



CITY OF OAK HILL

REGULAR CITY COMMISSION MEETING

**COMMISSION CHAMBERS - CITY HALL
234 South US Hwy 1
Oak Hill, FL 32759
386-345-3522**

**June 25, 2012
6:00 P.M.
MINUTES**

A. OPENING

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

Present at Roll Call: Mayor Mary Lee Cook, Vice Mayor Linda Hyatt, Commissioners Ron Engele, Douglas Gibson and Kathy Bittle

B. PRESENTATION - Citizen of The Quarter – LIEF FOX

The City Clerk presented Mr. Fox with a Proclamation naming him Citizen of the Quarter.

City of Oak Hill Audit – F/Y 2010-2011

Alex Kish, Brent Millikan, presented the Audit for the Fiscal year 2011/2012.

C. CITY ADMINISTRATION REPORTS

1. Vacation Reminder – the City Clerk will be out of town on June 27, 2012 and return on July 5, 2012.

The City Clerk reminded the Commission she would be out of town and still reachable by cell phone and email.

2. Cemeteries here in Oak Hill

The City Clerk stated there has been an occasion when the cemeteries here in Oak Hill are inaccessible due to the caretaker being unavailable. The Commission directed the Clerk to gather further information about ownership of the cemeteries.

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

Maurice Mathieu, Canal Road, inquired about his request to annex his properties on Beehive Drive. The Commission stated that the City Planner was not present at this time to address this issue; therefore it will be discussed at the next Commission meeting.

Fred Peters, Lighthouse Cove, inquired as to why the Lighthouse Cove Club house needed a Business Tax Receipt to have bingo. The City Clerk informed him that Dennis Fischer, the City's DRA, is currently looking into the matter.

Bill McGee, Halifax Avenue, with the recent disqualification of two candidates for commission seats, asked if there are any other options such as a write-in.

The City Attorney stated that a Write in Oath is required by State Election law and that oath must be received before the close of the qualifying period.

The Mayor explained the City researched every avenue to have the candidates qualified, yet the law is clear, therefore the only choice was to disqualify them.

Sue Payne, Campton Street, stated the laws should be changed to always allow a write-in space as the Presidential election allows; she stated she understands this cannot affect this election yet should be set in place for future elections.

The City Attorney stated he would need to research that option to ensure it does not conflict with state statutes.

Jimmy Goodrich, Lagoon Avenue, stated he is disappointed that two candidates will take office unopposed and hopes the Commission and City Attorney have exhausted all options.

The City Attorney outlined the process that questioned the qualification of the candidates; he explained he researched the statutes, conferred with the Supervisor of elections and the State Attorney of Elections and he felt confident the only option was to disqualify the candidates as they did not properly qualify by the end of the qualifying period.

Nadine Wosenske, US Highway 1, stated it is a shame that there will not be a choice for the two Commission seats and hopes the Commission does something to change that in the future.

Lyn Seaward, Ezra Road, read a statement into record about her participation in the qualifying and offered her regret that she was unable to represent the City as a Commissioner.

The Mayor stated this is not the only time we have had candidates that took office unopposed; the last election Commissioner Engele and Commissioner Bittle were unopposed.

Fred Peters, Marsh Landing Loop, stated the issue lies with the participation of the American people in elections and urges everyone to participate.

E. CITY ATTORNEY NON-AGENDA ITEMS (Scott Simpson)

The City Attorney stated he is still pursuing an estimate for the personnel manual and hopes to have something by next meeting.

F. POLICE DEPARTMENT RELATED ITEMS (Captain Summers)

Lieutenant Morgan stated they are still working on getting cameras in Mary Dewees Park and he will keep the City Clerk updated on the process.

Commissioner Engele asked when new Deputies arrive in town if they could introduce themselves to the City Clerk and leave their cell phone number.

Lieutenant Morgan stated the new Deputies are encouraged to stop in and see the Clerk, yet they carry only their personal cell phones therefore he is not at liberty to require the deputies to give that number.

At this time George Trovato was asked to come forward and introduce himself as a candidate for State Representative.

G. CITY PLANNER ITEMS (Montye Beamer) - NONE

H. CONSENT AGENDA

1. Approval of the Bills and Paid Interim Bills for June 25, 2012
2. Approval of June 11, 2012 Regular Meeting Minutes
3. Approval of June 11, 2012 Workshop Minutes

A motion was made by Vice Mayor Hyatt and seconded by Commissioner Bittle to approve the Consent Agenda. Roll Call Vote: Mayor Cook, Yes; Vice Mayor Hyatt, Yes; Commissioner Engele, Yes; Commissioner Gibson, Yes; Commissioner Bittle, Yes. The motion carried 5-0.

I. OLD BUSINESS

1. Candidate Qualifying Update

Commissioner Engele asked the City Attorney about a court order to put the disqualified candidates on the ballot.

The City Attorney stated with the research he had done and also dealing with the qualifying issues in Holly Hill, that a court order would not be obtained.

2. Annexations Progress

Commissioner Engele stated he wants to continue to move forward with annexations.

There was a short discussion between the City Attorney and the Commission in regards to the Comp Plan and its importance.

Maurice Mathieu, asked about the status of his annexation request and the Commission stated they need the input of the City Planner who is not present.

J. NEW BUSINESS

- 1.

RESOLUTION #2012-05

A RESOLUTION OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA, URGING TOBACCO RETAILERS TO STOP THE SALE AND MARKETING OF FLAVORED TOBACCO PRODUCTS; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Vice Mayor Hyatt and seconded by Commissioner Gibson to approve Resolution 2012-05 as read. Roll Call Vote: Mayor Cook, Yes; Vice Mayor Hyatt, Yes; Commissioner Engele, Yes; Commissioner Gibson, Yes; Commissioner Bittle, Yes. The motion carried 5-0.

K. BOARDS & COMMITTEES

**EZDA (Enterprise Zone Development Agency)
Economic Development Board
Waterfront Committee**

Robert Livingston stated the Waterfront Committee is currently looking for new members and urges anyone who is interested to please fill out the paperwork.

L. COMMENTS/CONCERNS FROM COMMISSION MEMBERS

Commissioner Engele stated that Public Works has prepared for the upcoming storm and asked if the Commission had any other concerns they would like that department to address. There was none.

Commissioner Engele stated he was concerned with the property located at 146 North Gaines Street and was inquiring what the City could do.

The City Clerk stated the building has already been condemned and the owners have been notified they have thirty days to make repairs or demolish the building; if neither of these happens the City has rights to demolish the building and lien the property.

Commissioner Engele questioned the advertising signs owned by Direct a Way.

It was explained that FDOT had recently placed those signs in violation; the City Clerk will research the issue further.

Commissioner Gibson questioned whose responsibility it is to mow the grass in front of the cemetery on Brooks Circle?

The Mayor stated she believed it was the county's road.

Commissioner Engele stated the City Planner would be the one to confirm that with.


Derwin Smothers, a board member of Bert Fish Medical, wanted the Commission to be aware of the current status of the Hospital; he stated at present the board is interviewing lawyers to represent the Hospital so a partnership or sale can be pursued.

The Mayor stated she was pleased that so many citizens attended this meeting and she thanked everyone for their involvement.

M. ADJOURNMENT – 7:35PM



MARY LEE COOK, MAYOR

ATTEST: 

KOHN EVANS, CITY CLERK

APPROVED FOR LEGALITY AND FORM:


SCOTT E. SIMPSON, CITY ATTORNEY

Note: In accordance with Resolution 2006-17, a three (3) minute time limitation per speaker will be imposed. A speaker may address the Commission for a maximum of three (3) minutes during the Public Participation portion of the meeting, and for a maximum of three (3) minutes during any specific Agenda topic. Pursuant to Florida Statute 166.041 (3) (A), if an individual decides to appeal any decision made with respect to any matter considered at a meeting or hearing, that individual will need a record of the proceedings and will need to ensure that a verbatim record of the proceedings is made.