Commissioner Rick Glass thanked everyone for coming out.

#### Mayor Johnson

Mayor Roy Johnson provided the City Commission with a VCOG board update.

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8. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:31p.m.

Attest:

City of Holly Hill, Florida

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Joshua Fruecht  
City Clerk

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Roy Johnson  
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.”*

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