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

September 10, 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 Liz Towsley-Patton.

Absent: Commissioner Donnie Moore.

Also attending were the following staff members: City Manager James McCroskey, City Attorney Scott Simpson, Finance Director Kurt Swartzlander, Assistant Finance Director Catherine Colwell, Police Chief Mark Barker, Fire Chief Ron Spencer, Community Services Director Jacki Maswary, Economic Development Director Lynn Dehlinger, Human Resources Manager Sandy Fenwick, CRA Coordinator Grace Galiano, Officer Robert Culver.

B. Invocation

Mayor Johnson led invocation.

C. Pledge of Allegiance to the Flag

Mayor Johnson led the Pledge of Allegiance.

Motion to excuse Commissioner Moore was made by Commissioner Glass.

2. BUDGET ITEMS

A. PUBLIC HEARING - RESOLUTION 2012-R-45, TENTATIVE MILLAGE RATE ADOPTION *(Finance Director)*

Ms. Fenwick read entire title for the record:

RESOLUTION 2012-R-45

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2012-

2013; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 10, 2012, adopted a Fiscal year 2012-2013 final millage rate following a public hearing as required by Florida Statute 200.065.

WHEREAS, the City of Holly Hill of Volusia County Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation Volusia County has been certified by the County Property Appraiser to the City of Holly Hill as $452,911,844.

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

SECTION 1. The FY 2012-2013 operating millage is 7.3500 mills, which is less than the rolled-back rate of 7.3802 mills by -0.41%.

SECTION 2. The Final Public Hearing will be September 25, 2012.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

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 10th day of September, 2012.

*Commissioner Glass moved **APPROVAL** for **Resolution No. 2012-R-45**, seconded by Commissioner Penny.*

Mr. Swartzlander showed a PowerPoint presentation to the Mayor and Commissioners regarding the tentative millage rate.

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by suggesting that they have budget workshops in the future.
- Commissioner Elect, Penny Currie, 779 Lakewood Drive, Holly Hill – Addressed the City Commission by supporting budget workshops.
- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission regarding his tax bill from 2004 and since then, his taxes have doubled.
- Mr. Lynn Drigger, 1003 Indian Oaks West, Holly Hill – Addressed the City Commission about the Capital Improvement Projects that is listed on the budget and asked if he can go to the Website and get more information. The Commission informed Mr. Drigger that's where he can find the information.

Mayor Johnson closed public participation.

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

B. PUBLIC HEARING – RESOLUTION 2012-R-46, TENTATIVE BUDGET ADOPTION *(Finance Director)*

Ms. Fenwick read entire title for the record:

RESOLUTION 2012-R-46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2012-2013; AND PROVIDING FOR

SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 10, 2012, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, set forth the appropriations and revenue estimate for the Budget for Fiscal Year 2012-2013.

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

SECTION 1. The FISCAL Year 2012-2013 tentative Budget be adopted.

SECTION 2. Set the final public hearing for September 25, 2012 at 7:00 pm.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

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 10th day of September, 2012.

*Commissioner Glass moved **APPROVAL** for **Resolution No. 2012-R-46**, seconded by Commissioner Penny.*

Mayor Johnson opened public participation.

The following individuals came forward to speak:

- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by sharing his concerns about the lack of budget workshops and public participation. Would have liked to hear what Commissioner Penny's three hour conversation was with the City Manager regarding the budget. Suggested that they invite the public to participate even if it's just to listen.
- Ed Anderson, 926 Hibiscus Street, Holly Hill – Addressed the City Commission by stating that no one is listening to Mr. Smith. Mr. Smith is stating that he wants the "opportunity" to hear what is being said during the meetings. The Commissioners are telling Mr. Smith he can contact them individually. Mr. Anderson stated, he cannot hear those conversations, as a concerned citizen of the city, if everything is being done behind closed doors.
- Jim Legary, 342 Burleigh Avenue, Holly Hill – Addressed the City Commission regarding what Mr. Smith was speaking about. Mr. Legary stated it would be interesting to see how the City could come up with some money to do Hogs on The Hill, what part of the budget is that in?

  Commissioner Glass stated the CRA.
- Mr. Legary stated so the public doesn't get to speak about that too much at all and that's $50,000 by the time they're done.
- Richard Murrdock, 520 Peacock Road, Holly Hill – Addressed the City Commission by informing them that one of his friends has moved out of Marina Grande because Marina Grande owes $1 million for last year and possibly $1 million for this year; those buildings should be condemned because they're falling apart.

Mayor Johnson closed public participation.

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

3. MINUTES

Minutes from the Regular City Commission meeting – August 28, 2012 *(City Clerk)*

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

The motion **CARRIED** 4-0 by roll call vote: Glass – Yes, Penny – Yes, Patton – 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 asking if the portion of the Mirage property that's on the Consent Agenda be pulled for further discussion.
- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission by stating that he appreciates Mr. Anderson's comments earlier but sometimes you have to repeat things a lot of times for people to understand and he doesn't mind repeating things for somebody to understand it. Mr. Smith stated he doesn't want to have to go to individual houses to talk to them, he would prefer to speak to them all at once so everyone is getting and hearing the same information.
- Kristine Fox, 727 N. Flamingo Drive, Holly Hill – Addressed the City Commission by informing them that she is the Co-Chair of their Neighborhood Watch Area and she found out that there is Smart Readers being installed by FPL on their street; no personal warnings, only a postcard that was sent some time ago that this would happen in the future. Ms. Fox shared her concerns about a call she received from her neighbor that men came with unmarked white vans wearing face shields, went in back yards of property owners opening gates without permission. These Smart Readers can be hazardous to our health.
- Dave Sims, 225 10th Street, Holly Hill – Addressed the City Commission by thanking them and the Fire Chief for their support for the Museum.

Mayor Johnson closed public participation.

5. CONSENT AGENDA

A. 2012–2013 FISCAL YEAR PAY PERIOD / HOLIDAY CALENDAR *(Human Resources Manager)*

B. PURCHASE OF A PORTION OF THE MIRAGE PROPERTY *(Economic Development Director)*

C. CITY MEMORIAL BRICK POLICY *(City Manager)*

Commissioner Glass pulled Items B and C on the Consent Agenda for further discussion.

*Commissioner Penny moved **APPROVAL** for the **CONSENT AGENDA ITEM "A"**, seconded by Commissioner Glass.*

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

B. PURCHASE OF A PORTION OF THE MIRAGE PROPERTY *(Economic Development Director)*

Commissioner Glass moved ***APPROVAL*** *for the* ***CONSENT AGENDA ITEM "B"****, seconded by Commissioner Penny.*

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 what part of the budget this purchase is going to come out of? What are the parameters they are going to set for the City Manager to negotiate? What 20 acres are they talking about? What's going to be done with the rest of the property?

  Mr. McCroskey stated the Mirage property is a large piece of land off of Flomich and Alabama. Several years ago a developer went in there and started developing a subdivision and found out that there was shell in there and they started digging it out, excavating the shell. The City pulled the permit and stopped them from excavating and the project went on hold at that point. Sometime after that the developer of the project passed away suddenly and then the property has laid there vacant for almost five years. This property is at the head of a large drainage area; Holly Forest gets flooded occasionally from the runoff of this area. The County has bought a piece of property up there at Rio Way and they are clearing all the houses out of there to make a large retention pond there. The City was approached by the bank asking if the City would like to buy this vacant piece of property and turn it into a stormwater retention pond with the cooperation of the St. John's River Water Management District. Ms. Dehlinger has put a contract together with the property owner, contingent upon St. John's River Water Management District giving the City a 50% grant for the total. The money is now in the Stormwater Retention Pond and it will be used to fight flooding and stormwater retention in that area; its approximately 21 acres.

  Ms. Dehlinger stated this Commission action was to put it on the table for the Commission what the City Manager has asked her to do, so staff is in negotiations and obviously, without Commission approval there is no contract that's been executed. There is a draft of a contract but staff does not have any executed documents at this point. Staff has had some meetings with the SJRWMD about their funding approvals that the City plans on getting for this property. The initial number that was asked for the entire property was $783,000 but there are 33 lots that are already developed with a road that goes through there. The City is not interested in acquiring that so the City is looking at the 20 acres that is adjacent to that which is 108 permitted and platted lots. A lot of negotiations are going back and forth with the bank, mainly, to see what kind of money they would be willing to take for the property.

Mr. McCroskey stated whatever they negotiate will have to come back for approval. Staff is asking to go forward. Do you want to purchase this property for stormwater retention?

Commissioner Glass stated what they are asking is that staff pursue a purchase price so they can get the ball rolling.

Mr. McCroskey stated, right.

Mayor Johnson stated they know what it's for, they just need to know what it's going to cost.

- Judith Lemons, 1365 Woodward Avenue, Holly Hill – Addressed the City Commission by stating that 50% is coming from a grant, where's the other 50% coming from?

  Commissioner Glass stated the stormwater fees is going to purchase the other half.

Mayor Johnson closed public participation.

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

C. CITY MEMORIAL BRICK POLICY *(City Manager)*

*Commissioner Penny moved **APPROVAL** for the **CONSENT AGENDA ITEM "C"**, seconded by Commissioner Glass.*

Commissioner Penny stated he would like to strike through "*no longer living*". When he had this project in mind, he was thinking of Don Wiggins and he was still alive and thought it would be great to let him know the City was going to recognize him in front of City Hall forever. Unfortunately, he has since passed away but thinks it would be important to let a long-term employee or elected official or board member know that they have been recognized by the City Commission, it takes a unanimous vote by the City Commission to put someone's name on the brick. He feels it would be a shame to wait until they have passed away to honor them.

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

6. BUSINESS AGENDA

A. RESOLUTION 2012-R-47, STORMWATER FEE SPECIAL ASSESSMENT *(Finance Director)*

Attorney Simpson read by title only:

RESOLUTION 2012-R-47

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, SETTING THE FINAL 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 Glass moved **APPROVAL** for **Resolution No. 2012-R-47**, 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, Patton – Yes, and Mayor – Yes

B. RESOLUTION 2012-R-48, COUNCIL ON AGING (COA) LEASE AGREEMENT – AMENDMENT *(City Manager)*

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-48

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT BETWEEN THE CITY AND THE COUNCIL ON AGING OF VOLUSIA COUNTY, INC., ESTABLISHING THE TERMS OF THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

*Commissioner Glass moved **APPROVAL** for **Resolution 2012-R-48**, seconded by Commissioner Patton.*

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 with this contract in mind, he would like to suggest that the City contact all the people who moved as a result of the rate increases.
- Steve Smith, 1410 Riverside Drive, Holly Hill – Addressed the City Commission agrees with Mr. Legary. When the fees went up on that building, they lost some interesting clubs that met there. Some of them went as far back as when the City was collecting money to build that building. Those clubs relocated because of the fee structure. Commissioner Glass asked the City Manager to check with some of the prior users of Sica Hall.

Mayor Johnson closed public participation.

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

C. **RESOLUTION 2012-R-49, HOLLY HILL HISTORIC SOCIETY LEASE AGREEMENT – AMENDMENT** *(City Manager)*

Attorney Simpson read by title only:

RESOLUTION NO. 2012-R-49

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO SIGN A LEASE AGREEMENT BETWEEN THE CITY AND THE HOLLY HILL HISTORIC SOCIETY, ESTABLISHING THE TERMS OF THIS AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Glass moved ***APPROVAL*** *for* ***Resolution 2012-R-49****, seconded by Commissioner Patton.*

Commissioner Glass recognized David Rowe and Dave Sims for a great job they are doing at the Museum.

Mayor Johnson opened public participation.

The following individual came forward to speak:

- David Rowe, 900 May Avenue, Holly Hill – Addressed the City Commission by thanking everyone in the City for the things they have done for them and working together with them to accomplish what they've done so far. October it will be a year and they have accomplished a lot in a short time. Mr. Rowe encouraged people to get involved with the programs they are working on.

Mayor Johnson closed public participation.

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

7. COMMUNICATIONS

a. City Manager

Mr. McCroskey asked Chief Spencer to come forward and speak about the group that the firefighters helped with.

Chief Spencer spoke about a group of firefighters that had their motor home parked at the station for a while as they were riding their bikes from South Florida to Washington, D.C. to meet with the Surgeon General to help raise awareness and money for their organization and sent them a thank you letter for allowing them to stay at the station and meet with the Boys and Girls Club and talk to them.

b. City Attorney

None.

c. City Clerk

None.

d. Mayor & Commissioners

Commissioner Penny stated he heard people asking for more workshops and will try to do that in the future; reminded everyone about the Golf Tournament on Saturday at Riviera and asked if any of the Commissioners or anyone wanted to sponsor a hole, see him after the meeting.

Commissioner Glass thanked everyone for coming out.

Commissioner Patton informed everyone that on September 22nd at 8:30 AM at Sunrise Park is the National Day of Remembrance for murder victims, DUI, and suicide victims. Commissioner Patton asked to keep everyone who was a victim in 9-11 in their prayers tomorrow.

Mayor Johnson asked that everyone remember 9-11 and keep those families in prayer; the firefighters and police officers who went in those buildings and never came out. Updated everyone that the signs have been ordered about "no smoking" in the parks, automatic locks for the gates at the parks; spoke about synthetic marijuana and bath salts, perhaps come up with some sort of Resolution to help keep the kids safe; there is a 9-11 event at the American Legion tomorrow if anyone is interested in attending.

8. ADJOURNMENT

Mayor Johnson officially adjourned the meeting at approximately 8:25 pm.

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Valerie Manning
City Clerk