

CITY OF OAK HILL

CITY COMMISSION MEETING

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

July 14, 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

C. CITY ADMINISTRATION REPORTS

1. Review of the Bills and Paid Interim Bills for July 14, 2014

The City Clerk presented the financial report and there was no comment.

2. Budget Workshops

The City Clerk stated the Commission will need to schedule a Budget Workshop.

The Commission agreed to July 28, 2014 at 5PM.

3. Mid-Year Budget Adjustments

The City Clerk presented the mid-year Budget adjustments.

Commissioner Engele made a motion to accept the budget adjustments as presented; 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.

4. Personnel Manual

A resolution for the adoption of the Personnel Manual will be on the next agenda; the City Clerk will be distributing a CD version of the manual to the Commission and employees.

5. Meeting with County – River Road Parking

The City Clerk stated she attended a meeting with Commissioner Engele, Jim Goodrich and Mary Ann Connors of Volusia County; the discussion was in regards to the need for parking at Goodrich Seafood and the fishing pier on River Road.

Jim Goodrich, Lagoon Avenue, stated he discussed with the county the history of the bayou and River Road.

Mary Ann Connors stated she would do some research in regards to this matter.

6. Community Development Block Grant

The City Clerk informed the Commission the City did not receive the Community Development Block Grant for FY2013.

7. Upcoming Vacation – City Clerk

The City Clerk stated she will be on vacation on the following dates: July 25th – 28th and August 14th – 18th.

D. CITY ATTORNEY NON AGENDA ITEMS - NONE

E. VOLUSIA COUNTY SHERIFF ITEMS - NONE

F. CITY PLANNER ITEMS - NONE

G. CONSENT AGENDA – NONE

H. OLD BUSINESS

1.

ORDINANCE #2014-05

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS FUTURE LAND USE, BY CHANGING APPROXIMATELY 3.40 ACRES LOCATED ON THE SOUTH SIDE OF RIVER ROAD/CANAL AVENUE FROM, LOW DENSITY RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

The planner stated this land use change has been approved by Volusia Growth Management Committee. After this second reading the Ordinance will be transmitted to the State and there will be a 31 day time period for any comment from the public. When the time period has ended the ordinance will be in effect.

Vice Mayor Bracy made a motion to approve the second reading of Ordinance 2014-05, amending the effective date to reflect the state's required 31 day waiting period; it was seconded by Commissioner Engele. 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 #2014-06

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS UNIFIED LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY 3.40 ACRES LOCATED ON THE SOUTH SIDE OF RIVER ROAD/CANAL AVENUE FROM R-1, LOW DENSITY RESIDENTIAL TO B-2,

MARINE COMMERCIAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

The City Planner stated the rezoning of this property will not be in effect until after the land use change becomes effective.

Vice Mayor Bracy made a motion to approve the first reading of Ordinance 2014-06 amending the effective date to the date Ordinance 2014-05 becomes effective; it was seconded by Commissioner Engele. 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. NEW BUSINESS

1. Brownfield Grant – 126 East Halifax

The City Clerk stated the City of Oak Hill has not submitted a property for the Brownfield assessment grant. She stated the City of New Smyrna Beach has decided to use a City owned property; so she suggested Oak Hill do the same. The Clerk suggested using the property at 126 East Halifax Avenue, the former Public Works building and historically a fire station.

The Commission agreed by consensus.

2. 1st Public Hearing – City Charter

The City Attorney suggested the Commission have a discussion and public input at this meeting, as required by the Charter. Then at the second public hearing the Commission can have first reading of Ordinance 2014-07.

The Commission agreed.

ORDINANCE #2014-07

~~AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA ADOPTED PURSUANT TO FLORIDA STATUTE SECTIONS 101.161 AND 166.031 SETTING FORTH A NEW CITY CHARTER TO BE SUBMITTED TO THE VOTERS OF THE CITY AT THE NEXT REGULARLY SCHEDULED ELECTION; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.~~

The Mayor opened the floor to public comment.

Richard Brice, Marsh Landing Loop, stated as a former Charter Review Committee member, this document was well put together. He had one concern and that was in Section 4.02 in regards to the Mayor: the former Charter stated the Mayor would have a vote and a voice; the proposed Charter only states the Mayor has a vote.

Fred Peters, Marsh Landing Loop, stated he also thought this was a well-designed document. He stated his concern was with Section 4.08 in regards to Special Meetings; he felt that stating the majority of the Commission could call a special meeting could imply a Sunshine Violation. He also suggested that in Section 6.02 in regards to Law

Enforcement, the Commission add wording stating the Law Enforcement needs to be State certified.

Euda Mary Alderman, Ridge Road, stated she has been through the process of past Charter amendments and she commended the current Charter Review Committee on producing a well written document. She stated that in Section 4.02 in regards to duties of the Mayor, it is a bit confusing as to whether the Mayor "shall" do these things or "may" he do them. She suggested specifying a "may" or a "shall" at the beginning of each duty. She also stated in Section 4.06 in regards to forfeiture of office, it refers to a Clerk; yet there is no description of this position.

Jim Goodrich, River Road, stated he was happy the proposed Charter moves towards a City Administration type government.

Jason Davis, County Council Chair, commended the Charter Review Committee on a job well done and he hopes the proposed Charter makes its way to the people of Oak Hill to be approved.

The City Attorney addressed the comment about the proposed Charter referring to the Clerk, by stating it was not the intention to create another position and he suggested cleaning up the verbiage to state that the City Administrator would also perform the duties of the City Clerk.

The Mayor suggested adding verbiage to Section 6.02 A in reference to terminating and suspending employees, to state this will only be done with the permission of the Commission.

The City Attorney stated that is how the current Charter reads and he suggested this be changed.

Commissioner Bittle stated she prefers the Commission approve terminations and/or suspensions.

Derwin Smothers, Charter Review Committee Chair, suggested adding verbiage to 6.02 that will state the Commission can set personnel policy requiring approval of hiring and firing of certain positions.

Commissioner Engele stated he was comfortable with a terminated or suspended employee coming to the Commission through an appeal process.

After discussion the Commission agreed to incorporate the changes suggested by the public comments.

After discussion the Commission agreed to have an additional Joint Meeting with the Charter Review Committee.

J. CITY GOALS

Annexations

ISBA was approved.

Road Repair

Water and Sewer

The Mayor stated he has an appointment with Zahn Engineering to discuss changing the Phases of the Water/Sewer Plan they have previously created.

Commissioner Engele stated Florida Rural Waters Final Feasibility Study was received by the office today and he would like this placed on the next agenda.

K. BOARDS AND COMMITTEES

EZDA (Enterprise Zone Development Agency)

Waterfront Committee

Appoint new member

Commissioner Engele made a motion to approve the appointment of Louis Detitta 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.

PLDRC (Planning & Land Development Regulation Commission)

Charter Review Committee

Dissolve Committee - Denied

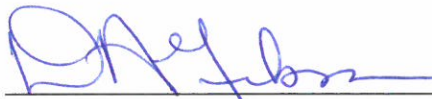
Parks and Recreational Advisory Board

L. CITIZEN PARTICIPATION (NON AGENDA ITEMS) - NONE

M. COMMENTS AND CONCERNS FROM THE COMMISSIONERS - NONE


N. ADJOURNMENT – 7:30PM

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.



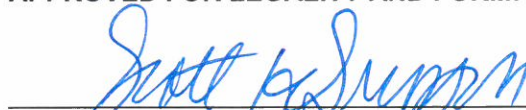
DOUGLAS GIBSON, MAYOR

ATTEST:



KOHN EVANS, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:



SCOTT E. SIMPSON, CITY ATTORNEY