

MINUTES

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

AUGUST 12, 2008

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, Rick Glass, Mark Reed and Liz Towsley.

Also attending were the following staff members: City Manager Tim Harbuck, Assistant City Attorney Scott Simpson, Public Works Director/City Engineer Chris Hurst, Finance Director Kurt Swartzlander, Assistant Finance Director Susan Worde, Community Development Director Doug Gutierrez, Information Technology Director Scott Gutauckis, Community Redevelopment Area Coordinator Marsha Radulovich, and Recording Secretary Liz Nelson.

B. Invocation

Mayor Via delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PROCLAMATIONS AND PRESENTATIONS

- World Changers – Scott Pace

Scott Pace gave a brief presentation to the Mayor and City Commissioners.

3. CONSENT AGENDA

- Minutes from the Community Redevelopment Agency meeting – July 22, 2008
- Minutes from the Regular City Commission meeting – July 22, 2008
- Flomich Street Sidewalk – Single-Bid Award – CWB Contractors – \$75,848.25 (construction of a sidewalk along the north side of Flomich Street)
- AS-400 iSeries – Low Bid Award – Midrange Support and Services, Inc. – \$24,529.96 (replacement for AS-400 Computer)
- **Report of Purchases over \$5,000**
 - *Volusia County – \$14,637.41 (fuel for the month of May)
 - *Volusia County – \$14,163.67 (fuel for the month of June)

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Commissioner Penny moved **APPROVAL** for the Consent Agenda, seconded by Commissioner Glass.

The motion **CARRIED** 5-0 unanimously: Penny – Yes, Glass – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

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

The following individual came forward to speak to the Mayor and City Commission: Bill Shultz, 117 Herbert Drive, Port Orange.

5. **PUBLIC HEARING** – SECOND READING OF ORDINANCE 2834, AMENDING THE CODE OF ORDINANCES – SECTION 6-1, LOCATION RESTRICTIONS

Attorney Simpson read by short title:

ORDINANCE NO. 2834

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CODE OF ORDINANCES, AMENDING CHAPTER 6 – ALCOHOLIC BEVERAGES, SECTION 6-1 LOCATION RESTRICTIONS, PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Doug Gutierrez, Community Development Director, gave a brief presentation to the Mayor and City Commission regarding amending the Code of Ordinances, Section 6-1, Location Restrictions.

Mayor Via opened public participation.

The following individuals came forward to speak to the Mayor and City Commission: Curtis Miller, 1730 Birmingham Avenue; Pastor Varga, 501 Ridgewood Avenue – Baptist Church; Eddie Colosimo, Bikers for First Amendment Rights (B.F.F.A.R.), 140 Ridgewood Avenue; Gary Bender, 640 Ridgewood Avenue; Gilles Blais, 710 Magnolia Avenue.

Mayor Via closed public participation.

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*Commissioner Penny moved **APPROVAL** for the Second Reading of Ordinance 2834, seconded by Commissioner Towsley.*

The motion **CARRIED** 3-2 by roll call vote: Penny – Yes, Towsley – Yes, Glass – No, Reed – No, Mayor Via – Yes

6. FIRST READING OF ORDINANCE 2837, AMENDING THE LAND DEVELOPMENT REGULATIONS (LDR) – SECTION 114-765, “SCHEDULE OF DIMENSIONAL REQUIREMENTS”

Attorney Simpson read by short title:

ORDINANCE NO. 2837

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CHAPTER 114 ZONING, ARTICLE II “DISTRICT REGULATIONS”, SECTION 114-765 “SCHEDULE OF DIMENSIONAL REQUIREMENTS”; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Doug Gutierrez, Community Development Director, gave a brief staff report amending the Land Development Regulations (LDR), Section 114-765, “Schedule of Dimensional Requirements”.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for the First Reading of Ordinance 2837, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Reed – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

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7. **RESOLUTION 2008-R-25, ADOPT THE METROPOLITAN PLANNING ORGANIZATION'S (MPO) TRAFFIC IMPACT ANALYSIS METHODOLOGY**

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-25

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, TO ADOPT THE METROPOLITAN PLANNING ORGANIZATION'S (MPO) TRAFFIC IMPACT ANALYSIS METHODOLOGY; PROVIDING FOR REPEAL OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Doug Gutierrez, Community Development Director, spoke briefly about the Metropolitan Planning Organization's (MPO) Traffic Impact Analysis Methodology to the Mayor and City Commission.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for Resolution 2008-R-25, seconded by Commissioner Reed.*

The motion **CARRIED** 5-0 unanimously: Glass – Yes, Reed – Yes, Towsley – Yes, Penny – Yes, Mayor Via – Yes

8. **RESOLUTION 2008-R-26, INTERLOCAL COOPERATION – CITIES AND COUNTY OF VOLUSIA**

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-26

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, EXPRESSING THE CITY'S COMMITMENT TO PARTICIPATE IN A PROCESS TO SEEK EFFICIENCIES IN FIRE, EMS AND RELATED SERVICES THROUGH INTERLOCAL COOPERATION WITH THE CITIES AND COUNTY OF VOLUSIA.

Mayor Via opened public participation. No one spoke.

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*Commissioner Glass moved **APPROVAL** for Resolution 2008-R-26, seconded by Commissioner Towsley.*

The motion **CARRIED** 5-0 by roll call vote: Glass – Yes, Towsley – Yes, Reed – Yes, Penny – Yes, Mayor Via – Yes

9. RESOLUTION 2008-R-27, POLICE ATHLETIC LEAGUE (PAL) / RECREATION ADVISORY BOARD – APPOINTMENT

Attorney Simpson read by short title:

RESOLUTION NO. 2008-R-27

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

*Commissioner Reed moved **APPROVAL** for Resolution 2008-R-27, seconded by Commissioner Glass.*

The motion **CARRIED** 5-0 unanimously: Reed – Yes, Glass – Yes, Penny – Yes, Towsley – 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.

No reports.

11. COMMUNICATIONS

A. City Manager

Mr. Harbuck went over the following information with the Mayor and City Commissioners: 1024 Daytona Avenue (consensus to move forward); 228 – 10th Street (make offer of \$135,000); Alabama Avenue right-of-way (staff has not heard back from County Appraiser yet); Pet Vet Mobile (no participation at this time); Citizen of the Year (August 20th deadline for nominations).

B. City Attorney

Attorney Simpson gave an update about the investigation and further stated mentioned that Orlando and Orange County have declined to do the investigation; it was suggested that the Commission take action and turn this over to the City Manager – there was **consensus** that was the best thing to do.

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C. Mayor & Commissioners

None.

12. ADJOURNMENT

The meeting officially adjourned at approximately 8:55 p.m.

Attest:

City of Holly Hill, Florida

Valerie Manning
City Clerk

Roland D. Via
Mayor

Florida Statutes 286.011 and Government-In-The-Sunshine Manual

“The minutes of Sunshine Law meetings need not be verbatim transcripts of the meetings; rather the use of the term “minutes” as stated in F.S. 286.011, contemplates a brief summary or series of brief notes or memoranda reflecting the events of the meeting.”

*A verbatim copy of Sunshine Law meetings (e.g. City Commission meetings/workshops/Agency meetings and CRA meetings) are available upon request to the City Clerk during regular business hours, Monday through Friday,
8:00 a.m. to 5:00 p.m.*