



## **CITY OF OAK HILL**

### **SPECIAL CITY COMMISSION MEETING**

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

**234 South US Hwy 1**

**Oak Hill, FL 32759**

**386-345-3522**

**May 20, 2013**

**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 – Headline Surfer Marketing**

**The Mayor moved this item to the end of the meeting.**

#### **C. CITY ADMINISTRATION REPORTS**

1. Jordan and Associates – CDBG Small Cities Grant

**Ronnie Vanzant, Jordan and Associates Presented the following items for approval:**

1. Client# OH-05 (Robinson) – ACP Package #2 in the amount of \$25,539.20 requested by Conner Construction, LLC. Included within the attached file is a copy of the required Final Affidavit and Lien Waiver.
2. Client# OH-08 (Howland) – ACP Package #1 in the amount of \$11,277.60 requested by Conner Construction, LLC. Included within the attached file is a copy of the required Final Affidavit and Lien Waiver.
3. Client# OH-09 (Westberry) – ACP Package #1 in the amount of \$38,284.80 requested by Conner Construction, LLC. Included within the attached file is a copy of the required Final Affidavit and Lien Waiver.

**Mr. Vanzant also stated the Temporary Relocation Payment request from Client # OH-09 (Westberry) and Jordan and Associates monthly fee need to be approved.**

**Vice Mayor Bracy made a motion, seconded by Commissioner Livingston, to approve the requests as presented. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Abstained. The motion carried, 4-0.**

2. Florida Rural Waters

**The City Clerk informed the Commission that Rural Florida Waters associate Sterling Carroll stated the City's feasibility study should be completed in two weeks and he would be happy to appear by Skype at the June 10, 2013 Commission meeting to present it.**

3. Commissioner Compensation

**The City Clerk stated the Commission requested research to be done as to when and how the Commissioners' compensation was lowered from \$500 with a \$50 expense allowance to \$450 with no expense allowance. The research shows this was done by ordinance September 14, 2009.**

**The Mayor stated he brought the subject up initially because the Charter states that Commission members can be compensated for actual expenses incurred while performing their duties. The**

Charter does not however state any guidelines and this could cause problems in the future. The Commission should adopt an Ordinance outlining Commissioner Compensation.

Vice Mayor Bracy stated each member of the Commission should inform the Commission before attending various meetings and venues, as he feels the Commission has the right to know what is going on.

The Mayor stated he receives daily emails and phone calls inviting him to numerous meetings and occasions and he sees nothing wrong with showing his face and seeing what is going on in the County and State. He went on to state he agreed that any type of negotiating and policy making should be brought before the Commission.

Mary Lee Cook stated she believed the Commissioners should follow the Charter and inform the Commission before attending anything.

Bob Hogan, River Road, stated his family has been in Oak Hill for generations and he recalls what happened to Shiloh; he went on to state the only reason he was in attendance was because he heard that the Mayor and a Commissioner spoke at the County Council meeting and stated the City of Oak Hill was in support of the Space X Project. Mr. Hogan stated that is not the view of his family or himself.

The Mayor stated he did not state the City of Oak Hill was in favor of the project; he did state that he has heard various concerns from citizens as well as support.

Commissioner Bittle stated that anytime compensation is requested the Commission should have the chance to vote on it before the event is attended.

After further discussion by the Commission the subject of Commissioner compensation will be tabled until budget time in July.

#### 4. Letter to the County Council

The City Clerk stated that with the help of the City Planner, a letter to County Chair Jason Davis was sent requesting a joint meeting between the Commission and the County Council. The Clerk urged the Commission to formulate a list of topics including annexation to be discussed at this meeting.

#### D. CITY ATTORNEY NON-AGENDA ITEMS (Scott Simpson) - NONE

#### E. POLICE DEPARTMENT RELATED ITEMS (Captain Summers) - NONE

#### F. CITY PLANNER ITEMS (Montye Beamer)

##### 1. DEO Funding Opportunity

The City Clerk stated the City Planner would like to pursue a grant to assist the City in updating its Land Development Code.

Vice Mayor Bracy made a motion, seconded by Commissioner Livingston, to give the City Planner permission to pursue the DEO Funding Opportunity. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

#### G. CONSENT AGENDA

1. Approval of the Bills and Paid Interim Bills for May 20, 2013
2. Approval of the Regular meeting minutes of the May 13, 2013.

Commissioner Engele made a motion, seconded by Commissioner Bittle, to accept 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.

#### H. OLD BUSINESS

1. Space Florida (Vice Mayor)

The Mayor recognized County Council Woman Deb Denys and offered her the floor.

Deb Denys, County Councilwoman, District #3, stated Oak Hill is in an envious position in regards to the possibility of Space X moving into this area. She went on to express her complete support for this project and the revenue and growth it would bring to Volusia County. Ms. Denys stated the County Council has approved a Resolution showing support for this project and she urged the Oak Hill City Commission to do the same.

Vice Mayor stated there are many questions that need to be answered before the City could make a decision to support or not support Space X. He has heard the concerns of citizens. He then read a letter from David Roberson, an Oak Hill Citizen and fishing guide.

Mike Arman, Magda Lane, spoke about the different types of fuel that will be used and the lagoon closures. He also stated he felt that this is more about politics then space travel.

Sue Payne, Campton Avenue, stated she was concerned about an alleged 5 mile buffer that would engulf Oak Hill and cause a repeat of Shiloh.

Deb Denys stated a \$5 million Environmental Study will be beginning at the end of this year and it would answer a lot of questions and concerns of the public.

Commissioner Bittle stated she would like to go on record as completely against any type of launch facility in the area they are proposing.

#### **I. NEW BUSINESS**

##### **1. Commission Meeting Procedures (Mayor)**

The Mayor stated from this point forward a meeting will be conducted in a respectful matter; as the Chair he will follow Robert's Rule of Order (by Brig. Gen. Henry Martyn Robert). Therefore, no one shall speak until the Chair recognizes them and there will be no interrupting the person who has the floor. He went on to urge the Commission to leave their personal feelings at home.

##### **2. Elected Officials Ethics (Mayor)**

The Mayor stated at the last Commission meeting there were allegations that one or more Commissioners may have violated the ethics laws. He went on to state at this time the City Commission does not have any procedures to investigate these allegations and therefore if anyone would like pursue those allegations they would need to do so through the State and the Commission on Ethics. The Mayor also informed the Commission the Commission on Ethics will also give its opinion if anyone is not sure if an incident is a violation or not.

##### **3.**

##### **ORDINANCE NO. 2013-02**

**AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION PROPERTY LOCATED AT 214 INDIAN CREEK 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 2013-02. 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. BOARDS & COMMITTEES**

EZDA (Enterprise Zone Development Agency)

Mike Arman, EZDA Chairperson/Director, stated as a citizen he trusts the Commission to represent the City because they were voted in by the majority of the people.

Mr. Arman informed the Commission the State website has been updated except for an old phone number.

He went on to suggest the City obtain photographs of the homes that received the CDBG Small City funds; after the home owner's permission is received.

Mr. Arman informed the Commission he attended the RiverFest where he was able to meet and speak to numerous people.

#### Economic Development Board

Mike Arman, Chairman, stated he was monitoring prospects for business looking for property in Oak Hill; he will keep the Commission informed.

He is also pursuing an educational program from Fair Housing for new business owners.

#### Waterfront Committee

Cynthia Livingston, Vice – Chairperson, informed the Commission she had attended the RiverFest and set up a table and she was able to meet many people from Oak Hill and people from other places.

She also informed the Commission 3 monofilament recycling stations have been placed at the Bird Watch Tower, the Fishing Pier and Sunrise Park.

Request funds to attend the Spring 2013 Waterfronts Florida Program Meeting – Fort Myers and San Carlos Island:

After some discussion, Commissioner Engele made a motion, seconded by Commissioner Bittle, for Cynthia Livingston Vice – Chair to attend the Spring Waterfronts Meeting and after receipts are received to reimburse her for any reasonable expenses incurred while representing the City; not to exceed \$500. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Abstained; Commissioner Bittle, Yes. The motion carried, 4-0.

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

The Mayor recognized Henry Fredrick with Headline Surfer.

Henry Fredrick Editor of Headline Surfer presented the Commission with a proposal to advertise the City's events and other news on the Headline Surfer website for a annual fee of \$1200.

Commissioner Engele made a motion, seconded by Commissioner Bittle, to place this item on the agenda for decision. 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 Mayor then presented Mr. Fredrick a Proclamation commending the five year anniversary of his online newspaper.

#### K. CITIZEN PARTICIPATION (Non-agenda – 15 Minutes) - NONE

#### L. COMMENTS/CONCERNS FROM COMMISSION MEMBERS

The Mayor stated he would be attending the TPO meeting taking place Tuesday May 21, 2013. He went on to state he thinks it is imperative that the Commission go out and meet and talk to whomever they can because the City may benefit from it.

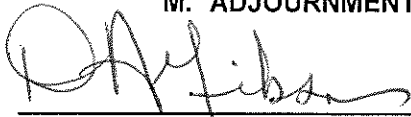
The City Clerk stated there is a US 1 Corridor meeting at the Brannon Center in New Smyrna Beach Tuesday May 21, 2013 at 5:30PM. Commissioner Livingston stated he would attend.

The Mayor commended Gary and Kathy Bittle for all their hard work in putting together the RiverFest; everyone he spoke to was quite pleased with the event.

Commissioner Engele stated the Commission should urge the County to assist the City in legislative annexation.

Commissioner Engele expressed the need for the Commission to speak about the desired goals of the City at a future Commission Meeting; he would like hear what goals the entire Commission would like to pursue.

M. ADJOURNMENT – 8:50PM



DOUGLAS GIBSON, MAYOR

ATTEST:



KOHN EVANS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:



SCOTT E. SIMPSON, CITY ATTORNEY

Note: In accordance with Resolution 2008-17, 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.