

**TOWN COMMISSION REGULAR MEETING MINUTES
TUESDAY, APRIL 11, 2023
7:00 P.M.
OAKLAND MEETING HALL**

CALL TO ORDER:

This meeting was held in-person and livestreamed as a Zoom webinar. Mayor Stark called the regular meeting to order at 7:00 p.m. This was followed by the Pledge of Allegiance and Invocation by Commissioner Ramos.

ROLL CALL

COMMISSIONERS PRESENT: Commissioner McMullen
 Commissioner Polland
 Commissioner Ramos
 Vice Mayor Satterfield
 Mayor Stark

COMMISSIONERS ABSENT: None

PRESENTATION(S):

Arbor Day Proclamation

Mayor Stark read the Arbor Day Proclamation proclaiming Friday, April 28th as National Arbor Day.

PUBLIC FORUM:

There were no public comments.

CONSENT AGENDA:

- a. Minutes – 3-28-2023 Town Commission Regular Meeting
- b. OACS Discover Contract Renewal
- c. Rejection of Branding Proposal
- d. Manager’s Report

Mayor Stark announced the items on the Consent Agenda. Town Clerk Hui stated that there had been a request to include the addition of a request from the Oakland Nature Preserve to be able to serve alcoholic beverages at Oakland Nature Preserve’s Bubbly on the Boardwalk taking place on Saturday, April 22nd from 6-9 p.m.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Polland to add to the consent agenda the request from the Oakland Nature Preserve to be able to serve

alcoholic beverage at Oakland Nature Preserve’s Bubbly on the Boardwalk taking place on Saturday, April 22nd from 6-9 p.m.

AYE: McMullen, Polland, Ramos, Satterfield, Stark
NAY: None

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

AYE: McMullen, Polland, Ramos, Satterfield, Stark
NAY: None

ORDINANCES

ORDINANCE 2023-01 – SECOND READING - 1016 HULL ISLAND DRIVE ANNEXATION - AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ANNEXING BY VOLUNTARY PETITION CERTAIN REAL PROPERTY OWNED BY JAMES WHEBELL AND MARY LEE BEARING PROPERTY TAX PARCEL IDENTIFICATION NUMBER (ADDRESS) 19-22-27-3776-00-030 (1016 HULL ISLAND DRIVE), AND LOCATED CONTIGUOUS TO THE TOWN OF OAKLAND IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES, AND OTHER CONTROLLING LAW; REDEFINING THE BOUNDARIES OF THE TOWN OF OAKLAND TO INCLUDE SAID PROPERTY; PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; DIRECTING THE TOWN CLERK TO RECORD THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ORANGE COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR LEGAL DESCRIPTION AND A MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND THE TAKING OF ADMINISTRATIVE ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

Sarah Mastison, Contracted Town Planner with Wade Trim previously provided a PowerPoint presentation on the 1016 Hull Island Drive Annexation on March 28, 2023.

A summary of the presentation was as follows:

- The applicants/owners are James Whebell and Mary Lee
- The total land area is 56,139 square feet (1.29 acres)
- Existing Uses: Residential
- The applicant requests to annex the property described above into the Town of Oakland. The parcel is an unincorporated enclave within the Hull Island Estates subdivision.
- The Town of Oakland and Orange County have adopted a Joint Planning Agreement which was updated in 2016. The Agreement provides that the Town annex lands within a specified planning area and provided notice to Orange County of proposed annexations. Orange County was provided notice.

- The subject parcel was analyzed for consistency with Florida State Statute 171.043. The subject parcel is contiguous, reasonably compact, and is within Unincorporated Orange County and the Joint Planning Area. The subject parcel has 00 percent of its external boundary adjacent to the Town of Oakland boundary. The Town has water and sewer services available to connect to the subject property.
- Annexation Notification Letters were delivered to Orange County on February 24, 2023.
- Newspaper Annexation Notices were published in the Orange Observer on March 9, 2023, and March 16, 2023.
- The Hearing Sign was posted on the property on March 7, 2023.
- Staff have received no objections to the annexation.
- The Planning and Zoning Board unanimously recommended that the Town Commission approve Ordinance 2023-01.
- Staff recommends that the Town Commission approve Ordinance 2023-01 to annex the subject property into the Town of Oakland, pursuant to the terms of the Joint Planning Agreement with Orange County.

Applicants James Whebell and Mary Lee were available to answer questions.

MOTION was made by Commissioner Ramos, seconded by Commissioner Polland, to approve Ordinance 2023-01 to annex the subject property into the Town of Oakland, pursuant to the terms of the Joint Planning Agreement with Orange County.

Mayor Stark opened up the public hearing. There were no public comments. Mayor Stark closed the public hearing.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

ORDINANCE 2023-02 – 1016 HULL ISLAND DRIVE COMP PLAN AMENDMENT –
 AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ADOPTING A TOWN FUTURE LAND USE PLAN MAP DESIGNATION OF ITS COMPREHENSIVE PLAN OF LOW DENSITY RESIDENTIAL, FOR CERTAIN REAL PROPERTY OWNED BY JAMES WHEBELL AND MARY LEE, LOCATED AT THE FOLLOWING ADDRESS: 1016 HULL ISLAND DRIVE, AS MORE PARTICULARLY DESCRIBED HERE IN, WITH AN APPROXIMATE SIZE OF 1.29 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Sarah Mastison, Contracted Town Planner with Wade Trim previously provided a PowerPoint presentation on the 1016 Hull Island Drive Comp Plan Amendment on March 28, 2023.

A summary of the presentation was as follows:

- The applicants/owners are James Whebell and Mary Lee
- The total land area is 56,139 square feet (1.29 acres)
- Existing Uses: Residential
- The applicant requests to amend the Future Land Use Map of the Town of Oakland from Orange County, R–Rural to Town of Oakland Low Density Residential. The parcel is intended to be utilized for single-family residential development. This is related to the proposed voluntary annexation of this property (Ordinance Number 2023-01).
- The Planning and Zoning Board unanimously recommended approval of Ordinance 2023-02.
- Staff recommends that the Town Commission recommend approval of Ordinance 2023-02, the proposed Future Land Use Plan Map Amendment from Orange County R-Rural to Town Low Density Residential for property at 1016 Hull Island Drive based on consistency with the Town’s Comprehensive Plan.

Applicants James Whebell and Mary Lee were available to answer questions.

MOTION was made by Commissioner Ramos, seconded by Commissioner Polland, to approve Ordinance 2023-02, the proposed Future Land Use Plan Amendment from Orange County R-Rural to Town Low Density Residential for property at 1016 Hull Island Drive based on consistency with the Town’s Comprehensive Plan.

Mayor Stark opened up the public hearing. There were no public comments. Mayor Stark closed the public hearing.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

ORDINANCE 2023-03 – 1016 HULL ISLAND DRIVE REZONING – AN ORDINANCE OF THE TOWN OF OAKLAND, FLORIDA, ADOPTING A TOWN OFFICIAL ZONING MAP DESIGNATION OF R-1A, SINGLE FAMILY RESIDENTIAL, FOR CERTAIN REAL PROPERTY OWNED BY JAMES WHEBELL AND MARY LEE, LOCATED AT THE FOLLOWING ADDRESS: 1016 HULL ISLAND DRIVE, AS MORE PARTICULARLY DESCRIBED HERE IN, WITH AN APPROXIMATE SIZE OF 1.29 ACRES; MAKING FINDINGS, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND FOR AN EFFECTIVE DATE.

Sarah Mastison, Contracted Town Planner with Wade Trim previously provided a PowerPoint presentation on the 1016 Hull Island Drive Rezoning on March 28, 2023. Please see attached presentation for details.

A summary of the presentation was as follows:

- The applicants/owners are James Whebell and Mary Lee
- The total land area is 56,139 square feet (1.29 acres)
- Existing Uses: Residential
- The applicant requests to amend the Zoning District Map from Orange County A-1 to Town of Oakland R-1A, Single Family Residential and assign the Design District Designation of Neighborhood General (NG). The parcel is intended to be utilized for Single Family Residential development.
- The Planning and Zoning Board unanimously recommended approval of Ordinance No. 2023-03.
- Staff recommends that the Town Commission recommend approval of Ordinance No. 2023-03 to amend the Zoning District Map from Orange County A-1 to Town of Oakland, R-1A Single Family Residential and assign the Design District Designation of Neighborhood General (NG) for property at 1016 Hull Island Drive.

Applicants James Whebell and Mary Lee were available to answer questions.

MOTION was made by Commissioner Ramos, seconded by Commissioner Polland, to approve Ordinance 2023-03 to amend the Zoning District Map from Orange County A-1 to Town of Oakland, R-1A Single Family Residential and assign the Design District Designation of Neighborhood General (NG) for property at 1016 Hull Island Drive.

Mayor Stark opened up the public hearing. There were no public comments. Mayor Stark closed the public hearing.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

OTHER POLICY MATTERS

Personnel Policy Manual

Interim Town Manager Butler said that he wanted to provide an update on the personnel policy manual. The current version of the employee handbook was last updated in 2016. The revised manual has gone through several iterations. We have added in some things like progressive discipline as an option to dismissal or termination of employment. We have added in some other policies that were omitted from the current version. We shared that with our attorney who made a few comments. It is now with the Directors who have gone through it twice. It is now about ready to go to the attorney for a last time to make sure we have everything. Interim Town Manager Butler said that he wants to add a travel policy to the manual to formalize that process. We have also had to make a few changes to ensure it complies with state law. There will also be department policies for policies specific to each

department such as OACS, Public Works, and the Police Department that will either supplement the personnel policy manual or replace certain parts. Once we are settled on this base product, we will bring it back to the Town Commission during the 2nd meeting of May. We will get it to the Town Commission plenty early so that they have time to review prior to the meeting.

Town Commission discussion was as follows:

- Mayor Stark asked if the Town Commission has seen this because she doesn't think they have?
 - Interim Town Manager Butler said no, they have not seen it yet. We have been working on it with internal staff to make sure we have a good product.
 - Mayor Stark asked when the Town Commission would get to see it.
 - Interim Town Manager Butler said that the commission would probably get a copy of it next week.
- Commissioner Ramos asked if the revision they would be looking at could show tracked changes so that they can see what has been revised?
 - Interim Town Manager Butler said that it would be difficult to do that because they have reorganized the manual into different sections. He stated that we can work on a narrative to go along with the manual that can cover the revisions.

Johns Lake Outfall Canal Update

Interim Town Manager Butler provided a short presentation and update on the Johns Lake Outfall Canal. Please see the presentation for more detail.

A summary of the update and discussion was as follows:

- We took the approach that there were some existing easements there that are part of the HOA property and we have conveyed that information in an e-mail to the HOA. We got an e-mail back yesterday that said thank you for the notice, if we have any questions, we will let you know. Essentially, we will be working within the current conservation drainage easements on the HOA parcel. We have a joint effort agreement with Oakland Park and a temporary construction easement from Bob Christie.
- Interim Town Manager Butler showed the aerial photo of the Lake Apopka waterfront lots and plume of sediment running all the way down past Tubb Street and the Jake Voss Pier. The aerial was from about a month ago. He also showed a slide of where they are going to be doing the work. Please see the presentation for additional information. We have the permit from the Water Management District, and we are currently securing a permit from the Army Corps of Engineers who have agreed to expeditiously act. He will be asking the Mayor to sign the contract with the contractor which is the same terms, just different dates.
 - Mayor Stark asked if the Town Commission had already approved this?

- Interim Town Manager Butler said yes.
- Mayor Stark asked if he would continue to keep the commission updated as the work goes forward.
- Interim Town Manager Butler said yes.
- Vice Mayor Satterfield asked if the next step would be waiting on Orange County?
- Interim Town Manager Butler said that is kind of a long-term thing. They are looking at six months to get that done. We have some input into the scope of services for that and he expects that work will begin next month and should be completed by the end of the year. One of their deliverables will be cost allocation which should tell us how much Oakland costs. Interim Town Manager Butler said that he did have the opportunity while he was in Tallahassee to speak to some people about what the regulatory environment was for putting together a multi-jurisdictional district that could potentially take responsibility for and be able to receive revenues from all the governmental entities that would share in responsibility for the maintenance.
- Interim Town Manager Butler said that Oakland Park has ordered a series of cross-sections to be surveyed now that the water is down. Orange County went in there with a lot of big machinery and cut back the grass where you could see and better understand what the condition was especially with the culverts going under the trail. Where we were concerned that there was a lot of erosion that had occurred under there was not as bad as we had thought. One of the issues is in Oakland Park they have to design their culverts that are going to go across it and they are kind of having to wait to see how this is going to work out with the design that is coming. They are expected to put in bigger culverts than what exist in other places, so they are not a choke point for whatever happens upstream. The culvert size will be different in different locations depending on the velocity of the water.
- Commissioner Ramos said the aerial photo was an eye opener. We knew how bad it was on the surface but not what lies beneath all the way down past the pier. He stated that he is glad we started this and are taking the first bite.
- Commissioner Polland said it is funny how the flow brings it down that way when the flow in the spring will bring it the other way.
- Commissioner Ramos said thank goodness we haven't had the rainy season start yet; it has been pretty dry.

Case Settlement

Interim Town Manager Butler explained that we had one outstanding lawsuit and one complaint we were able to settle within the past week.

The first lawsuit was in regard to the prior Bin Laden property where a purchaser had objected to paying some of the past due fees that the town had imposed on the previous owner. They sued for \$23,000 and it went to mediation, and we settled that for \$10,000

total of which \$4,000 is coming from the town and \$6,000 is coming from another party to the case. Of the \$4,000, half of the funds are coming from the town attorney, the Vose Law Firm and we have matched the \$2000 to be shed of it. Town Attorney Stephanie Velo said that the nuisance value of the suit was very high compared to the dollar value. They felt the town's defenses were very strong and did not think the town did anything wrong in any way but recommended settlement.

MOTION was made by Commissioner Polland, seconded by Commissioner Ramos, to approve the settlement agreement.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

Motion passed with a vote of 5 in favor; 0 opposed.

The second complaint was settled on Thursday and was from former Oakland Police Officer Lima. Officer Lima filed a complaint with the EEOC claiming he had been treated adversely. We had an independent investigation by the Orange County Sheriff's Office, and they found there was no evidence to support that claim. As a result of that, when we went through the process with the EEOC complaint, we ended up with a settlement of \$20,000 that is being paid by our insurance carrier. There is no cost to the town relative to the settlement. The insurance company made the recommendation to accept the settlement.

MOTION was made by Vice Mayor Satterfield, seconded by Commissioner Ramos, to approve the settlement agreement.

AYE: McMullen, Polland, Ramos, Satterfield, Stark

NAY: None

TOWN MANAGER REPORT:

Interim Town Manager Butler updated the Town Commission on the following items:

- Oakland Park notified us that they will be doing their street connections in Phase 7 pretty soon and they will be connecting to Oakland Park.
 - Mayor Stark asked if we would start working very hard on our golf cart plan?
 - Interim Town Manager Butler said yes, we have something ready to go but we probably don't want to be driving through a construction zone.
 - Mayor Stark said she knows people are very anxious to have that one piece connected and then people who are not connected at all are anxious to get connected.
 - Commissioner Polland asked if they got SJRWMD's approval to put the bridge across the canal then?
 - Interim Town Manager Butler said these street crossings don't require that. The canal crossing that Oakland Park has to do has more to do with internal

circulation inside Phase 7. These are where there are gates now closing off those access points. We will be bringing a development agreement amendment to the commission soon to settle the issue with the buffer there along Winter's Landing.

- Mayor Stark said thank you, she had just written that down.
- Vice Mayor Satterfield said that we need that so we can move on with the full thing because of the golf cart issue as we deal with the school.
- Ed Kulakowski, 51 Vandermeer Street – Are they cutting into Starr from Oakland Park or is it a different one?
- There was additional discussion on which streets would be the ones breaking through from Oakland Park into Winter's Landing and the paving of Starr Street. Mayor Stark asked Interim Town Manager Butler to go back and look at which streets we agreed to punch through because she thinks there were a couple taken off the table.
- We will be conducting a traffic study at Hull Island Drive and Oakland Avenue to see about making that a 3 way stop. The turnpike has agreed to redo that intersection so that we have more separation between Oakland Avenue and the trail so that there would be more visibility and more reaction time to vehicles turning right. We also are trying to move the intersection to the East, so we have a full radius for making that turn across the bridge going across the turnpike. As part of this, we would look at establishing the lower speed limit of 25 mph.
 - Mayor Stark said there will be an education component to the golf cart plan. What golf carts are allowed to do and not allowed to do; who is allowed to drive them; what the consequences are; what is street legal versus not; and that type of thing.
- Interim Town Manager Butler will be serving on the Tourism Development Tax Advisory Task Force with Orange County. The next meeting is Friday, May 12th.
- The suggestion of paving a three-block area around the Oakland Presbyterian Church which includes a portion of Brock Street and Sadler Avenue was brought up and we will bring information to the next meeting on exactly which areas and the project cost.
 - Mayor Stark stated that she feels like they need a primer on what that looks like.
 - Vice Mayor Satterfield said that he brought it up to think about a few weeks ago.
 - Mayor Stark said that they could bring a recommendation and presentation to be voted on.
 - Commissioner Polland would like to see how it is going now and how it would be going once paved.
 - Commissioner Ramos asked if we had a price already for this?
 - Interim Town Manager Butler said it looks like it would be around \$150,000.
 - Mayor Stark said to make sure we get input from the surrounding properties.
- Interim Town Manager Butler will be on vacation for the next 2 meetings. Chief Esan will be the Acting Town Manager.

COMMISSION REPORTS:

Commissioner Ramos – Great egg hunt and helicopter drop on April 1st along with a great exhibit at the Arts & Heritage Center. He learned a lot more about Grace Mather-Smith.

Commissioner Polland – The Oakland Nature Preserve will be holding their “Bubbly on the Boardwalk” fundraiser on April 22nd from 6-9 p.m. Tickets are available on the Oakland Nature Preserve website for \$30 each and it is open to adults only.

Commissioner McMullen – Their Tallahassee trip was cut short when the House went home. He will be back in Tallahassee next week.

Vice Mayor Satterfield – The OACS Gala will be on May 12th. If any commissioners would like to attend, please let Town Clerk Hui know. PTO Boosterthon gave \$40,000 back to OACS; they are very amazing. The PTO is working on the logistics of planting a tree to honor the PTO. The Eagle Scout Project is in now with the bat and purple martin houses being put up. Nancy Ross stated that her grandson Dylan Fontenot would like to come back and provide a final presentation to the Town Commission once the signage is printed and posted.

Mayor Stark – The Easter Egg drop was one well run event. When you have 2500 people running around in a confined space, you better be ready. There was plenty for people to do and she loves the Oakland General Store, Hot Dog guy, and Arts & Heritage Center. It is all coming together. Vice Mayor Satterfield said Hot Dog Therapy and Oakland General are very happy working together. Commissioner Ramos said that they are creating synergy between them. Vice Mayor Satterfield said at the Easter event he made a point of going to a lot of vendors to see what they thought, and he didn’t run across anyone that wasn’t glad to be there so on the vendor side, it went very well. Mayor Stark added that the event recap was stellar; it was very detailed and done very quickly. It is so professional. Mayor Stark did see very limited feedback that there was some trash left from the Easter eggs. Interim Town Manager Butler said that after that note came out, Jessica responded, and the area was cleaned. Commissioner Ramos liked how the event was spread all the way to Cross Street, so it gave people the opportunity to go the center and Oakland General.

ADDITIONAL RESIDENT COMMENTS:

Bob Christie, 141 Millholland Street – Apologized for not being able to attend the last couple of meetings due to his work commitments, however wanted to thank the commission for their actions on the outfall canal. He stated that he has been outwardly critical on some things in the past and today he just wants to say how grateful he is and thankful for the Mayor and the team for everything they have done as well as how it is going to be helping a whole lot of homeowners from Johns Lake all that way down. He thanks the commission and staff as well. Mayor Stark said we just had to figure out how to get there and Vice Mayor Satterfield has done a great job taking the lead on the issue. Bob wanted to thank everyone again including Steve and Jack; it means a lot.

Ward Britt, 131 Millholland Street – Also expressed appreciation for taking the ball and running with it to get this done. Vice Mayor Satterfield said we are not done yet. Mayor Stark said we are getting there; we are doing our best. Mayor Stark said that there are a lot of little towns who are very poor and do not get to do what we get to do so we are very lucky in that regard.

ADJOURNMENT

There being no further business, Commissioner McMullen adjourned the meeting at 7:56 p.m.

TOWN OF OAKLAND:



KATHY STARK, MAYOR

ATTEST:



ELISE HUI, TOWN CLERK

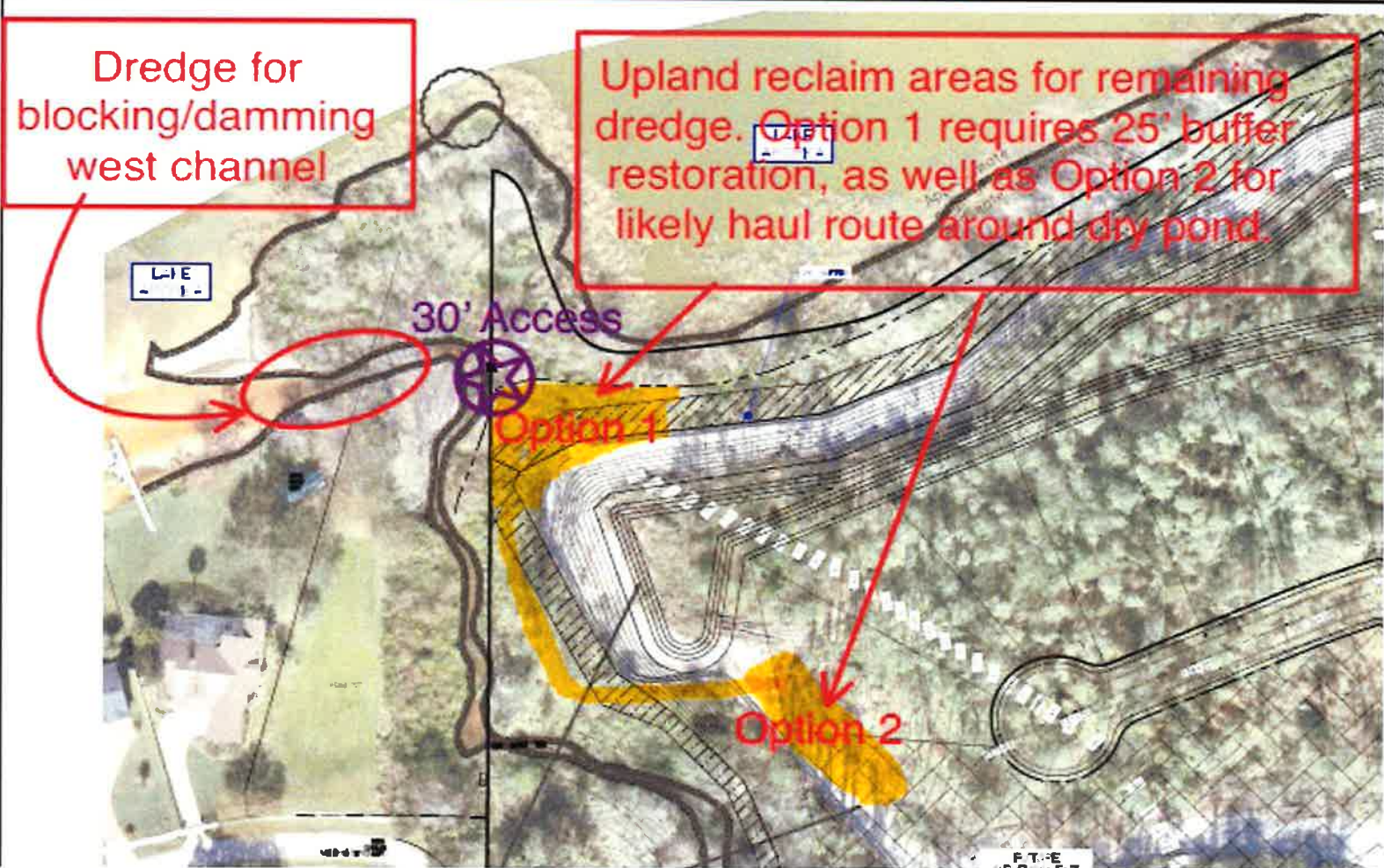


JOHN'S LAKE OUTFALL CANAL

APRIL 11, 2023

Dredge for blocking/damming west channel

Upland reclaim areas for remaining dredge. Option 1 requires 25' buffer restoration, as well as Option 2 for likely haul route around dry pond.



30' Access

Option 1

Option 2

L-1-E

L-1-E

P.T.E