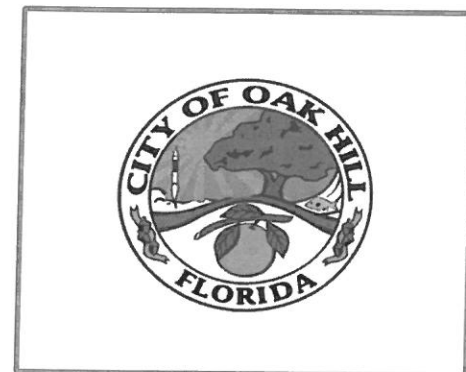


CITY OF OAK HILL

CITY COMMISSION MEETING

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



February 23, 2015

6:00PM

MINUTES

A. OPENING

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

The Mayor thanked the public for attending.

Roll Call.

Present: Mayor Gibson, Vice Mayor Bracy, Commissioner Livingston, Commissioner Bittle, Commissioner Hyatt.

B. PRESENTATIONS

C. CITY ADMINISTRATION REPORTS

1. Review of the Bills and Paid Interim Bills for February 23, 2015

D. CITY ATTORNEY NON AGENDA ITEMS

E. VOLUSIA COUNTY SHERIFF ITEMS

F. CITY PLANNER ITEMS

G. CONSENT AGENDA

H. OLD BUSINESS

The Mayor suggested the Commission move Ordinance 2015-07 and 2015-08 ahead of the other Agenda Items.

Motion: Ordinance 2015-07 and 2015-08 be moved ahead of the other agenda Items. , **Action:** Approve, Moved by Vice Mayor Bracy, Seconded by Commissioner Livingston. **Vote:** Motion passed (summary: Yes = 4, No = 1, Abstain = 0).

Yes: Mayor Gibson, Commissioner Livingston, Commissioner Bittle, Commissioner Hyatt.

No: Vice Mayor Bracy.

The City Attorney stated he would like to go over the Memo he created for the Commission, in hopes it will help the public understand what the City is dealing with today and what the City is not dealing with today. He went on to explain that when Cities consider Land Use changes there are two types of actions; one is a policy type action and that is where the City puts rules in place for the future growth of the City, this is done as a legislative body The other type of action is when the City takes the policy they have created and apply it to a property, this is done as a Quasi-Judicial government. What the Commission has in front of them now is a policy issue and therefore they are sitting as a legislative body creating the rules. The first Ordinance is Comprehensive Plan text amendment; the Comprehensive plan is a guideline for growth in the City. The second ordinance is to create a new zoning classification. The City Attorney stated the Commission is setting rules in place for a 415 acres property, regardless of who the applicant may be. If this property goes to the rezoning stage the City would receive more specific information; but that will be decided at a later date.

The City Attorney urged the Commission to focus on what an applicant can request and what can the City require them to do.

The Mayor opened questioning to the public on what the Attorney has stated.

Melissa Jones, 281 Galbraith, asked to clarify the items on the agenda.

Vice Mayor Bracy stated as understands once the Comprehensive Plan is changed the Commission then is tied to their decision and could not deny an applicant.

The City attorney clarified the Commission could deny an applicant but the City would be required to show substantial competent evidence.

Kate Bell, 356 Davenport, questioned what piece of property is being discussed.

Euda Mary Alderman, Ridge Road, want to clarify there would be two scenarios and the choice of the use depends on which zoning the applicant chooses. The City Attorney agreed.

David Lee, 130 North Putnam Road, wants to know what the big secret is.

Robert Clinton, 4210 Liza Putnam Road, questioned the use that is being considered.

Denise King, 251 South US Highway 1, questioned after these Ordinances are adopted would the Commission still be able to stop the applicant during the rezoning process. The City Attorney stated the City could restrict further ultimately stopping the project.

Melissa Jones, 281 Galbraith, wanted to clarify again the policy that is up for consideration.

Jane Andrews, 183 South US Highway 1, stated as the PLDRC Chair the committee recommended that large portions be used as Conservation and/or Agriculture.

Lyn Seaward, 315 Ezra Road, stated as a PLDRC member, if the public is interested in what is going in the City all of the meetings are open to the public and she urged everyone to attend.

Planning Solutions gave the overview of the application and stated the PLDRC recommendation to the Commission.

Commissioner Livingston, questioned if there were still going to be two scenarios.

Commission Hyatt, asked for an example of a how tall a 100ft building is?

Commissioner Bittle questioned how the Commission can approve a 100ft building without insuring proper emergency vehicles are available. The City Attorney stated this would be addressed during the rezoning stage.

Vice mayor Bracy, stated the City has a 35ft height limit for a reason. He then questioned the application process.

The Mayor stated he did sign a confidentiality agreement; he went on to explain he was approached by the property owner and Mr. Sharples and they stated this project would bring water and sewer to Oak Hill. He stated he wanted to be sure to explore every option to bring water and sewer throughout Oak Hill, as the Commission agreed they wanted him to do. He explained he also told Mr. Sharples he should speak with all the Commissioners and the citizens whose ancestors reside in the cemetery on the subject property.

He went on to explain he thinks allowing for manufacturing on that property would be beneficial to the citizens, property owner and the city.

Vice Mayor Bracy stated he has heard different possibilities for this site and he is concerned for the environment and he thinks the Commission needs more information.

Kent Sharples, CEO Business Solutions, explained his past job as a College Presidents and now he is working to create jobs. He explained he works with what is called a site selector, whom is someone who looks for property for future businesses desired by investors. His job is to show the site selector the best property for the project.

He went on to say that as the City moves through the process more information will come forward.

Charlie Dean, 157 East Halifax, stated there are just a few businesses in Oak Hill compared to large amount of businesses that used to be here; and now Oak Hill has become a bedroom community. Oak Hill needs to look at this opportunity.

Melissa Jones, Galbraith Avenue, where will this possible building be located in the Activity Center. The City Attorney stated the regulations state as close to the center as possible. Mrs. Jones went on to ask what government entity will regulate safety of what is manufactured on the site. The City Attorney stated the City will make sure proper entities would be Kevin Dell, 366 Davenport Lane, why is the City being so specific with the Comprehensive Plan.

Jeff Coleman, 243 Alan Avenue, stated he wants to know what they plan

Jamie Sully, 272 North Brooks Circle, stated she loves Oak Hill and would love it if her children had opportunities here when they grow up and she feels Oak Hill should move forward.

Tim Palmer, 200 East Halifax Avenue, he feels as soon as a church or community starts to only talk about what was that church or community is already dying. He implored the commission to look at this opportunity.

Jan McGee 247 East Halifax, she stated she is speaking on behalf of Burns Sci-Tech Charter school and she believes this opportunity would be a positive impact in Oak Hill.

Thaddeus Smith, 293 Hickory Street, stated this is a positive step for Oak Hill.

Bill McGee, Halifax Avenue, read a letter from his son Steve McGee, which stated it is time for Oak Hill to look to the future. He stated he agreed with his son.

Denise King, 250 South US Highway 1, she stated her family has been here a long time and she has been watching Oak Hill die; she went on to state it is time to bring opportunity here. She implored the Commission to please move forward with an open mind.

Nadine Wosenske, 726 North US Highway, asked if the City is only considering this because there is a carrot being dangled in their face. Look at everything closely.

Pat Symons, 352 Beehive Drive, stated let us not concentrate on what was, instead focus on what can be.

Fred Peter, Marsh Landing Loop, stated the City adopted a Resolution to not discuss water and sewer; please do not let history repeat itself.

Jose Beauchamp, stated there is nothing here for work therefore please

Jane Andrews, South US Highway 1, stated in Scenario #1 PLDRC

239 Flamingo Road, do not make a decision with fear and emotions; go in with an open mind and an analytical mind.

The Mayor stated that no one on the Commission wants to do anything to jeopardize the city or citizens.

Robert Clinton, Liza Clinton Road, stated his siblings and other family members have all left to find work; the City needs to explore the options.

Vice Mayor asked the City Attorney if the Commission amends the height limit tonight will the commission have the right to tell the applicant no when they apply for the rezoning. The City Attorney stated once they policy is adopted and then the Commission would have to prove to the applicant why they deny the request.

Commissioner Livingston stated I want to see American jobs brought to the City, but he does not want to see a subdivision. City Attorney read the Ordinance into record, by heading only.

2.

ORDINANCE #2015- 07

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS COMPREHENSIVE PLAN BY AMENDING CHAPTER 1 FUTURE LAND USE ELEMENT, POLICY 1.1.2.H. PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Motion: Ordinance 2015-07, Action: Approve, Moved by Commissioner Livingston, Seconded by Mayor Gibson, after he passed the gavel.

Vote: Motion passed (summary: Yes = 4, No = 1, Abstain = 0).

Yes: Mayor Gibson, Commissioner Livingston, Commissioner Bittle, Commissioner Hyatt.

No: Vice Mayor Bracy.

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

3.

ORDINANCE #2015- 08

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS LAND DEVELOPMENT REGULATIONS, BY ADDING AN ACTIVITY CENTER PLANNED DEVELOPMENT ZONING CLASSIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

**Motion: Ordinance 2015-08, Action: Approve, Moved by Commissioner Livingston, Seconded by Commissioner Hyatt.
Motion passed unanimously.**

The City Attorney stated there is a sign in sheet and if any citizen would like to be notified of the next meetings please sign your name.

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

1.

ORDINANCE #2015-04

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS FUTURE LAND USE, BY CHANGING APPROXIMATELY .96 ACRES LOCATED ON THE SOUTH SIDE OF WEST HALIFAX DRIVE FROM, VOLUSIA COUNTY RURAL TO CITY OF OAK HILL AGRICULTURAL; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Motion: Approve Ordinance 2015, Moved by Vice Mayor Bracy, Seconded by Commissioner Hyatt.

Motion passed unanimously.

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

2.

ORDINANCE #2015-05

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS UNIFIED LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY .96 ACRES LOCATED ON 485 WEST HALIFAX AVENUE FROM VOLUSIA COUNTY MH-3 TO CITY OF OAK HILL MEDIUM DENSITY A-1; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Motion: , Action: Approve Ordinance 2015-05, Moved by Vice Mayor Bracy, Seconded by Commissioner Hyatt.

Motion passed unanimously.

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

3.

ORDINANCE #2015-06

AN ORDINANCE OF THE CITY OF OAK HILL, FLORIDA, AMENDING ITS UNIFIED LAND DEVELOPMENT REGULATIONS, BY REZONING APPROXIMATELY .36 ACRES LOCATED ON 372 BEEHIVE DRIVE FROM VOLUSIA COUNTY MH-5W RESIDENTIAL TO CITY OF OAK HILL MH-1; PROVIDING FOR SEVERABILITY; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HERewith; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

Motion: , Action: Approve Ordinance 2015-06, Moved by Commissioner Bittle, Seconded by Commissioner Livingston.

Motion passed unanimously.

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

4.

ORDINANCE NO. 2015-01

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA AMENDING ARTICLE II.(RULES OF INTERPRETATION AND DEFINITIONS): SECTION 24-40 (DEFINITIONS); ARTICLE V. (ZONING: USE, DENSITY AND INTENSITY) SECTIONS 24-453(MH-1 MOBILE HOME SUBDIVISION CLASSIFICATION), 24-493 (EXCEPTIONS TO MINIMUM YARD OR LOT COVERAGE REQUIREMENTS), AND 24-501 (SPECIAL EXCEPTIONS) OF CHAPTER 24 (LAND DEVELOPMENT REGULATIONS) OF THE CITY OF OAK HILL CODE OF ORDINANCES; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY; PROVIDING FOR CODIFICATION AND AN EFFECTIVE DATE.

Motion: Action: Approve Ordinance 2015-01, Moved by Commissioner Bittle, Seconded by Commissioner Livingston.
Motion failed.

Paul Davis, Gary Avenue, stated he would like to have stricter regulations. He also asked why the 100ft depth was removed. Jane Andrews, PLDRC chair, stated the community is slowing changing to a quaint fishing community made up of single family homes.

Kate Bell, 356 Davenport, stated she feels she wasn't notified of a first reading. She went to state there seems to be inconsistencies and the permitted uses are not properly defined. She feels this ordinance should not be approved tonight.

Paul Davis, Gary Avenue, stated he does not want the floor space of 620 square feet or the garage apartments.

The City Planner explained why certain changes were made within the MH-1 zoning classification.

Doug Kennedy stated he is speaking for his wife the owner of the affected property and went on to say if this ordinance is approved it will devalue his property and he wishes to be omitted. He also stated he would take legal action.

Doug Kennedy, 171 Gary Avenue added he brought the annexation of Indian Harbor Estates in 1999 and the classification he was told was MH-1 as outlined in Ordinance 1999-06

Mr. Bell, 356 Davenport, stated the notification was inadequate

Vice Mayor, stated he was under the impression staff was to make the MH-1 zoning as close to the County MH-5, but then it went to the PLDRC and things changed.

5.

ORDINANCE NO. 2015-02

AN ORDINANCE OF THE CITY OF OAK HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADOPTING A NEW OFFICIAL ZONING MAP TO DESIGNATE THE ZONING DISTRICTS FOR PROPERTIES REZONED SINCE NOVEMBER, 1992, TO ADD CITY ZONING DISTRICTS CONSISTENT WITH COUNTY CLASSIFICATIONS FOR PROPERTIES ANNEXED SINCE NOVEMBER, 1992, AND TO RESTATE THE ZONING DISTRICTS FOR THOSE PROPERTIES LOCATED IN THE CITY WHERE NO OFFICIAL ACTION OCCURRED SINCE NOVEMBER, 1992; PROVIDING FOR THE REPEAL OF THE EXISTING OFFICIAL ZONING MAP FOR THE CITY OF OAK HILL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Tabled

The Commission directed staff to have a Workshop and notify the affected parties of it.

I. NEW BUSINESS

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

1.

RESOLUTION NO. 2015-02

A RESOLUTION AUTHORIZING THE CITY COMMISSION OF THE CITY OF OAK HILL, FLORIDA, AUTHORIZING THE CHIEF ELECTED OFFICIAL TO MAKE APPLICATION TO THE STATE OF FLORIDA, DEPARTMENT OF ENVIRONMENTAL PROTECTION, FLORIDA LAND AND WATER CONSERVATION FUND ASSISTANCE PROGRAM, FY 2015; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Motion: Resolution 2015-02, Action: Approve, Moved by Commissioner Bittle, Seconded by Commissioner Hyatt.
Motion passed unanimously.

4. **Special Exception - Mobile Home – 430 West Halifax**
Helen

Motion: Action: Approve the Special Exception for a mobile home at 430 West Halifax Avenue, Moved by Vice Mayor Bracy, Seconded by Commissioner Bittle.

Motion passed unanimously.

5. **Variance – Front and Side Setbacks - 217 Willow Avenue**

Helen

Motion: Action: Approve the variance for 217 Willow Avenue, Moved by Vice Mayor Bracy, Seconded by Commissioner Livingston.

Motion passed unanimously.

4. County Fire Services – Tabled

5. CNS Final General Management Plan – Pete Snyder Letter

After discussion the Commission agreed to send the letter, with the change of State to Federal government in the third paragraph and change intercostal to intracoastal.

J. CITY GOALS

Annexations

Road Repair – Lazy Z Lane

Water and Sewer

The Mayor stated he is continuing attending the Water Quality round table and the County is diligently working towards water and sewer.

K. BOARDS AND COMMITTEES

EZDA (Enterprise Zone Development Agency)

Mike Arman explained he helped new annexations stop being billed for the County utility tax. Next he obtained a solar brochure for citizens to build their own.

He is also working on the derelict boats and at this time a deputy needs to take a boat ride to take pictures and document the vessels.

Next he would like to bring forward a presentation from the company CMA in regards to Wi-Fi throughout the City.

Waterfront Committee

PLDRC (Planning & Land Development Regulation Commission)

Jane Andrews, Chair, stated she attended the Amendment 1 rally in Tallahassee and they stated the intent of the Amendment was not for infrastructure and sewer. She went on to state the City needs to look at other avenues.

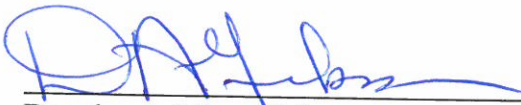
Parks and Recreational Advisory Board

L. CITIZEN PARTICIPATION (NON AGENDA ITEMS)

David Lee, 130 North Putnam Road, he asked about the Mayor signing a non-disclosure contract and is that contract available to the public. The Mayor stated there was a copy at City Hall. He also stated to the Commission is his trusted elected officials and they need to remember that.


M. COMMENTS AND CONCERNS FROM THE COMMISSIONERS

N. ADJOURNMENT – 10:00PM



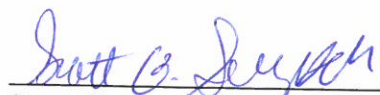
Douglas A Gibson, Mayor

ATTEST:



Kohn Evans, City Clerk/Administrator

APPROVED FOR LEGALITY AND FORM:



Scott 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.