

Joe Catigano

Oak Hill City Commissioner Seat #3

Joe Catigano

Oak Hill City Commissioner Seat #3

– The Right Leader Now –



December 23, 2025

Hi Everyone,

I hope you find joy and fellowship as you celebrate the birth of Christ with your family and friends. MERRY CHRISTMAS to you all.



Citizen turnout at our commission meetings has been amazing, thank you all for supporting our city. Your participation is essential to its health and well-being, and it's having an impact.

Turning the City Commission Against its Citizens

The December 8, 2025, Oak Hill City Commission meeting was J. Michael Kelly's last meeting as City Attorney. [Click here](#) to read his resignation letter.

Let's make a deal!

During the meeting Attorney Kelly informed the commission that over the course of the last three weeks, he had been negotiating with an attorney that Garden Street Communities Southeast LLC had recently hired. He claimed that he had been making strides toward a settlement in a lawsuit that Garden Street Communities Southeast LLC had filed against the city. [Here](#) is a copy of the complaint [for declaratory relief](#).

Attorney Kelly went on to ask that the city commission vote to allow him to write a letter on behalf of the city, disavowing a motion to intervene in the case. That motion was filed by Attorney Tanner Andrews on behalf of a group of Oak Hill residents that he represents. [Here](#) is a copy of the citizen's motion to intervene. The primary reason the citizens felt it necessary to spend their hard-earned money and hire Attorney Andrews to represent them in this motion, is because the citizens do not believe that Attorney Kelly was acting in their best interest, or the best interest of the city.

Garden Street Communities Southeast LLC, filed its complaint for declaratory relief on March 10, 2025, just under one month after the February 12, 2025, judicial default was entered against the City of Oak Hill. This judgement declares that "*as between the parties to this action, Oak Hill Ordinance 2021-02 is null and void ab initio*" or "*from the beginning.*" [Click here](#) to view the final judgement order. More than nine months later Attorney Kelly has not filed a motion for summary judgment in the case. Why he should file for summary judgement, is because on October 14, 2022, the City of Oak Hill and Garden Street Communities Southeast LLC, entered into a contract. [Click here](#) to view it.

The document has all the elements of a contract: an offer, acceptance, and consideration. The City of Oak Hill agreed with [Garden Street Communities Southeast LLC](#), that in exchange for the immunity the document provides, the city will continue to process their application for zoning change and RPUD development. The City of Oak Hill did in fact process the developer's application. In exchange for that consideration, Garden Street Communities Southeast LLC, agreed to "*release the city from any and all liability for damages incurred by the Owner/Applicant in pursuing the review, approval and construction of the development in the event the zoning approval is overturned or otherwise invalidated.*" The zoning approval was in fact "*overturned or otherwise invalidated*" by the February 12, 2025, judicial default that was ordered and adjudged against the City of Oak Hill.

It should be noted that [Garden Street Communities Southeast LLC](#) was included as a party to the Sunshine Law violation case but asked to be dismissed. [Click here](#) to view the January 10, 2023, demand letter they sent to Attorney Andrews. On December 5, 2024, nearly two years later, Garden Street Communities Southeast LLC asked to be added back onto the case by filing a [motion to intervene](#). During a hearing to consider the motion

the judge granted the judicial default against the City of Oak Hill which rendered all pending motions “*denied as moot.*” Garden Street Communities Southeast LLC did not appeal the action.

Why Attorney Kelly has failed to act in the best interest of the city and its citizens is a mystery. Garden Street Communities Southeast LLC, acknowledges the execution of the contract in its reply to defendant’s answer in its fifth affirmative defense. [Click here](#) to view Garden Street’s reply to defendant’s answer and affirmative defenses. To date, there is no evidence that Attorney Kelly has ever presented Garden Street’s release/contract to the Court seeking summary judgement. The city and its taxpaying citizens have been paying attorney’s fees for more than nine months with nothing to show for it. Now, Attorney Kelly seeks to have the city commission turn its back on the very citizens whose interests they were elected to represent.

Attorney Kelly is seeking permission from the Commission to write a formal objection to the Oak Hill citizens motion to intervene. At the December 8, 2025 commission meeting, he told the commission that “*having an independent party intervene to subvert the democratic process of the commission itself would undermine the entire democratic process as a whole.*” [Click here](#) to view that video clip. [Click here](#) to view the entire 30-minute exchange. Attorney Kelly had no problem when Garden Street Communities Southeast LLC, filed its motion to intervene in the Sunshine law case. There was no talk of subversion when Garden Street wanted back in as a party to a proceeding. When they wanted out, they argued that only a government entity could deny rights to its citizens by violating Florida’s Sunshine Law. They argued that as private corporation it was not possible for them to violate the Sunshine Law and therefore could not be a party to the case.

The December 8, 2025 Oak Hill City Commission meeting was an absolute disgrace. Who would have ever guessed that our city government could actually be worse than it was before the election? Egos, personal vendettas, and narcissism have somehow managed to supplant the promises the then candidates made to you when they came to your home and asked for your vote. Why the city attorney would try and persuade the commission to do anything that would interfere with their constituent’s right to seek [redress of their grievances](#) in a court of law, a protected first amendment right, is beyond the pale.

Michael Kelly, who is an attorney, actually accused me of being unethical for doing what you asked me to do with your vote. [Click here](#) to view Michael Kelly tell the public that it is unethical for me to support you, your interests, and to keep you informed of all your options as you continue defending yourself against a city that has openly admitted to violating your rights in the past. He tells the public that I am using you “*as leverage to*

control this litigation for my own interests, which is unethical.” [Click Here](#) to watch Michael Kelly tell the commission that “*having an independent party intervene, (people on Gaines Street and other citizens of Oak Hill), to subvert the democratic process of the commission itself would undermine the entire democratic process as a whole.*” So how do you like that, Michael Kelly fails to act in the best interest of the citizens by not filing a motion for summary judgement the very second that Garden Street files their suit against the city. When the citizens decide to protect their own interests and seek to intervene we are somehow [subverting](#) a democratic process.

Attorney Kelly tells the commissioner’s (and public) that the purpose of us filing our [motion to intervene](#) was to “*undermine the entire democratic process as a whole.*” What he leaves out is the part where he acknowledges that we have a protected right to do so as a party who is directly affected by the outcome of the litigation. His expectation must be that we should only seek to protect our interest through him and the City of Oak Hill. How has that worked out for you so far? I believe that all of us have a personal responsibility to protect our own interests and to not capitulate to some ideologue whose motives are unclear. Attorney Kelly seems to think that my representation of your interests as a city commissioner is somehow untoward and constitutes a grand conspiracy. [Click here](#) to view his comments. If that was the case, I guess that would have come up years ago. I believe that if the State of Florida had a problem with my performance as a city commissioner acting on behalf of the people who elected me, they probably would have said so when a citizen filed an ethics complaint against me because he thought I should recuse myself from voting on an issue pertaining to Garden Street Communities Southeast LLC. [Click here](#) to read the Florida Commission on Ethics’ opinion on this issue.

Could this be why Attorney Kelly relegates himself to the realm of hurling insults and innuendo rather than providing accurate and timely counsel to the Commission? [Click here](#) to watch a citizen’s reaction to the many unfounded and speculative statements he spewed about my service to the citizens I was elected to represent. Keep in mind that as an attorney in the State of Florida, and as one who is tasked with advising our city commission on legal and ethical matters, one would expect that he was well versed in such matters and possess the capacity provide the commission with relevant information, not his personal conjecture. His failure to answer a citizen’s question about my obligation to recuse myself must have either been the result of his not knowing or that the answer fails to support his narrative that I’m an unethical city commissioner.

After the December 8, 2025 meeting, I emailed Attorney Kelly seeking clarification on his accusations. [Click here](#) to read my email. [Click here](#) to read Attorney Kelly’s response. First of all, representing my constituents by advising you on options that are available to

you as you continue to seek a remedy to the injustice that was perpetrated upon you by City of Oak Hill, is not unethical, it is what is expected of me by you and the State of Florida. By the way, the City Commission has never “ratified” a legal strategy in defending against the Garden Street lawsuit other than the one the previous commission adopted years ago when they entered into a contract with Garden Street Communities.

They (Garden Street) expected the city to perform their half of the contract by continuing to process their application for a zoning change and development plan while an appeal was pending and a new lawsuit was filed because of a Sunshine Law Violation against the citizens. In exchange for this consideration, Garden Street Communities says, while being fully advised of the risks, they are willing to assume the risk of proceeding prior to the finalization of the pending legal challenges. They furthermore release the city from any and all liability for damages incurred in pursuing the review, approval and construction of the development in the event that the zoning approval is overturned or otherwise invalidated. [Click here](#) to view the contract. So, with this in mind, it looks like Michael’s contention that I attempted to “circumvent a decision of the city commission” fails to hold water.

The notion that advising my constituents of a documented fact: the judge ordered that the zoning of a 32-acre parcel on North Gaines Street be returned to R-1, is somehow unethical also fails to hold water. [Click Here](#) to read the Judge’s order returning the zoning to R-1. [Click here](#) to read resolution 2021-02. As you can see, the final judgement clearly states, “*The Court finds and declares that as between the parties to this action, Oak Hill Ordinance 2021-02 is null and void.*” This is not rocket science. [Click here](#) to view the City’s future land use map as currently posted on the city’s website.

Finally, Michael asserts that I have repeatedly attempted to [coerce](#) him into following legal strategies that he has expressly cautioned against. He claims that doing so is unethical and goes on to say that I have also done this to another city staff member. He provides no evidence to bolster his assertion. I would say that someone disagreeing with a legal strategy is not unethical, it’s called debate. In his response to my email, Michael does go on to say the he recommends that I recuse myself from voting on the intervention. Since I have no conflict and do not stand to inure myself or gain anything more than anyone else in this town, I have a legal and moral obligation to represent my constituents by voting.

Why Attorney Kelly refuses to act in the interest of The City Oak Hill and its residents is unclear to me. It is my view that a good first step for him would be to hold Garden Street to account over the contract they entered into with our city. Why would anyone choose to negotiate a settlement with someone who has contractually agreed not to sue you? I do not believe that our city commission has ever instructed the city attorney to negotiate a

settlement and the idea that he would advise the commission to act against interest of the citizens they were elected to represent is reprehensible. The commission voted a year ago to right a wrong that the city had perpetrated upon its citizens when a city board violated their rights by holding a meeting outside of the sunshine. Now, Attorney Kelly somehow finds it appropriate to succumb to a threat from the plaintiff. The choice - either the city disavow the right of its citizens to hire an attorney of their choosing, to represent them in a case that they choose to file, or they will not negotiate a settlement.

Not only do I believe that there is nothing to settle, I believe that Attorney Kelly and the City of Oak Hill are refusing to acknowledge a rightful ruling from the court. I also believe that advocating against the interests of clients that he previously represented in the same or a substantially related matter in which that person's interests are materially adverse to the interests of the former client because they have not given informed consent, is unethical.

Attorney Kelly previously represented the very group of citizens he is now working to undermine. He represented the group against the City of Oak Hill, who he is now advising to take actions contrary to the interests of his previous clients. [Click here](#) to see the retainer agreement the citizens executed when they hired Michael Kelly to represent them. [Click here](#) to read the Florida Bar Rule that regulates such an action. [Click here](#) to read the rules in their entirety.

Finally, I would like to point out that Florida Bar opinion 02-5 says that a lawyer may give a second opinion to a person who is represented by counsel on how the current lawyer is handling the case. Apparently, Attorney Kelly doesn't like if a commissioner seeks a second opinion on how a case is being handled but the State Bar Association thinks that it's just fine to do so.

Citizens of North Gaines Street and any other affected Citizens – Please come to the January 12, 2026 City Commission meeting and Let the Mayor and Commissioners know that you do not appreciate them interfering with your right to redress your grievances in the courts. Let them know that they should support your effort to hold the city to account and protect your interests, after all, it's why you voted for them. I want you all to know that I continue to support you and always will. Thank you.



The next Oak Hill City Commissioner's meeting is, **January 12, 2026** at city hall. The time is 6:00 PM. Please come and let your voice be heard. Your presence and participation are how we hold our commission to account.

As always, it's my pleasure to serve you, I appreciate your support. Please let me know what I can do to help. I'm here to represent you...

Thanks again,

Joe Catigano
Oak Hill City Commissioner
Seat 3

[Please visit Newsletter archives.](#)



[VISIT OUR PAGE](#)

[Email](#)

December 23

23

Copyright © 2026 Joe Catigano, All rights reserved.

You are receiving this email because you opted in via our website or provided contact to Joe Catigano. Thank you!

Our mailing address is:

Joe Catigano
279 N Gaines Street
Oak Hill, FL 32759

[Add us to your address book](#)

Want to change how you receive these emails?
You can update your preferences or unsubscribe from this list.



This email was sent to << Test Email Address >>
[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)
Joe Catigano · 279 N Gaines Street · Oak Hill, FL 32759 · USA

