

**MINUTES**  
**REGULAR COMMISSION MEETING**  
**BUDGET MEETING**  
**HOLLY HILL COMMUNITY TRUST BOARD MEETING**  
**CITY OF HOLLY HILL, FLORIDA**

**September 9, 2013**

**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, Penny Currie, Donnie Moore and Elizabeth Albert.

Also attending were the following staff members: City Attorney Scott Simpson, City Manager James A. McCroskey, Finance Director Kurt Swartzlander, Assistant Finance Director Catherine Colwell, Police Chief Mark Barker, Fire Chief Jim Bland, City Planner Tom Harowski, Community Services Director Jacki Maswary, Economic Development Director Lynn Dehlinger, Human Resources Manager Sandy Fenwick, Officer Jason Weiss, 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.

**2. BUDGET ITEMS**

**A. PUBLIC HEARING - RESOLUTION 2013-R-57, TENTATIVE MILLAGE RATE ADOPTION** *(Finance Director)*

City Clerk read entire Resolution for the record:

**RESOLUTION 2013-R-57**

**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 2013-2014; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The City of Holly Hill of Volusia County, Florida, on September 9, 2013, adopted a Fiscal year 2013-2014 tentative millage rate following a public hearing as required by Florida Statute 200.065; and

**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 \$451,046,708.

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

**SECTION 1.** The FY 2013-2014 operating millage is 7.5300 mills, which is less than the rolled-back rate of 7.5586 mills by -0.41%.

**SECTION 2.** The Final Public Hearing will be September 24, 2013.

**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 9<sup>th</sup> day of September, 2013.

*Commissioner Penny moved **APPROVAL** for Resolution 2013-R-57, seconded by Commissioner Albert.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 4-1 by roll call vote: Penny – Yes, Albert – Yes, Moore – No, Currie – Yes, and Mayor – Yes

**B. PUBLIC HEARING – RESOLUTION 2013-R-58, TENTATIVE BUDGET ADOPTION** (*Finance Director*)

Attorney Simpson read entire Resolution for the record:

**RESOLUTION 2013-R-58**

**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 2013-2014; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, The City of Holly Hill of Volusia County, Florida, on September 9, 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 2013-2014.

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

**SECTION 1.** The FISCAL Year 2013-2014 tentative Budget be adopted.

**SECTION 2.** Set the final public hearing for September 24, 2013 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 9<sup>th</sup> day of September, 2013.

*Commissioner Penny moved **APPROVAL** for Resolution 2013-R-58, seconded by Commissioner Currie.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 4-1 by roll call vote: Penny – Yes, Currie – Yes, Albert – Yes, Moore –No, and Mayor – Yes

### 3. MINUTES

Minutes from the Regular City Commission and Community Redevelopment Agency (CRA) meeting – August 27, 2013 (*City Clerk*)

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

The motion **CARRIED** 5-0 by roll call vote: Moore – Yes, Albert – Yes, Currie – Yes, Penny – Yes, and Mayor – Yes

### 4. PUBLIC PARTICIPATION

Regarding items not on the agenda

Mayor Johnson explained how the process was going to work for public participation with the Appearance and Comment forms. Mayor Johnson gave the public some extra time to fill out the form and turn in to the City Clerk.

*At this time the City Commission moved on with the agenda until Public Participation time to speak.*

### 5. CONSENT AGENDA

None.

### 6. BUSINESS AGENDA

#### A. RESOLUTION 2013-R-59, BRENT MILLIKAN & COMPANY, P.A. – SECOND CONTRACT EXTENSION (*Finance Director*)

Mr. McCroskey informed the Mayor and City Commission that this item is being pulled from the agenda.

#### B. RESOLUTION 2013-R-60, STORMWATER FEE SPECIAL ASSESSMENT (*Finance Director*)

Attorney Simpson read title only:

#### RESOLUTION 2013-R-60

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 Moore moved **APPROVAL** for Resolution 2013-R-60, seconded by Commissioner Penny.*

**Mayor Johnson opened public participation.**

The following individual came forward to address the City Commission: Jim Legary, 342 Burleigh Avenue, Holly Hill.

**Mayor Johnson closed public participation.**

The motion **CARRIED** 5-0 by roll call vote: Moore – Yes, Penny – Yes, Currie – Yes, Albert – Yes, and Mayor – Yes

**C. FIRST READING OF ORDINANCE 2943, FIRE PENSION ORDINANCE CHANGE** (*Finance Director*)

Attorney Simpson read by title only:

**ORDINANCE NO. 2943\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, RESTATING CHAPTER 42, PENSIONS AND RETIREMENT; ARTICLE III, FIREFIGHTERS' PENSION; DIVISION 1. GENERALLY OF THE CODE OF ORDINANCES OF THE CITY OF HOLLY HILL, FLORIDA; AMENDING SECTION 42-61, DEFINITIONS BY AMENDING THE DEFINITIONS OF "ACTUARIAL EQUIVALENT" AND "CREDITED SERVICE"; AMENDING SECTION 42-75, MAXIMUM PENSION; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore moved **APPROVAL** for First Reading of Ordinance 2943, seconded by Commissioner Albert.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 5-0 by roll call vote: Moore – Yes, Albert – Yes, Penny – Yes, Currie – Yes, and Mayor – Yes

**7. PUBLIC PARTICIPATION (TAKEN AT THIS TIME DURING THE MEETING)** at approximately 7:20 PM.

**Regarding items not on the agenda.**

**Mayor Johnson opened public participation.**

The following individuals came forward to address the City Commission about various issues: Curtis Miller, 1730 Birmingham Avenue, Holly Hill; Jeff Martin, 934 Jasmine Avenue, Holly Hill; Christine Fox, 727 N. Flamingo Drive, Holly Hill.

**Mayor Johnson closed public participation.**

**8. BUSINESS AGENDA (CONTINUED)**

**D. FIRST READING OF ORDINANCE 2944, SAVE OUR SENIORS HOMESTEAD EXEMPTION** (*Finance Director*)

Attorney Simpson read by title only:

**ORDINANCE NO. 2944**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 62-3 (ENTITLEMENT TO ADDITIONAL HOMESTEAD EXEMPTION) OF THE HOLLY HILL CODE OF ORDINANCES TO ADOPT AN ADDITIONAL HOMESTEAD EXEMPTION OF UP TO \$250,000 OF ASSESSED VALUATION FOR QUALIFIED PERSONS AGE 65 OR OLDER WHO HAVE MAINTAINED PERMANENT RESIDENCY ON THE PROPERTY FOR A PERIOD OF AT LEAST 25 YEARS AND WHOSE HOUSEHOLD INCOME DOES NOT EXCEED A SPECIFIED AMOUNT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Penny moved APPROVAL for First Reading of Ordinance 2944, seconded by Commissioner Moore.*

**Mayor Johnson opened public participation.**

The following individual came forward to address the City Commission: Stanley Jaroszewicz, 1637 Moravia Avenue, Holly Hill.

**Mayor Johnson closed public participation.**

The motion **CARRIED** 5-0 by roll call vote: Penny – Yes, Moore – Yes, Albert – Yes, Currie – Yes, and Mayor – Yes

**E. **VARIANCE REQUEST** – THE MARKET SIGN** (*City Planner*)

*Commissioner Albert moved **APPROVAL** for the variance request for The Market sign, seconded by Commissioner Penny.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 5-0 by roll call vote: Albert – Yes, Penny – Yes, Currie – Yes, Moore – Yes, and Mayor – Yes

**F. RESOLUTION 2013-R-61, VACATION OF A PORTION OF SECOND STREET AT THE MARKET** (*City Planner*)

Attorney Simpson read by title only:

**RESOLUTION 2013-R-61**

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE VACATION OF A PORTION OF THE RIGHT-OF-WAY OF SECOND STREET; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Moore moved **APPROVAL** for Resolution 2013-R-61, seconded by Commissioner Currie.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 5-0 by roll call vote: Moore – Yes, Currie – Yes, Albert – Yes, Penny – Yes, and Mayor – Yes

**G. RESOLUTION 2013-R-62, FISCAL YEAR 2014 WATER AND WASTE WATER TREATMENT CHEMICALS** (*Community Services Director*)

Attorney Simpson read by title only:

**RESOLUTION 2013-R-62**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PRICE AGREEMENTS FOR THE PURCHASE OF THE FISCAL YEAR 2014 SUPPLY OF WATER AND WASTE WATER TREATMENT CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT AND**

**AUTHORIZE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

*Commissioner Moore moved **APPROVAL** for Resolution 2013-R-62, seconded by Commissioner Currie.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 5-0 by roll call vote: Moore – Yes, Currie – Yes, Albert – Yes, Penny – Yes, and Mayor – Yes

**H. RESOLUTION 2013-R-63, HOLLY HILL COMMUNITY TRUST –  
VALIDATE CREATION OF COMMUNITY TRUST** (*Finance Director*)

Attorney Simpson read by title only:

**RESOLUTION 2013-R-63**

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS TO VALIDATE THE CREATION OF THE HOLLY HILL COMMUNITY TRUST, A FLORIDA NOT-FOR-PROFIT ENTITY AND TO OBTAIN THE NECESSARY TAX EXEMPTION FROM THE INTERNAL REVENUE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

*Commissioner Penny moved **APPROVAL** for Resolution 2013-R-63, seconded by Commissioner Moore.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 4-1 by roll call vote: Penny – Yes, Moore – Yes, Albert – No, Currie – Yes, and Mayor – Yes

**9. RECESS THE REGULAR CITY COMMISSION MEETING**

**10. CONVENE TO THE HOLLY HILL COMMUNITY TRUST BOARD MEETING**

**BUSINESS AGENDA**

**A. RESOLUTION 2013-R-64, HOLLY HILL COMMUNITY TRUST –  
ESTABLISHING GUIDELINES, POLICIES AND PROCEDURES  
(Finance Director)**

Attorney Simpson read by title only:

**RESOLUTION 2013-R-64**

**A RESOLUTION OF THE HOLLY HILL  
COMMUNITY TRUST DESIGNATING THE CITY OF  
HOLLY HILL, FLORIDA, CITY COMMISSION AS  
THE BOARD OF DIRECTORS OF THE TRUST  
WITH THE MAYOR SERVING AS CHAIRMAN  
OF THE BOARD; DESIGNATING THE CITY  
MANAGER AS PRESIDENT OF THE TRUST;  
DESIGNATING THE CITY ATTORNEY AS  
DESIGNATED LEGAL COUNSEL OF THE TRUST;  
DESIGNATING THE FINANCE DIRECTOR AS  
CHIEF FINANCIAL OFFICER OF THE  
TRUST; DESIGNATING THE DEPUTY CITY CLERK AS  
SECRETARY OF THE TRUST; APPROVING  
PREVIOUS EXPENDITURES OF THE TRUST;  
ESTABLISHING TRUST MEETING  
PARLIMENTARY PROCEDURES COMMENSURATE  
WITH ROBERTS RULES OF ORDERS;  
ESTABLISHING THE PURPOSE AND INTENT OF  
THE TRUST; PROVIDING FOR SEVERABILITY;  
PROVIDING FOR CONFLICTING  
RESOLUTIONS; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

*Commissioner Penny moved **APPROVAL** for Resolution 2013-R-64, seconded by Commissioner Moore.*

**Mayor Johnson opened public participation. No one spoke.**

The motion **CARRIED** 4-1 by roll call vote: Penny – Yes, Moore – Yes, Currie – Yes, Albert – No, and Mayor – Yes

## **11. CONTINUATION OF PUBLIC PARTICIPATION**

**Regarding items not on the agenda.**

No one spoke.

## **12. COMMUNICATIONS**

### **A. City Manager**

Mr. McCroskey gave an update on the underground utilities conversion project for Phase 1 and update on the Daytona Avenue bridge.

### **B. City Attorney**

None.

### **C. City Clerk**

None.

### **D. Mayor & Commissioners**

Commissioner Penny reminded everyone about the Boys and Girls Club Golf Scramble.

Commissioner Currie reminded everyone about the upcoming Senior Expo at The Market on September 26<sup>th</sup> at 4:00 PM to 8:00 PM; asked if the City Manager can give her a list of people who were not able to renew their contracts at Sica Hall or the Club House due to the new rental fees; asked for a motion to call a special meeting pertaining to Commissioner Moore's situation about residency, motion was not seconded.

Commissioner Albert informed the public that on September 12<sup>th</sup> at 4:30 PM to 6:00 PM is the school's first SAC meeting; Open House for the elementary school is Sept. 19<sup>th</sup> at 6:00 PM to 7:00 PM and the middle school Open House will be from 7:00 PM to 8:00 PM; would like to have a meeting in the future regarding the parks.

Mayor Johnson informed the Commission that he has volunteered and was appointed to serve as a member of the Energy, Environment and Natural Resources Legislative Policy Committee and will be attending their first meeting on Friday, September 20<sup>th</sup> from 10:00 AM to 3:00 PM in Jacksonville.

## **13. ADJOURNMENT**

Mayor Johnson officially adjourned the meeting at approximately 8:20 pm.

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Valerie Manning  
City Clerk