

# HILLIARD TOWN COUNCIL MEETING

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

## TOWN COUNCIL MEMBERS

John P. Beasley, Mayor  
Kenny Sims, Council President  
Lee Pickett, Council Pro Tem  
Joe Michaels, Councilman  
Jared Wollitz, Councilman  
Dallis Hunter, Councilman

## ADMINISTRATIVE STAFF

Lisa Purvis, Town Clerk  
Cory Hobbs, Interim Public Works Director  
Gabe Whittenburg, Parks & Rec Director

## TOWN ATTORNEY

Christian Waugh

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## AGENDA

**THURSDAY, NOVEMBER 16, 2023, 7:00 PM**

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### NOTICE TO PUBLIC

*Anyone wishing to address the Town Council regarding any item on this agenda is requested to complete an agenda item sheet in advance and give it to the Town Clerk. The sheets are located next to the printed agendas in the back of the Council Chambers. Speakers are respectfully requested to limit their comments to three (3) minutes. A speaker's time may not be allocated to others.*

### PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF ONE ANOTHER  
EVEN WHEN WE DISAGREE.

WE WILL DIRECT ALL COMMENTS TO THE ISSUES.

WE WILL AVOID PERSONAL ATTACKS.

***"Politeness costs so little." – ABRAHAM LINCOLN***

## CALL TO ORDER

## PRAYER & PLEDGE OF ALLEGIANCE

## ROLL CALL

## PUBLIC HEARING

### ITEM-1

Ordinance No. 2023-15 - Amend Chapter 54, Traffic and Vehicles, Article III - Golf Carts

Amending Chapter 54 to correct the original placement from section 54-31 – 54-36 to 54-61 – 54-66; and Amending Section 54-64, Limitations on Operating Golf Carts to Comply with Recently Enacted Amendments to State Law.

***Mayor Beasley***

Open Public Hearing

Call for Public Comments

Close Public Hearing on Ordinance No. 2023-15

## TOWN COUNCIL ACTION

Town Council to adopt Ordinance No. 2023-15, on Second and Final Reading.

**ITEM-2**

Ordinance No. 2023-16 - Amend Chapter 58, Utilities - Septic Tanks  
Amending Chapter 58 to Establish Approval Procedures for Drain Field  
Locations, Grant the Town of Hilliard the Authority to Include Conditions for  
Septic Tank Approvals, Mandate Affidavits for Drain Filled Boundary Compliance,  
and Require Post-Construction Surveys Prior to Issuance of Certificates of  
Occupancy.

***Mayor Beasley***

Open Public Hearing  
Call for Public Comments  
Close Public Hearing on Ordinance No. 2023-16

**TOWN COUNCIL ACTION**

Town Council to adopt Ordinance No. 2023-16, on Second and Final Reading.

**REGULAR MEETING**

**ITEM-3**

Additions/Deletions to Agenda

**ITEM-4**

Town Council Introduction of Resolution 2023-22, Adopting the Public Lands  
Inventory for Property to which the Town Holds a Fee Simple Title that is  
Appropriate for use as Affordable Housing; Setting a Public Hearing and Town  
Council Action for Adoption on December 7, 2023.

***Lee Anne Wollitz – Land Use Administrator***

**ITEM-5**

Town Council Approval of the Mutual Aid Agreement for Disaster Debris  
Removal Services between Nassau County, Florida, and Phillips and Jordan, Inc.

***Lisa Purvis, MMC – Town Clerk***

**ITEM-6**

Town Council Approval of Hiring Joel G. Hall P.E. for the Position of Public  
Works Director with a Starting Date of November 27, 2023, at an Annual Salary  
of \$70,000.00.

***Lisa Purvis, MMC – Town Clerk***

**ITEM-7**

Town Council Approval to Set a Special Meeting to Adopt the Fiscal Year 2022-  
2023 Amended Budget by Resolution and Approval of the FDOT's Grant  
Agreement for the North Land Acquisition, for Thursday, November 30, 2023, at  
6:00 p.m.

***Lisa Purvis, MMC – Town Clerk***

**ITEM-8**

Town Council Approval of the Minutes for the November 2, 2023, Regular  
Meeting.

***Lisa Purvis, MMC - Town Clerk***

**ADDED ITEMS**

**ADDITIONAL COMMENTS**

**PUBLIC**

**MAYOR & TOWN COUNCIL**

## **ADMINISTRATIVE STAFF**

## **TOWN ATTORNEY**

## **ADJOURNMENT**

The Town may take action on any matter during this meeting, including items that are not set forth within this agenda.

## **TOWN COUNCIL MEETINGS**

The Town Council meets the first and third Thursday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

## **PLANNING & ZONING BOARD MEETINGS**

The Planning & Zoning Board meets the second Tuesday of each month beginning at 7:00 p.m., unless otherwise scheduled. Meetings are held in the Town Hall Council Chambers located at 15859 West County Road 108. Video and audio recordings of the meetings are available in the Town Clerk's Office upon request.

## **MINUTES & TRANSCRIPTS**

Minutes of the Town Council meetings can be obtained from the Town Clerk's Office. The Meetings are usually recorded but are not transcribed verbatim for the minutes. Persons requiring a verbatim transcript may make arrangements with the Town Clerk to duplicate the recordings, if available, or arrange to have a court reporter present at the meeting. The cost of duplication and/or court reporter will be at the expense of the requesting party.

## **TOWN WEBSITE & YOUTUBE MEETING VIDEO**

The Town's Website can be access at [www.townofhilliard.com](http://www.townofhilliard.com).  
Live & recorded videos can be access at [www.youtube.com](http://www.youtube.com) search - Town of Hilliard, FL.

## **ADA NOTICE**

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Town Clerk's Office at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

## **APPEALS**

Pursuant to the requirements of Section 286.0105, Florida Statues, the following notification is given: If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

## **PUBLIC PARTICIPATION**

Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any "proposition" before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

## **EXPARTE COMMUNICATIONS**

Oral or written exchanges (sometimes referred to as lobbying or information gathering) between a Council Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the Town Council. The exchanges must be disclosed by the Town Council so the public may respond to such exchanges before a vote is taken.

## **2023 HOLIDAYS**

### **TOWN HALL OFFICES CLOSED**

1. Martin Luther King, Jr. Day	Monday, January 16, 2023
2. Memorial Day	Monday, May 29, 2023
3. Independence Day Monday	Tuesday, July 4, 2023
4. Labor Day	Monday, September 4, 2023
5. Veterans Day	Friday, November 10, 2023
6. Thanksgiving Day	Thursday, November 23, 2023
7. Friday after Thanksgiving Day	Friday, November 24, 2023
8. Christmas Eve	Monday, December 25, 2023
9. Christmas Day	Tuesday, December 26, 2023
10. New Year's Eve	Monday, January 1, 2024
11. New Year's Day	Tuesday, January 2, 2024



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council adopting Ordinance No. 2023-15, Amending Chapter 54, Traffic and Vehicles, Article III, Golf Carts, to correct the original placement from section 54-31 – 54-36 to 54-61 – 54-66; and Amending Section 54-64, Limitations on Operating Golf Carts to Comply with Recently Enacted Amendments to State Law.

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#### **BACKGROUND:**

Changes to correct sections of the Town Code and amending to comply with State Law.

#### **FINANCIAL IMPACT:**

None.

#### **RECOMMENDATION:**

Town Council to adopt Ordinance No. 2023-15, on Second and Final Reading.

## ORDINANCE NO. 2023-15

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AMENDING CHAPTER 54 (TRAFFIC AND VEHICLES), ARTICLE III (GOLF CARTS), TO CORRECT THE ORIGINAL PLACEMENT FROM SECTIONS 54-31 THROUGH 54-36 TO THE CURRENT MUNICODE SECTIONS 54-61 THROUGH 54-66, AND FURTHER AMENDING SECTION 54-63 (LIMITATIONS ON OPERATING GOLF CARTS) OF THE CODE OF ORDINANCES TO COMPLY WITH RECENTLY ENACTED AMENDMENTS TO STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapters 166 and 163, *Florida Statutes*, include authority to enact regulations to protect the health, safety, and welfare, and in the interest of the citizens of the Town; and

**WHEREAS**, the original Ordinance 2021-10 intended to address Sections 54-31 through 54-36, but due to the editor's discretion in Municode, it was placed under Sections 54-61 through 54-66 in Municode; and

**WHEREAS**, the Town recognizes the need to correct this discrepancy and amend the ordinance in accordance with its current placement in Municode; and

**WHEREAS**, HB 949 was signed by Governor DeSantis on May 11, 2023 which requires Florida residents who are 18 or younger obtain a learner's permit or driver's license before they may legally drive a golf cart; and

**WHEREAS**, HB 949 became effective on October 1, 2023; and

**WHEREAS**, the amendment of the Town Code will bring the Town's regulations into compliance with HB 949; and

**WHEREAS**, for purposes of this ordinance words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

**NOW, THEREFORE, BE IT ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Town Council of the Town of Hilliard, Florida, that Ordinance No. 2023-15 be enacted as follows:

**Section 1. Recitals.** The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Town Council of the Town of Hilliard.

**Section 2. Amendment.** The Town Council of the Town of Hilliard hereby amends Section 54-63 of the Town of Hilliard Code of Ordinances to read as follows:

**Sec. 54-~~31~~ 61. - Intent.**

Pursuant to F.S. § 316.212, it is the intent of the town council to allow and authorize operation of golf carts under the conditions specified herein and set forth in the above-referenced statute on the municipal roads in the Town of Hilliard.

**Sec. 54-~~32~~ 62. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Golf cart.* Pursuant to F.S. § 320.01(22), a golf cart is a motor vehicle designed for operation on a golf course for sporting or recreational purposes, and that is not capable of exceeding speeds of 20 miles per hour.

*Municipal roads.* For the purposes of this section only, Town of Hilliard roads mean any road open for use to the public whether or not it has been dedicated to public use by plat or other means, and regardless of whether it is maintained by the town.

**Sec. 54-~~33~~ 63. - Limitations on operating golf carts.**

- (a) Golf carts may be operated on Town of Hilliard roads only.
- (b) Golf carts operated on designated municipal roads between sunrise and sunset must be equipped with efficient brakes; reliable steering apparatus; safe tires; a rearview mirror; and red reflectorized warning devices in both the front and rear. However, golf carts operated on designated municipal roads between sunset and sunrise must be equipped with headlights, brake lights, turn signals, and a windshield.
- (c) Golf carts may not be operated on any municipal roads by ~~anyone under the age of 15 years.~~ a person:
  - (1) Who is under 18 years of age unless he or she possesses a valid learner's driver license or valid driver license;
  - (2) Who is 18 years of age or older unless he or she possesses a valid form government-issued photographic identification.
- (d) Golf carts may be operated on designated municipal roads between sunrise and sunset or between sunset and sunrise subject to the golf cart having equipment and features as stated in subsection (b).

(e) Golf carts must be operated in compliance with all applicable local and state traffic laws and the operator may be ticketed in the same manner as a motor vehicle operator under Florida Law.

(f) Golf carts shall be registered by the town as provided in section 54-64 below.

**Sec. 54-~~34~~ 64. - Operator assumes risk, indemnifies and holds harmless.**

Any person operating a golf cart on any municipal road does so at the person's own risk and must operate such a vehicle with due regard for the safety and convenience of other motor vehicles, bicyclists, and pedestrians. The town, in extending operating privileges to golf carts, does so on the express condition that the operator undertakes such operation at the operator's own risk and assumes sole responsibility for operating said vehicle, and shall be deemed to defend, release, indemnify and hold harmless the Town of Hilliard, its officials and employees from any and all claims, demands, damages, or causes of action, known or unknown, of any nature arising from such operation by any person against the Town of Hilliard, its officials and employees. As a condition precedent to the exercise of this privilege, a golf cart owner shall register the golf cart with the Town of Hilliard and shall pay a \$20.00 registration fee. By registering the golf cart, the owner shall confirm compliance with this section; assume the risk of operating golf carts on public roads; and shall hold the town harmless for any loss suffered as a result of operating the golf cart on a public road.

**Sec. 54-~~35~~ 65. - Penalties.**

Violation of this section is a noncriminal traffic infraction punishable as provided in F.S. § 316.212, pursuant to F.S. ch. 318.

**Sec. 54-~~36~~ 66. - Designated areas.**

- (a) To alert motorists to the presence of golf carts on roads in Hilliard, the Town of Hilliard shall post signs in all designated areas approved for golf cart traffic.
- (b) Golf cart traffic shall be permitted on all roads within the town limits except for the following roads: U.S. Highway 1, U.S. Highway 301, U.S. Highway 23, County Road 108—East of U.S. Highway 1, Kings Ferry Road, Eastwood Road, Henry Smith Road, County Road 108—West of Pond Drive, and Bay Road.
- (c) The town may revoke any and all designations and may close a road to golf cart traffic by resolution of the town council.

**Section 3. Effective Date.** This ordinance shall become effective upon its passage.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall not affect the validity of the remaining portion of this Ordinance.



**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, by the Hilliard Town Council.

\_\_\_\_\_  
Kenny Sims  
Council President

ATTEST:

\_\_\_\_\_  
Lisa Purvis  
Town Clerk

APPROVED:

\_\_\_\_\_  
John Beasley  
Mayor

First Reading:	October 19, 2023
Publication:	November 1, 2023
Public Hearing:	November 16, 2023
Second/Final Reading:	November 16, 2023

## WEBSITE

START: 11/01/2023

END: 11/17/2023

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**PUBLIC HEARING NOTICE**

The Hilliard Town Council will hold a Public Hearing on November 16, 2023, at 7:00 p.m., in the Council Chambers in the Hilliard Town Hall, located at 15859 West County Road 108, Hilliard, Florida, to hear input regarding Ordinance No. 2023-15. All interested parties may appear at the meeting and be heard with respect to the proposed Ordinance No. 2023-15.

Action on the matter may be taken following the closing of the Public Hearing at the Hilliard Town Council's regular meeting. A copy of the Ordinance which is proposed for Second Reading and Final Adoption is available by calling (904) 845-3555 or emailing [lpurvis@townofhilliard.com](mailto:lpurvis@townofhilliard.com) during normal business hours 9:00 a.m. to 5:00 p.m., Monday through Friday or at [www.townofhilliard.com](http://www.townofhilliard.com).

**ORDINANCE NO. 2023-15**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AMENDING CHAPTER 54 (TRAFFIC AND VEHICLES), ARTICLE III (GOLF CARTS), TO CORRECT THE ORIGINAL PLACEMENT FROM SECTIONS 54-31 THROUGH 54-36 TO THE CURRENT MUNICODE SECTIONS 54-61 THROUGH 54-66, AND FURTHER AMENDING SECTION 54-63 (LIMITATIONS ON OPERATING GOLF CARTS) OF THE CODE OF ORDINANCES TO COMPLY WITH RECENTLY ENACTED AMENDMENTS TO STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**PURSUANT TO THE REQUIREMENTS OF F.S. 286.0105, the following notification is given:** If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Persons with disabilities requiring accommodations** in order to participate in this proceeding should contact the Town Clerk at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

Lisa Purvis, MMC  
Town Clerk  
Town of Hilliard



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council adopting Ordinance No. 2023-16, Amending Chapter 58, Utilities, to Establish Approval Procedures for Drain Field Locations, Grant the Town of Hilliard the Authority to Include Conditions for Septic Tank Approvals, Mandate Affidavits for Drain Filled Boundary Compliance, and Require Post-Construction Surveys Prior to Issuance of Certificates of Occupancy.

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#### **BACKGROUND:**

Amending to ensure that approved drain fields are within the boundaries of the property that they serve.

#### **FINANCIAL IMPACT:**

None.

#### **RECOMMENDATION:**

Town Council to adopt Ordinance No. 2023-16, on Second and Final Reading.

## ORDINANCE NO. 2023-16

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AMENDING CHAPTER 58 (UTILITIES), ARTICLE I (IN GENERAL), SECTION 58-4 (SEPTIC TANKS) OF THE CODE OF ORDINANCES TO ESTABLISH APPROVAL PROCEDURES FOR DRAIN FIELD LOCATIONS, GRANT THE TOWN THE AUTHORITY TO INCLUDE CONDITIONS FOR SEPTIC TANK APPROVALS, MANDATE AFFIDAVITS FOR DRAIN FIELD BOUNDARY COMPLIANCE, AND REQUIRE POST-CONSTRUCTION SURVEYS PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapters 166 and 163, Florida Statutes, include authority to enact regulations to protect the health, safety, and welfare, and in the interest of the citizens of the Town; and

**WHEREAS**, there have been issues regarding septic tanks and drain fields being constructed within the corporate limits of the Town and sometimes on Town property; and

**WHEREAS**, it is the desire of the Town to ensure the health, safety, and welfare of its residents by ensuring that septic systems are properly located; and

**WHEREAS**, the Town seeks to prevent future occurrences by establishing clearer guidelines and responsibilities for developers and landowners; and

**WHEREAS**, for purposes of this ordinance words with underlined (underlined) type shall constitute additions to the original text and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text.

**NOW, THEREFORE, BE IT ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the Town Council of the Town of Hilliard, Florida, that Ordinance No. 2023-16 be enacted as follows:

**Section 1. Recitals.** The foregoing recitals are true and correct and by this reference are hereby incorporated herein and made an integral part hereof as though fully set forth herein, and adopted as findings of the Town Council of the Town of Hilliard.

**Section 2. Amendment.** The Town Council of the Town of Hilliard hereby amends Section 58-4 of the Town of Hilliard Code of Ordinances to read as follows:

### **Sec. 58-4. – Septic Tanks.**

- (a) No septic tank, without exception from the Town Council upon good cause shown and approved by the county health department, shall be constructed within the corporate limits of the Town. The Town Council is more likely to grant an exception if the

applicant can show that the boundary line of any lot containing a building or trailer is more than 1,000 feet from the sewer line.

- (b) The Town reserves the right to apply conditions to the approvals of septic tanks.
- (c) Before soil testing, the proposed location of the drain field must be approved by the Public Works Director of the Town. If the location needs to be moved due to test results, a second location approval is required prior to the installation of the drain field.
- (d) As a condition of approval, the developer or landowner will be required to sign an affidavit that is acceptable to the Town in its sole discretion, guaranteeing that the entire drain field will be located within the boundaries of their property. If it is found that a drain field is not within the said boundary, the developer or landowner will be held financially responsible for its relocation.
- (e) Prior to the issuance of a Certificate of Occupancy, the Town, in its sole discretion, may require the developer or landowner to provide a post-construction survey detailing the dwelling unit and the drain field's location.

**Section 3. Effective Date.** This ordinance shall become effective upon its passage.

**Section 4. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction such portion shall not affect the validity of the remaining portion of this Ordinance.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023, by the Hilliard Town Council.

\_\_\_\_\_  
Kenny Sims  
Council President

ATTEST:

\_\_\_\_\_  
Lisa Purvis  
Town Clerk

APPROVED:

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John Beasley  
Mayor

First Reading:	October 19, 2023
Publication:	November 1, 2023
Public Hearing:	November 16, 2023
Second/Final Reading:	November 16, 2023

## WEBSITE

START: 11/01/2023

END: 11/17/2023

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Action on the matter may be taken following the closing of the Public Hearing at the Hilliard Town Council's regular meeting. A copy of the Ordinance which is proposed for Second Reading and Final Adoption is available by calling (904) 845-3555 or emailing [lpurvis@townofhilliard.com](mailto:lpurvis@townofhilliard.com) during normal business hours 9:00 a.m. to 5:00 p.m., Monday through Friday or at [www.townofhilliard.com](http://www.townofhilliard.com).

**ORDINANCE NO. 2023-16**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD, FLORIDA, AMENDING CHAPTER 58 (UTILITIES), ARTICLE I (IN GENERAL), SECTION 58-4 (SEPTIC TANKS) OF THE CODE OF ORDINANCES TO ESTABLISH APPROVAL PROCEDURES FOR DRAIN FIELD LOCATIONS, GRANT THE TOWN THE AUTHORITY TO INCLUDE CONDITIONS FOR SEPTIC TANK APPROVALS, MANDATE AFFIDAVITS FOR DRAIN FIELD BOUNDARY COMPLIANCE, AND REQUIRE POST-CONSTRUCTION SURVEYS PRIOR TO ISSUANCE OF CERTIFICATES OF OCCUPANCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**PURSUANT TO THE REQUIREMENTS OF F.S. 286.0105, the following notification is given:** If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Persons with disabilities requiring accommodations** in order to participate in this proceeding should contact the Town Clerk at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

Lisa Purvis, MMC  
Town Clerk  
Town of Hilliard



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lee Anne Wollitz – Land Use Administrator***

SUBJECT: Town Council Introduction of Resolution 2023-22, Adopting the Public Lands Inventory for Property to which the Town Holds a Fee Simple Title that is Appropriate for use as Affordable Housing; Setting a Public Hearing and Town Council Action for Adoption on December 7, 2023.

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#### **BACKGROUND:**

As Part of the State of Florida Live Local Act and Pursuant to F.S. 125.379, every 3 years, each town shall prepare an inventory list of all real property within its jurisdiction to which the town holds fee simple title that is appropriate for use as affordable housing according the definition provided by F.S.420.0004.

The inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved.

The governing body of the town must review the inventory list as a public hearing and may revise it at the conclusion of the public hearing.

The governing body of the town shall adopt a resolution that included an inventory list of such property following the public hearing.

The Land Use Administrator in partnership with the Town's legal team have written Resolution 2023-22 to comply with the requirements of the Live Local Act.

#### **FINANCIAL IMPACT:**

None.

#### **RECOMMENDATION:**

Town Council adoption of Resolution No. 2023-22, on First Reading and Set Final Public Hearing & Final Reading for December 7, 2023.



**RESOLUTION NO. 2023-22**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD FLORIDA, ADOPTING THE PUBLIC LANDS INVENTORY FOR PROPERTY TO WHICH THE TOWN HOLDS A FEE SIMPLE TITLE THAT IS APPROPRIATE FOR USE AS AFFORDABLE HOUSING PROVIDING FINDINGS; PROVIDING FOR IMPLEMENTATION AND APPLICABILITY; PROVIDING FOR ADOPTION OF THE PUBLIC LANDS INVENTORY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to F.S. 125.379, every 3 years, each town shall prepare an inventory list of all real property within its jurisdiction to which the town holds fee simple title that is appropriate for use as affordable housing; and

**WHEREAS**, pursuant to F.S.420.0004, affordable means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in subsection (9), subsection (11), subsection (12), or subsection (17); and

**WHEREAS**, the inventory list must include the address and legal description of each such real property and specify whether the property is vacant or improved; and

**WHEREAS**, the governing body of the town must review the inventory list as a public hearing and may revise it at the conclusion of the public hearing; and

**WHEREAS**, the governing body of the town shall adopt a resolution that included an inventory list of such property following the public hearing; and

**WHEREAS**, the properties identified as appropriate for use as affordable housing on the inventory list adopted by the town may be offered for sale and the proceeds used to purchase land for the development of affordable housing or the increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing, or may otherwise make the property available for use for the production and preservation of permanent affordable housing; and

**WHEREAS**, the town may find at the time of resolution that no lands as suitable for use as affordable housing.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF HILLIARD:**

1. **FINDINGS:**

The Town has reviewed all lands to which the town holds a fee simple title and has determined those properties that are appropriate for use as affordable housing.

2. **IMPLEMENTATION AND APPLICABILITY:**

The Town of Hilliard Public Lands Inventory, Appendix A, has been provided herein to bring the Town into compliance with F.S.125.379. All property identified in Section 3 of this resolution are hereby appropriate for use as affordable housing.

The Town Council shall have sole discretion of the action to be taken with each property identified by the Public Lands Inventory.

The Council directs staff to work to provide recommendations on the best use of property identified in Section 3 for the creation and retention of affordable housing.

3. **ADOPTION OF THE PUBLIC LANDS INVENTORY:**

The property provided by this resolution is owned by the Town of Hilliard and is identified by the following tax identification numbers, addresses, property status, and legal descriptions:

PUBLIC LANDS INVENTORY IDENTIFICATION # 29  
 PARCEL# 20-3N-24-2020-0029-0000  
 ADDRESS- 15672 W. CR 108, Hilliard FL 32046  
 PROPERTY STATUS- VACANT  
 LEGAL DISCRPTION-

*The South ½ of the North ½ of the Northeast ¼ of the Northwest ¼ of Section 20, Township 3 North, Range 24 East, also known as Lots 29, 30, 31, 32.*

**THIS RESOLUTION** adopted this \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_ by the Town Council of the Town of Hilliard, Florida.

\_\_\_\_\_  
Kenneth A. Sims  
Council President

ATTEST:

\_\_\_\_\_  
Lisa Purvis  
Town Clerk

APPROVED:

\_\_\_\_\_  
John P. Beasley  
Mayor

Introduction:	November 16, 2023
Publication:	November 22, 2023
Public Hearing:	December 7, 2023
Town Council Adoption:	December 7, 2023

Date: October 30, 2023  
To: Nassau County Record  
From: Elise Earnest, Town of Hilliard  
Re: Legal Advertisements (Edition 11/22/2023)

Please run the following as a legal advertisement in your legal section in your November 22, 2023, edition. Please send proof of publication and invoice to Town of Hilliard:

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### **PUBLIC HEARING NOTICE**

The Hilliard Town Council will hold a Public Hearing on December 7, 2023, at 7:00 p.m., in the Council Chambers in the Hilliard Town Hall, located at 15859 West County Road 108, Hilliard, Florida, to hear input regarding Resolution No. 2023-22. All interested parties may appear at the meeting and be heard with respect to the proposed Resolution No. 2023-22.

Action on the matter may be taken following the closing of the Public Hearing at the Hilliard Town Council's regular meeting. A copy of the Resolution which is proposed for Adoption is available by calling (904) 845-3555 or emailing [lpurvis@townofhilliard.com](mailto:lpurvis@townofhilliard.com) during normal business hours 9:00 a.m. to 5:00 p.m., Monday through Friday or at [www.townofhilliard.com](http://www.townofhilliard.com).

### **RESOLUTION NO. 2023-22**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILLIARD FLORIDA, ADOPTING THE PUBLIC LANDS INVENTORY FOR PROPERTY TO WHICH THE TOWN HOLDS A FEE SIMPLE TITLE THAT IS APPROPRIATE FOR USE AS AFFORDABLE HOUSING PROVIDING FINDINGS; PROVIDING FOR IMPLEMENTATION AND APPLICABILITY; PROVIDING FOR ADOPTION OF THE PUBLIC LANDS INVENTORY; AND PROVIDING AN EFFECTIVE DATE.**

### **PURSUANT TO THE REQUIREMENTS OF F.S. 286.0105, the following notification is given:**

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting, he or she may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**Persons with disabilities requiring accommodations** in order to participate in this proceeding should contact the Town Clerk at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

Lisa Purvis, MMC  
Town Clerk  
Town of Hilliard



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council Approval of the Mutual Aid Agreement for Disaster Debris Removal Services between Nassau County, Florida, and Phillips and Jordan, Inc.

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#### **BACKGROUND:**

Previously executed on September 24, 2018, that aided in the planning and action of debris removal should a disaster have occurred in the time frame since.

#### **FINANCIAL IMPACT:**

None.

#### **RECOMMENDATION:**

Town Council Approval of the Mutual Aid Agreement for Disaster Debris Removal Services between Nassau County, Florida, and Phillips and Jordan, Inc.



November 3, 2023

RE: Mutual Aid Agreement for Disaster Debris Removal Services between the Nassau County, Florida, and Phillips and Jordan, Inc.

Phillips and Jordan, Inc. (P&J) and Nassau County, Florida has executed an Agreement for Disaster Debris Management and Removal, Agreement No. CM 3466 effective October 9, 2023 with an original expiration date of October 8, 2026 ("County Contract").

Florida Statute §189.053 (Purchases from purchasing agreements of special districts, municipalities, or counties.) states:

Special districts may purchase commodities and contractual services, other than services the acquisition of which is governed by s. 287.055, from the purchasing agreements of other special districts, municipalities, or counties which have been procured pursuant to competitive bid, requests for proposals, requests for qualifications, competitive selection, or competitive negotiations, and which are otherwise in compliance with general law if the purchasing agreement of the other special district, municipality, or county was procured by a process that would have met the procurement requirements of the purchasing special district.

P&J would like to offer to \_\_\_\_\_, Fla., to enter into this exclusive agreement with Phillips & Jordan, Inc. pursuant to Fla. Stat. § 189.053. This offer is made at the same terms and conditions stated in the above-referenced agreement with Nassau County, Florida. This agreement will remain in effect as provided in the County Contract, including all extensions properly executed per the County Contract.

Please return one fully executed original letter upon acceptance.

Sincerely,  
PHILLIPS & JORDAN, INC.

ACCEPTED: \_\_\_\_\_, FL

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Printed Name: Morgan Pierce

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Lisa Purvis

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**From:** Sydney Kendrick <skendrick@pandjenv.com>  
**Sent:** Friday, November 3, 2023 7:25 AM  
**To:** Lisa Purvis; Richie Rowe (Shared); Cory Hobbs; Dawn Carroll  
**Subject:** Mutual Aid Nassau County Disaster Debris Contract - Phillips & Jordan  
**Attachments:** Mutual Aid Agreement (FL) Nassau County.docx; 20261009-Nassau County, FL-Original Contract.pdf

You don't often get email from skendrick@pandjenv.com. [Learn why this is important](#)

Good morning,

It's that time again when we update our Disaster Debris Management and Removal Service Agreement. As you know, Phillips & Jordan is the Prime # 1 Contractor for Nassau County for disaster debris collection and removal services and the County allows the Town of Hilliard to utilize their contract. We have attached the mutual aid so that the Town can utilize that contract should an unfortunate disaster occur in your area. We stand by ready to assist immediately.

Please review this mutual aid agreement and let us know if you have any questions. Let us know if you'd like our management team to come by for a planning/coordination meeting. The meeting is free of charge and gives us an opportunity to proactively plan for any disaster.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

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TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council Approval of Hiring Joel G. Hall P.E. for the Position of Public Works Director with a Starting Date of November 27, 2023, at an Annual Salary of \$70,000.00.

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#### **BACKGROUND:**

See attached document.

#### **FINANCIAL IMPACT:**

\$70,000.00 (To be reviewed during the next Budget)

#### **RECOMMENDATION:**

Town Council approval of hiring of Joel G. Hall P.E. to fill the Position of Public Works Director.



**HILLIARD PARKS & RECREATION  
PUBLIC WORKS DIRECTOR  
Position Process**

Regular Meeting: November 16, 2023

Applicant: Joel G, Hall, P.E.  
391066 Prospect Landing Road  
Hilliard, Florida 32046

Position: Public Works Director

Salary: \$70,000.00 (To be reviewed during the next Budget)

Qualifications: Bachelor of Science, 1983 Agricultural Engineering  
Master of Science, 1985 Agricultural Engineering  
Environmental Engineering Minor  
Registered Professional Civil Engineer in Florida (41926)  
University of GA, Carl Vinson Institute of Government  
Certificate of Local Government Management  
(Management Development Program) 10/2018  
34 Years Experience in Consulting Engineering and  
Utilities Operation and Management Large & Small  
Municipal, Private, and Federal Clients  
Project Management  
Water & Wastewater Design  
Environmental Permitting  
Construction Management  
Design Management  
Pipeline and Pump Stations  
Facility Master Planning  
Water Resource Management  
Reclaimed Water  
Budget Analyst  
People Management  
Training Development  
Report Creation  
Windows XP and Microsoft Programs  
DL Valid Florida Driver's License

Position Starts: November 27, 2023 (November 16, 2023, Agenda)  
Introductory/Probationary Period

Position Status: February 15, 2023, Agenda  
Regular Full Time/Exempt Position

## Conditions of Employment:

The offer of employment is contingent upon the following: Satisfactory results of background investigations and/or medical examination or inquiry, including a drug screen test.

The Town of Hilliard is an Equal Opportunity Employer and a Drug Free Workplace.

## Public Works Director Position Process

### Advertised:

Nassau County Record – 10/04/2023 & 10/11/2023

Westside Journal – 10/05/2023 & 10/12/2023

Town Website – 09/29/2023 – 11/02/2023

INDEED – 09/29/2023 – 11/02/2023

18 Total Applications and/or Resumes were received in the office and from INDEED.

4 Workshops were held on 10/23/2023, 10/30/2023, 11/02/2023 & 11/06/2023.

10/30/2023 – The Town Council reviewed all applications and decided to interview and rank the top six (6) applicants.

1 Jason Bergendahl

2 Joel Hall

3 Cory Hobbs

4 Jeff Schultz (Cancelled)

5 Bert Warren

6 Jody Wildes

The following interviews were conducted:

11/02/2023

1 Jason Bergendahl

2 Cory Hobbs

11/06/2023

3 Joel Hall

4 Bert Warren (Cancelled)

5 Jody Wildes

11/06/2023 – The Town Council completed the interview process and ranked the applicants individually. The Council decided to enter negotiations with the number one (1) ranked applicant Joel Hall.

11/16/2023 – The number one (1) ranked applicant Joel Hall accepted the position and agreed to start November 27, 2023.



## AGENDA ITEM REPORT

### TOWN OF HILLIARD, FLORIDA

---

TO: Town Council Regular Meeting Meeting Date: November 16, 2023

FROM: ***Lisa Purvis, MMC – Town Clerk***

SUBJECT: Town Council approval to Set a Special Meeting to Adopt the Fiscal Year 2022-2023 Amended Budget by Resolution and Approval of the FDOT's Grant Agreement for the North Land Acquisition, for Thursday, November 30, 2023, at 6:00 p.m.

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#### **BACKGROUND:**

The Final Fiscal Year Amended Budget must be adopted by November 30<sup>th</sup> of each year.

The FDOT Land Acquisition Grant for their 10% share of the three properties appraised values has to be executed prior to any funds being expended and by executing this prior to month end would allow sufficient time for FDOT to have executed the first part of December.

#### **FINANCIAL IMPACT:**

None.

#### **RECOMMENDATION:**

Town Council to Set a Special Meeting to Adopt the Fiscal Year 2022-2023 Amended Budget by Resolution and a potential FDOT Grant Agreement for the North Land Acquisition for Thursday, November 30, 2023, at 6:00 p.m.

# HILLIARD TOWN COUNCIL MEETING

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

## TOWN COUNCIL MEMBERS

John P. Beasley, Mayor  
Kenny Sims, Council President  
Lee Pickett, Council Pro Tem  
Joe Michaels, Councilman  
Jared Wollitz, Councilman  
Dallis Hunter, Councilman

## ADMINISTRATIVE STAFF

Lisa Purvis, Town Clerk  
Cory Hobbs, Interim Public Works Director  
Gabe Whittenburg, Parks & Rec Director

## TOWN ATTORNEY

Christian Waugh

## MINUTES

THURSDAY, NOVEMBER 02, 2023, 7:00 PM

### NOTICE TO PUBLIC

*Anyone wishing to address the Town Council regarding any item on this agenda is requested to complete an agenda item sheet in advance and give it to the Town Clerk. The sheets are located next to the printed agendas in the back of the Council Chambers. Speakers are respectfully requested to limit their comments to three (3) minutes. A speaker's time may not be allocated to others.*

### PLEDGE OF CIVILITY

WE WILL BE RESPECTFUL OF ONE ANOTHER  
EVEN WHEN WE DISAGREE.  
WE WILL DIRECT ALL COMMENTS TO THE ISSUES.  
WE WILL AVOID PERSONAL ATTACKS.  
***"Politeness costs so little." – ABRAHAM LINCOLN***

## CALL TO ORDER

## PRAYER & PLEDGE OF ALLEGIANCE

## ROLL CALL

## PRESENT

Mayor John Beasley  
Council President Kenny Sims  
Council Pro Tem Lee Pickett  
Councilman Jared Wollitz  
Councilman Dallis Hunter  
Councilman Joe Michaels

## PRESENTATIONS

ITEM-1 Presentation on Take Stock in Children Mentor Program given by Lynda Smith, West Side Committee Chair of "Take Stock in Children"  
***Lynda Smith – West Side Committee Chair of "Take Stock in Children"***

**Lynda Smith of Take Stock in Children**, explains the Mentor Program and states that the Program is in desperate need of mentors. Mrs. Smith also provides brochures with QR Codes, that include student testimonies and mentor applications.

## REGULAR MEETING

### ITEM-2 Additions/Deletions to Agenda

No additions to or deletions from Agenda.

### ITEM-3 Town Council approval of Capital Purchase of a GUA Guardian 95G4 Variable Flow Sprayer at the Total Cost of \$12,470.00, from ADAPCO a Sole Source vendor.

**Cory Hobbs – Interim Public Works Director**

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

### ITEM-4 Town Council Approval of the Mural License Agreement between the Town of Hilliard and Hearts 4 Minds, Inc. (H4M) for the Mural that is planned for the Town Hall Park Facility.

**Gabe Whittenburg – Parks & Recreation Director**

Motion made by Councilman Wollitz, Seconded by Councilman Michaels.

In discussion motion is amended to remove from line 3 the sentence that states “Subject to revocation of the license by the Town, which may be made at any time”.

Amendment to Motion made by Councilman Wollitz, Seconded by Councilman Michaels.

Motion amendment.

Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

Motion as amended.

Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

### ITEM-5 Town Council to Set a Workshop to Interview Selected Candidates for the Position of Public Works Director on Monday, November 6, 2023, at 6:00 p.m.

**Lisa Purvis, MMC – Town Clerk**

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

### ITEM-6 Town Council approval of the Minutes for the October 19, 2023, Public Hearing & Regular Meeting.

**Lisa Purvis, MMC - Town Clerk**

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

- ITEM-7 Town Council approval of Lampe, Roy & Associations, Inc., Payable through October 23, 2023, Project Name: Florida Department of Transportation Land North in the amount of \$750.00  
**FDOT PTGA 100% GRANT FUNDED PROJECT LUMP SUM GRANT**  
**\$464,000.00**

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

- ITEM-8 Town Council approval of Lampe, Roy & Associations, Inc., Payable through July 21, 2023, Project Name: Florida Department of Transportation Land North in the amount of \$1,000.00  
**FDOT PTGA 100% GRANT FUNDED PROJECT LUMP SUM GRANT**  
**\$464,000.00**

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

- ITEM-9 Town Council approval of Nassau County Council on Aging Donation for Fiscal Year 2023-2024, to assist Seniors in Hilliard with their Water and Sewer Bills in the amount of \$10,000.00.  
**BUDGETED DONATION FROM WATER AND SEWER PENALTY FEES COLLECTED**

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

## ADDITIONAL COMMENTS

### PUBLIC

**Nadine Lloyd, 3792 South Pine Street, Hilliard,** thanks the Town for the Harvest Festival and states that she can't wait and is looking forward to the Christmas Event.

### MAYOR & TOWN COUNCIL

**Council President Sims,** speaks on what a successful Halloween night was had in the Town of Hilliard.

**Council Pro Tem Pickett,** welcomes Town Attorney Waugh back in person to the meeting.  
**Councilman Hunter,** states that last weekend he attended the Florida League of Cities, Elected Municipal Officials, Training II, in Daytona Beach and that topics were discussed on Land Use and how to bring in additional revenues to your municipalities.

**Mayor Beasley,** welcomes Town Attorney Waugh back in person to the meeting. Also, states what a successful Halloween night was had in the Town of Hilliard. Reminds everyone that the Town will be holding its annual Veterans Day Appreciation Ceremony at

Town Hall Park on Saturday, November 11, 2023. The event will start at 9:00 a.m. and end with lunch being served at 11:00 a.m. Representative Dean Black and Congressman Aaron Bean will be this year's speakers.

**ADMINISTRATIVE STAFF**

**PRESENT**

Town Clerk, Lisa Purvis

Interim Public Works Director, Cory Hobbs

**ABSENT:**

Parks & Recreation Director, Gabe Whittenburg

**TOWN ATTORNEY**

No comments.

**ADJOURNMENT**

Motion made to adjourn at 7:28 p.m.

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

Voting Yea: Council President Sims, Council Pro Tem Pickett, Councilman Wollitz, Councilman Hunter, Councilman Michaels

Approved this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by the Hilliard Town Council, Hilliard, Florida.

\_\_\_\_\_  
Kenneth A. Sims, Sr.  
Council President

ATTEST:

\_\_\_\_\_  
Lisa Purvis  
Town Clerk

APPROVED:

\_\_\_\_\_  
John P. Beasley  
Mayor