

CITY OF OAK HILL

CITY COMMISSION MEETING

CITY COMMISSION CHAMBERS – CITY HALL
234 South US Highway 1
Oak Hill, FL 32759
(386) 345-3522

January 13, 2014
6:00PM
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 Engle.

B. PRESENTATIONS - NONE

C. CITY ADMINISTRATION REPORTS

1. Fire Hydrants

The City Clerk informed the Commission that the installation of the fire hydrants will begin as soon as the locations of the various underground lines are marked, as everything else is in order and ready.

2. City Facebook Page

The City Clerk suggested the City of Oak Hill begin a Facebook page as it would be an excellent tool to spread the word of events and encourage community involvement.

The Mayor stated he would like this time to state the accomplishments by the City Commission since 2012:

Bringing the Comprehensive Plan update and ready for final approval; this will happen this year.
Entering Agreements with Edgewater for Dangerous Animal Control and Stormwater Management.
Requesting and accepting the bid for the Public Works Building, which has been talked about since 1999.
Construction of the building will be completed this year.
Approving and accepting the proposal for fire hydrants in Indian Harbor Estates.
The annexation of over 40 properties into the City and approval of free annexation for future annexations.

The Mayor went on to state this all has been done without raising the taxes of Oak Hill citizens.

D. CITY ATTORNEY NON AGENDA ITEMS - NONE

E. VOLUSIA COUNTY SHERIFF ITEMS – NONE

The Mayor closed the regular Commission Meeting and opened the Public Hearing.

F. CITY PLANNER ITEMS

1. **ORDINANCE #2013-03**

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA; REPEALING CHAPTER 18 (FLOODS) AND CHAPTER 24 (LAND DEVELOPMENT REGULATIONS), ARTICLE VII (REDUCTION OF FLOOD HAZARD IN THE AREA OF SPECIAL FLOOD HAZARD); ADOPTING A NEW CHAPTER 24 (LAND DEVELOPMENT REGULATIONS), ARTICLE VII (FLOOD CONTROL REGULATIONS) PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney read the Ordinance by heading only into record.

The City Planner stated City of Oak Hill received a Letter of Final Determination (LFD) from the Federal Emergency Management Agency (FEMA) on August 19, 2013, for the flood information to be utilized in the city. This letter sets the effective date of February 19, 2014, for the City's new Flood Insurance Rate Maps (FIRMs) and Flood Insurance Study (FIS).

This does not, however, set the actual rate to be charged for the various zones; these rates will be set by Congress where much discussion has occurred.

She went on to state Ordinance No. 2013-03 is the state-prepared model ordinance for Zones A and V with changes appropriate for the adoption by the City of Oak Hill. This is the second and final reading (adoption hearing). All floodplain management ordinances in Florida must submit to at the least three state reviews. The City of Oak Hill's draft was reviewed once and corrected; a month prior to the second reading Ordinance No. 2013-03 was again reviewed. These reviews were accomplished by the state specialists and were not totally accurate. The consultant for the State of Florida sent an additional review on December 24, 2013; the first few corrections are scrivener's errors and have been corrected in this ordinance submitted for the adoption hearing. Another ordinance will, however, be necessitated because of misinformation from the original state specialist. This additional ordinance will be included on the January 27, 2014, and February 10, 2014, agendas for the required two hearings. The February 19, 2014, effective date will be met, if these hearings are deemed acceptable. The FIRMs are also available in City Hall for review.

The Mayor asked if there was any Public Participation. There was none.

The Mayor closed the Public Hearing and opened the Regular Commission Meeting

Commissioner Engele made a motion to approve Ordinance 2013-03; Commissioner Bittle seconded the motion. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes. The motion carried, 5-0.

2. SJRWMD's Water Supply Plan

The City Planner informed the Commission the SJRWMD's Draft Water Supply Plan is ready for review at the floridaswater.com/DWSP2013 web address. She went on to encourage the Commission to review the plan as there are portions that concern Oak Hill; after reviewing the Commission is free to contact her with any questions.

G. CONSENT AGENDA

1. Review of the Bills and Paid Interim Bills for December 13, 2013, December 30, 2013 and January 13, 2014
2. Approval of the Minutes of the December 9, 2013 Commission Meeting.

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

H. OLD BUSINESS

1. RESOLUTION NO. 2014-01

A RESOLUTION OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA, AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF OAK HILL AND THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF STATE ROAD RIGHTS-OF-WAY BY THE CITY; SETTING FORTH AN EFFECTIVE DATE

The City Attorney read the Resolution into record by heading only.

Commissioner Engele made a motion to approve Resolution 2014-01; Commissioner Bittle seconded the motion. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes. The motion carried, 5-0.

2. Golf Carts

Vice Mayor Bracy stated he would like to move forward with a Golf Cart Ordinance to allow golf carts throughout the City.

The City Attorney stated the Commission needs to take into consideration: First the City needs to analyze the safety of operating golf carts on all roads in the City and County, paying attention to speed, volume and character of the roads. Secondly, the Commission needs to be aware of the difference between a Low-speed vehicle, which is allowed by state statutes, and a golf cart, which requires municipality approval and regulation.

Chuck Smith, Oak Hill, stated he felt there would be more golf cart owners if the City allowed them.

After discussion the Commission agreed to have a Workshop on the subject on January 27, 2014 at 5PM.

I. NEW BUSINESS - NONE

J. CITY GOALS

Public Works Storage Building

The City Clerk stated the slab is formed and ready to be poured and the building should be delivered by the end of the month.

The Vice Mayor inquired if there would be electrical piping running through the slab. The City Clerk stated there would not be.

The Vice Mayor expressed the opinion the electric should be run through the slab and it is an easy task to complete.

Commissioner Engele stated the electric will be easily installed through the walls after the building is built.

After some discussion the Commission gave no direction.

Annexations

The City Clerk stated the City is in the process of annexing 3 properties voluntarily and also pursuing further options.

Sunrise Park

This will be addressed under the Waterfront Committee.

Road Repair

The City Clerk explained a representative from Volusia County has assessed certain roads in the City and gave his opinion as well as the pricing to do the work. Commissioner Livingston and the Clerk will review the information and bring the findings to the Commission.

Water and Sewer

Commissioner Engele has been in contact with Mr. Carroll and a Final Feasibility study is close to completion; there are just a few projects ahead of the City.

K. BOARDS AND COMMITTEES

EZDA (Enterprise Zone Development Agency)

Waterfront Committee

Response from DEP in regards to out of cycle testing on the Lagoon

Jane Andrews, Waterfront Committee, stated they have received a response from Department of Environmental Protection. They stated they would agree to perform an out of cycle testing on the lagoon; yet gathering and evaluating that data could take years. They did offer to assist the City in any way they can, including writing a Nutrient Management Plan.

Ms. Andrews went on to suggest the City consider a Fertilizer Ordinance and also perform septic tank testing on at least the septic tanks east of US Highway 1.

After a discussion the Commission gave no direction in the matter.

Indian River Lagoon National Estuary Program proposal

Donia Dewees, Waterfront Committee chair, introduced Melinda Donnelly with the University of Central Florida.

Mrs. Donnelly explained this grant is a partnership that will provide a Community-Based Living Shoreline at Sunrise Park in Oak Hill.

The City Clerk inquired if the City would be responsible for the cost of publications and mailings that are required by the grant.

Mrs. Donnelly stated the City would only be required to help recruit the volunteers to help create various portions of the project.

After some discussion, Commissioner Bittle made a motion to enter a partnership with the University of Central Florida and apply for the Indian River Lagoon National Estuary Program.

The City Attorney suggested the motion be amended to include the City would not be liable for monetary requirements; the City is only required to help provide volunteers to help with the project.

Commissioner Bittle rescinded the original motion.

Commissioner Bittle made a motion, seconded by Commissioner Engele, to agree to enter a partnership with the University of Central Florida and apply for the Indian River Lagoon Estuary Program, with the understanding the City is not liable for monetary funds and is only required to help provide volunteers for the project. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Bittle, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes. The motion carried, 5-0.

Concerns with the Restoration Program in the Lagoon

Mike Sullivan introduced himself to the Commission and stated he has been in the shellfish industry for 22 years. He has come to the Commission to show them the construction that is taking place in the Mosquito Lagoon with a permit that was acquired in 2009. He provided the Commission with a packet including photos and information in regards to the subject.

After the Commission listened to Mr. Sullivan speak and viewed the photos he presented, they decided to send a letter to the County Council Chairperson, sending copies to the City of Edgewater's Mayor and various State Representatives.

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

L. CITIZEN PARTICIPATION (NON AGENDA ITEMS)

Lyn Seaward, Ezra Road, stated that Niagara Bottled Water Company is trying to enter an agreement with SJRWMD to increase their Consumptive Use Permit (CUP) from 484,000 gallons per day to 910,000 gallons per day. She then provided the Commission with a website where they could comment.

Cynthia Livingston, Galbraith Road, stated that it seems that the City Commission and its boards do a lot of 'rabbit trailing' but she still sees progress.

M. COMMENTS AND CONCERNS FROM THE COMMISSIONERS

Commissioner Livingston stated he is upset about the state of the Lagoon and the City needs to continue to pursue the causes and then fix the issues.

N. ADJOURNMENT – 9:16PM



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.