

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, August 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 Jared Wollitz
Councilwoman Callie Kay Bishop
Councilman Lee Pickett

PUBLIC HEARING

ITEM-1

Open Second Public Hearing on Ordinance No. 2020-04

Amending Chapter 62 Zoning & Land Development Regulations

AN ORDINANCE AMENDING AND MODERNIZING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; ADDING SECTION 62-386 – WIRELESS TELECOMMUNICATION FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE.

Call for Public Comment

Close Public Hearing on Ordinance No. 2020-04

Town Attorney Christian Waugh reads Ordinance No. 2020-04, by title.

No public comments.

Motions to close the Public Hearing on Ordinance No. 2020-04.

Motion made by Councilman Wollitz, Seconded by Council Pro Tem Sims.

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

ITEM-2 Additions/Deletions to Agenda

Motion to add Item-11 Agenda Item Request submitted by Cris McConnell regarding discussion of the Town's Personnel Policy and Procedures.

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

Motion to add Item-12 Park and Recreation Department discussion and possible action.

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

Motion to add Item-13 Town Clean-up Discussion and possible action.

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

Motion to add Item-14 Veterans Day Event Discussion and possible action.

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

PAYABLES

ITEM-3 July 2020

Motion made by Council Pro Tem Sims to approve the payables, Seconded by Councilman Wollitz with questions.

Councilman Wollitz questions if the Ag Pro payable is a late charge only. Town Clerk Lisa Purvis advises yes that it is a late charge only.

Council President Beasley advises that there was an error that the Parks & Recreation Director brought to his attention with a payable to Solantic for a new hire drug screen. Town Clerk Lisa Purvis advises yes that was a posting error and that she would have it corrected.

Motion made by Council Pro Tem Sims to amend his motion to approve the payables except the payable to Councilwoman Bishop's Father, Michael Franklin Contracting, Inc., Councilman Wollitz also amends his second to the motion the same.
Vote 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 Wollitz.

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

MINUTES

ITEM-4 07-16-2020 Public Hearing & Regular Meeting
07-21-2020 Special Meeting

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

TOWN COUNCIL

ITEM-5 Capital Approval – Oxford Street Drainage Improvements Engineering Service Agreement

Motion to table Item-5 to the September 3, 2020 agenda.

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

ITEM-6 Ordinance No. 2020-04 – Amending Chapter 62 Zoning & Land Development Regulations – Second & Final Reading
AN ORDINANCE AMENDING AND MODERNIZING CHAPTER 62 ZONING AND LAND DEVELOPMENT REGULATIONS OF THE HILLIARD TOWN CODE; ADDING SECTION 62-386 – WIRELESS TELECOMMUNICATION FACILITIES; AND PROVIDING FOR AN EFFECTIVE DATE

Town Attorney Christian Waugh reads Ordinance No. 2020-04, by title.

Motion to adopt Ordinance No. 2020-04, on second and final reading.

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

ITEM-7 Ordinance No. 2020-06 – Temporary Moratorium Medical Marijuana – First Reading & Set Public Hearing
AN ORDINANCE OF THE TOWN OF HILLIARD, FLORIDA, EXTENDING THAT CERTAIN ORDINANCE NO. 2017-05, KNOWN AS THE "MEDICAL MARIJUANA MORATORIUM ORDINANCE," APPROVED AND ADOPTED BY THE TOWN COUNCIL ON MARCH 2, 2017, FOR A PERIOD OF AN ADDITIONAL SIX MONTHS FROM SEPTEMBER 1, 2020 TO MARCH 1, 2021; PROVIDING FOR THE CONTINUED VALIDITY OF ALL OTHER PROVISIONS OF ORDINANCE NO. 2017-05; AND PROVIDING AN EFFECTIVE DATE.

Town Clerk Lisa Purvis explains that she has prepared another moratorium extension and that it is up to Council if they would like to extend the moratorium again or not.

Town Attorney Christian Waugh reads Ordinance No. 2017-05, by title.

Motion to adopt Ordinance No. 2020-06, on first reading and set the Public Hearing for September 3, 2020 at 7:00 p.m.

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

ITEM-8 COVID-19 Water & Sewer Billing – Customer Update 08/31/2020

Town Clerk Lisa Purvis advises that she has prepared a spreadsheet showing the outstanding amount of past due balances by month and that the total past due amount at this time is \$6,502.61. The balance is since the Town stopped assessing late charges and disconnecting services for non-payment due to the COVID-19 Pandemic.

Motion is made postponing late charges for customers until Thursday, October 15, 2020, to extend disconnection of service due to non-payment until Monday, November 30, 2020 and to send customers with their September bill notice letters to this effect along with providing help organizations.

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

ITEM-9 Airpark Written Notice – Maintenance & Upkeep

Motion is made to send Hilliard Aviation Inc., a 45 day legal written notice regarding the up-keep and maintenance of the weeds around the hangers and fence line at the Hilliard Airpark as stated in the Operational Agreement between Hilliard Aviation, Inc. and the Town of Hilliard if Hilliard Aviation, Inc. fails in their duty to maintain the Hilliard Airpark.

Motion is made by Councilwoman Bishop, Seconded by Council Pro Tem Sims.

Discussion: Councilwoman Bishop advises that the maintenance at the Hilliard Airpark is not being properly kept up and that it reflects negatively on the Town and on the Public Works Department and Director Ritchie Rowe. Councilwoman Bishop also states that she reached out to the airpark by email regarding the fuel tank not working properly and has not received a response and she also notified Mr. Blake verbally last year. In addition to recently meeting with the members of Hilliard Aviation, Inc. in person that the hangers, weeds and fence line needed to be kept up.

Councilwoman Bishop reiterates that she wants to notify the airpark by 45-day legal written notice as stated in the Operational Agreement to get them to clear the weeds from the fence line and weed eat around the hangers.

Mr. Lucian "Jack" Bailey, 37661 Kings Ferry Road, Hilliard, FL is asked to address the issue before the Council. Mr. Bailey advises them that a technician is scheduled to be at the Hilliard Airpark tomorrow, August 7, 2020 at 11:00 a.m. to address the fuel tank and to install a new digital card system. That they have been having trouble and through the FAA CARES funding the Airpark was able to purchase a new digital system. Mr. Bailey states that he cannot answer for why the Public Works Director would have repaired the metal on the hanger that upon notification they had planned to repair the hanger the next morning and the repair had already been made when they arrived. The other flapping piece of metal was repaired by 11:00 a.m. the next morning after being made aware of it by the Town Clerk following a Council meeting where it was brought up by Councilwoman Bishop. Mr. Bailey further states that he agrees that the fence line maintenance could be kept up better but that the main concern of the airpark is safety

and to keep the grass around the runway mowed and to keep the runway cleared. Mr. Bailey advises that he will update everyone by emails once the fuel tank has been repaired and the new digital system has been installed and that they will do better at maintaining the weeds around the hangers and fence line.

The vote taken following discussion.

Vote Yea: Councilwoman Bishop.

Vote Nea: Council Pro Tem Sims, Councilman Pickett, Councilman Wollitz, Council President Beasley.

PARKS & RECREATION DIRECTOR

ITEM-10 Metal Detector Club Permission Request – Chip Kirkpatrick & Bob Hunt, Historical Recovery Association of NE Florida Members

Chip Kirkpatrick, from the Recovery Association of NE Florida, addresses the Council and provides a brief history of the Association and what their values are and how they could be an asset to the Town of Hilliard.

Cris McConnell, 37421 Mill Street, Hilliard, FL requested to speak and advises that he owns the property adjacent to the Oxford Street Park where they are requesting to metal detect and he wanted to make them aware of that.

Motion to table this item until the September 3, 2020 meeting and for Town Attorney Christian Waugh, to review the agreement provided by Historical Recovery Association of NE Florida.

Motion made by Council President Beasley, Seconded by Council Pro Tem Sims.

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

ADD

ITEM-11 Agenda Item Request – Discussion Regarding Personnel Policy & Procedures – Mr. Cris McConnell

Mr. McConnell reads a verbatim transcript that he made after viewing the video from the July 21, 2020 Town Council Special Meeting where Town employee Mr. Charles Chavarria, addressed the Town Council and he stated: "I am an employee of the Town and I love my job". Mr. Chavarria continues by stating "I like and respect Kyle a lot I really do, but when it comes to the mowing and upkeep of the parks". "It should not fall upon the Public Works to have to maintain when his staff does not show up for work, daily, 5 days a week". "They decide other things are more important". Mr. McConnell states that Mr. Chavarria must mean morning his dead son or living with and caring for his mother until she passed in January of this year, as more important than coming to work! Mr. McConnell continued by stating that Mr. Chavarria further stated: "when they can get somebody else to help them fix it and do that stuff". "So, it shouldn't fall on the Public Works to save his job and that's all I have to say about that, because other than that we work together but they do have to be at work for us to work together". "Can't be absent for us to do it then they get the credit for it, if you guys understand what I'm saying".

Mr. McConnell state that even though his job description as all job descriptions of the employees of the Town it clearly states that it is his job to take on additional duties as required by his supervisor.

Mr. McConnell then states that how he was not going to do another employee's work by doing so Mr. Chavarria broke the Town's Personnel Policy and Procedures. Mr. McConnell advises the Council that Mr. Chavarria should be reprimanded and that he needed to make a public apology to the Town and his fellow co-workers, and that Mr. Chavarria supervisor should also be reprimanded for allowing Mr. Chavarria to break his oath as a Town employee.

ADD

ITEM-12 Parks & Recreation Department – Discussion & Action

Council President Beasley advises that he received a letter regarding Parks & Recreation Director Kyle Malucci changing his employee time on their time sheets to indicate the employee taking a break. Council President Beasley expresses his concerns about minor employees not taking mandated breaks by Federal Labor Laws.

Motion to have Town Attorney Christian Waugh contact Mr. Malucci and find out what the facts are regarding if Federal Labor Laws were violated and to set a Workshop for September 3, 2020 at 6:00pm.

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

ADD

ITEM-13 Town Clean-up Event – Discussion & Action

Town Clerk Lisa Purvis states the annual Town Clean-up that was originally set for April 11, 2020 was moved to September 12, 2020 due to the Corona virus pandemic and asks if the event should just be cancelled for 2020 and planned to be held in April 2021.

Motion to cancel the 2020 annual Town Clean-up and plan the event for April 2021.

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

ADD

ITEM-14 Veterans Day Ceremony – Discussion & Action

Town Clerk Lisa Purvis states that the Veterans Day Ceremony is scheduled for Saturday, November 7, 2020 and that Mr. Bobby Franklin a member of the American Legion had asked whether the Ceremony is still on the calendar so that way the Legion can plan for it accordingly. Council Pro Tem Sims ask Town Clerk Lisa Purvis to ask Mr. Franklin to attend the September meeting in order to have questions answered. The Council agrees to move the discussion to the September 3, 2020, meeting.

PUBLIC COMMENTS:

Holly Hengerer, 55248 Bartram Trail, Callahan, FL. Mrs. Hengerer is the mother of a lifeguard for the Hilliard Parks & Recreation Pool. Mrs. Hengerer expressed her concerns and advised the Council to hold to the probation that Parks & Recreation Director Kyle Malucci is currently on.

Carter Knoll, 37098 Southern Glen Way, Hilliard, FL. Mr. Knoll is currently a lifeguard at the Hilliard Parks & Recreation Pool, and he advises the Council that after speaking with the

Council previously that his hours were cut at the Parks & Recreation Pool and he was told that his job would not be in jeopardy by speaking out.

MAYOR & COUNCIL CLOSING COMMENTS:

Mayor Vanzant

August Meetings:

Monday, 08-10-2020 @ 6PM	Workshop (Budget)
Monday, 08-17-2020 @ 6PM	Workshop (Budget)
Thursday, 08-20-2020 @ 7PM	Regular Meeting (TEAMS PAYABLES ONLY)
Monday, 08-24-2020 @ 6PM	Workshop (Budget)

September Meetings:

Thursday, 09-03-2020 @ 7PM	Public Hearing & Regular Meeting (Cell Towers)
Monday, 09-14-2020 @ 6PM	Workshop (Budget)
Thursday, 09-17-2020 @ 7PM	Regular Meeting (TEAMS PAYABLES ONLY)
Monday, 09-21-2020 @ 7PM	Public Hearing & Special Meeting (TRIM & Budget)

Council President Beasley

Asks Parks & Recreation Director Kyle Malucci to turn in the last 3 lifeguard schedules including the current week for Town Attorney Christian Waugh to review.

Councilman Wollitz

Recognizes Bo Hodges for his work on Republican Candidate for Congress Dr. Erick Aguilar's Campaign.

ADMINISTRATIVE STAFF COMMENTS:

Town Clerk Lisa Purvis

States that she is glad to look out and see so many members of Hilliard Aviation, Inc. present tonight and that she has missed seeing them.

Public Works Director Ritchie Rowe

No comment.

Parks & Recreation Director Malucci

Air Conditioning unit in the Fitness center issues are covered under warranty and are fixed. Other unit went out and he has two bids to replace and will have a third bid soon and will have it fixed.

Looking into heating and cooling for Town Gym.

Roofing proposals for Annex Building.

LEGAL COMMENTS:

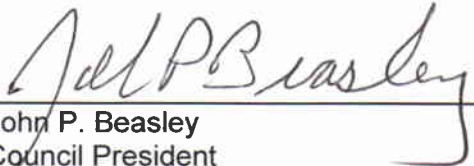
Town Attorney Christian Waugh

No comment.

ADJOURNMENT


There being no additional business, the meeting adjourns at 9:11 p.m.

Approved this 1st day of October, 2020 by the Hilliard Town Council, Hilliard, Florida.



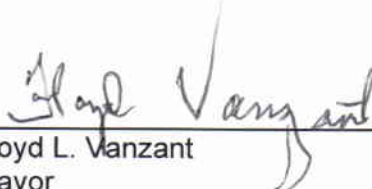
John P. Beasley
Council President

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: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY HILLIARD	COUNTY NASSAU
DATE ON WHICH VOTE OCCURRED	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 August 16th, 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 owner of MFC. _____;
- 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:

My father's company MFC has a payable,

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.

8-16-2020
Date Filed

Callie Kay 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.