

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

July 23, 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, Donnie Moore and Elizabeth Albert.

Absent: Commissioner Penny Currie.

Also attending were the following staff members: City Manager James A. McCroskey, 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, Human Resources Manager Sandy Fenwick, Officer Seth Green, 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 – July 9, 2013 (*City Clerk*)

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

The motion **CARRIED** 4-0 by roll call vote: Moore – Yes, Albert – Yes, Penny – Yes, and Mayor – Yes

*Commissioner Penny made a motion to **EXCUSE** Commissioner Currie from the City Commission meeting, seconded by Commissioner Albert.*

The motion **CARRIED** 4-0 by roll call vote: Penny – Yes, Albert – Yes, Moore – Yes, and Mayor – Yes

3. PUBLIC PARTICIPATION

Regarding items not on the agenda

Mayor Johnson opened public participation.

The following individuals came forward to address the City Commission by sharing their concerns about the issue regarding Commissioner Moore's residency and how a special meeting was not called to discuss the issue: Mike Chuvan, 407 Miriam Avenue, Holly Hill; Jim Shultz, 117 Harvard Drive, Ormond Beach; Eddie Colosimo, Bikers for First Amendment Rights (B.F.F.A.R.) 745 Ridgewood Avenue, Holly Hill (announced his intent to run for Mayor for the City of Holly Hill); Maureen Monahan, 215 5th Street, Holly Hill; Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill; Arthur Byrnes, 294 Jeffery Avenue, Holly Hill; Chris Via, 534 Eagle Drive, Holly Hill; Jeff Pierce, 610 Daytona Avenue, Holly Hill; Arthur Was, 397 Silver Beach Drive, Holly Hill; Jim Legary, 342 Burleigh Avenue, Holly Hill (mentioned that at Dr. Duran's church on MMLK Blvd. in Daytona they are having a discussion about poverty and racism at 7:00 p.m., check the NAACP website for further information).

Mayor Johnson closed public participation.

Mr. McCroskey stated as the Mayor and City Commissioners realize they are in the middle of a lawsuit. At the advice of the City Attorney, they are not to make comments on this issue. Their comments can be used later in this lawsuit.

4. CONSENT AGENDA

None.

5. BUSINESS AGENDA

A. FIRST READING OF ORDINANCE 2941, REDEVELOPMENT DISTRICT OVERLAY BUFFER REDUCTIONS (*City Planner*)

City Clerk read by title only:

ORDINANCE NO. 2941

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 114-637 ALLOWING MODIFICATIONS TO CERTAIN REGULATIONS WITHIN THE REDEVELOPMENT DISTRICT OVERLAY; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Penny moved **APPROVAL** for **First Reading of Ordinance 2941**, seconded by Commissioner Albert.*

Mayor Johnson opened public participation.

The following individuals came forward to address the City Commission:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking why are they changing this? Why a new law?
- Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill – Addressed the City Commission by suggesting that Commissioner Moore abstain from voting.

Mayor Johnson closed public participation.

Mr. McCroskey clarified the reasoning for the buffer to Mr. Legary.

The motion **CARRIED** 4-0 by roll call vote: Penny – Yes, Albert – Yes, Moore – Yes, and Mayor – Yes

**B. RESOLUTION 2013-R-45, 2013 VOLUSIA COUNTY FLOODPLAIN
MANAGEMENT PLAN (City Planner)**

City Clerk read by title only:

RESOLUTION NO. 2013-R-45

**A RESOLUTION OF THE CITY OF HOLLY HILL,
FLORIDA, ADOPTING THE “2013 VOLUSIA COUNTY
FLOODPLAIN MANAGEMENT PLAN”; PROVIDING FOR
SEVERABILITY; PROVIDING FOR CONFLICTING
RESOLUTIONS; AND PROVIDING AN EFFECTIVE
DATE.**

*Commissioner Moore moved **APPROVAL** for **Resolution 2013-R-45**, seconded by Commissioner Penny.*

Mayor Johnson opened public participation.

The following individual came forward to address the City Commission:

- Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill – Addressed the City Commission by suggesting that Commissioner Moore abstain from voting.

Mayor Johnson closed public participation.

The motion **CARRIED** 4-0 by roll call vote: Moore – Yes, Penny – Yes, Albert – Yes, and Mayor – Yes

C. PUBLIC HEARING – RESOLUTION 2013-R-46, TRIM PROPOSED MILLAGE RATE FOR FY 2013-2014 BUDGET (*Finance Director*)

City Clerk read entire Resolution for the record:

RESOLUTION NO. 2013-R-46

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING A PROPOSED MILLAGE RATE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2013; PROVIDING FOR A PUBLIC HEARING ON MILLAGE RATE; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Florida is required by Florida Statute 200.011 to certify to the County Property Appraiser the general municipal millage rate proposed by said Commission for the tax year beginning October 1, 2013; and

WHEREAS, the City Commission of the City of Holly Hill, Florida, pursuant to the TRIM Bill, shall hold a public hearing adopting proposed millage rate.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the millage rate proposed by the City Commission of the City of Holly Hill, Florida, for the tax year beginning October 1, 2013 is 7.5300 (7.5300 per \$1,000.00); said proposed millage rate is a decrease of -0.38% below the rolled-back rate, which shall be the percentage change in property taxes.

SECTION 2. That the City Commission does hereby set a public hearing on the millage rate for 7:00 p.m. on Monday, September 9, 2013, in the Commission Chambers, 1065 Ridgewood Avenue, Holly Hill, Florida.

SECTION 3. That all resolutions made in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall become effective immediately upon its adoption.

The within and foregoing Resolution was read before the City Commission of the City of Holly Hill, Florida at its regular meeting held in Commission Chambers at City Hall, 1065 Ridgewood Avenue, Holly Hill, Florida on the 23rd day of July, 2013.

*Commissioner Albert moved **APPROVAL** for **Resolution 2013-R-46**, seconded by Commissioner Penny.*

Mayor Johnson opened public participation.

The following individuals came forward to address the City Commission:

- Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill – Addressed the City Commission by suggesting that Commissioner Moore abstain from voting.
- Arthur Byrnes, 264 Jeffery Avenue, Holly Hill – Addressed the City Commission by stating that the City Manager gave the Mayor very bad advice about not holding a hearing regarding Commissioner Moore; voting on this issue.
- Roger Healy, 1220 Charter Oaks Circle, Holly Hill – Addressed the City Commission by suggesting that the City live on last year's budget; enough money has been spent already; questioned whether or not any bid has been submitted for the old middle school project; City is raising taxes on the citizens every year; look harder and come up with a plan.
- Mike Chuvan, 407 Miriam Avenue, Holly Hill – Addressed the City Commission by stating that the City keeps spending money and asking the citizens to pay for its follies.
- Chris Via, 534 Eagle Drive, Holly Hill – Addressed the City Commission by sharing his concerns that there were no budget workshops.

Mayor Johnson closed public participation.

The motion **CARRIED** 3-1 by roll call vote: Albert – Yes, Penny – Yes, Moore – No, and Mayor – Yes

D. RESOLUTION 2013-R-47, STORMWATER FEE SPECIAL ASSESSMENT
(Finance Director)

City Clerk read by title only:

RESOLUTION NO. 2013-R-47

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA,
SETTING THE PROPOSED STORMWATER UTILITY FEE AT
\$6.00 PER EQUIVALENT RESIDENTIAL UNIT; ESTABLISHING
THE EQUIVALENT RESIDENTIAL UNIT FOR
NON-RESIDENTIAL AND MULTI-FAMILY PROPERTIES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
CONFLICTING RESOLUTIONS; AND PROVIDING AN
EFFECTIVE DATE.**

*Commissioner Penny moved **APPROVAL** for **Resolution 2013-R-47**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individuals came forward to address the City Commission:

- Jeremiah Hansen, 1022 Chippewa Trail, Holly Hill – Addressed the City Commission by suggesting that Commissioner Moore abstain from voting.
- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking about the \$6.00 assessment fee.

Commissioner Penny informed Mr. Legary that there is no increase; this is the same every year.

Mayor Johnson closed public participation.

The motion **CARRIED** 4-0 by roll call vote: Penny – Yes, Moore – Yes, Albert – Yes, and Mayor – Yes

6. COMMUNICATIONS

a. City Manager

Mr. McCroskey gave an update on the Daytona Avenue bridge; depending on the weather conditions the bridge should be completed by October/November.

b. City Attorney

Not present at meeting this evening.

c. City Clerk

None.

d. Mayor & Commissioners

Commissioner Penny mentioned that he senses the citizens' frustrations; spoke about due-process in the court system and that it takes time for things to be resolved.

Commissioner Albert informed the Mayor and Commissioners that she is helping the Cub Pack 54 with aluminum cans donations and if anyone would like to donate please get with her.

Commissioner Moore thanked the public for speaking their minds.

Mayor Johnson thanked everyone for their participation and input; he does listen to what everybody says regardless of what others may think or say.

7. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 7:55 pm.

Valerie Manning
City Clerk