

REGULAR CITY COMMISSION MEETING

COMMISSION CHAMBERS - CITY HALL
234 South US Hwy 1
Oak Hill, FL 32759

MARCH 8, 2010
6:00 P.M.
Minutes

A. OPENING

1. Invocation
2. Pledge of Allegiance
3. Roll Call

Commissioner Bill Marcello, Present; Mayor Darla A. Lauer, Present; Vice Mayor Mary Lee Cook, Present; Commissioner Kathy Bittle, Present; Commissioner Linda Hyatt, Present.

B. CITY ADMINISTRATION REPORTS

The City Clerk announced a Joint Workshop Meeting scheduled for Thursday, March 11, 2010 at 6 p.m. at the Brannon Center in New Smyrna Beach.

The Deputy City Clerk reviewed the income shortfalls and the expenditure line items that should be monitored. She suggested when the mid-year budget numbers are available that the departments review where certain line items might need to be adjusted then schedule a meeting to review with the Commission. Ms. Goodearly reported that checking was \$427,000, savings was \$255,000, and payroll was \$18,000. She stated that outgoing payroll and payables for the year end would be approximately \$570,000 which could result in a short fall of \$42,000 only if the city receives non ad valorem in the amount of \$100,000. She noted that in the past at this time she was able to transfer \$100,000 into savings.

Mayor Lauer suggested a city car in lieu of expenditures for travel and per diem. Commissioner Hyatt questioned the status of the water and sewer grant. Commissioner Marcello explained that in 2008 the Commission chose to lower the millage rate which created a shortfall causing increases in this year's millage rate. Mayor Lauer submitted that due to budget shortfalls the city may need to consider layoffs. The City Clerk responded to Mayor Lauer that in order to continue the water and sewer project it may cost approximately \$14,000. Mayor Lauer stated that other areas will need to be cut and hurricane season is approaching and there are items not budgeted. Other line items were reviewed: Education, Salaries, Contract Services, Utilities and Parks and Recreation. Vice Mayor Cook stated that Ms. Goodearly's evaluation was coming up and she needed to be commended for information she has gathered for the Commission.

C. CITY ATTORNEY NON-AGENDA ITEMS – Not Present

D. CITIZEN PARTICIPATION (Non-agenda - 15 Minutes)

Mrs. Euda Mary Alderman, 190 Ridge Road, passed around applications for joining the Community Trust.

Mrs. Dana Thompson, 219 N. Gaines, announced that the display cases at the VIA Hall were now housing the historical items of the city. She announced the first benefit for the school on Saturday, April 13, 2010 at noon for \$10 donation. She reported that she received information from the School Superintendant that items stored at the old New Smyrna Beach High School could be salvaged from 9-11 a.m. on March 20, 1010. She asked for volunteers with trailers. She reported that the Bibleway Church and Upper Room Chapel both have food programs for needy families. She announced that the Community Trust was preparing to open a thrift shop at the school.

E. CONSENT AGENDA

1. Approval of the Bills and Paid Interim Bills for March 8, 2010
2. Approval of February 16, 2010 Workshop Meeting Minutes
3. Approval of February 22, 2010 Regular Meeting Minutes

A motion was made by Commissioner Marcello and seconded by Commissioner Hyatt to approve consent agenda items 1-3 with the addition of 3 bills: Florida Municipal Insurance Trust - \$12,340.00, Mike's Cleaning - \$100 and Jim Smith - \$1,750, Plus the removal of one bill to Commission Marcello for travel and per diem. The motion carried 5-0 with voting as follows: Commissioner Marcello, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Hyatt, Yes.

F. OLD BUSINESS

1. Police Chief Position (Mayor Lauer)

Commissioner Marcello reported that he had listened to the city residents and understands that the economic climate is front and center. He suggested keeping the police department as small as safely possible and recommended maintaining Lt. Young as Acting Chief. Mayor Lauer requested an update on the status of the officer out on paid administrative leave. Lt. Young responded that the issue was being addressed and there would be a recommendation to the Commission if needed. She continued that she just received the case back from the State Attorney and FDLE. Mayor Lauer encouraged that this issue be resolved as an officer's reputation was at stake and taxpayers are paying the bill. Vice Mayor Cook suggested no more hiring and freezing all department spending and review the numbers at mid year.

Mr. Ron Engele, 131 Canal, stated that instead of asking permission from the county for annexing parcels that the City should approach the State Legislature directly and change the entire footprint of the community.

Mr. Donald Kruck, 452 US Highway 1, stated that he was confused about the position being postponed however was asking Lt. Young to bring back an officer.

Mr. Jimmie Vann stated that Lt. Young had come to Oak Hill some time ago, made friends/enemies and has treated everyone fairly. She tackles the good and the bad and has done an incredible job as Acting Chief. He stated that a new Chief would disrupt the department. He continued that the right thing to do would be to make Lt. Young the Police Chief.

Mr. Bill McGee, 250 E. Halifax, stated that all the Commissioners have made commendations to Lt. Young and she was promoted to Lieutenant. He stated that the Commission would be amiss not promoting her to Permanent Chief tonight.

Mr. Joe Hepper, 144 Apache, stated he seconds Mr. McGee's motion and he would like to see Lt. Young as Police Chief as soon as possible.

Mr. John Allen, 173 E. Church, stated he agrees that Lt. Young has done a satisfactory job and has heard nothing but positive comments which is a reflection of her attitude, professionalism and heart felt position in the city.

Mr. Ron Engele, 131 Canal, stated that he would be more inclined to annex into the city should Lt. Young be promoted to Police Chief.

Pastor Emerson Bolton, 200 E. Halifax, stated that the City could make Lt. Young Chief and have a probationary period, should she not perform the city could then place her back into the Lieutenant position.

Mr. Mike Thompson, 219 Gaines, stated that the longer the City is without a Chief, the tougher it is on the Officers. He noted that legal issues are not allowed to be discussed.

Mr. Jimmy Goodrich, 247 Randle, reminded the Commission that they are chosen to represent the citizens and act on the citizens' behalf. The citizens want Lt. Young as Chief. Mayor Lauer responded that she wished to make an educated choice on the new Chief and have a board of peers look at the applications so we can defend our decision. Vice Mayor Cook agreed and stated that the City is entitled to the best and qualified individual. Commissioner Bittle stated that the Commission was dragging their feet when they have a Chief available right now.

A motion was made by Commissioner Bittle and seconded by Commissioner Hyatt to appoint Lt. Young as Permanent Police Chief.

Hank Watson stated that he has spent all his life in Oak Hill and felt Lt. Young was the best Chief he has seen and she deserves to be named Police Chief.

Mr. Donald Kruck stated that if you must look for another Chief, the Commission should ensure to only review potential applicants from similar population groups as Oak Hill.

Melody Amadeus, 191 Haus, stated that Oak Hill is a very unique community and there would be a severe learning curve for any new Chief. She continued that Lt. Young is pleasant, very professional and understands people and their issues. She stated that Lt. Young should be named Chief.

Vote on the original motion passed 3-2 as follows: Commissioner Marcello, Yes; Mayor Lauer, No; Vice Mayor Cook, No; Commissioner Bittle, Yes; Commissioner Hyatt, Yes.

G. NEW BUSINESS

1. Site Development Plan, Cheryl and Jim McBee, Site Location 139 S. US Hwy 1, Request for Accessory Storage Structure in B1 Zoning. (City Clerk)

The City Clerk explained this was a request for an accessory structure at the old hotel on US Hwy 1. She stated that currently B1 does not allow accessory structures and the LDR would need to be revised. The Certificate of Occupancy would not be issued until the code was updated.

A motion was made by Commissioner Marcello and seconded by Vice Mayor Cook to accept the recommendation from the PLDR to change the LDR for B1 to read the same as B2 in regards to permitted accessory uses and structures and to accept the site plan development

however the permit can not be issued until the LDR has been changed. The motion carried 5-0 with voting as follows: Commissioner Marcello, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Hyatt, Yes.

2. RESOLUTION NO. 2010-06: CONCERNING THE VOLUSIA COUNTY LOCAL MITIGATION STRATEGY. (City Clerk)

The City Clerk explained this resolution was requested by each City in order for the Local Mitigation Strategy Plan to be accepted by FEMA.

Mayor Lauer passed the gavel. A motion was made by Mayor Lauer and seconded by Commissioner Hyatt to adopt Resolution No. 2010-06. The motion carried 5-0 with voting as follows: Commissioner Marcello, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Hyatt, Yes.

Mr. Bill McGee stated that the two Commissioners who voted no should make a commitment that they will support the Department.

Ms. Goodearly explained that the PLDRC is in need of members as the board lost Mr. Ron Mercer, Mr. Abe Jackson and Mrs. Susan Cook.

H. BOARDS & COMMITTEES – No Reports

EZDA (Enterprise Zone Development Agency)
Economic Development Board
Waterfront Committee
PLDRC (Planning & Land Development Regulation Commission)
Parks and Recreational Advisory Board
Historical Preservation Board
Grant Committee

I. POLICE DEPARTMENT RELATED ITEMS (Acting Chief Young)

Chief Young thanked the Commission for their vote of confidence. She explained her past 7 years with the Department and asked for the Commission's continued support, cooperation and communication.

J. COMMENTS/CONCERNS FROM COMMISSION MEMBERS

Commissioner Marcello reported that DOT had once again denied the request for a traffic signal at US 1 and Halifax. The Commission agreed that a letter would be sent monthly requesting a light at this intersection. Commissioner Marcello reported an upcoming meeting with Signco regarding the directional signage on US1.

Mayor Lauer asked about the cost of the engraved bricks at Chung Park. Mayor Lauer stated that the Commission stands behind Chief Young.

K. ADJOURNMENT

There being no further business, the meeting adjourned at 7:59 p.m.

DARLA A. LAUER/MAYOR

ATTEST:

VIRGINIA S. HAAS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:

SCOTT E. SIMPSON, CITY ATTORNEY