

Commission Meeting
May 21, 2019
6:30 pm

Mayor Nugent called the meeting to order at 6:31 pm.

Commissioner Mortimer offered a prayer and led the Pledge of Allegiance.

This was the second 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 City Attorney Clay Martin, City Manager Bob Milner, Police Lieutenant John Riles and Deputy Clerk Lisa Terry. City Clerk Ricky Thompson was absent due to illness.

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 Waters. 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 May 7, 2019 Commission Meeting and the Amendment to the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation. Commissioner Mortimer asked why there is a motion to approve item B under the consent agenda. Ms. Terry said that was a mistake on the agenda. Mayor Nugent asked if the agreement was to be signed. Mr. Milner said Mayor Nugent would need to sign the agreement if the commissioners approve it. Commissioner Mortimer asked if Attorney Martin had reviewed the agreement. Attorney Martin said he has reviewed it. Mayor Nugent entertained a motion to approve the consent agenda. Commissioner Mortimer made a motion to approve the consent agenda. It was seconded by Commissioner Chastain. 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 asked Paul Yowell of 1285 North East 236th Street in Lawtey to address the commission. Mr. Yowell asked the commissioners to approve a boot drive for the Bradford Girls 12 Youth Softball on June 1, 2019 from 9:00 am to 3:00 pm. Mayor Nugent asked Mr. Yowell if he had the required insurance policy. Mr. Yowell said he does. Commissioner Chastain verified that only adults will be in the road collecting money. Mr. Yowell agreed. Commissioner Waters made a

motion to approve the boot drive. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mayor Nugent asked for the City Clerk Report. 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 second reading of Ordinance No. 2019-03. Attorney Martin read the title of Ordinance No. 2019-03. He said if the commissioners wish to approve Ordinance No. 2019-03 they should do so by title. Mayor Nugent entertained a motion to approve Ordinance 2019-03. Commissioner Mortimer made a motion to approve Ordinance 2019-03 by title. It was seconded by Commissioner Smith. The motion passed 5-0.

Ms. Terry addressed the repaving and creating additional parking on Washington Street. Mr. Milner said Commissioner Chastain asked at the last meeting to have this on the next meeting's agenda. Mr. Milner said Commissioner Chastain wants Washington Street to be a one-way-street. Commissioner Chastain said the motion would be to repave and create additional parking on Washington Street not to make it a one-way-street. Mayor Nugent entertained a motion to approve repaving and creating additional parking on Washington Street. Commissioner Chastain made a motion to approve repaving and creating additional parking on Washington Street. It was seconded by Commissioner Waters for discussion. Commissioner Waters said they had discussed piping the ditch next to the football field to create additional parking. Mayor Nugent said he and Mr. Milner have been talking about this with the school board for 2 years. Mr. Milner said the water runoff is something they will be meeting with the Bradford County School Board about on June 24, 2019 at 9:00 am. Commissioner Smith said they should wait on this until the engineering of Orange Street has been completed. Mr. Milner said the Northeast Florida Regional Planning Council has engineers who work on traffic flow. Commissioner Mortimer asked if anyone has done a cost analysis. Mr. Milner said he can have cost analysis by the next meeting. He said Director of Operations Scott Anaheim has been looking at the water and sewer lines. Mr. Anaheim said redoing the water lines would cost around \$20,000 and relining the sewer would cost around \$89,000. Commissioner Mortimer asked when the football field is projected to be complete. Commissioner Chastain said graduation will be held on the football field. Commissioner Waters said the money for piping should come from each of the district's budgets. Commissioner Chastain said Item D is piping and catch basin installation on the agenda. He said they have \$1,400,000 in the transportation budget along with the new gas tax which is around \$12,000 per month. Commissioner Chastain said the Bradford County School Board pays around \$100,000 per month for utilities. He said the city needs to accommodate the new football field. Commissioner Smith asked about using the planning council to get an overall map of the projects. Mayor Nugent called for a vote. Attorney Martin said if the motion failed a commissioner could make a motion to direct staff to move forward with gathering information with other stakeholders. The motion failed 1-4. Commissioners Mortimer, Smith and Waters and Mayor Nugent opposed the motion. Commissioner Mortimer made a motion to direct staff to gather information on paving, piping and adding additional parking and meet with other stakeholders. It was seconded by Commissioner Smith. The motion passed 5-0. Mr. Milner invited the commissioners to attend

the meeting with the Bradford County School Board on June 24, 2019 at 9:00 am at the School Board Office.

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 working on a new website as well. Ms. Terry said there is copy of the proposed home page in the packet. She said the auditor reports have been removed from the website and replaced with a link to the Auditor General website with the auditor reports. Commissioner Smith asked when the new website will be completed. Ms. Terry said mid-June.

Ms. Terry addressed the update on the splash park extension from the Florida Department of Environmental Protection. She said the city previously received verbal confirmation of the extension being granted and now the Florida Department of Environmental Protection's attorney has the extension for final approval.

Mayor Nugent asked for the City Manager Report. Mr. Milner addressed the utility deregulation. He introduced Jacob Williams with Florida Municipal Power Agency. Mr. Williams said Florida Municipal Power Agency has 31 member cities and serves approximately 11 percent of the State of Florida. Mr. Williams said for 1 in 3 Floridians 10 percent of their disposable income goes to pay the electric bill. He said the price of power matters. Mr. Williams said the cost for power has gone down significantly since 2009 with the current cost at \$71.68. He introduced Mike McCleary. Mr. McCleary said the engineering for the State Road 100 overpass project is done. He said the city will be asking for a hardship case to pay for the project. Mr. McCleary said the breakers for the substation have been delivered. He anticipates the breakers will be installed in the fall. Mr. McCleary said this kind of work should not be done during high load months. He said the transformer for city hall will be installed by city crews during a Friday and Saturday. Mr. Milner said the Methodist Church shares the transformer with city hall. Mayor Nugent asked if we could provide the church with power to run their refrigerators while the transformer is being replaced. Mr. Milner said those details will be worked out in advance. Mr. McCleary said one of the ballot initiatives is deregulation of power which sounds like a good thing but it is not. He said the states that deregulated have power costs that are 30 to 50 percent higher than states that have not deregulated. Mr. McCleary said Florida is dependent on 3 natural gas pipelines to provide natural gas. Mr. Milner said this is for information only.

Mr. Milner addressed the request for bid waiver to purchase 2 vans. He said the money for the vans will come out of the leftover FEMA reimbursement money. Mayor Nugent entertained a motion to approve the purchase. Commissioner Waters made a motion to approve the purchase. It was seconded by Commissioner Smith. Commissioner Mortimer asked Attorney Martin if the motion was sufficient. Attorney Martin said it would be better if the motion was to waive the bid process. Commissioner Waters made a motion to waive the bid process to purchase the 2 vans. It was seconded by Commissioner Smith. Commissioner Mortimer asked how long it will take to get the vans. Mr. Milner said they will have them tomorrow. Commissioner Chastain asked if a limit should be set for the number of times the bid process is waived. Mayor Nugent said the bid process has been waived to allow purchases that the city would not have been able to make without the waiver. Commissioner Mortimer said she has

never voted to waive the bid process unless it was a necessity. Commissioner Chastain said they have voted on emergency items that have already been repaired. Attorney Martin said this speaks to the inadequacies of the current purchasing policies that are in place. Commissioner Chastain asked when the new purchasing policies will be available. Attorney Martin said he plans to have something for the commissioners to review by the end of June. The motion passed 5-0.

Mr. Milner said he would be ok with not voting on Item C tonight. He would like Attorney Martin to review them. Mr. Milner asked the commissioners to set a workshop to discuss anything to do with the overpass. He said the commissioners will need to select a brick color and vegetation for the overpass. Mr. Milner said all maintenance will be up to the city. He said the Florida Department of Transportation will meet one on one with any commissioner if necessary. Mayor Nugent suggested having the workshop on June 25, 2019. Commissioner Smith suggested moving the second meeting in June to June 25, 2019. Mr. Milner said Ms. Terry would advertise the workshop and the meeting change.

Mayor Nugent asked for the Attorney's Report. Attorney Martin said the Subordination of City Utility Interests would subordinate the city's right of ways and easements to the Florida Department of Transportation so they can reach their transportation objectives while allowing the city to provide the utility services it provides. Attorney Martin said Item C4 and C5 deal with the temporary easement. He said they allow the Florida Department of Transportation to harmonize cross streets where they tie into State Road 100 under the overpass. Attorney Martin said it will allow cross streets to be brought up to the same grade as State Road 100. He said the last items are the deeds. Attorney Martin said the deeds say that the city does not need the properties being deeded to the Florida Department of Transportation for city business. He said the intersections include South Street, Church Street, Cherry Street, St. Clair Street, Thompson Street Walnut Street and Adams Street at State Road 100. Attorney Martin said he does not know if the intent of the Florida Department of Transportation is to close a portion of the streets being deeded to them. Mr. Milner said South Street will be closed at State Road 100. He said the largest part of a street they are giving up is Adams Street. Mayor Nugent said they are losing South Street and Adams Street along with 3 railroad crossings and getting nothing in return. Commissioner Waters said Adams Street is going to make a loop back to Walnut Street. Mr. Milner said they will be losing large portions of streets for the 3 roundabouts. Mayor Nugent asked how the Florida Department of Transportation is going to compensate the city for the land they are losing. Mr. Milner said he does not know. Commissioner Smith suggested bringing compensation up at the workshop. Commissioner Chastain asked Attorney Martin if the city would be required to fund any of this for the Florida Department of Transportation. Attorney Martin said there isn't anything in the documents that says the city will not be required to fund anything. He said there isn't anything in the documents that would keep the Florida Department of Transportation from closing the streets that are being deeded to them. Mr. Milner said that is another topic for the workshop. Attorney Martin said they could change the language in the documents so the streets could revert back to the city to maintain them and keep them open. Commissioner Chastain asked if a letter had been written asking for forgiveness of the loan for the utility relocation projects. Mr. Milner said they are waiting until they have the 2017-2018 audit. He said he will bring this back to the commission.

Mr. Milner said the Firefighter's Local Union 3120 has accepted the proposal the commissioners agreed upon and he and Attorney Martin are preparing a memorandum of understanding that will be written into the collective bargaining agreement.

Mr. Milner said the Edwards Bottomland Project has been the site of some criminal mischief and he had signs made to go up around the project warning of criminal wrongdoing.

Mr. Milner said he issued a \$500 reward for information on dumping of motor oil into the sewer system.

Mr. Milner asked the commissioners to consider moving the July meetings to the 9th and the 23rd. Mayor Nugent asked to consider moving the July meetings to the 9th and the 16th. Commissioner Mortimer asked if they could have just 1 meeting in July. Mayor Nugent suggested having 1 meeting on July 16, 2019. Commissioner Chastain asked to stick to the regular meeting dates. Mr. Milner agreed to leave the meetings on the regular dates.

Mr. Milner said LaJuan Whittle will be moving from Code Enforcement to the Police Department. He said her old job description has been rewritten. Mr. Milner said Brandon Demers left to go to work for Gainesville Regional Utilities and he hated to see him go. Mr. Milner said Brandon Rowe has been moved to a position with public works and Michael King is being moved from public works to an apprentice position on the line crew. Commissioner Smith asked if there is something we can do to keep employees who the city has invested time and money into. Mr. Milner said he and Mr. Anaheim have crafted a document from another city to force the employee to pay the city back for the cost of the school if they leave in less than 2 years following training. Commissioner Chastain asked if the document crafted from another city needed to be voted on by the commission. Attorney Martin said it would depend on whether or not the personnel policy allows for it. Mr. Milner said it is covered in the new employee handbook. Mayor Nugent asked Attorney Martin to look into this issue.

Mr. Milner expressed appreciation for Attorney Martin meeting with him and Mr. Thompson to discuss numerous issues. Commissioner Chastain asked about code enforcement. Attorney Martin said the code is adequate to do what the city needs to do. He said they need to create a process for a code enforcement office to follow for a citizen who receives a citation through the legal process. Attorney Martin said a retired code enforcement officer works with other cities and he may be willing to work with the City of Starke on a consulting basis to help them to build out the City of Starke's process.

Mayor Nugent asked for the Police Chief Report. Lieutenant Riles had nothing further.

Commissioner Waters had nothing further.

Commissioner Chastain asked about the bricks for the overpass and the new building being built downtown and what they are required to do. Mr. Milner said Nora Thompson was here earlier today and the only thing they have in code enforcement indicates the new building is in compliance. Commissioner Chastain said the Walgreens had to comply. Mr. Milner said he and

Attorney Martin will meet with Mr. Thompson in the morning to discuss this. Commissioner Chastain asked Ms. Terry if Mr. Thompson had found something regarding this. Ms. Terry said he did and he will give it to Commissioner Chastain in the morning. Commissioner Chastain said site plans used to be on the agenda for approval by the commissioners. He asked if they could be on the agenda in the future. Attorney Martin said he looked at the land development code and site plans and plats need to come before the commission for approval. Commissioner Smith asked how they could dictate to a citizen what they can build. Attorney Martin said it would be based on the code. Commissioner Mortimer asked how many site plans have been processed without the commissioner's approval. Mr. Milner said he can provide them to the commissioners. Commissioner Mortimer asked when the site plan would need to be brought before the commission. Commissioner Chastain said before they break ground.

Commissioner Chastain asked if letters had gone out to land owners on Edwards Road. Mr. Milner said they just came up with the description of what needs to be in the advertisement so they have not yet done letters. Commissioner Chastain said they should know more by the first meeting in June.

Commissioner Chastain asked if they are any closer to closing out the CRA accounts. Attorney Martin said he is prepared to move forward with this.

Commissioner Smith had nothing further.

Commissioner Mortimer had nothing further.

Mayor Nugent said he has nothing further.

There being no further business, the meeting was adjourned at 8:38 pm.