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

February 12, 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, Captain Steve Aldrich, Corporal Ivan Robinson, Human Resources Manager Sandy Fenwick and City Clerk Valerie Manning.

B. Invocation

Mayor Johnson 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 and Community Redevelopment Agency meeting – January 22, 2013 *(City Clerk)*

*Commissioner Moore moved **APPROVAL** for the **MINUTES**, 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

Proclamation ~ Honoring City Employee Blood Donors ~ January 18, 2013 *(Human Resources Manager)*

4. PUBLIC PARTICIPATION

Regarding items not on the agenda

The following individuals came forward to speak regarding the Cub Scouts (Boy Scouts) issue and shared their concerns about using the facility in Hollyland Park: Melissa Martin, 1027 Alta Drive; Gilles Blais, 710 Magnolia Avenue; Anthony Vota, 732 Orchid Street; Sean Zorta, 732 Orchid Avenue; Steve Smith, 1410 Riverside Drive (also addressed the City Commission regarding the issue of the restrooms at Riverside Park being locked, open communication between the Commissioners and the public, nonprofit organizations refusing to pay to use the City facilities, suggested the Commissioners speak up regarding the concerns of the public, “walk and talk” with Commissioner Albert had been removed from the City’s website – would like to see it put back on); Edward Anderson, 926 Hibiscus Street; Fred San, 1315 Florence Court; Jim Legary, 342 Burleigh Avenue (addressed the City Commission by suggesting that the citizens get recognized similar to the employees); Nick Mostert, 715 Marlene Drive (addressed the City Commission about last week’s Farmer’s Market – Dogs on The Hill, great job; looking forward to the next one, hope it keeps going: Brian Martin, 1027 Alta Drive.

Mayor Johnson closed public participation.

Mr. McCroskey responded to the concerns regarding the Cut Scouts (Boy Scouts); gave a brief history of what took place with the current lease agreement from the previous City Manager; spoke about having to enforce the rules for Holly Hill that are in place according to the Ordinances; the City Commission are the only ones who have the authority to change that.

There was some discussion amongst the Mayor, City Commission, and staff regarding the lease agreement that is in place with the Boy Scouts. Commissioner Penny offered to pay for the next two months for the facility so the Cub Scouts can use it. In the meantime, a new agreement will be drawn up by the City Manager and the City Attorney after negotiations have been met.

Commissioner Currie moved to ***DIRECT THE CITY MANAGER TO ENTER INTO NEGOTIATIONS WITH THE CUB SCOUT PACK 54 FOR A NEW LEASE****, seconded by Commissioner Penny.*

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

5. CONSENT AGENDA

A. Updates to the Municode – Section 14.126 *(Building Official)*

B. Rejection of Bids – 1200 Center Avenue Restroom Facility *(Community Services Director)*

Commissioner Currie asked if they can pull ***Item "B"*** for further discussion.

*Commissioner Currie moved **APPROVAL** for **CONSENT AGENDA ITEM "A' ONLY**, seconded by Commissioner Albert.*

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

Commissioner Currie shared her concerns about *Item "B".* Commissioner Currie wanted to know why they were attempting to go out to bid for the restrooms again to spend more money when they hired a consultant to work on the property and they may have other suggestions for the restrooms.

Mr. McCroskey stated at some point they will need restrooms over there; especially with the kids getting out of school shortly for the summer and possibly summer programs taking place over there. If the Commission thinks they need to go in a different direction, he will do whatever they decide.

*Commissioner Moore moved **APPROVAL** for **CONSENT AGENDA ITEM "B'**, seconded by Commissioner Penny.*

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

ADDENDUM item taken here:

6. BUSINESS AGENDA

ADDENDUM: RESOLUTION 2013-R-14, AUTHORIZATION TO DISPOSE OF SURPLUS PROPERTY THROUGH AUCTION *(City Manager)*

Attorney Simpson read by title only:

RESOLUTION NO. 2013-R-14

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, DECLARING CERTAIN VESSEL AS SURPLUS AND AUTHORIZING THE CITY MANAGER TO SELL SAID PROPERTY BY ANY LEGAL MEANS AND

> **AUTHORIZING THE SALE ABOVE $10,000.00; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore moved **APPROVAL** for **RESOLUTION 2013-R-14**, 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

A. FIRST READING OF ORDINANCE 2929, OPEN BURNING ORDINANCE REVISION ~ MEMORANDUM OF UNDERSTANDING FOR MUTUAL COOPERATION *(Fire Chief)*

Attorney Simpson read by title only:

ORDINANCE NO. 2929

> **AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 34-10 (OPEN BURNING REGULATIONS) OF THE CODE OF ORDINANCE TO AMEND THE CITY OPEN BURNING REGULATIONS TO COMPLY WITH NEW STATE LAW; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore made a motion for **ARROVAL** for **FIRST READING OF ORDINANCE 2929**, seconded by Commissioner Currie.*

Mayor Johnson opened public participation. No one spoke.

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

B. RESOLUTION 2013-R-12, CITY COMMISSION MEETING PROCEDURES *(City Manager/City Commission)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-12

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, CREATING A POLICY REQUIRING A FOUR-FIFTHS (4/5) VOTE OF THE CITY COMMISSION TO ADD AN ITEM TO THE AGENDA DURING A CITY COMMISSION MEETING; AND A MAJORITY OF THE COMMISSION CAN ADD AN ITEM TO THE AGENDA FOR A FUTURE COMMISSION MEETING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Penny made a motion for **ARROVAL** for **RESOLUTION 2013-R-12**, seconded by Commissioner Currie.*

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by stating he feels this is another way to restrict conversation amongst the Commission.

Mayor Johnson closed public participation.

Mr. McCroskey briefly explained the reasoning to have this resolution in place to the Mayor and Commissioners.

The motion **CARRIED** 3-2 by roll call vote: Penny – Yes, Currie – Yes, Albert – No, Moore – No, and Mayor – Yes

C. RESOLUTION 2013-R-13, BOARD OF PLANNING AND APPEALS ~ APPOINTMENTS *(City Clerk)*

Attorney Simpson read by title only:

RESOLUTION NO. 2013-R-13

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.

There was consensus from the Mayor and City Commission to vote on each applicant individually:

<u>J.D. Mellette</u>:

*Commissioner Penny moved to **APPROVE J.D. Mellette's board application**, seconded by Commissioner Moore.*

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

<u>Art Cappuccio</u>:

*Commissioner Penny moved to **APPROVE Art Cappuccio's board application**, seconded by Commissioner Albert.*

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

<u>Chris Kiley</u>:

*Commissioner Currie moved to **APPROVE Chris Kiley's board application**, **DIED FOR LACK OF A SECOND.***

<u>David Heald</u>:

*Commissioner Penny moved to **APPROVE David Heald's board application**, seconded by Commissioner Moore.*

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

*Commissioner Penny made a motion for **ARROVAL** for **RESOLUTION 2013-R-13 AND TO INSERT THE APPOINTED NAMES J.D. MELLETTE, ART CAPPUCCIO, AND DAVID HEALD INTO THE RESOLUTION**, seconded by Commissioner Moore.*

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

Attorney Simpson they need a motion to add this unscheduled item to the agenda:

*Commissioner Albert made a motion to **ADD THE BIKE WEEK STEERING COMMITTEE APPOINTMENT** to the agenda tonight, seconded by Commissioner Penny.*

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

Commissioner Moore stated since they are on discussion of appointing board members, he would like to appoint Ken Gardner to the Bike Week Steering Committee.

Attorney Simpson they need a motion to add this unscheduled item to the agenda.

Commissioner Albert made a motion to ***ADD THE BIKE WEEK STEERING COMMITTEE APPOINTMENT*** *to the agenda tonight, seconded by Commissioner Penny.*

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

Attorney Simpson stated now they need a motion to appoint Ken Gardner.

Commissioner Moore made a motion to ***APPOINT KEN GARDNER TO THE BIKE WEEK STEERING COMMITTEE****, seconded by Commissioner Albert.*

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

7. COMMUNICATIONS

a. City Manager

Mr. McCroskey introduced Larry Hites, the new Building Official to the Mayor and City Commission; appreciates the employees and enjoys recognizing them when he is able to.

b. City Attorney

None.

c. City Clerk

None.

d. Mayor & Commissioners

Commissioner Albert thanked the Police Department for coming over to the school and giving out helmets to the kids and mentioned that the Police Officers will be having lunch with the school kids periodically, great way for the kids to get involved; last Saturday there was an issue with the restroom at Riverside Park; “Kids on the Hill” event at The Market the first week of June.

Commissioner Moore is glad that the City recognizes the employees, a simple “thank you” goes a long way; thanks to Naomi Weiss for a great turnout at the Farmer’s Market last Thursday; thanked Nicki from the ARNI Foundation for coming out and being part of that; mentioned a YouTube video that misquoted him, didn’t appreciate that.

Commissioner Currie mentioned it was a great turnout at the Farmer’s Market last week, very impressed; interested in getting public comments from the public to see what they would like to see down at The Market, suggested a survey card or something to that effect; would like to see the Public Participation agenda item looked at again, would prefer to respond to the citizens while they are at the podium.

Commissioner Penny thanked the new board members for applying.

8. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 9:10 pm.

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Valerie Manning
City Clerk