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

July 26, 2011

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 Adam Dunn from Attorney Scott Simpson's Office, Finance Director Kurt Swartzlander, Captain Steve Aldrich, Officer Ivan Robinson, Community Services Director Jackie Maswary, City Planner/Consultant Tom Harowski, Accounting Manager Catherine Colwell and City Clerk/Administrative Assistant Valerie Manning.

B. Invocation

Reverend Wiley Lowe from Holly Hill Church of Christ delivered the Invocation.

C. Pledge of Allegiance to the Flag

Mayor Roy Johnson led the Pledge of Allegiance.

2. MINUTES

A. Minutes from the Regular City Commission meeting – July 12, 2011

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

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

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

Mayor Johnson opened for public participation.

The following individuals came forward to speak:

- Liz – Holly Hill YMCA representative – Addressed the City Commission regarding upcoming programs.
- Captain Steve Aldrich, Holly Hill Police Department – Addressed the City Commission regarding the upcoming National Night Out event on Tuesday, August 2, 2011 at the Police Department; informed everyone that it is open to the public and encouraged everyone who can to attend.

4. **CONSENT AGENDA**

No items.

5. **PUBLIC HEARING**

PUBLIC HEARING – FIRST READING OF ORDINANCE 2899, FLORIDA POWER AND LIGHT – FRANCHISE AGREEMENT *(City Manager)*

Attorney Dunn read by short title only:

ORDINANCE NO. 2899

AN ORDINANCE GRANTING TO FLORIDA POWER & LIGHT COMPANY, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE, IMPOSING PROVISIONS AND CONDITIONS RELATING THERETO, PROVIDING FOR MONTHLY PAYMENTS TO THE CITY OF HOLLY HILL, AND PROVIDING FOR AN EFFECTIVE DATE.

*Commission Glass moved **APPROVAL** for **First Reading of Ordinance 2899**, seconded by Commissioner Penny.*

Mayor Johnson opened for public participation. No one spoke.

Mr. McCroskey gave a brief staff report regarding the Florida Power and Light Franchise Agreement with the City.

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

Mr. McCroskey informed the City Commission that the CRA agenda item for tonight will need to be pulled at this time.

*Commission Glass moved **APPROVAL** for **PULLING Resolution 2011-R-51**, seconded by Commissioner Patton.*

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

6. **RECONVENE THE REGULAR CITY COMMISSION MEETING**

BUSINESS AGENDA – for the Regular City Commission meeting

A. RESOLUTION 2011-R-47, AMENDMENTS TO THE AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE COASTAL FLORIDA POLICE BENEVOLENT (P.B.A.) COLLECTIVE BARGAINING UNIT *(Finance Director)*

Attorney Dunn read by short title only:

RESOLUTION NO. 2011-R-47

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING AN AMENDMENT TO THE THREE-YEAR CONTRACT WITH THE COASTAL FLORIDA POLICE BENEVOLENT ASSOCIATION (P.B.A.), OCTOBER 1, 2009 TO SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey thanked the union for working with staff on the agreement.

Commission Moore moved ***APPROVAL*** *for* ***Resolution No. 2011-R-47****, seconded by Commissioner Glass.*

Mayor Johnson opened for public participation. No one spoke.

Commissioner Patton abstained from voting on this agenda item; *Form 8B Memorandum of Voting Conflict for Local Public Officials is completed and attached hereto and filed with the City Clerk.*

The motion **CARRIED** 4-0 by roll call vote: Moore – Yes, Glass – Yes, Penny – Yes, Patton – Abstain, Mayor Johnson – Yes

B. RESOLUTION 2011-R-48, AMENDMENTS TO THE AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE I.A.F.F. COLLECTIVE BARGAINING UNIT *(Finance Director)*

Attorney Dunn read by short title only:

RESOLUTION NO. 2011-R-48

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING AMENDMENTS TO THE THREE-YEAR CONTRACT WITH THE I.A.F.F. OCTOBER 1, 2009 TO SEPTEMBER 30, 2012; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey thanked the union for working with staff on the agreement.

Commission Glass moved ***APPROVAL*** *for* ***Resolution No. 2011-R-48****, seconded by Commissioner Moore.*

Mayor Johnson opened for public participation. No one spoke.

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

C. RESOLUTION 2011-R-49, ESTABLISHING A DEFERRED COMPENSATION PLAN WITH NATIONWIDE RETIREMENT SOLUTIONS, INC. *(Finance Director)*

Attorney Dunn read by short title only:

RESOLUTION NO. 2011-R-49

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, CREATING THE CITY OF HOLLY HILL 457B DEFERRED COMPENSATION PLAN FOR ALL ELIGIBLE EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey stated that this adds to deferred compensation and is a good retirement plan.

Commissioner Moore stated he has Nationwide and agreed that they are a good retirement plan.

Commission Moore moved ***APPROVAL*** *for* ***Resolution No. 2011-R-49****, seconded by Commissioner Glass.*

Mayor Johnson opened for public participation. No one spoke.

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

D. RESOLUTION 2011-R-50, RIVERSIDE DRIVE SIDEWALK MATCHING FUNDS *(City Planner)*

Attorney Dunn read by short title only:

RESOLUTION NO. 2011-R-50

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING THE LAP AGREEMENT BETWEEN VOLUSIA COUNTY AND FDOT FOR THE CONSTRUCTION OF SIDEWALK ON RIVERSIDE DRIVE; AUTHORIZING THE TRANSFER OF $34,821 FROM THE RESERVE FUND BALANCE TO CAPITAL PROJECTS FUND TO PROVIDE THE CITY'S MATCHING FUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey stated this pertains to the project on Riverside Drive. The sidewalk will run from Sunrise Park to 14^{th} Street. The County will start on the project right away once this is approved.

Commission Glass moved ***APPROVAL*** *for* ***Resolution No. 2011-R-50****, seconded by Commissioner Moore.*

Mayor Johnson opened for public participation. No one spoke.

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

E. RESOLUTION 2011-R-51, HOLLY HILL MARKET COURTYARD IMPROVEMENTS *(Economic Development Director)*

Mr. McCroskey informed the City Commission that the CRA agenda item for tonight will need to be pulled at this time.

*Commission Glass moved **APPROVAL** for **PULLING Resolution 2011-R-51**, seconded by Commissioner Moore.*

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

F. 536 CENTER AVENUE – REQUEST TO EXTEND TIME PERIOD FOR TEMPORARY STORAGE UNIT – <u>APPLICANT</u>: RICHARD NATIONS *(City Planner)*

Mr. Harowski, City Planner gave a staff report to the City Commission pertaining to 536 Center Avenue. Mr. Harowski stated that the applicant, Mr. Nation, is here tonight to request an extension for a temporary storage unit on his property.

Mr. Nation spoke briefly to the City Commission about his request for the extended time for his storage units. Mr. Nation informed the Commission that his intent is to eventually build an attached garage and get rid of the storage units on his property.

Mayor Johnson opened for public participation. No one spoke.

Commissioner Moore stated that he is familiar with the property and sees no problem with giving Mr. Nation a year; his property is kept up.

Commissioner Glass stated he is willing to give Mr. Nation eighteen months; willing to go two years with hurricane straps on the storage units.

Commissioner Penny stated he spoke with Mr. Nation about the storage units on his property. Commissioner Penny feels that giving Mr. Nation two years makes it seem like its permanent, there needs to be an end-date. Commissioner Penny stated he is willing to go twelve months and then have Mr. Nation come back if more time is needed. Commissioner Penny stated he is not comfortable giving Mr. Nation twenty-four months.

Commissioner Patton stated she has to look out for the city and she is fine with giving Mr. Nation one-year extension. Commissioner Patton stressed that the City's Code does need to be changed as it pertains to storage units on properties.

*Commission Glass moved **APPROVAL** for a **TWO-YEAR EXTENSION PERIOD AND PUTTING HURRICANE STRAPS ON THE TEMPORARY STORAGE UNITS at 536 Center Avenue**, seconded by Commissioner Moore.*

The motion **CARRIED** 3-2 by roll call vote: Glass – Yes, Moore – Yes, Patton – No, Penny – No, Mayor Johnson – Yes

G. SPECIAL EXCEPTION TO ALLOW A BAR AT 1675 NOVA ROAD *(City Planner)*

Mr. Harowski, City Planner gave a brief staff report to the City Commission regarding the special exception located at 1675 Nova Road and informed the City Commission that staff feels that this request has met all the criteria for a special exception.

Mary Fenner, the applicant, stated that the hours of operation of the bar will be from 8:00 PM – 2:00 AM. The name of the business is Full House Saloon. If this request gets approved, they are looking to open for business on August 14th.

Mayor Johnson opened for public participation. No one spoke.

*Commission Glass moved **APPROVAL** for the **SPECIAL EXCEPTION located at 1675 Nova Road**, seconded by Commissioner Moore.*

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

9. COMMUNICATIONS

A. City Manager

Mr. McCroskey informed the City Commission that he will be bringing the Charter Review Committee recommendations to them at their next meeting; there is approximately seven questions coming forward.

B. City Attorney

Attorney Dunn was thankful for being at the meeting tonight.

C. City Clerk

None.

D. Commissioners

Commissioner Glass thanked the unions for working together with staff; is glad to hear that the YMCA is working on having more programs. Commissioner Glass thanked Mr. Mostert for being on the Charter Review Committee.

Commissioner Penny thanked staff for putting up a new American flag out front of City Hall. He inquired about the City flag underneath the American flag to see if we can order a new one.

Commissioner Patton thanked the Charter Review Committee; reminded everyone about National Night Out for Tuesday, August 2nd at 6:00 pm at the Police Department.

Commissioner Moore thanked Officer Ivan Robinson for attending the meetings and thanked the citizens for attending as well.

Mayor Johnson thanked Captain Aldrich and Officer Ivan Robinson for attending the meeting.

10. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:00 pm.

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Valerie Manning
City Clerk/Administrative Assistant