M I N U T E S
REGULAR COMMISSION MEETING
COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING
CITY OF HOLLY HILL, FLORIDA

June 11, 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 A. McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Police Chief Mark Barker, Fire Chief Jim Bland, City Planner Tom Harowski, Community Services Director Jacki Maswary, Economic Development Director Lynn Dehlinger, and Human Resources Manager Sandy Fenwick.

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 – May 28, 2013 *(City Clerk)*

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

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

3. PUBLIC PARTICIPATION

Regarding items not on the agenda

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by sharing his concerns about the postcard he received for Kids on The Hill event and where it says "rain or shine", The Market should be kept open; was disappointed to see that the event was cancelled and then after 4:00 PM the sun came out; thanked Commissioner Albert for her "walk and talk" meetings on Saturday's; concerned about the smoking at The Market and suggested that the Commission look at doing something about that before they negotiate a restaurant down there; would like to see that on the agenda.

Mayor Johnson closed public participation.

Mr. McCroskey stated as far as "rain or shine", as the City Manager you have to call it the way you see it; the Police and Fire Chief's said they were going to have 35-45 mph winds, rain and possible tornados and he wasn't going to expose the kids and public to that. That's a dangerous situation and it looked that way at 3:45 PM and we had to call it off earlier because you can't wait until 4:00 PM to say it's called off. The restaurant would like to set some chairs and tables outside for people who would like to eat and smoke and maybe have a beverage, they requested that. If we put no smoking in The Market they won't be able to do that. The issue about smoking in The Market has been taken seriously by staff and have designated an area up next to the building all the way to the west; there is a cigar vendor there and have encouraged everybody to go to that area.

4. CONSENT AGENDA

Law Enforcement Trust Fund (LETF) Request ~ Nixle Community Notification Service Annual Renewal *(Police Chief)*

*Commissioner Moore moved **APPROVAL** for the **CONSENT AGENDA**, seconded by Commissioner Albert.*

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

5. BUSINESS AGENDA

A. PUBLIC HEARING – SECOND READING OF ORDINANCE 2937, AMENDMENT TO FLORIDA GUN EXCHANGE PLANNED UNIT DEVELOPMENT (PUD) – 1050 NOVA ROAD – APPLICANT: BERKSHIRE INVESTMENT HOLDINGS, INC. *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2937

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING ORDINANCE 2904, THE FLORIDA GUN EXCHANGE BPUD DEVELOPMENT AGREEMENT, BY AMENDING THE EXISTING DEVELOPMENT AGREEMENT TO ESTABLISH A MINIMUM SIDE YARD SETBACK OF EIGHT (8) FEET ON THE NORTH PROPERTY LINE AND TO ALLOW THE REAR YARD SETBACK TO BE REDUCED TO TEN (10) FEET PROVIDED SPECIFIC CONDITIONS ARE MET; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Currie moved **APPROVAL** for **Second Reading of Ordinance 2937**, seconded by Commissioner Albert.*

Mr. Harowski gave a brief explanation as to the original PUD and why the applicant was seeking an amendment.

The Mayor, Commissioners, staff and the City Attorney had some discussion about the amendment to the PUD.

Commissioner Moore asked why did they decide to expand "out" and not "up"?

John Keiser, property owner of 1050 N. Nova Road stated that they didn't feel they had the space to go "up"; felt they needed to expand "out"; they don't have a lot of experience in site development and expansion. If they had more experience in that realm, they would have planned it out better.

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

B. VOLUSIA GROWTH MANAGEMENT COMMISSION – MEMBER APPOINTMENT *(City Clerk)*

*Commissioner Albert made a motion to **APPROVE** the Re-appointment of Mr. John Heaphy as the City of Holly Hill's representative to the VGMC Board, seconded by Commissioner Moore.*

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

C. RESOLUTION 2013-R-38, PROPERTY IMPROVEMENT FUNDS FOR RESTAURANT & LEASE AT THE MARKET *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-38

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 THE MARKET, 101 SECOND STREET; AND TO COMMIT FUNDING UP TO $50,000 FOR IMPROVEMENTS, FURNITURE, FIXTURES AND EQUIPMENT TO THE PROPERTY; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Penny made a motion to **APPROVE Resolution 2013-R-38**, seconded by Commissioner Albert.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking a few questions about the restaurant's bathroom facilities, are they large enough to accompany the amount of people; parking lot, reimbursement to the city; is there a standard play book for receiving grants within the CRA, do people know what they have to do to be considered for these grants.
- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by stating he understands now that the smoking issue has already been negotiated at The Market, he would like this Commission to address that for this building and hear how they feel.
- Mike Chuvan, 407 Miriam Avenue, Holly Hill – Addressed the City Commission by stating that the smoking issue has already been resolved and doesn't feel it needs to be discussed any further; the attack on the smokers is enough already; going after smokers on every turn is not the City's business.

- Nick Mostert, 715 Marlene Drive, Holly Hill – Addressed the City Commission by stating getting businesses at The Market is a fantastic thing; smoking inside the premises he wouldn't personally be in favor of but outside would be okay.

Mayor Johnson closed public participation.

Mr. McCroskey stated Jacki Maswary has all the rules on the CRA grants; they can set up an appointment through Sandy Fenwick; it will be two years before the City breaks even on the $50,000 improvements; the parking lot will be used but that property is on the National Trust and its grandfathered in the way that it is, hopefully all the parking there will meet all the tenants; there is 10,000 square feet, we are halfway leased up now; hopefully the parking will be adequate but after they get the place all leased up, he may have to come back to the Commission and say we're going to have to move The Market someplace else because The Market is a secondary idea in his opinion and the leasing of that building and bringing tax flow back to the City is the primary reason. The bathrooms will be used, there are bathrooms inside. On the issue of smoking, every restaurant that he knows of, allows you to smoke outside if you elect to do that. If we tell this restaurant that they can't smoke outside, he thinks that will have an effect on their business.

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

D. RESOLUTION 2013-R-39, PURCHASE OF 421 6TH STREET – ALAN P. & THERESA J. DAVIS *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SALE AND PURCHASE AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND ALAN P. & THERESA J. DAVIS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Penny made a motion for **ARROVAL** for **RESOLUTION 2013-R-39**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by stating that he appreciates that they can go to Jacki for these particular items but when

they're dealing with this particular money, these items should be a little more open; is there something that is distributable other than him going to the City Manager's office because he would like for it to be public knowledge for everybody; the property on 3rd Street has no address, is there one? Shared his concerns about the money and the negotiated price of $155,000 the City will be giving.

- Rick Begerri, 4 Bore Creek Circle, Ormond Beach – Addressed the City Commission by stating he owns a company called Surface Crafters and they are trying to work with the City so that they can expand, so this is the reason for this request.

Mayor Johnson closed public participation.

Mr. McCroskey stated they started out on this property at $175,000; he thinks Ms. Dehlinger did an excellent job getting it in at $155,000. There has to be a willing seller and a willing buyer; staff went back and forth on this property for almost a year to get it down to $155,000. The applicant needs this property to expand.

Ms. Dehlinger came forward to describe the economic impact study to the Mayor and City Commissioners about this project.

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

6. RECESS THE REGULAR CITY COMMISSION MEETING

7. CONVENE THE COMMUNITY REDEVELOPMENT AGENCY (CRA) MEETING

BUSINESS AGENDA

A. RESOLUTION 2013-R-40, PROPERTY IMPROVEMENT FUNDS FOR RESTAURANT & LEASE AT THE MARKET *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-40

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 THE MARKET, 101 SECOND STREET; AND TO COMMIT FUNDING UP TO $50,000 FOR IMPROVEMENTS, FURNITURE, FIXTURES AND EQUIPMENT TO THE PROPERTY; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **RESOLUTION 2013-R-40**, seconded by Commissioner Albert.*

Mayor Johnson opened public participation. No one spoke.

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

B. RESOLUTION 2013-R-41, PURCHASE OF PROPERTY LOCATED AT 421 6TH STREET – ALAN P. & THERESA J. DAVIS *(Economic Development Director)*

Attorney Simpson read by title only:

RESOLUTION 2013-R-41

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SALE AND PURCHASE AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND ALAN P. & THERESA J. DAVIS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Moore made a motion for **ARROVAL** for **RESOLUTION 2013-R-41**, seconded by Commissioner Albert.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by stating didn't the gas people, Amerigas come before the Commission because they were going to have to move because Mr. Begerri wanted to expand his business? He thought there was an association between Amerigas and the gentleman here tonight.
- Gilles Blais, 710 Magnolia Avenue, Holly Hill – Addressed the City Commission stated that when he was a Commissioner there was talk about moving those types of businesses to Nova and Walker Street.

Mayor Johnson closed public participation.

Mr. McCroskey stated Amerigas had a lease on the property but Mr. Begerri worked it out with them.

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

8. COMMUNICATIONS

a. City Manager

Mr. McCroskey reminded everyone about Hot Rods on The Hill Saturday, June 15th at 9:00 AM to 1:00 PM; parade starts at 8:30 AM and registration starts at 7:30 AM at Sonic's Drive-In; rain date is Sunday, June 16th. The Kids on The Hill event will take place on Thursday, June 13th from 4:00 PM to 8:00 PM at The Market.

b. City Attorney

None.

c. City Clerk

None.

d. Mayor & Commissioners

Commissioner Penny thanked Ms. Dehlinger for bringing forth her items on the agenda tonight; appreciates all her hard work within the CRA. Thanked the Commission for excusing him at the last Commission meeting, thanked everyone for their thoughts, prayers and cards due to death in his family.

Commissioner Currie stated Happy Father's Day to all the fathers.

Commissioner Albert wished everyone a Happy Father's Day; reiterated Kids on The Hill event for this Thursday, June 13th at 4:00 PM at The Market.

Mayor Johnson stated the economy is going to turn around; Ms. Dehlinger has been working hard on different projects for the City.

9. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:15 pm.

Valerie Manning
City Clerk