

HILLIARD TOWN COUNCIL MEETING

Hilliard Town Hall / Council Chambers
15859 West County Road 108
Post Office Box 249
Hilliard, FL 32046

TOWN COUNCIL MEMBERS

Floyd L. Vanzant, Mayor
John P. Beasley, Council President
Kenny Sims, Council Pro Tem
Lee Pickett, Councilman
Jared Wollitz, Councilman
Callie Kay Bishop, Councilwoman

STAFF

Lisa Purvis, Town Clerk
Richie Rowe, Public Works Director
Kyle Malucci, Parks & Rec Director

TOWN ATTORNEY

Christian Waugh

Minutes

Thursday, February 6, 2020 at 7:00 p.m.

Call to Order

Roll Call

Prayer and Pledge of Allegiance

PRESENT

Mayor Floyd Vanzant
Council President John Beasley
Council Pro Tem Kenny Sims
Councilman Lee Pickett
Councilman Jared Wollitz
Councilwoman Callie Kay Bishop

REGULAR MEETING

ITEM-1 Additions/Deletions to Agenda

Motion to swap Item-9 Lot Split/Reconfiguration and Item-10 Private Drive Parcel Approval due to the Planning & Zoning Board's Recommendation at the Planning & Zoning Board meeting on February 4, 2020 to approve the private drive prior to the lot split and reconfiguration.

Motion made by Councilman Wollitz, Seconded by Councilman Pickett.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

Motion made by Council Pro Tem Sims to table Item-15 Town Clerk's Office – Request to Terminate Position. Seconded by Councilman Pickett.

Motion made by Council Pro Tem Sims to rescind motion on Tabling Item-15 Town Clerk's Office – Request to Terminate Position and to discuss when the item comes up on the agenda. Councilman Pickett rescinds seconds.

PAYABLES**ITEM-2** January 2020 \$142,237.62

Motion made by Council President Beasley to approve payables.

Motion made by Council President Beasley to rescind motion to approve payables.

Motion to approve all payables excluding the payable to Michael Franklin Contracting, due to Michael Franklin being Councilwoman Bishop's father.

Motion made by Councilwoman Bishop, Seconded by Council Pro Tem Sims.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

Motion to approve the payable to Michael Franklin Contracting, Inc.

Motion made by Council Pro Tem Sims, Seconded by Councilman Pickett.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Council
President Beasley.

Abstain: Councilwoman Bishop.

MINUTES**ITEM-3** 01-16-2020 Regular Meeting

Motion made by Councilman Pickett, Seconded by Councilman Wollitz.

Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

TOWN COUNCIL**ITEM-4** FEMA Orange Street Box Culverts Project - Bid Award Recommendation
 – Mr. Mike Tibble & Mr. Tim Norman, Mittauer & Associates, Inc.

Mr. Mike Tibble of Mittauer & Associates, Inc., updates the Council on the Engineer's Recommendation of Award for the FEMA Orange Street Box Culvert Restoration Project. Mr. Tibble advises that there were six (6) bids received in response to the Town's advertisement for Bids and the low bidder on the day bids were received identified an error in their bid and in accordance with the bid documents withdrew their bid. Following a review of the remaining bids Capps Land Management & Materials, LLC is now the low bidder for this project. Mr. Tibble state he was able to contact two of the three references provided by the contractor and one gave a glowing review and the other was 50/50 but would recommend them for this project. Contingent upon approval from FEMA and the Town's Attorney, as well as receipt of the proper bonds and insurance certificates, they recommend that the project be awarded to Capps Land Management & Materials, LLC, in the amount of \$999,999.99.

Motion to approve the low bid from Capps Land Management & Material LLC in the amount of \$999,999.99.

Motion made by Councilman Sims, Seconded by Council President Beasley.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

ITEM-5 Rescind - Resolution No. 2020-04 – Water & Sewer Rates & Fees
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION AMENDING RESOLUTION NO. 2018-19, AMENDING WATER AND SEWER USAGE RATES; FOR THE TOWN OF HILLIARD; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to rescind Resolution No. 2020-04 – Water & Sewer Rates & Fees.

Motion made by Council President Beasley, Seconded by Councilman Wollitz.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Councilwoman Bishop, Council President Beasley.

ITEM-6 Resolution No. 2020-05 – Building Permit Fees
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION AMENDING RESOLUTION NO. 2006-06, AMENDING BUILDING PERMIT VALUATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Waugh reads Resolution No. 2020-05, by title.

Councilwoman Bishop comments on the valuation and using a percentage of the ICC. Councilman Sims would like to see the median range of 85% as proposed by the Town of Hilliard's Building Official Larry Hogan in a prior workshop.

Motion to adopt Resolution No. 2020-05 – Building Permit Fees with the revision to use 85% of the International Code Council Valuation Table.

Michael Franklin CR 108, Hilliard, FL speaks regarding the ICC rate and thanks the Council for their comments on using a percentage of the ICC rate.

Motion made by Council President Beasley, Seconded by Council Pro Tem Sims.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Council President Beasley.
Voting No: Councilwoman Bishop.

ITEM-7 Agenda Item Request – Septic Tank Exception Block 196 Lots 13-24 – Mr. Michael Franklin

Michael Franklin CR 108, Hilliard, FL asks for a septic tank exception for his property located on Kentucky Street between West Tenth Avenue and West Eleventh Avenue, Block 196, Lots 13-24.

Councilwoman Bishop advises she will be abstaining due to Mr. Michael Franklin being her father.

Motion to grant the septic tank exception for Mr. Michael Franklin for his property located on Kentucky Street between West Tenth Avenue and West Eleventh Avenue, Block 196 Lots 13-24.

Motion made by Council Pro Tem Sims, Seconded by Councilman Pickett.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Council President Beasley.
Abstain: Councilwoman Bishop.

ITEM-8 Agenda Item Request – Septic Tank Exception Block 209 Lots 17-20 – Mr. Michael Franklin

Michael Franklin CR 108, Hilliard, FL ask for a septic tank exception for his property located on West Twelfth Avenue between Georgia Street and Virginia Street, Block 209, Lots 17-20.

Councilwoman Bishop advises she will be abstaining due to Mr. Michael Franklin being her father.

Motion to grant the septic tank exception for Mr. Michael Franklin for his property located on West Twelfth Avenue between Georgia Street and Virginia Street, Block 209, Lots 17-20.

Motion made by Council Pro Tem Sims, Seconded by Councilman Pickett.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Council President Beasley.
Abstain: Councilwoman Bishop.

ITEM-9 Planning & Zoning Board Recommendation - Private Drive Parcel Approval – Mr. Jarrod & Mrs. Leanna Pickett and Mrs. Julie Pickett
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, A MUNICIPAL CORPORATION APPROVING THE CREATION OF A PRIVATE STREET TO BE KNOWN AS SOLI DEO GLORIA WAY; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Waugh reads Resolution 2020-09, by title.

Motion to approve private drive parcel Soli Deo Gloria Way, by Resolution 2020-09 as recommended by the Planning & Zoning Board.

Motion made by Councilman Wollitz, Seconded by Councilman Pickett.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Councilwoman Bishop, Council President Beasley.

ITEM-10 Planning & Zoning Board Recommendation – Lot Split/Reconfiguration – Mr. Jarrod & Mrs. Leanna Pickett and Mrs. Julie Pickett

Motion to approve the lot split/reconfiguration application submitted by the Pickett's as recommended by the Planning & Zoning Board.

Motion made by Councilman Wollitz, Seconded by Council Pro Tem Sims.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Councilwoman Bishop, Council President Beasley.

ITEM-11 Agenda Item Request – Septic Tank Exception Parcel B – Jarrod & Leanna Pickett

Motion to grant the septic tank exception for Jarrod & Leanna Pickett for their property located off of Old Pine Ridge Road on the new private drive named Soli Deo Gloria Way, Parcel B.

Motion made by Council Pro Tem Sims, Seconded by Councilman Wollitz.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Councilwoman Bishop, Council President Beasley.

ITEM-12 Set Joint Workshop – Ordinance No. 2019-12 Amending Chapter 62
Section 62-361 Ponds & Borrow Pits

Motion to set workshop for Tuesday, March 3, 2020 at 6:00 p.m.

Motion made by Council President Beasley, Seconded by Council Pro Tem Sims.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

ITEM-13 Set Workshop – Town Personnel Policy & Procedures

Motion to set workshop for Monday, March 9, 2020 at 6:00 p.m.

Motion made by Council Pro Tem Sims, Seconded by Councilman Wollitz.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

ITEM-14 Mikkelsen Property Estate - Discussion

Public Works Director Ritchie Rowe speaks with regards to a new plan concerning the
Mikkelsen Property Estate and how he is wanting to move forward with cleaning up the
property.

TOWN CLERK

ITEM-15 Town Clerk's Office – Request to Terminate Position

Motion to table Item-15 so that the Town Attorney can provide a legal opinion after a
fact-finding investigation of whether or not the proposed action is legally justifiable and
what his opinion of the facts are.

Motion made by Council Pro Tem Sims, Seconded by Council President Beasley.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

Hope Anderson 18543 Sikes Road Hilliard, FL speaks on behalf of her sister Dawn
Carroll.

ITEM-16 Town Clerk's Office – Request to Add Position

Town Clerk Lisa Purvis states that she would like approval to add a position to the Town
Hall Office at this time. That she had hoped to hold off until the next budget year to add
positons but at this time the workload is too much to hold off. Town Clerk Lisa Purvis
further states that she cannot continue to work 50 and 60 hours per week.
Councilwoman Bishop comments on the item not being budgeted. Council President
Beasley disagrees with Town Clerk Lisa Purvis about Item-15 has nothing to do with
Item-16.

Motion to table Item-16 until Item-15 is resolved.

Motion made by Council President Beasley, Seconded by Council Pro Tem Sims.
Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz,
Councilwoman Bishop, Council President Beasley.

PUBLIC WORKS DIRECTOR

ITEM-17 Public Works Department – Request to Add Position

Public Works Director Rowe states he would like to waive adding a new position at this time and that he does not need an additional employee.

ADD ITEM-18 Public Works Director – Purchase of Millings & Lime Rock with Millings

Public Works Director Rowe advises the Council that he has just been made aware of asphalt millings and lime rock millings that are available for purchase at a reasonable rate of \$450.00 a load for asphalt millings and \$250.00 a load for lime rock millings which includes hauling to Hilliard.

Motion to purchase 10 loads of millings for \$450.00 per load and 4 loads of lime rock millings for \$250.00 per load from Amelia Site Services.

Amendment to the motion to double the purchase to 20 loads of millings for \$450.00 per load and 8 loads of lime rock millings for \$250.00 per load.

Motion and amendment made by Councilman Wollitz, Seconded by Councilman Pickett. Voting Yea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Councilwoman Bishop, Council President Beasley.

PUBLIC COMMENTS:

No public comment.

MAYOR & COUNCIL CLOSING COMMENTS:

Mayor Vanzant

February Meetings:

Thursday, 02-20-2020 @ 7PM Regular Meeting

March Meetings:

Tuesday, 03-03-2020 @ 6PM Joint Workshop (P&Z Ord 2019-12)

Thursday, 03-05-2020 @ 7PM Regular Meeting

Thursday, 03-19-2020 @ 7PM Regular Meeting

April Meetings:

Thursday, 04-02-2020 @ 7PM Regular Meeting

Thursday, 04-16-2020 @ 7PM Regular Meeting

ADMINISTRATIVE STAFF COMMENTS:

Town Clerk Lisa Purvis

Advises HAC meetings dates for the Town Clean Up:

Monday, February 17, 2020 at 7:00 p.m.

Monday, March 23, 2020 at 7:00 p.m.

Monday, April 6, 2020 at 7:00 p.m.

Public Works Director Ritchie Rowe

No comment.

Parks & Recreation Director Malucci

No comment.

LEGAL COMMENTS:

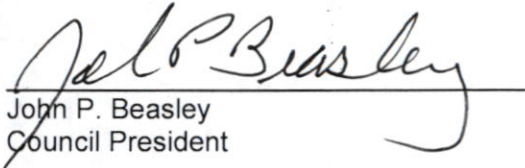
Town Attorney Christian Waugh

Comments on this day in 1911 Ronald Regan was born.


ADJOURNMENT

There being no additional business, the meeting adjourns at 8:05 p.m.

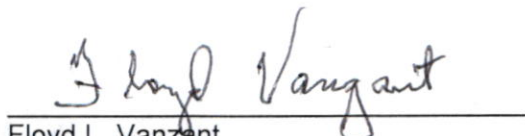
Approved this 20th day of February, 2020 by the Hilliard Town Council, Hilliard, Florida.


John P. Beasley
Council President

ATTEST:


Lisa Purvis
Town Clerk

APPROVED:


Floyd L. Vanzant
Mayor

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME BISHOP, CALLIE KAY		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE HILLIARD TOWN COUNCIL	
MAILING ADDRESS 15977 COUNTY ROAD 108		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY HILLIARD	COUNTY NASSAU	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED Feb-90		NAME OF POLITICAL SUBDIVISION: TOWN OF HILLIARD	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, CALLIE KAY BISHOP, hereby disclose that on FEB 10th, 20 20 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☒ inured to the special gain or loss of my relative, Michael Franklin;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Michael Franklin is my father.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2-14-20
Date Filed

Callie K. Bishop
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

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MAILING ADDRESS 15977 COUNTY ROAD 108		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY HILLIARD	COUNTY NASSAU	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 2-6-20		NAME OF POLITICAL SUBDIVISION: TOWN OF HILLIARD	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

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For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

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PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

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APPOINTED OFFICERS (continued)

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(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☒ inured to the special gain or loss of my relative, (Michael Franklin) Contracting;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Michael Franklin is my father & Michael Franklin Contracting payable is his business.

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2-16-20
Date Filed

Callie K Bishop
Signature

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APPOINTED OFFICERS (continued)

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I, CALLIE KAY BISHOP, hereby disclose that on Feb 6, 2020:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☒ inured to the special gain or loss of my relative, Michael Frankin;
- ☐ inured to the special gain or loss of _____, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Michael Frankin is my father.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

2-6-20
Date Filed

Callie K. Bishop
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.