

Commission Meeting
May 7, 2019
6:30 pm

Mayor Nugent called the meeting to order at 6:30 pm.

Mayor Nugent offered a prayer and led the Pledge of Allegiance. Commissioner Waters asked everyone to keep County Commissioner Kenny Thompson in their prayers.

This was the first regular meeting of the month. Members present included Mayor Daniel W. Nugent, Commissioner Tommy Chastain, Commissioner Janice D. Mortimer, Commissioner Shannon Smith and Commissioner Wilbur Waters. Also present were Police Chief Jeff Johnson, City Attorney Clay Martin, City Manager Bob Milner, Deputy Clerk Lisa Terry and Administrative Assistant Dan Williams. City Clerk Ricky Thompson was absent due to his brother being in the hospital.

Mayor Nugent asked Scott Koons to address the commission. Mr. Koons said he is the Executive Director of the North Central Florida Regional Planning Council. Mr. Koons said he is here to discuss the 50th Anniversary of the North Florida Regional Planning Council. He said the council was formed on May 7, 1969 and the City of Starke has been a member since 1975. Mr. Koons thanked the mayor and commissioners for issuing a proclamation making May 7, 2019 North Central Florida Regional Planning Council Day. He said the council is made up of counties in the North Central Florida region and its mission is to improve the quality of life of the region's citizens by enhancing public safety, protecting regional resources, promoting economic development and providing technical services to local governments. Mr. Koons said the region is made up of 12 counties and 40 municipalities with 13 member cities one of which is Starke. The region is 8,000 square miles with a population of 560,000. He said the council is made up of 2/3 local elected officials who are City and County Commissioners. Mr. Koons said Commissioner Mortimer is the representative from Starke. He said 1/3 of the council is made up of Gubernatorial Appointees. Mr. Koons said under State Law counties are required to be members while cities are voluntary members. He said the next slides show the 12 member counties and 13 member cities. Mr. Koons said the Executive Committee Members are Chair Louie Davis from Waldo, Vice-Chair Robert Wilford from Alachua, Secretary-Treasurer Charles Chestnut from Alachua County, Executive Committee Member Thomas Demps from Taylor County and Immediate Past Chair Lorene Thomas from Dixie County. He said the Ex-Officio Members include the Florida Department of Economic Opportunity, the Florida Department of Environmental Protection, the Florida Department of Transportation, the Southwest Florida Water Management District, the St. Johns River Water Management District and the Suwannee River Water Management District. Mr. Koons said the Regional Planning Council programs include regional, public safety, transportation, economic development and local government assistance. He said the members who joined in the 1960's included Alachua County, the City of Alachua, the City of Gainesville, the City of Hawthorne and the City of High Springs. Mr. Koons said members who joined in the 1970's included Bradford County, Columbia County, Hamilton County, Lafayette County, Madison County, Suwannee County, Taylor County, Union County, the City of Lake City, the City of Live Oak, the City of Madison, the City of Perry, the City of Starke and the City of Waldo. He said the other members include Dixie County, Gilchrist County,

Levy County, the City of Archer, the City of Jasper and the City of Newberry. Mr. Koons said in 1969 the population of the State of Florida was 6,000,000 and now it is 21,000,000 making it the third largest state. The Regional Population was 225,000 and now it is 560,000. The City of Starke population was 4,800 and now it is 5,300. He said in 1969 the President was Richard Nixon and the Governor of Florida was Claude Kirk, Jr. Mr. Koons said in its first decade the council performed a Gainesville Urbanized Area Transportation Study, a Gainesville Metropolitan Area Stormwater Study, Local Government Comprehensive Plans, Community Development Block Grant Applications, an Economic Development District Designation a Regional Comprehensive Plan and a Metropolitan Transportation Planning Organization. He said in its second decade the council performed an Overall Economic Development Plan, a Research and Development Park Feasibility Study, formed the Suwannee River Committee, performed a Regional Inland Hurricane Shelter Study, a Coastal Hazard Mitigation and Resource Protection Report, a Southeast Gainesville Commercial Revitalization Study, a Regional Solid Waste Management Master Plan and a County Hazardous Waste Monitoring Program. Mr. Koons said in its third decade the council initiated the Job Training Partnership Act Administrator, the Local Emergency Planning Committee, the original Florida Tourism Task Force, the Transportation Disadvantaged Program Planning Agency, the Local Government Comprehensive Planning Assistance, the Comprehensive Economic Development Strategy, the Big Bend Tri-County Task Force and the County Local Mitigation Strategies. He said in its fourth decade it created the Regional Hazardous Materials Response Team, the Statewide Water Distribution Recommendation Review, the Economic Impact Analysis Modeling Services, the Interstate 75 Corridor Council and the Interstate 75 Interchange Development Report. Mr. Koons said in its fifth decade it produced the Regional Economic and Disaster Resiliency Study, the Statewide Evacuation Study, the Statewide Comprehensive Economic Development Strategy and the Suwannee River and Withlacoochee River Task Force. He said over the council's 50-year history there have been 3 Executive Directors, 39 Chairs 2 of which were from Starke and 396 elected officials and Gubernatorial Appointees. Mr. Koons said it has been his pleasure to present these accomplishments to the commissioners. He thanked the commissioners for their time and membership. Mayor Nugent said Commissioner Mortimer is doing a great job representing the City of Starke on the North Central Florida Regional Planning Council. Mayor Nugent thanked Mr. Koons for attending.

Mayor Nugent asked if there were any additions or deletions to the agenda. There were none. Mayor Nugent entertained a motion to approve the agenda. Commissioner Mortimer made a motion to approve the agenda. It was seconded by Commissioner Smith. The motion passed 5-0.

Mayor Nugent asked the commissioners if there was anything they wanted removed from the consent agenda. There was not. The consent agenda consisted of the minutes of the April 16, 2019 Commission Meeting. Mayor Nugent entertained a motion to approve the consent agenda. Commissioner Chastain made a motion to approve the consent agenda. It was seconded by Commissioner Smith. The motion passed 5-0.

Mayor Nugent addressed the emergency items. There were none.

Mayor Nugent read the statement for citizen requests "The City of Starke welcomes you to this meeting. This time is set aside for our citizens and general public to address the city commission. This is not a question or answer time. It is not a political forum, nor is it a time for personal accusations or derogatory remarks to or about city personnel. If you would like to address the commission please complete a form, come to the podium when you are called, speak into the microphone and state your name and address for the record. Please also limit your comments to not more than 3 minutes. Your participation is welcomed." Mayor Nugent said there is a request from Eulinda Russ. He asked if Ms. Russ was in attendance. She was not so Mayor Nugent suggested allowing her to speak if she shows up.

Mayor Nugent asked for the City Clerk Report. Ms. Terry introduced Autumn Box who is attending the meeting to cross train in the event that Ms. Terry is unable to attend a meeting. Ms. Terry said Commissioner Smith met with the Bond Trustees to review the bills. Commissioner Smith made a motion to pay the bills. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Ms. Terry addressed the first reading of Ordinance No. 2019-03. Attorney Martin read the title of Ordinance No. 2019-03. Mayor Nugent entertained a motion to approve the first reading of Ordinance 2019-03. Commissioner Chastain made a motion to approve the first reading. It was seconded by Commissioner Waters. Commissioner Mortimer asked what the ordinance is for. Ms. Terry said there are 3 firefighters who serve on the Firefighters' Pension Board and they cannot vote regarding the distribution of the share plan money because they benefit from it. The ordinance allows the share plan money to be distributed without going before the pension board. The motion passed 5-0.

Ms. Terry addressed the proclamation declaring May 12th through 18th, 2019 National Police Week. Attorney Martin read the proclamation. Mayor Nugent entertained a motion to adopt the proclamation. Commissioner Mortimer made a motion to adopt the proclamation. It was seconded by Commissioner Waters. The motion passed 5-0.

Ms. Terry addressed the Request for Proposals for a Consultant for Americans with Disabilities Act Self-Assessment Report and Transition Plan. She said the advertisements will be run in the Gainesville Sun and the Florida Times Union. Mayor Nugent entertained a motion to approve the Request for Proposals. Commissioner Waters made a motion to approve the Request for Proposals. It was seconded by Commissioner Chastain. Commissioner Chastain asked if the proposal could include thicker safety glass for the payment window. Mr. Milner said he and Mr. Thompson have talked about that. Commissioner Smith asked if the request could be sent to a broader area. Mr. Milner said he has a list of contractors from Bradford County that they send requests for proposals to. Mayor Nugent asked what the timeline is. Ms. Terry said the bids are due back by June 10, 2019. The motion passed 5-0.

Ms. Terry addressed the Americans with Disabilities Act Website Compliance. She said Nathan Thornton with the Net Group has been working on the ADA Compliance issues with the City of Starke website and is well on its way to having the issues resolved.

Mayor Nugent asked for the City Manager Report. Mr. Milner introduced Tom Geoffroy with Florida Gas Utility. Mr. Geoffroy said the city already has 2 agreements to buy discounted natural gas and this is an opportunity to add a third. Mr. Geoffroy said this agreement is with Morgan Stanley and would have a discount of 32 cents per dekatherm. He said the discount will reprice every 5 or 6 years with a floor of 20 cents. Mr. Geoffroy said the difference between this agreement and the previous ones is if the discount drops below the floor the city could opt out of the agreement for that period. He said the savings in the summer months would be around \$125 per month and around \$270 per month in the winter months. Mr. Geoffroy said the city purchased 43,245 dekatherms last year and would have saved \$5,211 if the 3 agreements had been in place. He recommended that the commission approve the agreement. Mayor Nugent asked what the penalty would be if the city did not need the minimal quantity of gas purchased. Mr. Geoffroy said there would be no penalty if the minimum quantity of gas was not needed. Commissioner Smith asked Mr. Geoffroy how long the city has been doing business with Florida Gas Utility. Mr. Geoffroy said for 30 years. Commissioner Mortimer asked Attorney Martin if he had reviewed the agreement. Attorney Martin said he has reviewed the agreement but not the underlying agreement. Commissioner Smith asked when the agreement would need to be signed. Mr. Geoffroy said he is signing the agreement on Thursday but the gas purchase would not begin until November 1, 2019 so there is some time. Commissioner Waters said they have been in agreements with Florida Gas Utility and saved money but he would like Attorney Martin to review the underlying agreement. Commissioner Mortimer agreed. Mayor Nugent entertained a motion to table the item until Attorney Martin can review it. Commissioner Waters made a motion to table the item until the next meeting. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner addressed the purchase of the Dodd property on Edwards Road. He said the owners have agreed to accept \$30,000 net to sell the property to the city. Mr. Milner said the commissioners have the appraisal from the Bradford County Property Appraiser's Office and the appraisal from Lee Hardenbrook from almost 2 years ago. He said he has discussed closing costs with Attorney Martin of approximately \$556. Mr. Milner is recommending in the absence of any agreement regarding the Hercules property that the city purchase the Dodd property to be used for additional parking for the Edwards Road Facility. Mayor Nugent said he would like to preserve some of the trees on the property. Mayor Nugent entertained a motion to approve the purchase of the property. Commissioner Waters made a motion to purchase the property. The motion was seconded by Commissioner Smith for discussion. Commissioner Smith asked Mr. Milner about costs to clear the property and asked if the property would need to be fenced. Mr. Milner said it is not necessary to fence the property but he is looking into the possibility of getting free fencing. He said the county has offered their equipment and services to clear and surface the property. Commissioner Smith asked if there had been any buildings on the property in the past. Mayor Nugent said there was an old house on the property at one time. Commissioner Smith said his concern was if there had been a gas station or something that could be a contamination issue. Attorney Martin said if there is a concern about contamination a clause could be built into the contract to have a phase 1 environmental assessment. Commissioner Smith asked if that would be a cost to the city. Attorney Martin said it would be a cost to the city. Commissioner Mortimer asked if the cost of the property would be part of the splash park grant. Mr. Milner said it would not. Mayor Nugent asked if there was money left in the recreation budget to purchase the property. Mr. Milner said there is some

money left in recreation. Commissioner Smith asked how much the environmental test would cost. Mr. Milner said around \$1,500. Mayor Nugent asked Mr. Milner to find out how much was spent on the environmental review of the Badcock property. Commissioner Chastain asked if a 2-year-old appraisal is adequate. He asked if there is a limit within the charter. Attorney Martin said he can do the research and let the commissioners know. Mayor Nugent entertained a motion to allow Mr. Milner to spend up to \$3,000 on an environmental review in lieu of purchasing the property. Attorney Martin asked what the current motion is. Commissioner Waters said he would like the motion to allow Mr. Milner to spend up to \$34,500 for the environmental review and purchase of the property. Attorney Martin said Commissioner Waters could ask Commissioner Smith to change his second to allow spending up to \$34,500 on the environmental review and purchase of the property. Mayor Nugent asked if Attorney Martin would be doing all the legal work on the purchase. Attorney Martin said he would and Folds, Walker & Maltby would wave their closing fees. The motion passed 4-1. Commissioner Mortimer opposed the motion.

Mr. Milner addressed contributions to charitable organizations. He said he and Finance Director John-Paul Ledford are beginning work on the budget and are already receiving calls requesting charitable contributions. Mr. Milner has provided the commissioners with the resolution addressing charitable contributions. He is asking for direction regarding charitable contributions. Commissioner Waters said he would rather give raises to employees. Commissioner Chastain said the resolution was created because Tallahassee frowned on these organizations using the money for their general budget. He said the resolution required the donation to go to a young person's education within the City of Starke. Commissioner Chastain said for the last 2 years these organizations have asked the commissioners to vote to allow the money to go into their general budget. Commissioner Smith said he is not in favor of giving tax payer money away. He asked Attorney Martin if he had reviewed the resolution. Attorney Martin said there are many ways cities deal with requests for charitable donations. Mayor Nugent asked if Attorney Martin could review the resolution and fine tune it so it complied with audit requirements. Commissioner Smith said he would like Attorney Martin to review the resolution to make sure it is legal and ethical. Commissioner Waters said he wants to give the donations to the organizations that have provided for education. Attorney Martin agreed to review the resolution.

Attorney Martin said after reviewing procedures for purchasing the Dodd property there needs to be a bid process. He asked the commissioners to vote down the previous motion and direct Mr. Milner to follow the proper bid process. Attorney Martin would like to review the city's purchasing procedures and make recommendations for changes. Mr. Milner asked if the purchase could be declared an emergency item. Attorney Martin said he does not believe it could be covered as an emergency purchase. Commissioner Chastain said it has taken months to get the family to agree to sell the property. He is concerned the sale might fall through. Mr. Milner suggested allowing Attorney Martin to review the procedures. Mayor Nugent asked Attorney Martin how the commission needs to proceed. Attorney Martin said the commission should vote to reconsider the previous motion the second vote would be to vote down the previous action. Commissioner Smith made a motion to reconsider the prior motion. It was seconded by Commissioner Waters. The motion passed 5-0. Mayor Nugent asked for a vote to turn down the motion to purchase the Dodd property. The motion passed 5-0. Commissioner

Smith made a motion to go out for bids for property adjacent to the Edwards Road Park. It was seconded by Commissioner Chastain. The motion passed 4-0. Commissioner Mortimer opposed the motion.

Mr. Milner said Mr. Williams has a lot of written documentation he can provide regarding the billboard and car charging stations. Mr. Williams said there are right-of-way issues for billboards on State Highways. Commissioner Chastain said the city owns property on the south end of the bypass. He said it would be the perfect place to put a billboard. Mr. Williams said there are static and digital billboards and static billboards do not work. Commissioner Smith said the Tourist Development Council says people need to be drawn to the City of Starke from miles out. He said car charging stations might be the best way to draw visitors to the downtown area. Mr. Williams said EV supercharging stations can charge a car in approximately 30 minutes. He said these stations require 3-phase wiring which could be run by our electric crews but the charging stations would have to be installed by authorized installers. Mayor Nugent asked where the stations would be installed. Mr. Williams said the parking lot where the Badcock building was. Commissioner Mortimer thanked Mr. Williams for the information.

Mr. Milner addressed the search for a City Manager. He suggested partnering with the Florida League of Cities. Commissioner Mortimer asked if the Florida League of Cities has done this for other cities in the past. Mr. Milner said they have. Commissioner Mortimer said she is in favor of working with the Florida League of Cities. Commissioner Chastain agreed. Mayor Nugent asked about the cost. Mr. Milner said he will provide the commissioners with something from the Florida League of Cities.

Mr. Milner addressed the financial hardship request. He said he needs authorization from the commission to request a hardship based on the relocation of utilities for the overpass project estimated cost of \$3,163,000 and the bridge replacement relocation of utilities estimated cost of \$374,000. Mr. Milner is asking permission for him and Mr. Thompson to put together a letter for the Mayor's signature for forgiveness of all costs associated with the relocation of utilities for the overpass and bridge replacement projects. Mayor Nugent said if the Department of Transportation is closing city streets there should be some compensation for those closings. Commissioner Waters said that is a separate issue. Commissioner Waters made a motion to allow Mr. Milner and Mr. Thompson to draft a letter asking for forgiveness of the utility relocation costs. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner said April 4, 2020 will be the 150th Anniversary of the City of Starke. He said that weekend will be the Strawberry Festival. Mr. Milner asked if the commissioners would like to have a citizens committee to determine how to represent the 150th Anniversary. He asked the commissioners to think about how they would like to proceed.

Mayor Nugent asked for the Police Chief Report. Chief Johnson addressed the vehicle replacement plan. He is asking to purchase 4 cars at a cost of \$25,000 per year. He said he is going to try to make these cars last 8 years. Commissioner Smith asked how many cars would be sold. Chief Johnson said 5. Commissioner Smith asked if there could be 2 cars for patrol. Chief Johnson said these cars cannot run 24 hours a day. Commissioner Smith said he does not see the need for 20 cars. Commissioner Chastain asked if this could wait until budget time.

Chief Johnson said it needs to be part of the State bid process that ends June 30, 2019. He said there will be a savings in his budget. Commissioner Waters said the money would have to go into new cars or repairs. Commissioner Mortimer made a motion to purchase 4 cars not to exceed \$115,000. It was seconded by Commissioner Waters. The motion passed 3-2. Commissioner Chastain and Commissioner Smith opposed the motion.

Chief Johnson addressed the second dollar funding expenditure. He said second dollar money is brought in through the State to be used for non-budgeted items. Chief Johnson said it will be used for narcotic equipment not to exceed \$3,500. Commissioner Smith made a motion not to exceed \$3,500. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mayor Nugent asked for the Attorney's Report. Attorney Martin said he would like to look at the purchasing policy and write some options and add some provisions. He asked for permission to work with city staff to make changes to the current purchasing policy to bring back to the commissioners at a later date. Commissioner Smith asked when the current policy was last revised. Attorney Martin said the original policy was adopted in 2005 and revised in 2016. The commissioners agreed for Attorney Martin to review the purchasing policies.

Attorney Martin said he reviewed the ordinance for a special magistrate and is working with code enforcement and Mr. Milner to develop some forms to issue citations.

Commissioner Waters asked for a quick update on the splash park. Mr. Milner said he is meeting with the engineer Mr. Sneddon this week. He said they are waiting on the letter of commencement for the state. Mr. Milner said they received verbal approval of the extension request.

Commissioner Chastain said the school board is spending approximately \$750,000 to rebuild the football field. He asked to have repaving of Washington Street on the next agenda. Commissioner Chastain said by making Washington Street one-way additional parking spaces could be added. Commissioner Waters asked if that would require piping the ditches. Chief Johnson said the traffic light at Washington Street and 301 will be removed after the bypass is complete.

Commissioner Chastain asked if the city is losing money on recycling. Mr. Milner said he would like to have Skip McCall with Waste Corporation of America address this issue. Commissioner Chastain asked about a letter regarding limbs not being picked up.

Commissioner Smith asked Mr. Milner to get an update on railroad crossings. Commissioner Chastain said when the money was offered for railroad crossings it was to close the crossings immediately. He asked Mr. Milner to follow up on that.

Commissioner Mortimer had nothing further.

Mayor Nugent said he has nothing further.

There being no further business, the meeting was adjourned at 9:21 pm.