

MINUTES

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

SEPTEMBER 22, 2009

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: Interim City Manager/Finance Director Kurt Swartzlander, Assistant City Attorney Scott Simpson, Public Works Director/City Engineer Chris Hurst, Community Development Director Doug Gutierrez, Police Chief Mark Barker, Fire Chief Ron Spencer, Captain Steve Aldrich, Assistant Finance Director Susan Worde, Audit Specialist/Analyst Catherine Colwell, Community Redevelopment Area Coordinator Marsha Radulovich, Human Resources Director Diane Cole, PAL/Recreation Executive Director Chuck Beach, Economic Development Director Lynn Dehlinger and City Clerk Valerie Manning.

B. Invocation

Mayor Via delivered the invocation.

C. Pledge of Allegiance to the Flag

2. PUBLIC HEARING – RESOLUTION 2009-R-21, FINAL MILLAGE RATE

Attorney Simpson read body of Resolution for the record:

RESOLUTION NO. 2009-R-21

**A RESOLUTION OF THE CITY OF HOLLY HILL,
FLORIDA, ADOPTING A FINAL MILLAGE RATE FOR
THE YEAR BEGINNING OCTOBER 1, 2009; PROVIDING
FOR CONFLICTING RESOLUTIONS; AND
ESTABLISHING 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 established by said Commission for the tax year beginning October 1, 2009; and

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WHEREAS, the City Commission of the City of Holly Hill, Florida, pursuant to Florida Statute 200.065, the TRIM BILL, is required to adopt a final budget and a final millage rate, said proposed millage rate is the rolled-back rate; and

WHEREAS, the City Commission of the City of Holly Hill, Florida, is desirous of adopting a final millage rate, having given proper notice of both a proposed tax rate and the public hearing held with respect to same.

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

SECTION 1. That the final millage rate adopted by the City Commission of the City of Holly Hill, Florida, for the tax year beginning October 1, 2009 is 5.7258 (\$5.7258 per \$1,000.00); said final millage rate is the rolled back rate.

SECTION 2. That all resolutions made in conflict with this Resolution are hereby repealed.

SECTION 3. That this Resolution shall become effective immediately upon its adoption.

Mayor Via opened public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** of Resolution 2009-R-21, seconded by Commissioner Penny.*

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

3. PUBLIC HEARING – SECOND READING OF ORDINANCE 2855, ANNUAL BUDGET – FY 2009-2010

Attorney Simpson read by short title:

ORDINANCE NO. 2855

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTING THE APPROPRIATIONS BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2009, THROUGH SEPTEMBER 30, 2010, PROVIDING FOR CONFLICTING ORDINANCES; AND ESTABLISHING AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

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*Commissioner Glass moved **APPROVAL** of the Second Reading of Ordinance 2855, seconded by Commissioner Penny.*

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

4. PROCLAMATIONS AND PRESENTATIONS – Signed by the Mayor

- ✓ Proclamation ~ “White Cane Awareness Day” – October 9, 2009
- ✓ Proclamation ~ Congratulations to Captain Steve Aldrich ~ Graduated from the FBI National Academy
- ✓ Presentation ~ Recognition to Tim Harbuck for serving the City of Holly Hill for 29 years

• BREAK

Recessed meeting at approximately 7:15 pm.

Reconvened meeting at approximately 7:35 pm.

5. CONSENT AGENDA

- Minutes from the Regular City Commission meeting – September 8, 2009
- Minutes from the City Commission workshop – September 8, 2009

*Commissioner Reed moved **APPROVAL** for Consent Agenda, seconded by Commissioner Towsley.*

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

6. PUBLIC PARTICIPATION

Regarding items not on the agenda.

The following individuals came forward to speak to the Mayor and City Commission: Christine Fox and David Rowe.

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7. **SPECIAL EXCEPTION – TO APPROVE TRUCK AND TRAILER RENTALS IN THE B-3 ZONING DISTRICT – APPLICANT: ARPIT PATEL**

Mr. Gutierrez informed the Mayor and City Commissioners that the applicant did not properly send out notification about his request for a special exception. Therefore, Mr. Gutierrez suggested that this item be continued to the October 13th City Commission meeting.

*Commissioner Reed moved **APPROVAL** to continue the special request for Arpit Patel to the October 13th City Commission meeting, seconded by Commissioner Glass.*

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

8. **PUBLIC HEARING – SECOND READING OF ORDINANCE 2854, AMENDMENT TO SOLID WASTE, CHAPTER 54 OF THE CODE OF ORDINANCES**

Mayor Via opened public participation.

The following individual came forward to speak to the Mayor and City Commission: Jim Legary.

Mayor Via closed public participation.

*Commissioner Penny moved **APPROVAL** for the Second Reading of Ordinance 2854, seconded by Commissioner Glass.*

The motion **CARRIED** 4-1 by roll call vote: Penny – Yes, Glass – Yes, Reed – Yes, Towsley – Yes, Mayor Via – No

9. **FIRST READING OF ORDINANCE 2856, COMMUNITY REDEVELOPMENT ADVISORY (CRA) BOARD DISSOLUTION**

Attorney Simpson read by short title:

ORDINANCE NO. 2856

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING SECTIONS 2-171 – 2-176 OF THE CODE OF ORDINANCE THEREBY ELIMINATING THE COMMUNITY REDEVELOPMENT ADVISORY (CRA) BOARD; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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Mayor Via opened for public participation. No one spoke.

*Commissioner Glass moved **APPROVAL** for the First Reading of Ordinance 2856, seconded by Commissioner Reed.*

The motion **CARRIED** 4-1 by roll call vote: Glass – Yes, Reed – Yes, Penny – Yes, Towsley – Yes, Mayor Via – No

10. FIRST READING OF ORDINANCE 2857 – AMENDMENT TO CHAPTER 90, DIVISION 6, OFF-STREET PARKING AND LOADING FACILITIES

Attorney Simpson read by short title:

ORDINANCE NO. 2857

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CONSOLIDATED LAND DEVELOPMENT REGULATIONS, CHAPTER 90. DEVELOPMENT STANDARDS, DIVISION 6 OFF-STREET PARKING AND LOADING FACILITIES; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Via opened public participation.

The following individual came forward to speak to the Mayor and City Commission: Terry Horn.

Mayor Via closed public participation.

*Commissioner Penny moved **APPROVAL** for the First Reading of Ordinance 2857, seconded by Commissioner Towsley.*

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

11. COMMITTEE REPORTS

Members of the Commission are encouraged to give a brief report from the various committees on which they serve.

Commissioner Towsley gave a committee report on the MPO meeting and mentioned that they will be changing their name shortly; discussion took place at the MPO meeting about change orders, and stimulus money.

Mayor Via gave a committee report on WAV; VLC dinner is in New Smyrna Beach Thursday night; VCOG meeting next Monday.

12. COMMUNICATIONS

A. Interim City Manager

Mr. Swartzlander informed the Mayor and City Commissioners that he would like to have their nomination for Citizen of the Year by October 2nd.

B. City Attorney

None.

C. Mayor & Commissioners

Commissioner Penny spoke briefly about the Boys and Girls Club Golf Tournament and asked if the Commissioners would like to sponsor \$30 each; asked if Chief Barker would come forward and briefly discuss the texting and driving case studies and asked if the Commissioners would be interested in a workshop on this. There was consensus from the Commission to hold a workshop to discuss it further.

Commissioner Glass thanked those who came out to his mother-in-laws memorial service.

Commissioner Reed shared his concerns about the large conference room being closed during City Commission meetings and the Citizen of the Year.

Mayor Via reminded the Commissioners about White Cane Awareness Day on October 9th; and informed them that the Public Defenders Office on 2nd Street will be vacant, they are moving out of the building. Asked if staff could look into what the City can do to get it back.

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13. ADJOURNMENT

The meeting officially adjourned at approximately 8:35 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.*