

MINUTES

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

March 13, 2007

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, Gilles Blais, Mark Reed and Traci A. Anderson.

Also attending were City Manager Joe Forte, Attorney Abraham C. McKinnon, Commander Mark Barker, Finance Director Kurt Swartzlander, Financial Technical Advisor Brenda Gubernator, Public Works Director/City Engineer Chris Hurst, Community Development Director/City Planner Doug Gutierrez, Human Resource Director Diane Cole, Community Redevelopment Coordinator Marsha Radulovich, and City Clerk Valerie Manning.

B. Invocation

Pastor Chuck McKeown delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PRESENTATIONS & PROCLAMATIONS

Mayor Via mentioned the Residential and Commercial Beautification Awards that were presented for the month of March. Those awards went to the following: Residential: Benton Lockwood and Commercial: Classic Home Fine Furniture Accent & Interiors.

3. CONSENT AGENDA

1. Minutes from the Regular City Commission meeting – February 27, 2007
2. Minutes from the City Commission Workshop – February 27, 2007
3. Purchase of Portable Radios – Fire Department
4. Sunrise Park Boat Ramp Dredging Bid – S.E. Cline Construction, Inc.
5. Unused Vacation / Personal Leave Overage Pay-out
6. **Report of Purchases over \$5,000**

*Volusia County – \$8,799.78 – (unleaded and diesel fuel)

Mr. Forted wanted to inform the Mayor and Commissioners that for Consent Agenda Item #5, he would like to bring that back annually, probably around the summertime that it would take effect for October for the next year so that it's not just a blanket policy but that they will renew it annually.

MINUTES

*Commissioner Reed moved **APPROVAL** of the items on the consent agenda, seconded by Commissioner Anderson.*

The motion **CARRIED** 5-0 on roll call: Reed – Yes, Anderson – Yes, Penny – Yes, Blais – Yes, Mayor Via – Yes.

4. AUDIENCE PARTICIPATION **Regarding items not on the agenda.**

Maureen Monahan, 215 – 5th Street, spoke about the various crimes that have been taking place in her neighborhood recently. Ms. Monahan thanked the Police Department for what they have been doing but would like to see the officers on the bikes in the neighborhoods and get to know the officers. Ms. Monahan mentioned that she would like to see two-year terms and District only voting.

Commander Mark Barker thanked Ms. Monahan for recognizing the Police Department and the bike patrol officers, specifically in the area of 5th Street, Daytona Avenue down to Mason Avenue. Commander Barker mentioned that part of the problem the Police Officers have experienced is they have put so much pressure on Ridgewood Avenue that it has forced some of this dynamic traffic up onto Daytona Avenue and West of Carswell so we have to expand our efforts to cover that as it happens. Commander Barker was happy to report as of this morning they have two more officers that are bicycle qualified so they will be on the streets very soon and we also have some bids for some new bicycles that some of the officers that are normally patrol officers, will be available to them. Commander Barker also thanked the Police Explorers for their efforts. They put out over 610 flyers Saturday afternoon and they did experience some vehicle burglaries that were targeted in District 2. Handing out flyers have been rather successful in times past when they have had specific areas that were targeted.

James Robinson, II, 1332 Riverside Drive, mentioned that he thinks it's great that Holly Hill has its own Police and Fire Departments.

**5. FIRST READING OF ORDINANCE 2793, MUNICIPAL CODE CORPORATION
– LOCAL BUSINESS TAX ACT**

Mr. McKinnon read by short title:

ORDINANCE NO. 2793

**AN ORDINANCE OF THE CITY OF HOLLY HILL,
FLORIDA, AMENDING THE CITY'S CODE OF
ORDINANCE AND LAND DEVELOPMENT
REGULATIONS TO REPLACE REFERENCES TO
OCCUPATIONAL LICENSE WITH THE PHRASE LOCAL
BUSINESS TAX RECEIPT AS REQUIRED BY STATE
LAW; PROVIDING FOR CONFLICTING ORDINANCES;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN
EFFECTIVE DATE.**

*Commissioner Reed made a motion to **APPROVE** the First Reading of Ordinance 2793,
seconded by Commissioner Penny.*

Mayor Via opened public participation.

Maureen Monahan, 215 – 5th Street, asked what the State Law is.

Mr. Forte mentioned that this ordinance says that the State Law they don't want it called an "occupational license" because there is an assumption that people know what an occupation is so they are calling it a "local business tax receipt" instead. People will no longer get an occupational license, they will get a local business tax receipt and that means exactly the same thing as an occupational license. All that has changed is the *name* of it; this is a name change only.

Mayor Via closed public participation.

The motion **CARRIED** 5-0 on roll call: Reed – Yes, Penny – Yes, Blais – Yes, Anderson – Yes
Mayor Via – Yes

MINUTES

6. **FIRST READING OF ORDINANCE 2794, LAND DEVELOPMENT REGULATIONS (LDR) AMENDMENT – APPLICANT: CITY OF HOLLY HILL, ADMINISTRATIVE REQUEST**

Mr. McKinnon read by short title:

ORDINANCE NO. 2794

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CHAPTER 114. ZONING REGULATIONS, AMENDING THE MINIMUM DIMENSION REQUIREMENTS FOR RESIDENTIAL PLANNED UNIT DEVELOPMENTS (RPUD); PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Penny made a motion to **APPROVE** the First Reading of Ordinance 2794, seconded by Commissioner Blais.*

Doug Gutierrez, Community Development Director/City Planner, gave a brief presentation pertaining to the Land Development Regulations (LDR) amendment for the City of Holly Hill. Mr. Gutierrez mentioned that at the last City Commission meeting they reviewed a rezoning request for town homes and the result was a denial and out of that resulted the Mayor and City Commission to direct staff to amend the City's LDR to allow Planned Unit Developments (PUD) in 2 acres rather than 5 acres because more than likely there are 2 acre parcels available than 5 acres and that way a PUD could be established and provide a little bit more control and also see what is going to be developed rather than what can be developed.

Mayor Via opened public participation.

Jim Legary, 342 Burleigh Avenue, shared his concerns that this seems to be one of those situations where they are bringing something back, it has been brought before the Commission, they have heard it and now they are going to rehash it again in a new way but it's still the same thing. When this item was here before there were folks that stated they didn't want it; they didn't want to see it, they wanted their neighborhood to remain single-family residential. Mr. Legary mentioned that it seems to him that they are encouraging density when they encourage these smaller PUDs. The final thing Mr. Legary wanted to mention is that before this discussion ends, they are going to have some kind of mention that this is going to encourage *affordable housing* and he doesn't believe that for a moment.

Steve Smith, 1410 Riverside Drive, mentioned that he didn't like this from the beginning. It seems to him that this is government for the developer. Mr. Smith doesn't understand why staff picked 2 acres; there wasn't a lot of thought into that. They could have picked ½ an acre or 1 acre or 3 or 4 acres; there are lots of choices.

MINUTES

Mike Hull, 12 Stuart Drive, agreed with Mr. Legary in that the developer is going to profit more, either way. Mr. Hull also agreed about the statement pertaining to affordable housing. He doesn't see a big difference when they are talking about a 2 acre parcel. What is affordable? Holly Hill citizens are not like people that live on John Anderson Drive. Mr. Hull mentioned that his issue tonight is that he doesn't understand this totally himself and wishes staff would keep explaining it until the people really understand before the Commission votes. Mr. Hull mentioned that he is against going to 2 acres.

Maureen Monahan, 215 – 5th Street, mentioned that the Commission already knows how she feels about extended growth in the City. She would prefer not to live in “PUD” Hill, she would like to live in “Holly” Hill. She opposes the change to 2 acres and 5 acres is enough for a PUD; 2 acres is too extreme. She wants to live in a City of neighborhoods; she wants to live in a City of small neighborhoods and she hopes that the Commission really thinks about the implication to the City before they decide to vote on this.

James Robinson, II, 1332 Riverside Drive, agrees with the previous speakers. He opposes the change to 2 acres. He thinks this is a bad idea and that they should be doing things to encourage people to renovate houses and things like that. If the Commission would just be patient and protect the residential neighborhoods it will work out great in the long run for Holly Hill.

John Bassford, 1500 Riverside Drive, mentioned that he agrees with the other speakers as well. He opposes the change to 2 acres. When they make a change like this, what will be the next change? They change it from 5 to 2 acres and then they move the easement over and if your building next to my house, you get closer and closer to me and this is what continually happens. Every time they roll over for a developer to make these changes, there is a whole lot that goes along with it.

Mayor Via closed public participation.

There was brief questioning and clarification of staff and Mr. Forte by the Mayor and Commissioners at this time.

The motion **CARRIED** 3-2 on roll call: Penny – Yes, Blais – Yes, Reed – No, Anderson – No
Mayor Via – Yes

MINUTES

7. **FIRST READING OF ORDINANCE 2795, HISTORIC PRESERVATION DEMOLITION ORDINANCE**

Mr. McKinnon read by short title:

ORDINANCE NO. 2795

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA CREATING SECTION 14-2 OF THE CITY'S CODE OF ORDINANCES REQUIRING THAT PRIOR TO THE ISSUANCE OF A DEMOLITION PERMIT FOR A STRUCTURE THAT HAS BEEN IDENTIFIED BY THE CITY'S HISTORIC PRESERVATION BOARD AS HAVING HISTORIC SIGNIFICANCE, THE HISTORICAL PRESERVATION BOARD MEMBERS SHALL HAVE THE RIGHT TO INSPECT THE STRUCTURE FOR A PERIOD UP TO THIRTY (30) DAYS; PROVIDING FOR CONDITIONS OF THE RIGHT TO INSPECT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Anderson made a motion to **APPROVE** the First Reading of Ordinance 2795, seconded by Commissioner Blais.*

Mayor Via opened public participation. No one spoke.

The motion **CARRIED** 5-0 on roll call: Anderson – Yes, Blais – Yes, Reed – Yes, Penny – Yes
Mayor Via – Yes

MINUTES

8. RESOLUTION 2007-R-06, POLICE ATHLETIC LEAGUE (PAL) / RECREATION BOARD – APPOINTMENTS

Mr. McKinnon read by short title:

RESOLUTION NO. 2007-R-06

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

*Commissioner Penny made a motion to **APPROVE** Resolution 2007-R-06 and appoint Julie Via, Janet Fuller, and Celene Cone as regular members and Jeffrey Miller, representing the Police Department, as the alternate member, seconded by Commissioner Blais.*

The motion **CARRIED** 5-0 on roll call: Penny – Yes, Blais – Yes, Anderson – Yes, Reed – Yes
Mayor Via – Yes

9. RESOLUTION 2007-R-07, BEAUTIFICATION ADVISORY BOARD – APPOINTMENT

Mr. McKinnon read by short title:

RESOLUTION NO. 2007-R-07

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE BEAUTIFICATION ADVISORY BOARD AND SETTING FORTH THE TERM EXPIRATION DATES; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Anderson made a motion to **APPROVE** Resolution 2007-R-07 and appoint Albert Cone as a regular member, seconded by Commissioner Blais.*

The motion **CARRIED** 5-0 on roll call: Anderson – Yes, Blais – Yes, Penny – Yes, Reed – Yes
Mayor Via – Yes

10. COMMITTEE REPORTS

Members of the Commission are encouraged to give a brief report from the various committees on which they serve.

Mayor Via gave brief reports on VCOG – Smart Growth Committee; School Concurrency; WAV meeting on March 21st regarding 4th Amendment.

11. COMMUNICATIONS

A. City Manager

None.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Blais reminded everyone that St. Patrick's Day is this Saturday. Commissioner Blais asked the Mayor and Commissioners if he could have permission to direct staff to put up the Irish flag for Saturday and to have something put on the digital sign in honor of St. Patrick's Day.

*Commissioner Blais made a motion to **APPROVE** flying the Irish flag for St. Patrick's Day and to have Happy St. Patrick's Day on the digital sign for Saturday, seconded by Commissioner Penny.*

The motion **CARRIED** 5-0 on roll call: Blais – Yes, Penny – Yes, Anderson – Yes, Reed – Yes Mayor Via – Yes

Commissioner Penny reminded everyone about the mentoring program for Holly Hill Elementary School and that they are still looking for volunteers. He does have the applications so if anyone is interested they may see him or Mr. Forte or Ms. Janet Shepherd, she is the Assistant at Holly Hill Elementary.

Mayor Via reminded the Commission that there is a ribbon cutting coming up on Thursday at 4:45 p.m. at Tech N City on Ridgewood Avenue. This Saturday is the spring baseball opening ceremonies at Hollyland Park at 9:00 a.m. In regards to the motorcycle parade that took place on Sunday, over a period of time staff will get some input and they will talk to some businesses in the area and found out what some of the input from them was and wait for citizens to make comments and maybe a month from now staff will have some information to report.

Eddie Colosimo, Bikers for First Amendment Rights (B.F.F.A.R.), briefly mentioned to the Mayor, Commissioners, and staff that the parade went very well and was very successful and there was very good spectator participation, a nice ride, and a good time was had by all.

MINUTES

12. ADJOURNMENT TO WORKSHOP

The meeting officially adjourned at approximately 8:30 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor