

Commission Meeting Minutes
January 16, 2024
5:30 pm

Mayor Roberts said before we begin the official meeting of the Starke City Commission there will be a time of voluntary prayer and the Pledge of Allegiance. Those willing to do so are asked to stand and Commissioner Mortimer will lead us in prayer and the Pledge of Allegiance.

Mayor Roberts called the meeting to order at 5:30 pm.

This was the only regular meeting of the month. Members in attendance included Mayor Scott Roberts, Commissioner Janice D. Mortimer, Commissioner Danny Nugent, Commissioner Andy Redding and Commissioner Shannon Smith. Also present were Executive Assistant Cathy Bradley, City Clerk Jimmy Crosby, Deputy Clerk Lisa Heeder, Finance Director James Hughes, Police Chief Jeff Johnson, Attorney Clay Martin, City Manager Drew Mullins and Building and Zoning Official Kevin Powell.

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

Mayor Roberts entertained a motion to approve the consent agenda. The consent agenda consisted of the minutes of the December 19, 2023 Commission Meeting, Resolution Number 2024-12 relating to the State Revolving Fund Loan Program authorizing the preparation and submission of a loan application and agreement, Resolution Number 2024-13 approving change order number 2 to the contract with All Terrain Tractor Service, Resolution Number 2024-14 approving change order number 3 to the contract with All Terrain Tractor Service, Resolution Number 2024-15 approving change order number 4 to the contract with All Terrain Tractor Service, Resolution Number 2024-16 approving the agreement with Woodard & Curran for development of an inventory of the water service lines in accordance with the lead copper rule revisions, Resolution Number 2024-17 approving the agreement with Woodard & Curran to develop a vulnerability assessment in furtherance of the Resilient Florida Program to address concerns resulting from climate change, Resolution Number 2024-18 approving the agreement with Woodard & Curran to repurpose the existing aeration basins at the wastewater treatment facility as equalization tanks and the commissioner bill review. Commissioner Smith made a motion to approve the consent agenda. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mayor Roberts called for old business. There was none.

Mayor Roberts called for emergency items. There were none.

Mayor Roberts 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 limit your comments to not more than three minutes. Your participation is welcomed.” Mayor Roberts called for Albert Mize. Mr. Mize expressed concern about Ordinance Number 2024-04. He also expressed concern about transparency. Mayor Roberts called for Alvin Hunter. Mr. Hunter stated his address as 455 West Pratt Street. He said he started a Veteran’s Advisory Council and their first meeting will be from 4:30 to 7:00 pm at the public library. Mr. Hunter said the American Legion held an oration contest and cadets won the right to go to the district competition and scholarships. Mayor Roberts called for Carrie Zubillaga. Mrs. Zubillaga expressed concern about a lack of phone calls being returned, not notifying the radio station about things going on around town and beeper lights constantly being messed up. She said we have a wonderful police and fire department.

Mayor Roberts called for the public hearing on Ordinance Number 2024-04 exemption of real property purchases from competitive procurement. Attorney Martin read the ordinance by title. Mayor Roberts entertained a motion to approve Ordinance Number 2024-04 on second reading. Commissioner Mortimer moved that Ordinance Number 2024-04 be approved on second reading. It was seconded by Commissioner Smith. Commissioner Redding asked if it was part of another where we set thresholds. Attorney Martin said there was another with thresholds. Commissioner Reddish said it may be prudent to set thresholds. Attorney Martin said real property is not a commodity, it is very specific. He said that was the impetus behind the ordinance. Mayor Roberts called for a vote. The motion passed 5-0.

Mayor Roberts called for quasi-judicial hearings. Attorney Martin said the ordinances before you are being brought to you based on applications by Osceola Land and Timber. He said the first one is to change the future land use map and the second one is a change in the zoning category to fit the new future land use map. Attorney Martin asked who is here to speak on these matters. Mr. Powell came forward and Attorney Martin administered the oath to tell the truth the whole truth and nothing but the truth so help you God. Attorney Martin asked if anyone from the audience would like to speak on the ordinances. No one responded. Attorney Martin read Ordinance Number 2024-02 by title. He asked Mr. Powell to present the application. Mr. Powell said the first request is for a change to the future land use map. He said this ordinance was heard by the Planning and Zoning Board on December 18, 2024 and was approved by a 3-1 vote. Mr. Powell said the property is annexed into the city and the applicant wants to start the rezoning process from agriculture to mixed use. Attorney Martin asked if any of the commissioners have had any ex parte communications regarding these applications. Commissioner Nugent said no. Commissioner Smith said no. Commissioner Mortimer said no. Commissioner Redding said no and Mayor Roberts said no. Mayor Roberts entertained a motion. Commissioner Smith made a motion to approve Ordinance Number 2024-02. It was seconded by Commissioner Nugent. The motion passed 5-0. Attorney Martin read Ordinance Number 2024-03 by title. He reminded Mr. Powell that he is still under oath. Mr. Powell said now we need to address rezoning. One is commercial highway district and the other is high density residential. He said there is no talk on how they are going to develop the

property they are just trying to establish what it can be used for in the future. Mr. Powell said they would have to come back to us for site plan approval. Mayor Roberts entertained a motion. Commissioner Nugent made a motion to approve Ordinance Number 2024-03. It was seconded by Commissioner Smith. The motion passed 5-0.

Mayor Roberts called for the City Clerk Report. Clerk Crosby said Thursday night is the Northeast Florida League of Cities dinner in St. Augustine for those who have signed up and next week is Rural Counties Day in Tallahassee for those who have prearranged the trip.

Mayor Roberts called for the City Manager Report. He said Mr. Mullins will give a presentation and then we will hear from Chief Johnson. He asked everyone to save questions until the end. He asked the public to keep decorum. Mr. Mullins said he was tasked at the last meeting to meet with the sheriff for a proposal for two full-time officers 24-7 to protect the city. He said the effective date of the agreement if it were to pass would be March 1, 2024 and there would be 180 days for transfer of all property and evidence and an administrator will be appointed by the sheriff as a coordinator and contact for the city. He said the cost will be 2.5 mills per year for all operations. Commissioner Redding asked if we can establish what that equates to. Mr. Mullins said \$625,000. Mayor Roberts asked Chief Johnson to come forward. Chief Johnson said the 2.5 mills will not be added to the city taxes. He passed out a proposed budget 23-24 handout. Chief Johnson said he was told by a couple of commissioners that he couldn't reach the \$1.1 million budget. He said the chief's salary and benefits is \$105,000 and a staff of two sergeants and eight officers and benefits is \$775,000. Chief Johnson said this is what was asked by Commissioner Mortimer. He said this is ten officers 24 hours a day seven days a week because I'm here whether Sheriff Smith is doing it or not. He said operations would be about \$300,000 but it's going to vary because of insurance, worker's comp and that kind of stuff. Chief Johnson said with the COPS Grant we are able to alleviate \$85,000 from the budget bringing the total from 1.18 million to 1.095 million. He said but this does not include dispatch. Chief Johnson said he thought they were giving major crimes to Sheriff Smith but not all crimes. He said he talked to Sheriff Smith and he said he would accept all investigations. Chief Johnson said the \$109,000 in this letter is dispatch and that agreement is between y'all and the County Commission. He said he doesn't feel that Starke should pay for dispatch when nobody else pays dispatch. He said if the commission votes on the budget in the proposal all investigations will be transferred to the Sheriff's Office and the Starke Police Department will become a first responder for the city and a personnel adjustment will be made in 6 months. He said he does not want to walk out this door and tell 4 or 5 people they don't have a job. He asked to give them time like they've done with the Fire Department. Chief Johnson said in 6 months there is a primary election and we can place a referendum through the attorney for the citizens of Starke to decide if they need to fund a Police Department or turn over all law enforcement to the Sheriff's Office and delete the elected chief and all language in the charter for the Police Department. He said this decision is too crucial to not hear the vote of the people. Let them speak in a vote on August 20, 2024. He said by Charter I am your Chief of Police elected by the citizens of Starke. I have been appointed I've run unopposed and I have won 3 elections and I feel that I know the citizens very well. He said the Charter is what we need to protect. Mayor Roberts asked for questions. Commissioner Nugent said you are just going to be first responders. Chief Johnson said they will initiate the call, we'll still write tickets and we'll still do special duties. Commissioner Nugent said he agrees with Chief Johnson about dispatch. We pay county taxes so why would I give him more money. Commissioner Mortimer said at the last meeting the COPS Grant was on the agenda but Chief Johnson left so I have some questions about the COPS Grant. Chief Johnson

apologized and said he left to watch his grandkids in a Christmas thing. He said he didn't think there was any reason to discuss much because you are proposing to the sheriff. Commissioner Mortimer said it was on the agenda so we couldn't discuss it because you left. She asked how much is the COPS Grant. Chief Johnson said it is \$85,000 a year. Commissioner Mortimer asked how much the city would have to put in over a period of time. She said there are some requirements the city must do because it is a 5-year grant. Chief Johnson said it can be terminated at any time. Commissioner Mortimer asked what is the total the city would pay. Mr. Hughes said it would cost over half a million dollars over a 5-year period. Commissioner Mortimer said to get how much. Mr. Hughes said \$250,000. Commissioner Mortimer said in your statement you said the Charter and you're right and our Charter has not been updated for a number of years and it requires us to have a Chief of Police and a nightwatchman. It doesn't require us to have a Police Department. Chief Johnson said the Charter protects the chief and a night watchman. The level of service falls in your lap. Commissioner Mortimer asked Mr. Mullins if the dispatch cost would no longer need to be paid be paid by the city if they decide to go with the sheriff for law enforcement operations. Mr. Mullins said that is correct. Commissioner Nugent asked how much the 2.5 mills is. Mayor Roberts said \$625,000. Commissioner Nugent said plus Chief Johnson's salary. Chief Johnson said there is an initial \$65,000 fee and all our radios and all our cars. Commissioner Nugent asked if they are going to buy our equipment. Chief Johnson said no. Commissioner Nugent asked if that includes transferring retirement. Mayor Roberts said no. Commissioner Redding said so we are effectively at 1.3 or 1.2 million. We have a 5-year commitment for a \$250,000 grant but requires a \$500,000 investment by the city. He said that is not good math. Commissioner Redding said at \$625,000 plus chief's salary is \$730,000. Chief Johnson said it is retaining officers. It's not going to cost us \$500,000 to get \$250,000. Commissioner Redding said Mr. Hughes just said that. He said we are at 1.1 million, we are not paying dispatch anymore and we're at \$625,000 plus your salary. We're still at \$700,000. Mrs. Zubillaga mumbled something. He said the sheriff has committed by contractual agreement to 2 full time deputies 24/7. That's effectively what we've got now minus staff and the sheriff has the infrastructure in place. Commissioner Redding said what it comes down to for him is duplicating services and our Charter is archaic. Mrs. Zubillaga mumbled something. He said we have to look at the cost benefit analysis. Commissioner Redding said the sheriff is guaranteeing 2 officers 24/7. Mrs. Zubillaga said one of those officers and Mayor Roberts said ma'am I'm going to ask you not to speak out loud and if it happens again I'm going to have to ask you to leave. Carrie Zubillaga said I have questions. Mayor Roberts said if it happens again I'm going to have you escorted out. Carrie Zubillaga left. Commissioner Redding said we have asked for reports and organizational charts and never gotten them. Chief Johnson said no you have not. Commissioner Redding said we can pull the meeting minutes. Chief Johnson said it's not the same level of service. Mayor Roberts asked Chief Johnson where it is not the same level of service. Chief Johnson said we've had a fire and he pulled every deputy he had to this fire but one in the city. He asked if that is fair to the county. He said it is not the same level of service. Mayor Roberts said that is subjective. He said paper to paper tell me the difference. Chief Johnson said if we have incident in the county don't you think those officers are going to leave the city. Mayor Roberts said you explained the 1.8 the 1.1 or 1.2 that's a number and I appreciate you doing that basically we're explaining what we approved back when we did the budget. That's where you ended up. Chief Johnson said we would have to go back to March to do that. In March we were at 2.1. Mayor Roberts said we started at 2.1 and we got down to 1.6. Chief Johnson said I've done 9 budgets. Mayor Roberts said there are only 2 now. We needed to try to get you to that but we did not. We have not given you 9 different budgets. That is not true. Mayor Roberts said you may have talked about it 9 times. Chief Johnson said I

have physically sat down with James and sometimes Jimmy and done nine physical budgets. Mayor Roberts said I sat down with you three times trying to get you to a point but that's not a budget. He said we got you to 1.6 and then you came in and said 1.1. That's what happened. He said so now we have 1.1 and it's my understanding if you ran the budget right now you are running a little bit over. Chief Johnson said absolutely. Mayor Roberts said if we look at the numbers as of right now you are about \$240,000 over. So what are we here to discuss. He said we could go into the COPS Grant but it's going to be additional money. Chief Johnson said there were 2 figures left out of that budget so it took the COPS Grant to get me back to it. One of them was dispatch. Mayor Roberts said but you are already over and we are playing with numbers we've already approved. Chief Johnson said if it's approved let's move on. Mayor Roberts said I appreciate what you did but you come in and explain what we have already done. Chief Johnson said we have an approved budget and we knew I was going to be over that. He said everybody is going to be over this year because of the mistakes made well let's call them oversights. Mayor Roberts said what oversights are you taking about. Chief Johnson said oversights throughout the city. He said I'm telling you \$300,000 but I can't tell you it won't be \$325,000. Mayor Roberts said I know there are emergencies in the budget but as far as running over budget it's got to be explained and that's true with any department. He said theoretically you've got to stay within your budget and you are \$240,000 over and the grant isn't going to get you back. Chief Johnson said I don't know because I haven't had a budget. Mayor Roberts said I'm looking at the memo that you signed from the clerk's office that says that. He said my point is this I just want to make sure you understood I needed the numbers right as far as now. Commissioner Nugent said the residents paid extra because they wanted their own Police Department. He said we're already paying county taxes so the sheriff should be doing it for nothing. Mayor Roberts entertained a motion. Commissioner Mortimer made a motion to enter into the interlocal agreement with the Sheriff's Office to provide law enforcement services within the city as outlined in the interlocal agreement. Chief Johnson left the room accusing an audience member of talking to his son and bad mouthing him the whole time. Judith Young said you guys are supposed to work for us and not a single one of you care what we want what we are even able to do. Mayor Roberts said I asked everybody to be. Ms. Young interrupted saying it doesn't matter because none of you care anyways. Mayor Roberts asked Ms. Young to please hush. Ms. Young said I don't think any of these guys are going to throw me out and your precious Sheriff's Office isn't here to do it. Ms. Young said you know what your Sheriff's Office told me it's not our jurisdiction you are on your own. Commissioner Smith asked for a 5-minute recess. Mayor Roberts called for a recess. Mayor Roberts called the meeting back to order and asked Commissioner Mortimer to restate her motion. Commissioner Mortimer made a motion to enter into the interlocal agreement between the City of Starke and the Bradford County Sheriff's Office to provide law enforcement services within the city limits. It was seconded by Commissioner Redding. Commissioner Nugent said wouldn't the citizens need to vote to approve this because it is on our Charter that we have a Police Department. Mayor Roberts said no. Commissioner Nugent asked do you know that legally. Mayor Roberts said we aren't voting on the Charter right now. Commissioner Nugent said they can't take over the Police Department until it is approved by the citizens. Commissioner Mortimer said the Charter requires that we have a Police Chief and a night watchman. Commissioner Nugent said but the citizens voted to keep the Police Department last time they voted on it. Commissioner Mortimer said Mr. Attorney correct me if I am wrong but the Charter says we will have an elected Chief of Police and a night watchman. Attorney Martin said that is correct. Commissioner Nugent said the last time we put it out for a vote we had an election about keeping the Police Department keeping the Police Chief and also keep the Clerk at that time. Commissioner Redding

said that was just for the Clerk. Commissioner Mortimer agreed. Commissioner Nugent asked if they were sure. Commissioner Mortimer said she is positive. Attorney Martin said the fact that something did not pass on one occasion, particularly that many years ago, would not bind the commission at this time as to the results of that election. Mayor Roberts said all in favor. Commissioner Nugent said no. Commissioner Smith said aye. Commissioner Mortimer said yes. Commissioner Redding said yes and Mayor Roberts said yes. The motion passed 4-1.

Mayor Roberts asked for the attorney report. Attorney Martin had nothing more.

Mayor Roberts called for the commissioner reports.

Commissioner Nugent said the Northeast Florida League of Cities dinner is Thursday and next month we are the host city.

Commissioner Smith said he would like to bring a little positivity to the meeting tonight. He said he visited the new wastewater treatment plant and we made some excellent choices throughout the years with Woodard & Curran. He thanked Justin deMello. Commissioner Smith said Chris Russell gives an awesome tour. He said the workmanship is great and it is one of the best decisions they have made.

Commissioner Mortimer said the Concerned Citizens of Bradford County celebrated the Martin Luther King Banquet and she appreciates the city's support. They had a record attendance of about 300 people. She attended a United Way zoom call on homelessness. She said Lana Patterson is the point of contact and encouraged involvement by other commissioners. Commissioner Mortimer said this was a touchy issue and at the end of the day this will help the city move forward. She is proud of the board for their due diligence.

Commissioner Redding said leadership is not easy and the path of least resistance will often leave you wanting. He said in hindsight they will have true clarity on this. Commissioner Redding said he is fully committed to the safety and the happiness and a wonderful, peaceful life here in the City of Starke. He commended the courageousness of the board.

Mayor Roberts echoed that and said he is very proud of the wastewater treatment plant. He brought up the comment from the auditor that the general fund is running a large deficit and has been doing so for several years and the board made some hard decisions and he is proud of them.

Mayor Roberts had nothing further, so he entertained a motion to adjourn. Commissioner Mortimer made a motion to adjourn. It was seconded by Commissioner Redding. The motion passed 5-0 and the meeting was adjourned at 7:13 pm.