

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

August 28, 2012

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, and Donnie Moore.

Absent: Commissioner Liz Towsley-Patton.

Also attending were the following staff members: City Manager James McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Police Chief Mark Barker, Fire Chief Ron Spencer, Deputy Public Works Director Mark Juliano, City Planner Tom Harowski, Human Resources Manager Sandy Fenwick, CRA Coordinator Grace Galiano, Officer Shannon Fountain 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.

Motion to excuse Commissioner Patton was made by Commissioner Glass.

2. PRESENTATION

Battalion Chief Kris Gray ~ Daytona Beach Fire Department

Commissioner Moore presented Chief Gray with a certificate of recognition for her accomplishment as Battalion Chief of the Daytona Beach Fire Department.

3. MINUTES

A. Minutes from the Regular City Commission meeting & Community Redevelopment Agency meeting – August 14, 2012 (*City Clerk*)

B. Minutes from the General Election – August 14, 2012 (*City Clerk*)

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

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

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

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by inquiring about the closing of The Market and its vision for that in the future, the house boat and the CRA budget.

Mr. McCroskey stated The Market is closed at this time and there are no plans for The Market right now; the building portion will be rented out when construction is completed; the CRA budget is available for those who are interested in looking at it.

- Ron Zabo, Holly Hill – Addressed the City Commission by speaking about the house boat and the \$7,000 that was mentioned in the News-Journal.

Attorney Simpson clarified the cost of the house boat and discussed the lien and mentioned that the City didn't spend any money on it.

- David Rowe, 900 May Avenue, Holly Hill – Addressed the City Commission by sharing his concerns about the News-Journal when they write up the articles about the City how they don't have all their facts straight and it upsets the citizens; spoke about The Market and enjoyed it, hopes it starts up again in the future; bring something there that attracts the citizens.
- Commissioner Elect Penny Currie, 779 Lakewood Drive, Holly Hill – Addressed the City Commission by stating this is a great opportunity to get the citizens involved with what they would like to see down at The Market for the future.
- Jeremiah Hansen, Woody's BBQ, Holly Hill – Addressed the City Commission by sharing his concerns about local businesses being more involved with the activities with the City.
- Polly Cappuccio, River Lily Inn Bed & Breakfast, Riverside Drive, Holly Hill – Addressed the City Commission by letting them know how much she enjoyed going down to The Market and hopes it starts up again. People that complained about it never even came to The Market; they need more and better advertisement for it to work next time.
- Jeff Martin, Holly Hill – Addressed the City Commission stating he feels there is no pride in the City anymore, people need to get out and be more involved and rebuild the foundation of the City.
- Paul Shuffle, Daytona Beach activities promoter – Addressed the City Commission by stating The Market was a great idea but more advertisement was

needed and the time of year needed to be taken into consideration with the heat and rainy season.

- Eva Garcia, 241 Riverside Drive, Marina Grande, Holly Hill – Addressed the City Commission by stating The Market was great and hopes it comes back.

Commissioner Penny wanted to explain the difference between The Market and the Public Market for those who may have them confused with each other. That location is a great place to build community and meet one another.

Mayor Johnson closed public participation.

5. CONSENT AGENDA

None.

6. BUSINESS AGENDA

A. RESOLUTION 2012-R-44, POLICE BENEVOLENT ASSOCIATION (PBA) CONTRACT (*Human Resources Manager*)

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-44

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING A WITH THE COASTAL FLORIDA POLICE BENEVOLENT ASSOCIATION (P.B.A.), OCTOBER 1, 2012 TO SEPTEMBER 30, 2015; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCroskey stated that Ms. Fenwick and Mr. Swartzlander did a great job negotiating with the Union and thanked them for their efforts, along with the PBA board members.

Commissioner Glass moved APPROVAL for Resolution No. 2012-R-44, seconded by Commissioner Moore.

Mayor Johnson opened public participation.

The following individual came forward to speak:

- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission by asking about the negotiations with the Police.

Attorney Simpson stated the PBA can negotiate the contract but it's the final decision of the Commission.

- Jeff Martin, Holly Hill – Addressed the City Commission by asking how long is the contract for?

Mr. McCroskey stated it's a three-year contract.

Mayor Johnson closed public participation.

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

B. SECOND READING OF ORDINANCE 2921, AMENDMENTS TO THE SOLID WASTE AGREEMENT (*Finance Director*)

Attorney Simpson read by title only:

ORDINANCE NO. 2921

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 54 SECTION 1, SOLID WASTE; CREATING CHAPTER 54-10 FRANCHISES/NON-EXCLUSIVE FRANCHISES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved APPROVAL for Second Reading of Ordinance 2921, seconded by Commissioner Penny.

Mayor Johnson opened public participation. No one spoke.

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

C. RESOLUTION 2012-R-42, SOLID WASTE FRANCHISE FEES AND NON-COMPLIANCE FEES (*Finance Director*)

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING FRANCHISE FEES AND LIQUIDATED DAMAGES FOR NON-EXCLUSIVE FRANCHISEES; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Moore moved APPROVAL for Resolution 2012-R-42, seconded by Commissioner Glass.

Mayor Johnson opened public participation. No one spoke.

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

D. FIRST READING OF ORDINANCE 2922, ALLOWING CIRCULAR DRIVEWAYS – ACCESS POINTS FOR SINGLE FAMILY LOTS *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2922

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 90-153 NUMBER OF ACCESS POINTS TO PERMIT TWO ACCESS POINTS FOR SINGLE-FAMILY DWELLINGS ON LOTS WITH A MINIMUM LOT WIDTH OF 65 FEET; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved APPROVAL for First Reading of Ordinance 2922, seconded by Commissioner Moore.

Mayor Johnson opened public participation. No one spoke.

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

E. FIRST READING OF ORDINANCE 2923, WALL SIGNAGE CALCULATION *(City Planner)*

Attorney Simpson read by title only:

ORDINANCE NO. 2923

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING, THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 110-8 (c)(2) “PERMITTED PERMANENT ACCESSORY SIGNS” TO REVISE THE PERCENTAGE OF WALL SIGNAGE ALLOWED; BY AMENDING SECTION 110-9 BY AMENDING THE METHOD FOR CALCULATING

**FAÇADE AREA; PROVIDING FOR CONFLICTING
ORDINANCES; PROVIDING FOR SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

Commissioner Glass moved APPROVAL for First Reading of Ordinance 2923, seconded by Commissioner Moore.

Mayor Johnson opened public participation. No one spoke.

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

**F. RESOLUTION 2012-R-41, MUNICIPAL SERVICES INTERLOCAL
AGREEMENT WITH THE COUNTY OF VOLUSIA** (*Community Services Director*)

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-41

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR
AND CITY MANAGER TO ENTER INTO AGREEMENT WITH
THE COUNTY OF VOLUSIA FOR PROVISION OF MUNICIPAL
SERVICES; AND PROVIDING FOR SEVERABILITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

Commissioner Glass moved APPROVAL for Resolution 2012-R-41, seconded by Commissioner Moore.

Mayor Johnson opened public participation. No one spoke.

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

**G. RESOLUTION 2012-R-43, THE SONIC HOLLY HILL CAR SHOW SPECIAL
EVENTS** (*CRA Coordinator*)

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-43

**A RESOLUTION BY THE CITY OF HOLLY HILL,
FLORIDA, DESIGNATING THE SONIC HOLLY HILL
CAR SHOW AS A SPECIAL EVENT TO BE HELD ON A
MONTHLY BASIS ON THE SECOND TUESDAY OF
EACH MONTH IN 2012 AND 2013, AND PROVIDING AN
EFFECTIVE DATE.**

*Commissioner Glass moved **APPROVAL** for **Resolution 2012-R-43**, seconded by Commissioner Moore.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Paul Shuffle, Daytona Beach activities promoter – Addressed the City Commission by speaking briefly about the car show event at Sonics.
- James Morgan, owner of Sonics in Holly Hill – Addressed the City Commission about the car show event that would take place on the second Tuesday of each month from 4:00 pm to 8:00 pm.
- Mike Kenzle, Marina Grande sponsor, Holly Hill – Addressed the City Commission by stating that MG would like to help sponsor the event and look forward to working with Sonics and Mr. Shuffle.
- Eva Garcia, Marina Grande sponsor, Holly Hill – Addressed the City Commission by stating this event can help generate taxes for the City and it's a good family event.
- Commissioner Elect Penny Currie, 779 Lakewood Drive, Holly Hill – Addressed the City Commission by stating this is a great idea and perhaps if the date isn't set in stone, they could consider changing it so officials could attend.

Mayor Johnson closed public participation.

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

H. RULES AND REGULATIONS FOR CITY PARKS (*City Manager*)

Mr. McCroskey stated that he received an email from Commissioner Patton who asked if the Commission consider tabling this item until the next meeting so she can share her thoughts on it.

There was consensus from the Mayor and City Commission not to table this and continue with the agenda item tonight.

The following individuals came forward to speak:

- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by thanking them for making this decision regarding the parks.
- Commissioner Elect Penny Currie, 779 Lakewood Drive, Holly Hill – Addressed the City Commission by stating that she agrees with the park rules but had a question about the Relay for Life that takes place in Hollyland Park and the hours for that.

Commissioner Penny informed Ms. Currie that Relay for Life now holds their event in Ormond Beach.

Mayor Johnson closed public participation.

Commissioner Penny stated the only thing he doesn't agree with is the "25 Acre City Tract (Center Street)" item. They have not decided that is going to be a recreation facility at this time and would like to see that item strikethroughed.

There was consensus from the Mayor and Commissioners to strikethrough that particular item.

Mr. McCroskey stated signs will be placed out with the new regulations this week; he will work with Public Works to get that completed.

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

7. COMMUNICATIONS

A. City Manager

Mr. McCroskey spoke briefly about the house boat; eventually the house boat will go out for a sealed bid; thanked staff for their work with the PBA negotiations and thought that they went well.

B. City Attorney

None.

C. City Clerk None.

None.

D. Mayor & Commissioners

Commissioner Penny thanked everyone for coming out and reminded everyone about the upcoming annual Gold Tournament with the Chamber of Commerce on September 15th; asked if they could possibly start the quarterly newsletter again in the water bills; asked about the memorial brick policy for the bricks around the fountain.

Commissioner Moore stated he doesn't mind the newsletter but to make sure that the special event(s) are not listed "after" the event has taken place; informed the public that the reporter for the News-Journal has never been down to The Market but is writing articles about the venue that are not always the facts; CRA money has been spent well on that project and hopes that it starts up again. Appreciates the Bornia's and their hard work to try and keep it going, they did a good job.

Mayor Johnson mentioned that he attended the VCOG meeting and how they spoke about K52 not being illegal in Florida and suggested that the cities do something about this, create a Resolution or something to protect the kids; The Market will come back and it will be better.

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8. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:10 pm.

Valerie Manning
City Clerk