MINUTES
REGULAR COMMISSION MEETING
COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING
CITY OF HOLLY HILL, FLORIDA

January 8, 2013

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, Penny Currie, Donnie Moore and Elizabeth Albert.

Also attending were the following staff members: City Manager James McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, City Planner Tom Harowski, CRA Coordinator Grace Juliano, Police Chief Mark Barker, Fire Chief Ron Spencer, Economic Development Director Lynn Dehlinger, Human Resources Manager Sandy Fenwick, Captain Steve Aldrich, and City Clerk Valerie Manning.

B. Invocation

Senior Pastor Vic Pruett from Holly Hill Church of Christ led invocation.

C. Pledge of Allegiance to the Flag

Mayor Johnson led the Pledge of Allegiance.

2. MINUTES

Minutes from the Regular City Commission meeting – December 11, 2012 *(City Clerk)*

Commissioner Moore moved ***APPROVAL*** *for the* ***MINUTES AS AMENDED****, seconded by Commissioner Currie.*

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

3. PRESENTATIONS

A. Bachelor of Arts Degree ~ Officer Jennifer Shaffer *(Police Chief Barker)*

B. Promotion of Sergeant ~ Thomas R. (Toby) Wall *(Police Chief Barker)*

C. Certificates of Commendation for Lifesaving ~ Corporal Ivan Robinson, Officer Kris Azevedo, and Officer Shannon Fountain *(Police Chief Barker)*

D. Honorable Retirement of Sergeant ~ James Patton *(Police Chief Barker)*

4. PUBLIC PARTICIPATION

Regarding items not on the agenda

The following individual came forward to speak:

- Roger Healey, Charter Oaks Circle, Holly Hill – Addressed the City Commission by informing them that he was able to raise the money for the trailer for the middle school music department thanks to the help from the community.

Mayor Johnson closed public participation.

5. CONSENT AGENDA

City Memorial Brick – Former Chief Building Official James "Greg" France *(City Manager)*

*Commissioner Penny moved **APPROVAL** for the **CITY MEMORIAL BRICK for FORMER CHIEF BUILDING OFFICIAL JAMES "GREG" FRANCE**, seconded by Commissioner Moore.*

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

6. <u>BUSINESS AGENDA</u>

A. HALIFAX HOSPITAL AUTHORITY LATE PAYMENT *(City Manager)*

Mr. McCroskey gave the Mayor and City Commission a brief staff report regarding the late fee accrued from Halifax Hospital Authority and mentioned that he had spoken to Mr. Feasel regarding the issue and is requesting that the City Commission waive the penalty fee.

*Commissioner Moore made a motion to **DENY** staff's recommendation to waive the penalty fee, motion **DIED** for lack of Second.*

*Commissioner Penny made a motion to **APPROVE STAFF'S RECOMMENDATION TO WAIVE THE PENALTY FEE**, seconded by Commissioner Currie.*

The following individuals came forward to speak:

- Arthur Kowitz, 1501 Kowitz Realty, Holly Hill – Addressed the City Commission by suggesting that the Commission "split the baby"; City gets paid and Halifax Authority pays the City.
- Gilles Blais, 710 Magnolia Avenue, Holly Hill – Addressed the City Commission by agreeing with staff's recommendation to waive the fee.
- Ursula Inglid, Holly Hill – Addressed the City Commission by suggesting that if this is under contract then they should be obligated to pay the penalty fee; if they are not under contract then it should be at the discretion of the City to not charge them the late fee.

Mayor Johnson closed public participation.

There was some discussion amongst the Mayor, City Commission and staff regarding staff's recommendation.

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

B. RESOLUTION 2013-R-03, YMCA CONTRACT / BUDGET AMENDMENT *(City Manager & Finance Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-03

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE YMCA CONTRACT; AMENDING THE BUDGET FOR PAYMENT TO THE YMCA; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Currie moved **APPROVAL** for **RESOLUTION 2013-R-03**, seconded by Commissioner Penny.*

Mr. McCroskey stated there is one amendment that needs to be made in the contract that is before them. In *Section 2.5 Compatibility subsection (C)* the following language needs to be omitted:

c) YMCA agrees that operation of the FACILITIES as a YMCA Facility will not unreasonably interfere with the use of the contiguous park area by members of the general public or by CITY. It is the parties' intention that the operation of the FACILITIES will be compatible with other CITY Recreation Programs which are contracted to the Boys and Girls Club and the Council on Aging. ~~This Lease does not grant the YMCA the right to use any other recreational facilities or improvement of the CITY other than the FACILITIES, but does grant the YMCA the first priority in scheduling and reserving said recreational facilities as set forth in the CITY's Fields and Facilities Rental Manual.~~

The following individuals came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by applauding them for choosing the YMCA over the gazebo.
- Arthur Byrnes, Jeffery Avenue, Holly Hill – Addressed the City Commission by agrees with staff's recommendations to approve the contract with the amendment.

Mayor Johnson closed public participation.

There was some discussion amongst the Mayor, City Commission and staff. The Commission shared their concerns about the YMCA and wanted to make it clear that if this contract gets approved, that they will work with the YMCA to get recreation as part of the program and not just a fitness center.

The motion **CARRIED** ***WITH THE AMENDMENT RECOMMENDED BY STAFF*** 4-1 by roll call vote: Currie – Yes, Penny – Yes, Albert – Yes, Moore –No, and Mayor – Yes

C. FIRST READING OF ORDINANCE 2925, TENT SALES *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2925

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 114-764 "TENTS" TO ALLOW ONE TENT SALE OF UP TO THREE DAYS EVERY SIX MONTHS; TO ESTABLISH RULES FOR OPERATING A TENT SALE; TO SET A FEE FOR A TENT SALE PREMIT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moore made a motion for ***ARROVAL*** *for* ***FIRST READING OF ORDINANCE 2925****, seconded by Commissioner Penny.*

Mayor Johnson opened public participation. No one spoke.

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

D. FIRST READING OF ORDINANCE 2926, CAPITAL IMPROVEMENT ELEMENT ANNUAL UPDATE *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2926

AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; ADOPTING THE COMPREHENSIVE PLAN AMENDMENTS TO THE CAPITAL IMPROVEMENTS ELEMENT IN ACCORDANCE WITH FLORIDA LAW; PROVIDING FOR REPEAL OF ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moore made a motion for ***ARROVAL*** *for* ***FIRST READING OF ORDINANCE 2926****, seconded by Commissioner Penny.*

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking if all the meters are going to be switched over to the new ones at the same time. Mr. Legary was informed by staff that staff will go through and change them; the batteries in the ones now are dying and need to be replaced.

Mayor Johnson closed public participation.

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

E. FIRST READING OF ORDINANCE 2927, FLOOD PLAIN MANAGEMENT *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2927

AN ORDINANCE BY THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CITY OF HOLLY HILL CODE OF ORDINANCES TO REPEAL CHAPTER 94 ARTICLE II FLOOD HAZARD MITIGATION; TO ADOPT A NEW CHAPTER 94 ARTICLE II FLOOD HAZARD MITIGATION; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO

ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **FIRST READING OF ORDINANCE 2927**, seconded by Commissioner Penny.*

Mayor Johnson opened public participation. No one spoke.

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

F. FIRST READING OF ORDINANCE 2928, INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION *(Building Official / City Clerk)*

Attorney Simpson read by title only:

ORDINANCE NO. 2928

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2012 EDITION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **FIRST READING OF ORDINANCE 2928**, seconded by Commissioner Penny.*

The following individuals came forward to speak:

- Ann Marie Sacorski, 328 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking what does this item mean?

  Mr. McCroskey informed Ms. Sacorski that it's a property maintenance code that is enforced by the Code Enforcement.

- Richard Murdock, 520 Peacock Road, Holly Hill – Addressed the City Commission by sharing his concerns about the right of way on Eagle Drive that has RV's, boats, and cars without tags.

Mayor Johnson closed public participation.

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

7. RECESS THE REGULAR CITY COMMISSION MEETING

8. CONVENE THE COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING

BUSINESS AGENDA

A. RESOLUTION 2013-R-01, 621 – 627 RIDGEWOOD AVENUE ~ PROPERTY REDEVELOPMENT *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-01

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR THE PROPERTY AT 621-627 RIDGEWOOD AVENUE; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **RESOLUTION 2012-R-01**, seconded by Commissioner Albert.*

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by had questions about the property and matching funds.

  Mr. McCroskey informed Mr. Legary that at the request of the individual, pursuant to F.S. 288.075, is confidential.

  Attorney Simpson stated it’s a Statutory Law and the applicant has the right to request it.

Mayor Johnson closed public participation.

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

9. RECONVENE THE REGULAR CITY COMMISSION MEETING

<u>BUSINESS AGENDA</u>

A. RESOLUTION 2013-R-02, 621 – 627 RIDGEWOOD AVENUE ~ PROPERTY REDEVELOPMENT *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-02

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT FOR THE PROPERTY AT 621-627 RIDGEWOOD AVENUE; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **RESOLUTION 2012-R-02**, seconded by Commissioner Currie.*

The following individual came forward to speak:

- Larry Steele, Daytona Wholesale Motorcycles, Daytona Beach – Addressed the City Commission by informing them that he was interested in this property but there is already discussion taking place with another individual for it; he is looking to bring his business here to Holly Hill.

Mayor Johnson closed public participation.

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

10. COMMUNICATIONS

a. City Manager

Mr. McCroskey informed the Mayor and City Commissioners that staff is ready to move forward with the consultant for the old middle school property and asked if the can give him direction on when they would like to meet with him.

*Commissioner Moore made a motion to **MEET WITH THE CONSULTANT AT THE JANUARY 22, 2013 REGULAR CITY COMMISSION MEETING**, seconded by Commissioner Albert.*

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

Mr. McCroskey gave an update about The Market and the upcoming events that will be taking place there: Dogs on The Hill, Feb. 7; Hogfest with Hogs on The Hill, March 7th; Farmers Market first Thursday of each month from 4:00 PM to 8:00 PM.

b. City Attorney

None.

c. City Clerk

None.

d. Mayor & Commissioners

Commissioner Penny thanked all the Officers who were recognized tonight and Sgt. Patton for his years of service to the City and wished him well with his retirement.

Commissioner Currie congratulated all the Officers and Sgt. Patton; informed everyone that Flomich Baptist Church on Flomich Avenue on January 14-18, 2013 from 8:00 AM to 5:00 PM are offering free dental work/pre-screening; thinks that reopening The Market is a good thing and would suggest getting public participation involved to see what they would like to see down there as well; grateful for the many families that were helped during the Share Your Christmas Meal Program.

Commissioner Moore congratulated the Officers and Sgt. Patton.

Commissioner Albert congratulated the Police Department and stressed how serious she was about getting recreation included with the YMCA and doesn't want to see that go to the wayside; suggested making monthly or quarterly goals to see that it moves forward; congratulated Mr. Healey in helping to raise money for the middle school's music department trailer; Walk and Talk next gathering will be Saturday, January 12th at 2:00 PM, meeting at Riverside Park.

Mayor Johnson congratulated the Officers and Sgt. Patton.

11. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 9:00 pm.

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Valerie Manning
City Clerk