



City of Oak Hill

234 South U.S. Hwy. #1
Oak Hill, Florida 32759

Phone 386-345-3522
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REGULAR CITY COMMISSION MEETING

Monday
January 28, 2008
6:00 P.M.

**Note: Please turn all beepers and cellular phones off during the
City Commission Meeting**

MINUTES

I. Call to Order
6:00 p.m.

II. Roll Call

| | | |
|-------------------------------|---|---------|
| Commissioner Mike Thompson | - | present |
| Commissioner Kathy Bittle | - | present |
| Vice-Mayor Mary Lee Cook | - | present |
| Mayor Darla Lauer | - | present |
| Commissioner William Marcello | - | present |

City Attorney Scott Simpson was also present.

III. CITY ADMINISTRATION REPORTS

Because there were guests in the audience and presentations to be made, certain agenda items are out of sequence.

ADA Modifications - Presentation by Planning and Monitoring, Volusia County
Planning & Monitoring Manager Diana Phillips introduced Architect Steve Murphy who presented the plans which show the modifications being proposed for the City's different facilities including City Hall.

Public participation
Richard Taylor, 210 Randle Avenue

A **MOTION** was made by Vice-Mayor Cook and seconded by Commissioner

Marcello to approve the modifications proposed by Architect Steve Murphy.

During discussion, Commissioner Marcello clarified that the purpose for rebuilding at the Mary Dewees Park is that it is more cost effective than trying to make modifications to the building. Architect Steve Murphy confirmed that this is true.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | yes |
| Commissioner Marcello | - | yes |

The motion passed unanimously.

At the request of the city clerk/administrator, Mayor Lauer consented to addressing, agenda item #15 regarding land acquisition.

Community Development Block Grant – land acquisition

The city clerk/administrator presented the commission with a property appraiser's description of a piece of property that might be suitable for Heritage Park, the activity to which Oak Hill's current grant allocation has been authorized. Mr. Abraham Jackson thought the piece of property might be a suitable sight for the project and the County confirmed that the property is in an eligible location. By consensus, the commission agreed that the city clerk / administrator should continue investigating the current property while continuing the search for additional properties.

Police presentation

The Oak Hill Police Department presented an overview of activities of the department during 2007. Sgt. Ihnken made the presentation. Members of the commission commended the department for a job well done.

Due to the fact that the police department already had the floor, city clerk/administrator McLeod requested that agenda item #12 be moved up to the current spot. Mayor Lauer consented.

Discussion/approval to hire a part time police officer

Ofcr. Diane Young introduced Mr. Manuel Perez, candidate for part time police office.

RESOLUTION #2008-03

A RESOLUTION OF THE CITY OF OAK HILL, FLORIDA TO HIRE MANUEL PEREZ AS A PART TIME POLICE OFFICER; ESTABLISHING AN HOURLY WAGE; AND ESTABLISHING AN EFFECTIVE DATE.

A **MOTION** was made by Commissioner Mike Thompson and seconded by Commissioner Bittle to hire Mr. Perez at the salary noted in the resolution.

Public participation:
Ron Mercer, 215 Indian Creek Road

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | yes |
| Commissioner Marcello | - | yes |

The motion passed unanimously.

City clerk/administrator continues with 'Administrative Reports'.

Code Board

Code Board seating required further adjustment and correction. Mr. Ron Mercer provided information to the city clerk/administrator to straighten out the terms and seats.

The term of seat #4 had expired in January, '07 but the board member had not been reappointed. Mr. Kim Laramie was appointed by the commission.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Thompson to appoint Mr. Kim Laramie to the Code Board to serve in seat #4.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | no |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | no |
| Commissioner Marcello | - | yes |

The motion passed by majority vote.

The term of seat #5 has expired. Mr. Abraham Jackson is up for re-appointment.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Bittle to appoint Mr. Abraham Jackson to a new term on the Code Board for seat # 5.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | no |
| Commissioner Marcello | - | yes |

The motion passed by majority vote.

There remains an alternate position (alternate #2) that needs to be filled.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Thompson to appoint Mr. James Merrick to the Code Board as alternate #2.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | yes |
| Commissioner Marcello | - | yes |

The motion passed unanimously.

Public Participation:

Mr. Ron Mercer, 215 Indian Creek Road.

CDBG-DRI

The city clerk / administrator notified the commission that the grant project has been completed and that the city is approaching the closeout phase.

IV. CITY ATTORNEY

No report.

V. CITIZEN PARTICIPATION

Richard Wheeler, 187 Oak Street

Mr. Wheeler noted that the Planning and Land Development Regulation Commission had appointed him to serve as a regular member, up from being an alternate previously. He asked if the commission could ratify that decision. Discussion ensued between Mr. Wheeler, Mr. Mercer and the deputy city clerk, Laura Goodearly as to the details of vacancies. Mayor Lauer directed the group to work out the issue at the next PLDRC meeting.

Richard Taylor, 210 Randle Avenue

Mr. Taylor spoke about a problem regarding a boat with a sign which is docked in his neighborhood. Police Chief Guy Grasso commented about the matter. City Attorney Scott Simpson stated that further investigation will need to happen before the City takes any action.

VI. CONSENT AGENDA

Mayor Lauer noted a needed correction to the minutes of the January 14th meeting. The motion approving Resolution 2008-02 should have included the fact that exhibit A would be corrected.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Bittle to approve the consent agenda with the requested change.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | yes |
| Commissioner Marcello | - | yes |

The motion passed unanimously.

VII. OLD BUSINESS

Codification

The codifier has provided an electronic copy of the proof of the City's code. The city clerk/administrator has forwarded a copy to the commissioners and a DVD copy to Vice-Mayor Cook. Commissioner Bittle and Mayor Lauer requested a DVD copy of the proof. Given that the commission has forty-five days in which to review the proof, the commission directed the city clerk/administrator to place the topic of on the agenda for the February 25th meeting.

Performance Management – City Clerk/Administrator

Commendation was given by Commissioner Thompson to the Administration staff. There was discussion about the appraisal form and the city clerk/administrator's review. There was also discussion about the practice of all of the commission having input into the reviews of the police chief and the city clerk/administrator.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Thompson to award the city clerk/administrator, Stella W. McLeod, a 3.5% increase based upon her performance for the previous year effective 1/28/08.

Roll call:

| | | |
|-----------------------|---|-----|
| Commissioner Thompson | - | yes |
| Commissioner Bittle | - | yes |
| Vice-Mayor Cook | - | yes |
| Mayor Lauer | - | yes |
| Commissioner Marcello | - | yes |

The motion passed unanimously.

Appropriation of Funds

Mayor Lauer noted that she checked with Mr. Gary Bittle, the provider of NIMS training to the City, and he stated that he was paid off of last year's budget. Vice-Mayor Cook stated that she checked with other city managers who confirmed that the expense cannot be included in this year's budget; it had to be included in last year's budget, regardless of when the check was written. Deputy City Clerk Laura Goodearly did explain that it was her understanding that the expense should be charged to this year's budget because it was paid this year; however, she stated that she would make the adjustment. The city attorney advised that carrying over encumbered funds into the new budget year is one way to this situation for subsequent budget years.

Election Dates

City clerk/administrator and the city attorney discussed issue of election dates with the commission. The city attorney noted that a change will happen. The cities will have to wait to see how it affects them.

VIII. NEW BUSINESS

Proposed installment of stop signs and speed limit signs

Commissioner Marcello recommended a speed limit sign at East Halifax and U.S. #1. He also recommended making Gaines Street and Halifax Avenue a four-way stop. The city clerk/administrator is directed to find out if Halifax Avenue is a City road.

A **MOTION** was made by Commissioner Marcello and seconded by Commissioner Thompson to place a four-way stop sign at the intersection of Gaines Street and Halifax Avenue along with a speed limit sign on Halifax Avenue going east off of U.S. Highway #1 as long as Halifax is a City road.

Public participation:

Mr. Kim Laramie, 282 Galbraith

Roll call:

Commissioner Thompson - yes
Commissioner Bittle - yes
Vice-Mayor Cook - yes
Mayor Lauer - yes
Commissioner Marcello - yes

The motion passed unanimously.

Setting the date for an RV parking Workshop

Public participation:

Mr. Ron Mercer, 215 Indian Creek Road

City Attorney Scott Simpson discussed the land development regulation and the meaning of grandfathering. He will look into the definition of 'residential use'. City Attorney Scott Simpson suggested that it would be a good idea to find out about the existing regulations that pertain to the location of mobile homes/RVs.

The workshop is set for February 7, 2008 at 4:30 p.m.

Public participation:

Mr. Ron Mercer, 215 Indian Creek Road

Clarification of purchasing ordinance

There discussion among the commission about the purchasing ordinance. City Attorney Scott Simpson noted that approval of the budget means approval of expenditures as provided in the budget. He advised that changes can be made to the ordinance. The city clerk/administrator will bring the ordinance to the next commission meeting for review.

Public participation:

Ron Mercer, 215 Indian Creek Road

IX. Boards & Committees

Mayor Lauer directed the city clerk/administrator to provide to the commission a listing of board vacancies.

IX. Police Department and Related Items (Chief Grasso)

X. City Commissioner Comments

Commissioner Thompson – stated that we all need to pull together.

Commissioner Bittle – had no comments.

Vice-Mayor Cook – stated that she has never seen the median looking so good.

Commissioner Marcello – suggested that people look into attending the sunshine law seminar that is being offered fee of charge.

Commissioner Thompson – stated that he has been cleared of ethics charges.

Commissioner Marcello – stated that the ethics charges brought against him have been dropped also.

Mayor – had no comments.

XII. Adjournment

The meeting was adjourned at 9:25 p.m.

DARLA LAUER, MAYOR/COMMISSIONER (3)

ATTEST:

STELLA W. MCLEOD, CITY CLERK/ADMINISTRATOR

APPROVED FOR LEGALITY AND FORM:

SCOTT E. SIMPSON, CITY ATTORNEY