

**MINUTES
TOWN COMMISSION REGULAR MEETING
TUESDAY, APRIL 11, 2017
TOWN MEETING HALL
7:00 P.M.**

CALL TO ORDER:

Mayor Stark called the meeting to order at 7:00 p.m. and led the pledge of allegiance.
Commissioner McMullen gave the Invocation.

ROLL CALL:

COMMISSIONERS PRESENT: McMullen
Polland
Satterfield
Stark

COMMISSIONERS ABSENT: Ramos

Has there been any ex parte communication? None

PRESENTATION(S):

None

PUBLIC FORUM:

None

CONSENT AGENDA

- a. Minutes – March 28, 2017 – Commission Regular Meeting
- b. Manager’s Report

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to approve the Consent Agenda as presented.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

ORDINANCE(S):

FIRST READING, PUBLIC HEARING, ORDINANCE 2017-09, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA AMENDING THE TOWN OF OAKLAND COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED; PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF OAKLAND COMPREHENSIVE PLAN RELATIVE TO CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY .854 ACRES (PARCEL NUMBER 20-22-27-0000-00-047), A PROPERTY ADDRESS OF 620 N. TUBB STREET AND MORE SPECIFICALLY

DESCRIBED IN THIS ORDINANCE, FROM LOW DENSITY RESIDENTIAL TO LOW MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ASSIGNMENT OF THE LAND USE DESIGNATION FOR THE PROPERTY; PROVIDING FOR THE ADOPTION OF MAPS BY REFERENCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR RATIFICATION OF PRIOR ACTS OF THE TOWN; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR CODIFICATION AND DIRECTIONS TO THE CODE CODIFIER; AND PROVIDING FOR THE IMPLEMENTATION OF THE STATUTORY EXPEDITED STATE REVIEW PROCESS AND AN EFFECTIVE DATE.

This Ordinance was removed from the agenda. There was no discussion.

FIRST READING, PUBLIC HEARING, ORDINANCE 2017-10, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF OAKLAND FOR APPROXIMATELY .854 ACRES (PARCEL NUMBER 20-22-27-0000-00-047 GENERALLY LOCATED ON THE EAST SIDE OF NORTH TUBB STREET ACROSS FROM OAKLAND POINTE CIRCLE, WITH A STREET ADDRESS OF 620 N. TUBB STREET FROM R-1A, SINGLE FAMILY RESIDENTIAL TO RNC, RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL; APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE OWNER OF THE PROPERTY AND THE TOWN OF OAKLAND; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

This Ordinance was also removed from the agenda with no discussion.

FIRST READING, PUBLIC HEARING, ORDINANCE 2017-11, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, TO REVIEW AN APPLICATION FOR A SPECIAL EXCEPTION TO REESTABLISH A BED AND BREAKFAST AND TO ESTABLISH A WELLNESS RETREAT CENTER AND A SMALL EVENT VENUE AT PROPERTY LOCATED AT 620 N. TUBB STREET; PROVIDING FOR FINDINGS AND CONDITIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

This Ordinance was removed from the agenda with no discussion.

Mayor Stark reported that all three of these ordinances have been remanded back to the Planning and Zoning Board for clarification of some of the matters associated with the applications.

SECOND READING, PUBLIC HEARING, ORDINANCE 2017-12, AN ORDINANCE OF THE OWN OF OAKLAND FLORIDA AMENDING CHAPTER 14 OF THE TOWN CODE OF ORDINANCES UPDATING PARKS AND RECREATION IMPACT FEES; PROVIDING FOR IMPACT FEE CREDITS; PROVIDING FOR CHANGE OF USE; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Town Manager Foltz read the Ordinance into the record.

Public Works Director Parker stated that this is amending the Parks and Recreation impact fees.

MOTION was made by Commissioner Polland, seconded by Commissioner McMullen, to adopt **ORDINANCE 2017-12, AN ORDINANCE OF THE OWN OF OAKLAND FLORIDA AMENDING CHAPTER 14 OF THE TOWN CODE OF ORDINANCES UPDATING PARKS AND RECREATION IMPACT FEES; PROVIDING FOR IMPACT FEE CREDITS; PROVIDING FOR CHANGE OF USE;**

PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Stark opened the Public Hearing.

Anya Payne of 41 Millholland asked if there would need to be facilities added to accommodate the number of people who will be moving into the new subdivisions.

Director Parker explained how the impact fees work. The developer does most of the improvements at their own expense. The impact fees are collected and used community wide.

Ms. Payne asked if it would allow for all residents to use the facilities that are paid for with impact fees. She commented that a person who lives in Trailside had said to her at one point, that it would be nice to have a splash pad.

Director Parker stated that the things that impact fees pay for are generally things that the entire community benefits from. He told her that these impact fees are for parks and recreation in the Town.

Mayor Stark closed the Public Hearing.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

SECOND READING, PUBLIC HEARING, ORDINANCE 2016-18, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING CHAPTER 6, "ALCOHOLIC BEVERAGES" OF THE CODE OF THE TOWN OF OAKLAND; DELETING PROVISIONS ALREADY COVERED BY STATE LAW; CHANGING DISTANCE REQUIREMENTS; RESTATING HOURS OF SALES IN NIGHTCLUBS; REMOVING EXCEPTION; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

Town Manager Foltz read the Ordinance into the record. He read the changes and explained them.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to adopt **ORDINANCE 2016-18, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING CHAPTER 6, "ALCOHOLIC BEVERAGES" OF THE CODE OF THE TOWN OF OAKLAND; DELETING PROVISIONS ALREADY COVERED BY STATE LAW; CHANGING DISTANCE REQUIREMENTS; RESTATING HOURS OF SALES IN NIGHTCLUBS; REMOVING EXCEPTION; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.**

Mayor Stark opened the Public Hearing.

Ms. Payne does not like the idea of changing the distance from a church. She thinks that 500 hundred feet is good for the community. She wants it to stay as is.

Manager Foltz stated that as Highway 50 develops, we would not be able to have restaurants if the restriction is 500 hundred feet.

Ms. Payne was concerned that the churches established in their locations based on the existing restrictions. She wanted to know what the down side would be.

Vice Mayor Satterfield stated that there is not a down side. It is consistent with most other places with businesses on a main highway.

Commissioner Polland stated that this could be positive for churches as well.

Director Parker stated that it has been advertised multiple times and none of the churches have voiced a problem with it.

Mayor Stark closed the Public Hearing.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

SECOND READING, PUBLIC HEARING, ORDINANCE 2016-19, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, REPEALING THE EXISTING CHAPTER 10, "ANIMALS," OF THE CODE OF THE TOWN OF OAKLAND; REPLACING IT WITH PROVISION ADOPTING ORANGE COUNTY ANIMAL SERVICES ORDINANCE; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

Town Manager Foltz read the Ordinance into the record. He explained the changes.

Commission wants to know what is in the County Ordinance and what the differences are.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to continue this Ordinance to the second Commission meeting in May, which is May 23, 2017.

Mayor Stark opened the Public Hearing.

Ms. Payne asked about the word "exception". She wanted to know if only some people could have chickens and other types of animals.

Mayor Stark answered that it means that people can come to Commission and apply or ask for things that could possibly be allowed under certain circumstances. It could come before Commission and they would make a determination.

Mayor Stark closed the Public Hearing.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

SECOND READING, PUBLIC HEARING, ORDINANCE 2016-21, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING CHAPTER 18, "BUSINESSES" OF THE CODE OF THE TOWN OF OAKLAND; DELETING PROVISIONS REGARDING LICENSES; DELETING PROVISIONS REGARDING GARAGE SALES; MAKING REVISIONS TO MOTION PHOTOGRAPHY PRODUCTION

AND HOME OCCUPATION REGULATIONS; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

Town Manager Foltz read the Ordinance into the record. He explained the changes.

Vice Mayor Satterfield asked what the changes were. He said it all sounded like what we already have.

Mayor Stark stated that Becky Vose needs to be here to answer some of the questions they have. She would like to continue all of the remaining ordinance changes.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to continue Ordinances 2016- 21, 2016-22, and 2016-23 to the May 23, 2017, Commission meeting, to get clarification of some of the questions they have.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

Ms. Payne asked why there are fees to have garage sales.

Mayor Stark answered that if they do not have fees, people keep yard sales going every weekend and use it as a business. It is just processing fees.

Ms. Payne asked what processing fees were for.

Mayor Stark said that they are for processing the permit. There is a limit of three (3) garage sales per year per property. She stated these types of things come about from people taking advantage and carrying things too far.

SECOND READING, PUBLIC HEARING, ORDINANCE 2016-22, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING CHAPTER 54, RENAMED "GARAGE SALES" OF THE CODE OF THE TOWN OF OAKLAND; DELETING PROVISIONS REQUIRING DEALERS' RECORDS AS TO SECONDHAND GOODS; INSERTING PROVISIONS REGARDING GARAGE SALES; PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

SECOND READING, PUBLIC HEARING, ORDINANCE 2016-23, AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, AMENDING CHAPTER 66, "TAXATION"; REPEALING PROVISIONS AS TO REVIEW FEES AND CHARGES; REVISING PROVISIONS AS TO PUBLIC SERVICE TAXES; REVISING PROVISIONS AS TO BUSINESS TAX RECEIPTS OF THE CODE OF THE TOWN OF OAKLAND; AND PROVIDING FOR CODIFICATION, CONFLICTS, SEVERABILITY AND EFFECTIVE DATE.

OTHER POLICY MATTERS:

Appointment of ARB Member

Mayor Stark reported that they had an interview with John Schmidt, a candidate that applied for the Appearance Review Board (ARB) opening.

MOTION was made by Commissioner Polland, seconded by Vice Mayor Satterfield, to appoint John Schmidt to the Appearance Review Board.

AYE: McMullen, Polland, Satterfield, Stark

NAY: None

Bid Award – Sewer Phase 1C

Director Parker said that they are utilizing private property for this project along with some funding from different sources. ABC Bus has been a great partner. There is an 18 page agreement with them.

We only received two (2) bids for this project. This is a time sensitive commitment, so we are going to accept these bids. The economy is doing so well, there are not many companies available. Wal-Rose is the low bidder. He is requesting approval.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland, to approve Wal-Rose as the bid winner for Sewer Phase 1C.

MAYOR & COMMISSION REPORTS:

Manager Foltz announced street names that have been approved and let them know which ones are not approved.

He also reported that he is attending a meeting tomorrow where the Governor will be present.

There is not room on the big sign on the Turnpike for our name to go on it, but the State will put a large sign one and a half miles before the exit in both directions that says Oakland.

Mayor Stark said that they were only invited yesterday to attend this Governor's meeting tomorrow.

Commissioner Polland will not be at the meeting on April 25.

Commissioner McMullen thanked everyone for the support for the Wine and Dine event.

Vice Mayor Satterfield stated that there was a good turnout for the Easter event. He said that they did the Lottery at the School today.

Mayor Stark reported that they attended the State of the County. It was very good and very organized.

ADJOURNMENT

Commissioner McMullen adjourned the meeting at 7:47 p.m.



TOWN OF OAKLAND

A handwritten signature in blue ink, appearing to read "Michael Satterfield", written over a horizontal line.

MICHAEL SATTERFIELD, VICE MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read "Kimberly Gay", written over a horizontal line.

KIMBERLY GAY, TOWN CLERK