



## **CITY OF OAK HILL**

### **REGULAR CITY COMMISSION MEETING**

#### **COMMISSION CHAMBERS - CITY HALL**

**234 South US Hwy 1  
Oak Hill, FL 32759**

**November 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. SWEARING IN OF COMMISSIONER KATHY BITTLE**

Commissioner Bittle was sworn in to serve a four year term for Seat 3.

#### **C. SWEARING IN OF COMMISSIONER RON ENGELE**

Commissioner Englele was sworn in to serve a four year term for Seat 1.

#### **D. PRESENTATION TO MR. BILL MARCELLO**

Mayor Lauer presented Mr. Bill Marcello a plaque in honor of his service to the City. Commissioner Marcello thanked the Commission and staff for their efforts.

#### **E. SELECTION OF VICE MAYOR**

A motion was made by Commissioner Hyatt and seconded by Commissioner Bittle to nominate Mary Lee Cook as Vice Mayor. The motion passed by consensus.

#### **F. SELECTION OF DEPARTMENT HEADS**

A motion was made by Commissioner Hyatt and seconded by Commissioner Bittle to approve the following department heads:

**Commissioner Bittle – Parks and Recreation**

**Mayor Lauer – Police Department  
Commissioner Engele – Public Works  
Commissioner Hyatt – Building and Planning  
Vice Mayor Cook – Administration**

**The motion carried by consensus.**

**At this time the Mayor asked that the item concerning the Interlocal Annexation Agreement be moved forward and addressed. Commissioner Hyatt explained she had spoken with several concerned citizen that requested that this item be tabled to January. A motion was made by Commissioner Hyatt and seconded by Vice Mayor Cook to table the Interlocal Annexation Agreement to time certain January 10, 2011 at 6 p.m. The motion carried 5-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.**

#### **G. CITY ADMINISTRATION REPORTS**

##### **1. PRESENTATION – FLORIDA TRAIL GATEWAY COMMUNITY PROGRAM (Mr. Michael Eurich, Florida Trail Association)**

Mr. Michael Eurich presented that the Florida Trail Gateway program began in 2008 and White Springs was the first community. The program currently has 21 communities and 2 Counties involved. He explained the program was a nature based program which promoted tourism in the areas and would provide a major economic benefit to the City. He requested that the City also hold a dedication. He requested a memo of understanding. Commissioner Hyatt asked about the Sanford Trail. Commissioner Engele requested 4 signs for the City. **A motion was made by Commissioner Hyatt and seconded by Commissioner Bittle to sign the memo of partnership with the Florida Trail Program and include 4 signs in the understanding. The motion carried 5-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.**

##### **2. PROCLAMATION – FLORIDA TRAIL GATEWAY COMMUNITY**

Mayor Lauer read and presented the Proclamation to Mr. Eurich.

Mayor Lauer welcomed County Council Member Joie Alexander. Ms. Alexander congratulated Commissioner Bittle and Commissioner Engele and she thanked the City for their support.

#### **H. CITIZEN PARTICIPATION (Non-agenda – 15 Minutes)**

**There was no public comment or questions.**

## **I. CITY ATTORNEY NON-AGENDA ITEMS (Scott Simpson)**

**No Report**

## **J. POLICE DEPARTMENT RELATED ITEMS (Chief Young)**

### **1. PROCLAMATION – SEATBELTS (Mayor Lauer)**

Chief Young reported on the Police Department's DUI campaign which would run through the rest of the year's holidays. She stated that the City is working toward safety for the citizens. Mayor Lauer read and presented the Proclamation.

Mayor Lauer reported that Chief Young had secured a demo police car however pricing may go over budget \$2,000. Chief Young explained that the actual cost of the car was in the budget however to equip the car is the difference. Mayor Lauer asked that the item be placed on the next agenda for approval.

## **K. CITY PLANNER ITEMS (Montye Beamer)**

### **1. Farm Pond Ordinance**

Mrs. Beamer reported that the farm pond ordinance has been reviewed by the City Attorney and will now proceed to the PLDRC for review and recommendation. The Commission approved.

### **2. Off-Site Signage Ordinance**

Mrs. Beamer explained that she is still working with the City Attorney concerning off site signage however it would proceed to the next PLDRC meeting for review and recommendation. The Commission agreed. The City Attorney reported that he was reviewing to ensure no violations of the constitution occur with the adoption of the new ordinance.

## **L. CONSENT AGENDA**

- 1. Approval of the Bills and Paid Interim Bills for November 8, 2010**
- 2. Approval of October 11, 2010 Regular Meeting Minutes**
- 3. Approval of October 25, 2010 Regular Meeting Minutes**

Vice Mayor Cook questioned the minutes reflecting that Guy Grasso was approved unemployment because his injury was on the job. Attorney Simpson explained that the State approved his unemployment and there was no legal support to deny the claim. Mayor Lauer asked about the return of items when leaving employment. Attorney Simpson noted that the last paycheck could be held from the running payroll.

**A motion was made by Commissioner Hyatt and seconded by Vice Mayor Cook to approve consent agenda items 1-3 with the additional bills as noted by the City Clerk. The motion carried 5-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.**

#### **M. CDBG BUSINESS**

1. Selection Committee Recommendation Regarding RFP for Grant Administration Services (City Clerk)

The City Clerk advised that the selection committee had not completed their recommendation and requested this item be tabled to the next meeting.

2. Presentation of Draft Housing Assistance Plan for Review; Written recommendation or revisions should be submitted to the City Clerk by 5:00 p.m. on November 17, 2010 to be considered for inclusion in the finalized Housing Assistance Plan.

The City Clerk reported that revisions or recommendations to the Housing Assistance Plan would be due by November 17, 2010.

#### **N. OLD BUSINESS**

1. Donation of Selected Items to the Burns Science and Technology Charter School, Inc. (Mayor Lauer)

Commissioner Bittle noted that she would abstain from voting because she is a member of the Charter School Board. Vice Mayor Cook requested a written guarantee that the copier is clear of scanned, emailed or copied documents. **A motion was made by Commissioner Hyatt and seconded by Commissioner Engele to approve the copier and pictures as surplus items and donate them to the Burns Science and Technology Charter School, Inc., along with a written guarantee of a clean copier. The motion carried 4-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Abstain; Commissioner Engele, Yes.**

2. Review and Recommendation of Special Magistrate. (Mayor Lauer)

Mayor Lauer reported that staff recommended Ms. Lillian Clover of Titusville. Ms. Ela Lugo introduced herself as an applicant and explained her credentials and experience. Commissioner Engele questioned if applying code enforcement rules to citizens would be an issue to which Ms. Lugo replied no. **A motion was made by Commissioner Engele and seconded by Commissioner Hyatt to appoint Ms. Ela Lugo Special Magistrate. The motion carried 3-2 with voting as follows: Commissioner Hyatt,**

Yes; Mayor Lauer, No; Vice Mayor Cook, No; Commissioner Bittle, Yes; Commissioner Engele, Yes.

#### **O. NEW BUSINESS**

1. **ORDINANCE NO. 2010-11; FIRST READING OF AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA REPEALING ORDINANCE NO. 2010-08 FOR IRREGULARITIES; ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 129 CANAL AVENUE 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 CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (Attorney Simpson)**

Attorney Simpson read Ordinance No. 2010-11 by Title. A motion was made by Commissioner Hyatt and seconded by Commissioner Bittle to approve Ordinance No. 2010-11 at first reading. The motion carried 5-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.

In response to Mr. Mathieu's question, Mr. Engele suggest Mr. Mathieu meet with Ms. Beamer to review the annexation process.

2. **ORDINANCE NO. 2010-12; FIRST READING OF AN ORDINANCE OF THE CITY OF OAK HILL VOLUSIA COUNTY, FLORIDA AMENDING SECTION 2-231 (CREATED). AND SECTION 2-233(APPOINTMENT; TERM OF OFFICE; VACANCIES; CHAIRMAN.) TO ALLOW FOR ALTERNATE MEMBERS TO THE PERSONNEL BOARD; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (Attorney Simpson)**

Attorney Simpson read Ordinance No. 2010-12 by title. He clarified that the effective date would be retroactive to October 25, 2010. A motion was made by Commissioner Hyatt and seconded by Vice Mayor Cook to approve Ordinance No. 2010-12 at first reading. The motion carried 5-0 with voting as follows:

**Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.**

3. Appointment of TPO Member (City Clerk)

The City Clerk reported that another appointment to the TPO was necessary and she stated that Commissioner Hyatt had graciously accepted. **A motion was made by Commissioner Engele and seconded by Commissioner Bittle to appoint Commissioner Hyatt as the new TPO member. The motion carried 5-0 with voting as follows: Commissioner Hyatt, Yes; Mayor Lauer, Yes; Vice Mayor Cook, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes.**

4. Interlocal Annexation Agreement (City Clerk)

This item was previously addressed in the beginning of the minutes.

5. New Septic Tank Rules (Vice Mayor Cook)

Vice Mayor Cook explained that new septic tank rules were coming forward in January. Every Five years septic tanks must be checked at a charge of \$30.00 plus \$115.00 evaluation fee and a \$200 cost for pumping out the tank. She reported that the City of Deltona had written Senator Lynn to oppose this bill and she felt the City should write a letter in support of Deltona and in rejection of the bill. Commissioner Engele stated that the issue was a lack of education and recommended educating the public. Mayor Lauer asked that a resolution be brought forward to the next meeting.

## **P. BOARDS & COMMITTEES**

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

Mr. Gary Bittle, Community Trust, reported on a successful Pancake Breakfast and Fall Festival. He reported an Easter Event at Nancy Cummings Park on April 23, 2011 and the Christmas Parade scheduled for December 11, 2010 at 2 p.m. He reported that Heritage Day may be April 2, 2011. He reported that the board is working on the Charter School Contract with the School Board Attorney and working with TD Bank for Grants. School cleanup is the third Saturday of every month.

**Q. COMMENTS/CONCERNS FROM COMMISSION MEMBERS**

Commissioner Hyatt reported an event in conjunction with Friends of the Library and Community Trust on February 5, 2011. She welcomed Commissioner Engele.

Vice Mayor Cook and Commissioner Bittle welcomed Commissioner Engele.

Mayor Lauer welcomed Commissioner Bittle and Commissioner Engele aboard.

**R. ADJOURNMENT**

There being no further business, the meeting adjourned at 7:34 p.m.

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DARLA A. LAUER/MAYOR

**ATTEST:**

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VIRGINIA S. HAAS, CITY CLERK/ADMINISTRATOR

**APPROVED FOR LEGALITY AND FORM:**

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SCOTT E. SIMPSON, CITY ATTORNEY