

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

February 14, 2012

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, Rick Glass, Donnie Moore and Liz Towsley-Patton.

Also attending were the following staff members: City Manager James McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Fire Chief Ron Spencer, Community Services Director Jacki Maswary, Human Resources Manager Sandy Fenwick, Economic Development Director Lynn Dehlinger, Holly Hill Chamber of Commerce Director Rose Schuhmacher, 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. PRESENTATION / PROCLAMATION

A. Mayoral Proclamation – Honoring Sergeant Joseph Borelli ~ 26 years of service

B. Presentation to Sergeant Joseph Borelli by Captain Stephen Aldrich on behalf of the Officers and staff of the Holly Hill Police Department

Captain Steve Aldrich read the proclamation in honor of Sergeant Joseph Borelli and presented him with a plaque on behalf of the Police Department staff.

C. Mr. Swartzlander asked if he could call up the Utility Billing Supervisor, Michelle Williams so he can read a letter of recognition to her for helping a resident.

3. APPROVAL OF MINUTES

Minutes from the Regular City Commission meeting – January 24, 2012 (*City Clerk*)

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

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

4. PUBLIC PARTICIPATION – Regarding items not on the agenda.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Richard Tolfa, Disabled American Vets (DAV), Chapter 84, Holly Hill – Addressed the City Commission by asking if they will be able to switch over to a sweepstakes center instead of operating as an arcade. Mr. Tolfa was informed by staff that is being worked on.
- Robert Taylor, Police Officer/Detective, Holly Hill – Addressed the City Commission by sharing his concerns and frustrations about his property being dug up for the sidewalk improvements along Riverside Drive.

Mr. McCroskey informed the Mayor and Commissioners and Mr. Taylor that the County has the right to the easement in question and that the engineer and surveyor through the court awarded him a quiet title and the County maintains the easement.

- Bill Arthur, 1140 Riverside Drive, Holly Hill – Addressed the City Commission regarding the sidewalk; asked the Mayor and Commissioners if a sign could be placed under the 668 LPGA Blvd., which is considered “Cedar Oaks” so it is easier for Police and Fire to locate the residents that are back there.
- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking how much money has been spent on 3rd Street and Ridgewood Avenue so far for the Hogs on the Hill Bike Week event; if the City is leasing the property; feels that Mr. Rainey has received enough from the City already, stating that the property has been sitting vacant for approximately five to six years already with not activity on it.

Mr. McCroskey updated Mr. Legary about the site. He informed Mr. Legary that the site is being leased to the City from Mr. Rainey and it will be used for Hogs on The Hill Bike Week 2012 activities which will be a benefit to the entire community. The electric that will be used on the site, will be moved over to the old middle school property for future uses.

- Mr. Legary shared his concerns and stated that he feels the citizens should be treated the same way that the City has been treating Mr. Rainey.

Mayor Johnson closed public participation.

5. CONSENT AGENDA

None.

6. BUSINESS AGENDA

A. FIRST READING OF ORDINANCE 2913, BUSINESS TAX RATE FOR SWEEPSTAKES CENTERS (*City Planner*)

Attorney Simpson read by short title:

ORDINANCE NO. 2913

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING SECTION 62-42 SCHEDULE OF TAX RATES TO ADD A BUSINESS TAX RECEIPT FEE FOR SWEEPSTAKES CENTERS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved APPROVAL for First Reading of Ordinance 2913, seconded by Commissioner Penny.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Richard Tolfa, Disabled American Vets (DAV), Chapter 84, Holly Hill – Addressed the City Commission by stating that he supports this.
- Gilles Blais, 710 Magnolia Avenue, Holly Hill – Addressed the City Commission by asking how much will the fee be? Mr. Blais was informed by staff that it will be \$500.00.

Mayor Johnson closed public participation.

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

B. FIRST READING OF ORDINANCE 2917, POLICE PENSION CHANGES (*Finance Director*)

Attorney Simpson read by short title only:

ORDINANCE NO. 2917

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 42 (PENSIONS AND RETIREMENT), ARTICLE II (POLICE OFFICERS), TO AMEND THE CITY OF HOLLY HILL POLICE OFFICERS PENSION PLAN CONTRIBUTION RATES AND VESTING PERIOD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Moore moved APPROVAL for First Reading of Ordinance 2917, seconded by Commissioner Glass.

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking if this is going to be considered unfunded liability and where will the city be getting those funds?

Mr. Swartzlander stated there are a lot of variables and the Police Officers will be contributing more to their pension.

Mayor Johnson closed public participation.

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

C. RESOLUTION 2012-R-06, 2010-2011 CAPITAL WATER SYSTEM IMPROVEMENTS ~ BID AWARD (*Community Development Director*)

Attorney Simpson ready by title only:

RESOLUTION NO. 2012-R-06

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ANDREW SITEWORK FOR THE PROJECT “2010-2011 CAPITAL WATER SYSTEM IMPROVEMENTS”; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Glass moved **APPROVAL** for **Resolution 2012-R-06**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation. No one spoke.

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

D. RESOLUTION 2012-R-05, APPROVAL OF AMENDMENT TO OPERATING AGREEMENT WITH VANGUARD OMNI MEDIA GROUP FOR THE MARKET
(Economic Development Director)

Attorney Simpson read by short title only:

RESOLUTION NO. 2012-R-05

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF HOLLY HILL, FLORIDA, AMENDING THE
AGREEMENT WITH VANGUARD OMNI MEDIA GROUP;
AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Glass moved **APPROVAL** for **Resolution 2012-R-05**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill – Addressed the City Commission by sharing his concerns about The Market and selling vegetables there; doesn't understand why the City needs a Farmer's Market; The Market should be including local businesses to help them.
- David Rowe, 900 May Avenue, Holly Hill – Addressed the City Commission about The Market and that the City should encourage everybody in the community to get involved; community should come first and showcase what the City has.
- Penny Currie, 779 Lakewood Drive, Holly Hill – Addressed the City Commission about several things pertaining to Vanguard; liquor license; stated that the City is not Port Orange, we are Holly Hill and the City has plenty to offer the residents; she likes the idea of The Market but has had bad feelings from the beginning about Vanguard and Floridian View.
- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking if anyone on the Commission contacted the man from Barberville who said that he could run the Farmer's Market for nothing; shared his concerns and frustrations with the City Commission and stated that Holly Hill needs to get involved with Holly Hill residents and stop overlooking the residents; the City

needs to find out what would encourage local businesses and build the community.

- Polly Cappuccio, 558 Riverside Drive, Holly Hill – Addressed the City Commission by stating that a lot of different people make up the community; glad that the City is doing this at The Market; informed everyone that the music in the park was paid by local businesses and she was one of them to help put that on; suggested that someone who knows how to put one of those together should do it.
- Dave Simms, Holly Hill – Addressed the City Commission by stating he is new to the City and moved here a little over a year ago; he doesn't understand all the complaining about The Market, perhaps some those that are complaining should volunteer their time to help.
- Forrest Currie, Holly Hill – Addressed the City Commission by suggesting that the City give Vanguard more direction in that perhaps each month a different event takes place there to help the local businesses.
- Elizabeth Albert, 903 Dubber Lane, Ormond Beach – Addressed the City Commission by asking about the \$25 a week; alcohol sales for the venue; shared her concerns about what she is hearing and seeing.
- Gilles Blais, 710 Magnolia Avenue, Holly Hill – Addressed the City Commission by stating the times are changing and volunteers are hard to come by nowadays; suggested that Vanguard break grounds to get started and then possibly get volunteers who are available, i.e., the Chamber, to help get involved.

Mayor Johnson closed public participation.

There was some discussion amongst the Mayor, City Commissioners, and staff regarding the amendment to the operating agreement with Vanguard Omni Media Group for The Market.

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

E. CONSTRUCTION WAIVER – MR. AND MRS. DONNIE MOORE (*Community Development Director*) ****PULLED FROM THE AGENDA**

Mr. McCroskey informed the Mayor and City Commissioners that Commissioner Moore would like to pull this agenda item and it will not be coming back before them.

7. COMMUNICATIONS

A. City Manager

Mr. McCroskey informed the Mayor and City Commissioners that the old middle school property has been purchased by the City; electric, water, and sewer will have to be hooked back up at the property; construction at the 2nd Street pier should be completed by the end of May; thanked the Police and Fire Departments for a job well done tonight at Florida Healthcare Plans in regards to the bomb threat that took place earlier in the day; Daytona Avenue bridge construction should start in May and end in June.

Mr. Swartzlander came forward and briefly discussed the new program that Florida Healthcare Plans is offering to its members; it's called the Wellness Rider, more information will be coming forward to the employees about this.

B. City Attorney

Attorney Simpson gave a brief history regarding the sidewalk along Riverside Drive and the County.

C. City Clerk

None.

D. Mayor & Commissioners

Commissioner Penny brought up his idea about having a workshop on local bidding for projects and if any Commissioner was interested in having a workshop on cigarette smoking in the parks.

There was **consensus** to have a workshop on local bidding process at a future workshop.

Commissioner Moore thanked the officer in the back for staying for the meeting; thanked the Holly Hill Fire Department for working with the Daytona Beach Fire Department on a fire last Saturday, they worked good together.

Commissioner Patton asked if she could get someone to cover the Feb. 28th TPO meeting for her because her job will be moving into a new location and she may not be available to attend the meeting. Commissioner Penny stated he can cover it for her. When it comes to certain issues, Commissioner Patton stated she will not apologize for showing compassion for the citizens.

Mayor Johnson stated he remembers working across the street from The Market back in 1968 and stated that its time that the area gets rejuvenated. The Market is a place for everyone to come together and get to know one another. Mayor Johnson stated, "lets give it a try and be more positive about it".

8. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:50 pm.