

CITY OF OAK HILL

CITY COMMISSION MEETING

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

**February 10, 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 Engele.

B. PRESENTATIONS – Fair Housing Public Hearing

The Mayor moved to City Administration Reports.

The Mayor introduced Sterling Carroll from Florida Rural Waters Association as he appeared via SKYPE.

Mr. Carroll stated he prepared a Feasibility Study for the initial phase to provide water and wastewater services to residents and businesses of Oak Hill. He went on to explain this initial phase includes installing pipes from where they end at the Lighthouse Cove subdivision and extend the pipes down US Highway 1 to Lagoon Avenue. This phase would bring water and wastewater service to current business owners including the Oak Hill Flea Market, Oak Hill Station 22 Fire Department, Oak Crest Landing subdivision, the health clinic and set the stage for new businesses to come to Oak Hill.

The Commission expressed its satisfaction with the study and stated there were no questions at this time.

C. CITY ADMINISTRATION REPORTS

The Mayor closed the regular City Commission meeting and opened the First Public Hearing for the CDBG Application requirements.

The City Clerk explained this public hearing is in regards to the City of Oak Hill applying for the Small Cities Community Developmental Block Grant (CDBG). This grant must be for the following purposes:

1. To benefit low and moderate income persons; or
2. To aid in the prevention or elimination of slums or blight; or
3. To meet other community development needs of recent origin having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and where other financial resources are not available to meet such needs.

The categories of activities for which these funds may be used are in the areas of housing, neighborhood revitalization, commercial revitalization, or economic development, and include such improvement activities as acquisition of real property, loans to private-for-profit business, purchase of machinery and equipment, construction of infrastructure, rehabilitation of houses and commercial buildings, and energy conservation.

The City of Oak Hill created the Citizens Advisory Task Force and the members met on February 7, 2:00PM. At the meeting the group discussed the purpose of the grant and the most beneficial grant activities for the community. After discussion the group agreed to recommend the Housing Revitalization activity to benefit low to moderate income persons in the City.

The group also discussed the importance of Fair Housing in the City and made a few suggestions on the best ways to educate the community.

The Mayor asked if there was any public comment.

Tim Fitzgerald, Gaines Street, inquired when the applications for interested home owners would be available.

The City Clerk explained that the City is only at the beginning steps of the grant and it would be a couple of months before that information will become available.

The Mayor closed the Public Hearing and re-opened the City Commission meeting.

Commissioner Engele made a motion to accept the Citizen's Advisory Task Force recommendation and prepare a draft application for the Small Cities Community Development Block Grant for the benefit of low to moderate income persons by revitalizing their housing; it was seconded by Commissioner Bittle. 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 explained the importance of Fair Housing education. The Clerk read the City of Oak Hill's Fair Housing Statement into record.

City of Oak Hill has passed a Fair Housing Ordinance, which includes provisions for citizens' complaints, if they feel they have been discriminated against, and provisions to investigate the complaints. If a citizen(s) believes they have been discriminated against, they may contact the City of Oak Hill. The City of Oak Hill shall investigate. If the City of Oak Hill deems the complaint is justified, the City of Oak Hill may ask the State Attorney's Office to prosecute the person(s) the complaint is made against. Additionally, the City of Oak Hill periodically evaluates all the local ordinances and practices of the local lending institutions, realtors and apartment complexes to ensure all are in compliance with State and Federal Fair Housing Laws.

The Clerk addressed the public and stated that she was the Fair Housing Coordinator and if anyone has any questions in regards to Fair Housing in the City please feel free to contact City Hall. She also directed everyone to the poster and information in the back of the Chambers that shows additional phone numbers and websites.

The City Clerk informed the Commission that there will be a Public Scoping meeting in reference to the Environmental Impact Statement for the Shiloh Launch Complex on February 11, 2014 from 5PM – 8PM at the New Smyrna Beach High School.

1. Fire Hydrant Change Order

The City Clerk stated Maximum Fire Services has submitted a Change Order for the difference in cost due to being required to change the original fire hydrant used in the quote to the fire hydrant that is required by the County.

After a short discussion, Commissioner Engele made a motion to approve Change Order #1 as submitted by Maximum Fire Services and it was seconded by Commissioner Bittle. 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. Commission Meeting August 26, 2013 Correction

The City Clerk explained that in reviewing the August 26, 2013 minutes both written and recorded, the written minutes failed to include the Mayor's statement that a recent change in the Comp Plan did not include a certain portion of a property. During the Planner Items the Planner presented a letter from a business owner in regard to changing his property to commercial. The Commission agreed he would have to apply for a zoning change with the City.

Commissioner Engele made a motion to approve the change in the written minutes as stated by the City Clerk; it was seconded by Commissioner Bittle. Roll Call Vote: Mayor Gibson, Yes; Vice Mayor Bracy, Yes; Commissioner Engele, Yes; Commissioner Livingston, Yes; Commissioner Bittle, Yes. The motion carried, 5-0.

D. CITY ATTORNEY NON AGENDA ITEMS - NONE

E. VOLUSIA COUNTY SHERIFF ITEMS - NONE

F. CITY PLANNER ITEMS

1.

ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA; AMENDING CHAPTER 10 (BUILDINGS AND BUILDING REGULATIONS), ARTICLE I (IN GENERAL) BY ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Engele made a motion to accept Ordinance 2014-01 as read, and it was seconded by Commissioner Bittle. 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. 2013-01

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE CITY'S COMPREHENSIVE PLAN PURSUANT TO THE EVALUATION AND APPRAISAL REPORT (EAR); TO INCLUDE REVISIONS TO THE FUTURE LAND USE ELEMENT, POPULATION SUB-ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, PUBLIC FACILITIES ELEMENT, COASTAL MANAGEMENT ELEMENT, CONSERVATION ELEMENT, RECREATION & OPEN SPACE ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT, CAPITAL IMPROVEMENT ELEMENT, PUBLIC SCHOOL FACILITIES ELEMENT AND EACH ELEMENT'S APPLICABLE MAP SERIES; ESTABLISHING THE CITY OF OAK HILL COMPREHENSIVE PLAN 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

The City Planner explained An Executive Summary (dated May 1, 2013) was included in the original transmittal of the Comprehensive Plan EAR based amendments to the Department of Economic Opportunity (DEO), the Volusia Growth Management Commission (VGMC), and various state and county reviewing agencies. That Executive Summary dated May 1, 2013, remains as a part of this package; however, with the specific modifications taken subsequently, this Adoption Summary updates all actions or modifications to the proposed plan since the May 1, 2013 date.

The DEO on June 19, 2013 determined that all required materials were in the submitted package and that the Agency's Objections, Recommendations and Comments (ORC) Report would be mailed on or about August 17, 2013. On August 16, 2013 the City received the ORC Report containing four objections. The Report is attached to this Adoption Summary as "Exhibit A." After thorough review by the City, changes were made to the Plan in preparation for adoption concerning Objections 1, 3 and 4 as answered in "Exhibit B" and also integrated within the appropriate Chapters of the Plan as delineated in the Exhibit. Objection 2 has been inserted as the final attachment to the completed plan, following the maps and tables; the attachment contains the Data and Analyses required by the ORC Report. The Florida Shimberg Center for Housing Studies was utilized for describing the City's Population from the 2010 U. S. Census Data and Population Projections extrapolated from the annual estimates and projections the Florida Office of Economic and Demographic Research publishes and further projected into five-year increments according to age by the Shimberg Center.

Pursuant to the County of Volusia Charter, the Draft Comprehensive Plan was provided to the VGMC. It was reviewed by the VGMC's consultant as well as the staffs of the County and the surrounding cities. On July 18, 2013 the VGMC Chairman issued a letter which commended the City of Oak Hill for furthering intergovernmental cooperation and coordination and which certified the proposed amendment to be in compliance with the consistency review criteria stipulated in Section 90-37(c) of the Volusia County Code.

The proposed Future Land Use Map (2025) has been displayed in the City Commission Chambers since April, 2013. There have been a few questions and discussions concerning possible changes to the land use and/or

different interpretations to the lines as drawn in October, 1994 for the Future Land Use Map 2010 and the present boundaries for 2025 which are now shown by actual property lines as defined in the Property Appraiser's GIS files. These were as follows:

(1) Letter from Thomas H. Warlick to the City Commission was received on May 6, 2013. The City Commission entertained the request along with their Planning Consultant's recommendation on August 26, 2013, at its regularly scheduled meeting. The minutes confirmed their denial of his request. The information as outlined is shown in "Exhibit C"; included there are his letter and attached map, the memo from the consultant and the Commission minutes.

(2) Louis Morehead outlined his property future use disagreements to the City Commission in a letter dated August 12, 2013. Mr. Morehead had discussed this issue with several state department officials as well as the City's contract planner. The configuration of the water's edge in 1994 and in 2013 were compared by the Florida Department of Environmental Protection along with the city planner and described in a position paper entitled Future Land Use Mapping. The City Attorney accepted the logic outlined in the paper. These documents were presented to the City Commission in several of its public meetings both under Citizens Participation and also as an agenda item August (12 and 26) and September (9 and 23), 2013. The entire package along with the minutes of the meeting where Commission action was taken is hereby submitted as "Exhibit D." The resulting change has now been made a part of the Future Land Use Map 2025 and is included in the plan amendment adoption ordinance; the commercial land use had not previously been transmitted to DEO.

(3) There were questions and calls from property owners and/or real estate agents requesting clarification on the further use of mosquito impoundments and ditches. No written documents resulted from these questions. No additional modifications have been made to the Transmitted Comprehensive Plan.

The final addition to the plan amendment is the map which shows the new Federal Insurance Rate Map (FIRM) changes for the City of Oak Hill. The ordinance adopting the maps and the regulations for the development of parcels within the Zones A and V had the two necessary Public Hearings with the placement of the Federal rules into the City's Land Development Regulations; the maps are included herewith in order to further define flood prone lands and possible preservation of wetlands.

The Planner also stated there is a list of important deadlines for the City to complete as it pertains to the plan.

Louis Morehead, Scottsmoor, stated he believed that there was an error in the Future Land Use Map; he stated all his properties located on the east side of River Road should have been changed to Commercial and only two of them were changed.

The Mayor stated there is nothing he could do at this point and will place this on the next agenda.

Mr. Slaymaker, Oak Hill, stated he was upset as he felt the City did not notify him properly that his property's future designation was going to be changed.

The Mayor stated he understood the frustration but the City is bound by State Statute and must follow those procedures.

Commissioner Engele made a motion to accept Ordinance 2013-01 as read; it was seconded by Commissioner Bittle. 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. Review of the Bills and Paid Interim Bills for February 10, 2014
2. Approval of the Minutes of the January 27, 2014 Commission Meeting and Workshop, and February 3, 2014 Workshop minutes.

The Mayor questioned the City Attorney's bill in regard to the numerous times the Vice Mayor contacted the City Attorney.

The Vice Mayor stated he would discuss this with the City Attorney.

The Commission agreed to hold the Attorney's check until the matter is resolved.

Commissioner Engele made a motion to approve the Consent Agenda, and it was seconded by Commissioner Bittle. 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. Golf Carts

The City Clerk stated she had adjusted the Golf Cart Draft Ordinance to reflect the suggestions that were made at the Workshop that was held on February 3, 2014.

The Mayor was told that TPO could do a traffic study but he had not received a call back on what the cost would be.

The City Clerk suggested that the Ordinance omit Lighthouse Cove and Indian Harbor Estates, as these communities already are following the regulations set forth by State statute.

The Commission questioned if this could be done.

The City Planner stated this in fact can be done.

The Commission agreed to add wording to the Ordinance that would state those communities are already adhering to State statute.

James Goodrich, Lagoon Avenue, stated he felt that drivers of the golf carts must be 16 years of age or older and have no revocation or violation on their license.

The Commission agreed the driver of a golf cart should be 16 years of age or older and hold a valid driver's license.

2. Charter Review Committee Suggestions - Tabled

I. NEW BUSINESS

J. CITY GOALS

Public Works Storage Building
Annexations
Sunrise Park
Road Repair
Water and Sewer

K. BOARDS AND COMMITTEES

EZDA (Enterprise Zone Development Agency)

Mike Arman, EDZA director, stated he was very pleased to help the City apply for a second Small Cities CDB Grant.

Mr. Arman stated he had researched the cost of ordering hats and bags with the City seal.

Commissioner Livingston inquired if Mr. Arman could research for USA made products.

Mr. Arman stated he would research it and bring it back to the Commission.

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

L. CITIZEN PARTICIPATION (NON AGENDA ITEMS)

Donia Dewees, Adams Street, stated she was now the only volunteer helping the children cross the roads and asked if everyone would help get more volunteers. She also stated she felt there needed to be more Deputy presence in the school area during drop off and pick up times.

M. COMMENTS AND CONCERNS FROM THE COMMISSIONERS

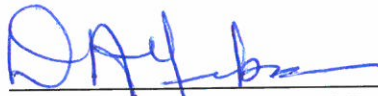
Commissioner Livingston thanked Ms. Dewees and stated he was sure the parents appreciate her hard work.

Commissioner Engele stated the Audubon Society is filling a bus load of people to attend the Scoping meeting for the Shiloh Launch Complex.

The Vice Mayor stated he felt they should hold meetings in Oak Hill since it affects this area the most.

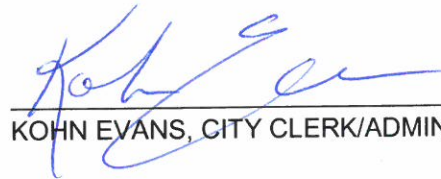
Commissioner Engele thanked the City Planner for all the hard work she put into the Comprehensive Plan.

N. ADJOURNMENT – 8:34 PM



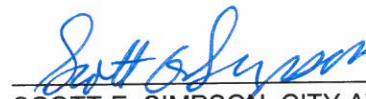
DOUGLAS GIBSON, MAYOR

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.