



REGULAR CITY COMMISSION MEETING

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

December 10, 2012

6:00 P.M.

MINUTES

A. OPENING

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

Present at Roll Call: Mayor Douglas Gibson, Vice Mayor Jeff Bracy, Commissioners Kathy Bittle, Robert Livingston and Ron Engele.

B. PRESENTATION - WAVERLY MEDIA

Jim Brown with Waverly Media explained the company installs and maintains the bus benches throughout the state of Florida and would like Oak Hill to benefit from this service.

After some discussion the Commission agreed to review a contract from Waverly Media. The Commission directed the City Clerk to research the previous contract with an unknown bus bench provider and contact the City Attorney as to how to terminate that contract due to inactivity.

CITIZEN OF THE QUARTER

The Mayor presented Commissioner Kathy Bittle with a Proclamation appointing Gary and Kathy Bittle as Citizens of the Quarter.

C. CITY ADMINISTRATION REPORTS

1. Personnel Manual

The City Clerk stated she is in the process of comparing the City of Oak Hill Personnel Manual Draft to the Personnel Manual of Brevard County.

2. Second Meeting in December

The City Clerk stated the second Monday in December lands on Christmas Eve.

Vice Mayor Bracy made a motion, seconded by Commissioner Livingston, to cancel the December 24, 2012 Commission Meeting. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

At this time the City Clerk stated Ronnie Vanzant from Jordan and Associates has change orders for the Commission to review for the Small Cities grant.

Mr. Vanzant stated there are 5 change orders: 3 were to extend the deadline, 1 because a homeowner completed a portion of the work and 1 for drainfield replacement.

Commissioner Engele made a motion, seconded by Commissioner Livingston, to approve the 5 Change Orders as presented by Ronald Vanzant of Jordan and Associates for the CDBG Small Cities grant. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, abstained. The motion carried, 4-0.

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

Mary Lee Cook, West Ariel Road, said she was very satisfied with the Volusia County Sheriff's Department and she is happy her vote to bring them to Oak Hill was the right one.

Mrs. Cook also suggested that Citizen's Participation be moved to the end of the meeting so citizens can hear all the topics before speaking.

The Commission agreed by consensus to move Citizen's Participation to the end.

Richard Taylor, Randle Avenue, inquired about the storage business on US 1 and whether or not some sort of landscaping or other material could be enforced as he said it is an eyesore.

Sharon Morse, Gary Avenue, stated she found it ironic she received a code violation from the County after she expressed she did not want to be annexed into the City.

The City Planner stated there was a meeting, before notices of the annexation were sent out, and at that meeting the County agreed to clear up any code enforcement issues before the Interlocal agreement was completed.

David Freeman, Gary Avenue, stated he wanted the Commission to vote against the Interlocal Agreement as he felt it was un-American to force a property into the City. He also felt the Florida Statute the City is using for this annexation is not necessary.

Linda Malinowski, East Ariel Road, stated she does not want to be forced into the City.

Phan Cong-Meng Turner, Indian Creek Road, stated she wanted to be part of the City especially for the permitting process alone.

Doug Conniff, Putnam Grove Road, he stated the upcoming Waterfronts Committee meeting is very important and it should have been better advertised. He also stated he would like to present the Commission with a series of speeches he has recorded.

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

F. POLICE DEPARTMENT RELATED ITEMS (Captain Summers)

G. CITY PLANNER ITEMS (Montye Beamer)

1. Indian Harbor Estates – Interlocal Agreement

Mayor Gibson closed the Commission Meeting at 7:25PM

Mayor Gibson opened the Public Hearing at 7:25PM

The City Planner stated the Interlocal Agreement was amended and now only 48 properties will be included instead of the original 68; also the amended agreement addresses the roads and states for any road having a PCI of 65 or lower the County will improve that road before transferring jurisdiction or maintenance to the City. The Planner stated the Commission has 3 options: continue the Public Hearing, approve the Interlocal Agreement or reject the Interlocal Agreement.

The following property owners spoke against the Interlocal Agreement:

**David Freeman, 142 Gary Avenue
Sharon Morse, 205 Gary Avenue**

Joie Alexander, County Councilwoman, District #3, stated she heard the residents state this was unfair and she said they were right, yet the unfairness happened when the enclaves were produced and now it is time to right that wrong.

Cynthia Livingston, Galbraith Road, stated she enjoyed being part of the City where she has a say in the goals and accomplishments.

Vice Mayor Bracy made a motion, seconded by Commissioner Bittle, to accept the Interlocal Agreement with the County as presented by the City Planner. Roll Call Vote: Mayor Gibson, Yes;

Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

2. EPA Brownfield Coalition Assessment Grant Proposal

The City Planner stated she gave the Commission the copy of the Brownfield Coalition Grant that the City of New Smyrna Beach, Edgewater and Oak Hill had completed; and asked if the Commission had any questions.

The City Planner clarified this grant was for assessment only.

3. Interlocal Stormwater Inspection Agreement

The City Planner stated the reason for this Interlocal agreement with Edgewater is to fulfill the requirements of the City's Stormwater Permit.

Vice Mayor Bracy inquired if Public Works employees could be certified to meet the requirements; the Planner stated yes.

The City Clerk stated the agreement could be terminated if the Public Works employees become certified.

Commissioner Engele made a motion, seconded by Commissioner Livingston, to approve the Interlocal Agreement with the City of Edgewater for Stormwater Inspection services. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

4. Joint Meeting with PLDRC, January 8, 2013 6PM

The City Planner stated a draft of the Comprehensive Plan should be completed by Friday and she will issue a copy to the Commission and the PLDRC before the scheduled joint meeting on January 8, 2013 at 6PM.

The City Planner would also like to inform the Commission there are plans for a Veterans' Cemetery in Scottsmoor and she commended Commissioner Engele for reaching out to Brevard County so the City would be aware of future plans in that area.

H. CONSENT AGENDA

1. Approval of the Bills and Paid Interim Bills for December 10, 2012
2. Approval of November 26, 2012 Regular Meeting Minutes

Commissioner Engele made a motion, seconded by Commissioner Livingston, to approve the Consent Agenda. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

I. OLD BUSINESS

- 1.

ORDINANCE NO. 2012-03

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 725 EAGLE WATCH 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 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.

Vice Mayor Bracy made a motion, seconded by Commissioner Bittle, to accept Ordinance 2012-03 as read. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

2.

ORDINANCE NO. 2012-04

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 375 BEEHIVE DRIVE 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.

Commissioner Livingston made a motion, seconded by Vice Mayor Bracy, to accept Ordinance 2012-04 as read. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

3.

ORDINANCE NO. 2012-05

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 337 BEEHIVE DRIVE 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.

Vice Mayor Bracy made a motion, seconded by Commissioner Bittle, to accept Ordinance 2012-05 as read. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

J. NEW BUSINESS

1. Strategic Plan Proposal

The Commission agreed to have a workshop to discuss the Strategic plan and Water and Sewer on December 17, 2012 6PM.

Julie Woods asked if she could invite a representative from Florida Rural Water Association to the Workshop, the Commission agreed.

2. Water and Sewer Workshop

Discussed previously.

3. Public Works Building Request for proposal

The City Clerk stated she is in the process of completing the Request for proposal for the Public Works Building and as soon as it is approved by the City Attorney an ad will be placed in the Newspaper.

4. Volusia Leagues Dinner Meeting

The City Clerk stated the City is the host for the March Volusia Leagues Dinner and any suggestions on location would be greatly appreciated.

The Commission briefly discussed Goodrich's but they were uncertain if they could handle the amount of people that attend.

5. Administrative Expenses

The City Clerk explained the City computers are in need of upgrades along with the server; the City's computer technician provided a quote of \$3395 to complete the work.

Vice Mayor Bracy made a motion, seconded by Commissioner Bittle, accept MTech's quote of \$3395 to upgrade the City's computer systems. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

The City Clerk informed the Commission that the City is need of a credit card and asked permission for the Mayor and Clerk to apply for one at SunTrust bank.

The Commission agreed by consensus.

The City Clerk asked if the Commission would be willing to give the employees a \$500 bonus this season.

Vice Mayor Bracy made a motion, seconded by Commissioner Bittle, to give each of the City's 4 employees a \$500 bonus. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

David Freeman, 142 Gary Avenue, requested the legal opinion of the City Attorney in reference to the Florida statute and the annexation of enclaves. Mr. Freeman said the statute states if there are 25 or more registered voters within an enclave the annexation can be voted upon.

The Commission agreed by consensus to send him the City Attorney's legal opinion.

K. BOARDS & COMMITTEES

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

Cynthia Livingston, Vice-Chair of the Waterfronts Committee, reminded the Commission there will be a presentation at the Waterfronts meeting on December 11, 2012 at 6PM and encouraged everyone to attend.

PLDRC (Planning & Land Development Regulation Commission)
Parks and Recreational Advisory Board
Historical Preservation Board

L. COMMENTS/CONCERNS FROM COMMISSION MEMBERS

Vice Mayor Bracy inquired about the sidewalk on East Halifax; he stated there are two areas that need to be inspected. The City Clerk stated she would inform Public Works.

M. ADJOURNMENT – 9:45PM



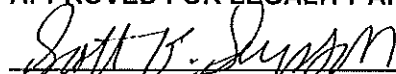
DOUGLAS GIBSON, MAYOR

ATTEST:



KOHN EVANS, CITY CLERK/ADMINISTRATOR

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.