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

JANUARY 26, 2010

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, Rick Glass, Mark Reed and Liz Towsley.

Also attending were the following staff members: City Manager Oel Wingo, Ph.D., Assistant City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Police Chief Mark Barker, Fire Chief Ron Spencer, City Planner Doug Gutierrez, Engineering Technician Jacquelyn Maswary, Accounting Manager Susan Worde, Audit Specialist Catherine Colwell, Community Redevelopment Area Specialist Marsha Radulovich, Economic Development Director Lynn Dehlinger, PAL/Recreation Executive Director Chuck Beach, and City Clerk Valerie Manning.

B. Invocation

Pastor Ron Fussell, delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PROCLAMATIONS

A. CERTIFICATE OF RECOGNITION – RON FUSSELL

Mayor Via read the Certificate of Recognition into the record and thanked Pastor Fussell for the donation of the water fountain for City Hall.

3. MINUTES

- ✓ Minutes from the Regular City Commission meeting – December 8, 2009
- ✓ Minutes from the City Commission workshop – January 5, 2010
- ✓ Minutes from the City Commission workshop – January 12, 2010
- ✓ Minutes from the City Commission workshop – January 19, 2010

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

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

4. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA

The following individuals came forward to speak to the Mayor and City Commission: Ed Perkins, Rocky Rivera, Susan Rainey, Gilles Blais, Roger Healey, and Russell Bennett.

5. PUBLIC HEARING

A. NO ITEMS

6. BUSINESS AGENDA

A. RESOLUTION 2010-R-01

Attorney Simpson read by short title:

RESOLUTION NO. 2010-R-01

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

Mayor Via opened public participation. No one spoke.

Commissioner Reed moved ***APPROVAL*** *for Resolution 2010-R-01 re-appointing Michael M. Myer, Christopher Kiley, and J.D. Mellette for a second and final term and appointing John Sterling as a new board member, seconded by Commissioner Glass.*

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

B. RESOLUTION 2010-R-03

Attorney Simpson read by short title:

RESOLUTION NO. 2010-R-03 (2010 Series)

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA

A RESOLUTION APPROVING THE EXPENDITURE OF $2,500.00 IN LAW ENFORCEMENT TRUST FUND MONIES UNDER THE "ADDITIONAL LAW ENFORCEMENT EQUIPMENT" PROVISION OF FSS 932.7055 (4) (B) FOR THE PURCHASE OF A 2008 CHEVROLET IMPALA MOTOR VEHICLE PURSUANT TO THE SETTLEMENT OF A CRIMINAL FORFEITURE ACTION BY AND BETWEEN THE CITY OF HOLLY HILL AND THE PROPERTY OWNER, MAXWELL BOALES.

Mayor Via opened public participation.

The following individuals came forward to speak to the Mayor and City Commission: Gilles Blais and Mike Gleason.

Mayor Via closed public participation.

Commissioner Penny moved ***APPROVAL*** *for Resolution 2010-R-03 authorizing the Police Chief to expend $2,500 from the Law Enforcement Trust Fund (LETF) consistent with Sections 932.701-932.706, Florida Statute, for the purchase of a 2008 Chevrolet Impala LS Sedan used in the commission of a crime, seconded by Commissioner Glass.*

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

C. RESOLUTION 2010-R-08

Attorney Simpson read by short title:

RESOLUTION NO. 2010-R-08

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, WAIVING THE BONDING REQUIREMENT FOR THE 8TH STREET RESURFACING PROJECT, FPN 426332-1-58-01; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation.

The following individual came forward to speak to the Mayor and City Commission: Gilles Blais.

Mayor Via closed public participation.

Commissioner Glass moved ***APPROVAL*** *for Resolution 2010-R-08 waiving the bond requirement for the 8th Street resurfacing project, FPN 426332-1-58-01, consistent with City Code Section 30-74, seconded by Commissioner Reed.*

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

D. RESOLUTION 2010-R-05

Attorney Simpson read by short title:

RESOLUTION NO. 2010–R-05

FLORIDA DEPARTMENT OF TRANSPORTATION – LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT NO. 2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA APPROVING THE TERMS AND CONDITIONS OF THE SUPPLEMENTAL AGREEMENT TO THE LOCAL AGENCY AGREEMENT FOR THE RESURFACING OF 8TH STREET BETWEEN CARSWELL AVENUE AND GROVE AVENUE; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation.

The following individual came forward to speak to the Mayor and City Commission: Jim Legary.

Mayor Via closed public participation.

*Commissioner Towsley moved **APPROVAL** for Resolution 2010-R-04 and Resolution 2010-R-05 authorizing the City Manager to execute the Florida Department of Transportation (FDOT) Supplemental Agreements allocating an additional $17,062 for the 8th Street resurfacing project, FPN 426730-1-58-01 and FPN 426332-1-58-01, seconded by Commissioner Glass.*

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

E. RESOLUTION 2010-R-07

Attorney Simpson read by short title:

RESOLUTION NO. 2010-R-07

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING THE 2010 GOALS FOR THE CITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation.

The following individuals came forward to speak to the Mayor and City Commission: Jim Legary, Gilles Blais, and Rocky Rivera.

Mayor Via closed public participation.

*Commissioner Towsley moved **APPROVAL** for Resolution 2010-R-07 the 2010 Commission Goals, seconded by Commissioner Penny.*

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

F. RESOLUTION 2010-R-06

Attorney Simpson read by short title:

RESOLUTION NO. 2010-R-06

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERIM COMMERCIAL LEASE AGREEMENT WITH THE YMCA AND FOR THE CITY TO CONTINUE NEGOTIATIONS WITH THE YMCA FOR A COMMERCIAL LEASE AGREEMENT TO PROVIDE THE CITY OF HOLLY HILL RECREATION PROGRAMS; AND PROVIDING AN EFFECTIVE DATE.

Teresa Rodgers, President and CEO for the YMCA was present along with some staff members to answer questions and concerns of the Mayor, City Commission and those from the public. Ms. Rodgers informed the Commission and the public if they are interested in further information about the YMCA they may visit their Website at www.vfymca.org.

Mayor Via opened public participation.

The following individuals came forward to speak to the Mayor and City Commission: Susan Rainey, Donnie Moore, Gilles Blais, Karen Brandonburg, Charlie Sharp, Rocky Rivera, Mike Gleason, and Ed Perkins.

Mayor Via closed public participation.

*Commissioner Reed moved **APPROVAL** for Resolution 2010-R-06 authorizing the City Manager to enter into an interim commercial lease agreement with the YMCA and for the City to continue negotiations with the YMCA for a commercial lease agreement to provide the City of Holly Hill Recreation programs, seconded by Commissioner Penny.*

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

7. CONSENT AGENDA

A. NO ITEMS

8. PRESENTATIONS

A. SMART GROWTH PRESENTATION BY VOLUSIA COUNCIL OF GOVERNMENTS

Mary Swiderski, Executive Director for VCOG, INC (Volusia Council of Governments) and Volusia League of Cities. Acting Director for WAV (Water Authority of Volusia), and Rafael Montalvo, Associate Director for the Florida Consensus Center, showed a PowerPoint presentation to the Mayor and City Commission regarding Smart Growth.

B. CENSUS 2010

Ms. Radulovich showed a PowerPoint presentation regarding the Census 2010. Ms. Radulovich encouraged everyone to be involved and turn in their Census 2010 form before April 1, 2010.

9. COMMUNICATIONS

A. City Manager

Ms. Wingo gave an update regarding her meeting with the Department of Environmental Protection (DEP) regarding the Water and Waste Water Plant to the Mayor and City Commission and informed them that the City has been notified of 24 violations and they have to be addressed immediately.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Penny asked about the progress along Riverside Drive; informed the Mayor and Commissioners that the K-8 program at Holly Hill Elementary is moving forward.

Commissioner Glass shared his concerns about calling City Hall and not always being able to speak with someone – that he gets voicemail most of the time; spoke about the Bishop property.

Commissioner Reed congratulated the Police Department in regards to the letter the Commissioners received from Attorney Lambert.

Commissioner Towsley gave an update of the MPO meeting.

Mayor Via reminded everyone about the Crime Summit for this Saturday at Sica Hall; the Riverside Drive sting with the M.A.D.D. was a success; mentioned that he would like to see the 2010 Commissioners Goals on posters and placed around City Hall; wished Mr. Beach all the best and thanked him for his many years of service to the City.

10. ADJOURNMENT

The meeting officially adjourned at approximately 10:35 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.