



CITY OF OAK HILL

REGULAR CITY COMMISSION MEETING

COMMISSION CHAMBERS - CITY HALL

234 South US Hwy 1

Oak Hill, FL 32759

June 28, 2010

6:00 P.M.

AGENDA

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. PRESENTATION – Bert Fish

Mayor Lauer recognized County Council member Joie Alexander.

Mr. Bob Williams, CEO Bert Fish summarized the proposed merger with Florida Hospital. He explained that the DVD traces the history of Bert Fish Hospital and its accomplishments. He stated that the hospital would not be able to stand alone over the next five years and still provide reliable services. The Board of Commissioners reviewed many potential mergers and compared the top three and Florida Hospital was chosen. He reviewed the potential mergers governance, local services commitment, financial strength, quality of care and tax reductions. Mr. Williams responded that the cancer care program will continue.

C. CITY ADMINISTRATION REPORTS

The City Clerk announced that Mr. Mike Arman had to withdraw from the Commissioner Race for seat 1 because he did not meet the 12 month residency requirement.

Mrs. Dana Thompson reviewed the upcoming programs and events concerning the Community Trust and required programs for the VIA Hall. She passed the upcoming events to the Commission. Mayor Lauer suggested that the events be posted to the web site. Mrs. Thompson affirmed that they are accepting donations for the upcoming auction scheduled for August 14, 2010.

D. CITY ATTORNEY NON-AGENDA ITEMS – Not in Attendance

E. POLICE DEPARTMENT RELATED ITEMS (Chief Young) - NONE

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

Mr. Mike Thompson, 219 N. Gaines, reported that there were two more ponds being installed and questioned the status of the City pond ordinance. Building Official Dennis Fischer responded that the

ordinance was currently in review. Mr. Thompson stated that he was not being paid for the sand and offered to donate sand for Chung Park. The Commission agreed.

Mr. Richard Taylor, Randle Avenue, stated that the City needs to address the high grass areas located at many of the foreclosed lots located in Indian Harbor Estates. Mayor Lauer responded that these are code violations and a written complaint should be made and the violation may eventually proceed to the Special Magistrate. Commissioner Marcello stated that the procedure takes time.

G. CONSENT AGENDA

1. Approval of the Bills and Paid Interim Bills for June 28, 2010
2. Approval of June 14, 2010 Regular Meeting Minutes

A motion was made by Vice Mayor Cook and seconded by Commissioner Bittle to approve consent agenda items 1 and 2 including the additional bills as stated by the City Clerk. 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.

At this time Mayor Lauer requested to move forward to New Business to address the Ordinances.

H. OLD BUSINESS

1. Review of City Planner Rankings from PLDRC and City Commission Ranking of City Planner. (City Commission)

The City Commission reviewed the rankings submitted by the PLDRC. Mr. Richard Wheeler, PLDRC Chair, stated that the PLDRC interviewed each available applicant for 15 minutes and they focused much on experience and accessibility. He noted that each firm had much experience and credibility. Mayor Lauer stated that she previously worked with two of the top applicants. Mr. Ron Engele, PLDRC Vice Chair, stated that they had a difficult time evaluating as the applicants were all qualified however they did not review any prices on services. They did ask if pricing was negotiable. The PLDRC looked at Qualifications and asked should the Planner make a mistake would they still send a bill to the City for the correction.

Mayor Lauer called for a 10 minute recess at 7:15 p.m..
The meeting was called back to order at 7:25 p.m.

Mayor Lauer requested that the City of Pierson be contacted for 4 attendees from the Commission to attend the Volusia League of Cities dinner.

A motion was made by Commissioner Hyatt to appoint Montye Beamer as City Planner. The motion was seconded by Vice Mayor Cook. 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.

Commissioner Marcello thanked all the applicants.

2. Purchasing Policy/ new copier lease (Vice Mayor)

Vice Mayor Cook stated that the purchasing policy must be enforced or thrown away. Commissioner Marcello replied that no malice was involved, the policy was misinterpreted. Mayor Lauer stated that

the policy was not followed. Commissioner Marcello noted his concern with the antiquated Charter and policies/procedures. He stated that these people should handle the day to day operations of the City and the Commission should not micromanage. Vice Mayor Cook stated that no one communicates with her. Mayor Lauer stated that she must answer to the taxpayers and believes that privileges have been abused. She continued that if asked now she would not have a vote of confidence.

Mr. Mike Thompson, 219 N. Gaines, stated that issues such as this should not be addressed in a public forum. He stated that the Commissioners did not have the authority to change the Charter to a Manager form of government.

A motion was made by Commissioner Marcello and seconded by Commissioner Hyatt to waive formal bidding process and approve lease/option for Ricoh Copier Equipment. The motion carried 3-2 with voting as follows: Commissioner Marcello, Yes; Mayor Lauer, No; Vice Mayor Cook, No; Commissioner Bittle, Yes; Commissioner Hyatt, Yes.

3. Revocation of purchasing authority ORD 2008-02 (Mayor Lauer)

Item addressed in above discussion.

I. NEW BUSINESS

1. **ORDINANCE NO. 2010-04: FIRST READING OF AN ORDINANCE OF THE CITY OF OAK HILL FLORIDA ANNEXING BY VOLUNTARY PETITION, PROPERTY LOCATED AT 200 WEST PUTNAM GROVE ROAD CONTIGUOUS TO THE CITY OF OAK HILL; REDEFINING BOUNDARIES OF THE CITY OF OAK HILL TO INCLUDE SAID PROPERTY; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Attorney Simpson)**

The City Clerk read Ordinance No. 2010-04 by Title. Ms. Montye Beamer summarized the request and referred to a letter of support from Mr. Gregory Stubbs, County Growth Management Director.

A motion was made by Commissioner Marcello and seconded by Commissioner Hyatt to approve Ordinance No. 2010-04 at first reading. 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. **ORDINANCE NO. 2010-05; FIRST READING OF AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA AMENDING THE CITY'S UNIFIED LAND DEVELOPMENT REGULATIONS BY CREATING A NEW ZONING DESIGNATION ENTITLED BUSINESS PLANNED UNIT DEVELOPMENT (BPUD); PROVIDING FOR TERMS AND CONDITIONS OF THE BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) ZONING DESIGNATION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE. (Attorney Simpson)**

Ms. Beamer explained that this Ordinance would mirror the County's Comprehensive Plan and Land Development Regulations creating consistency. She stated that the concept of a Business Planned Unit Development (BPUD) was a good way to bring in businesses also allowing for flexibility in negotiations through development agreements.

A motion was made by Commissioner Marcello and seconded by Commissioner Hyatt to approve Ordinance No. 2010-05 at first reading. 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.

- 3. ORDINANCE NO. 2010-06; FIRST READING OF AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING THE CITY'S UNIFIED LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 12.5 MORE OR LESS ACRES LOCATED AT 200 WEST PUTNAM GROVE ROAD, OAK HILL, FL, SHORT PARCEL ID 9537-02-00-590 FROM VOLUSIA COUNTY A-2 (RURAL AGRICULTURE) TO CITY BUSINESS PLANNED UNIT DEVELOPMENT (BPUD); PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT. (Attorney Simpson)**

Ms. Beamer submitted that according to the letter received the applicant had withdrawn their request to the County in order to proceed with submittal of the Development Agreement to the City. She noted that the current submittal was consistent with what was presented to the County. She reported that there were some items noted in the Development Agreement that needed to be addressed for safety of the City. She continued that between first and second reading staff would meet with the applicant to review and make requested changes. Attorney Glenn Storch stated for the record that the application to the County had not yet been withdrawn however the County is supportive of the project. He noted that the issue is that the City did not currently have a BPUD zoning which now needs to be adopted in order to complete the process. The owner is ready to start building which will create 45 jobs. He stated that the minor comments will be resolved prior to second reading. Mr. Dennis Fischer, Building Official, stated that we will have clarification in the Development Agreement and staff is prepared to meet with the applicant for discussion and possibly bring forward a site plan for Commission review.

A motion was made by Commissioner Marcello and seconded by Commissioner Hyatt to approve Ordinance No. 2010-06 at first reading. 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.

- 4. Review of LDR Article VI. Tree Protection and Preservation Code (Mayor Lauer)**

Mr. Fischer indicated that the City's tree protection code is consistent with the County however the fees are not. He stated that the City would need to revise the fee schedule and recommended this be adopted by Resolution. He stated for the record that there are many Oak Trees and wetlands to be considered in this project and some forgiveness may be indicated which may cause some political fallout. He noted there is a tree survey and building location plan. The Building Official will review fees and coordinate with the City Clerk and City Attorney on an updated fee Resolution.

5. Review of LDR Article VIII. Signs (Mayor Lauer)

Mr. Fischer stated that there are gaps in the sign code and the code was adopted from another City which does not fit with the needs of the community. He stated that in particular we need to review off site signage because the code is quiet on that issue and lacking needed language. Mr. Fischer will review.

J. BOARDS & COMMITTEES

EZDA (Enterprise Zone Development Agency) - NONE

Economic Development Board – Ms. Nora Jean Gillespie reported that the MPO had approved the Scenic Highway extension and noted that there was a fine powerepoint presentation. She would also get information on the Brownfield Grant.

Waterfront Committee - NONE

PLDRC (Planning & Land Development Regulation Commission) - NONE

Parks and Recreational Advisory Board - NONE

Historical Preservation Board - NONE

Grant Committee - NONE

K. COMMENTS/CONCERNS FROM COMMISSION MEMBERS

Commissioner Marcello reported that the City would be applying for a grant for equipment for the Public Works Department as indicated in a letter from the FLC Risk Control Department. He reported that the historic tree at Chung Park had been reviewed by an Arborist. The Arborist indicated it was a totally healthy tree requiring only minor trimming. He reported that increasing of deductibles on insurance would save little money and stated that the deductible should remain as is and add the additional for the VIA Hall upgrade. He asked if the Commission had reviewed Julie Woods' proposal. He felt it was a good proposal and should be reviewed at a meeting however fiscal constraints would have to be considered.

Commissioner Hyatt asked about the emergency plan and contacts. Mayor Lauer responded that she would meet with the Chief and create a list of emergency names, contacts and where they would be located during emergencies. She reported on a letter from the Board of Realtors.

Commissioner Bittle reported that during the risk assessment by FLC they indicated problems with the basketball and tennis courts which the County had agreed to repair. She reported that through a possible FLC Safety Grant, the Chung Park Fence could be repaired and Mr. Mike Thompson would be supplying the sand for the area beneath the playground.

Mayor Lauer reported she had been invited to the Daughters of American Revolution Meeting and asked if anyone could attend on September 9, 2010 at 2 p.m. Commissioner Hyatt indicated that she and the Vice Mayor could attend.

L. ADJOURNMENT

There being no further business, the meeting adjourned at 8:04 p.m.

DARLA A. LAUER/MAYOR

ATTEST:

VIRGINIA S. HAAS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:

SCOTT E. SIMPSON, CITY ATTORNEY