

Commission Meeting Minutes

June 4, 2024

5:30 pm

Mayor Roberts said before we begin the official meeting of the City of Starke 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 Smith will lead us in a prayer followed by the pledge.

Mayor Roberts called the meeting to order at 5:31 pm.

This was the first 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, Zoning & Planning Office Manager Lance Campbell, Operations Director Jimmy Crosby, Attorney Alison Folds, Deputy Clerk Lisa Heeder, Finance Director James Hughes, Captain Kevin Mueller, Building and Zoning Official Kevin Powell and Attorney Scott Walker.

Mayor Roberts said are there any additions or deletions to the agenda. Hearing none I will now ask for approval of the agenda. Commissioner Redding made a motion to approve the agenda. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mayor Roberts said moving on to the consent agenda. I'd ask commissioners to take a moment to look that over and I would entertain a motion to approve. Commissioner Redding made a motion to approve the consent agenda. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mayor Roberts said 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's not a political forum, nor is it time for personal accusation 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 in to the microphone, state your name and address for the record. Please also limit your comments to not more than three minutes. Your participation is welcomed. I do not have any forms. Does anybody want to turn a form in. No one responded.

Mayor Roberts said we'll move on to the public hearing for Ordinance 2024-14 on first reading. Attorney Walker said I'll go ahead and read that by title only. This is an ordinance of the City Commission of the City of Starke, Florida, relating to Chapter 2, Article III, Divisions 3 and 4, Sections 2-131 through 2-137 and 2-161 through 2-169; providing for an amendment to the duties of the city manager and city clerk of the City of Starke, Florida; providing direction for codification of this ordinance; repealing all ordinances in conflict; providing for severability; and providing for an effective date. The appropriate motion is to pass Ordinance Number 2024-14 upon its first reading by title only. Mayor Roberts said you've heard the reading of Ordinance Number 2024-14 for its first reading. I'll entertain a motion to bring it to discussion. Commissioner Mortimer made a motion that Ordinance Number 2024-14 be approved on first reading. It was seconded by Commissioner Redding. Mayor Roberts said it is open for discussion if

there is any. Commissioner Nugent said I was reading the ordinance. I thought that we were going to have the citizens vote for whoever runs for the office. I don't like the idea of the city manager handling the money and a lot of these duties are supposed to be the clerk. My opinion is the city manager should be changed to operation manager. I'd also like to note that the city manager's contract has been over overdue for six months now. I've asked for the city manager to be evaluated so we can go through our process that we normally do with our contract employees who work for the city. Mayor Roberts asked for any other discussion. Commissioner Smith said just for clarification, I don't remember asking for this to be brought to us. We need to decide whether we're going to have an elected clerk or an appointed clerk first before we start switching duties around. Commissioner Mortimer said I read the ordinance changes and I believe that as our charter states, the city manager is actually responsible for the budget. In reading the proposed changes I think that it is going to put us in line with our charter. It is not taking anything away from the city clerk other than duties that that would normally go along with who is responsible for the preparation of the budget. I believe with the current structure of staff that we have in place in the finance department that it should be a seamless transition as far as duties are concerned. Commissioner Redding said I'm along the same line that this is getting things more in line from an operational standpoint. We still have the separation of power. The city clerk maintains those clerical duties that go along with the clerk's position and gets us more consistency with how your clerk's offices operate throughout the State of Florida. Mayor Roberts said this is addressing the duties, not the charter, we have a charter that is 150 years old, that has not really been looked at. I think Commissioner Mortimer touched on this is just getting things in line as far as the duties. I think at some point, we're going to have to have a charter review. We are one of the very few cities that operates like we do. We're just making this like most other cities already operate. Commissioner Nugent said are you waiting until the timeframe runs out on the position. Mayor Roberts said no, that has nothing to do with this. We have a timeframe to get it on the ballot with the supervisor of elections. Mayor Roberts asked Mr. Crosby do you know when that date is as far as getting something for the next election. Mr. Crosby said we have to get it in by July to get it on the ballot. Legal is preparing a draft to get the chief of police on the ballot. We didn't have it ready in ordinance form for you tonight. If you want it to be on the ballot in November, you probably need to tell us that tonight where we can prepare that language for what we're doing at the chief level and I just got the final okay today. It's very subtle language. What happens is the ballot has to be simple. You can't have your whole ordinance or your charter but every change has to be there. You'll publish that and have it available for the public. On the ballot, you have simple language that says we want to change it. Yes or no. This is pretty simple. Do you want to change the police department or don't you. Do you want to just put the elected or appointing of the clerk, which is different from the police because the police are being done away with. Do you want to do that. We can have that language for you. If you want to wait and go through the charter review process, and look at the whole charter and identify then you have until October of 2025 before you have to do something because then you have an election for city clerk. Commissioner Nugent said put it on there to have an appointed or elected clerk. Mayor Roberts said that has nothing to do with this ordinance. He called for a vote. The motion passed 3-2. Commissioner Nugent and Commissioner Smith opposed the motion. Mayor Roberts said it's not on the agenda but if there is a consensus for the clerk to be brought back to the next meeting to get it on the ballot. I'm fine with that. Commissioner Mortimer said first of all, it's not on the agenda. I'm not quite clear what Commissioner Nugent is actually asking for. So, I'm hesitant to even make a comment other than if we're talking

about putting the position of city clerk on this ballot that's coming up in this election cycle November of this year, then I would not be in favor of that right now because we've got until June of next year before we really have to make any decision on the clerk's position . I just think that for clarity and to avoid confusion for the citizens if we do them one at a time it will be clear as to what they're voting for. That's just my preference. Mr. Crosby said one thing I had just for information if you want it on the ballot, you've got to move now. If you don't and you still want to get it done before June of next year, you have the option under state statute if I'm correct to do a one issue mail out vote in the community. If you can do that, if you want to go through a charter review process or something you will have a simple one issue only vote by mail. If you want that option in order to discuss it and decide how you want to put it together. Commissioner Nugent said why. We should fill the position as soon as possible for the citizens. We shouldn't have to wait for a bunch of discussions about things we want to change. Commissioner Mortimer for the sake of time, because this is not something that we need to even really be discussing but for the sake of clarity for Commissioner Nugent when these positions up here are are vacant, we don't have the ability or the authority to appoint someone to fill in to ensure those duties are covered. When the clerk's position became vacant, we did have the authority to appoint someone. So, nothing has gone awry or nothing has been missed. As a matter of fact, the city has been functioning better in a lot of ways than it ever has before and that has a lot to do with the efficient finance staff that we have in place. It doesn't matter who's supervising them. The people that are doing the everyday work are the people that are actually running the city and doing the job. I think that our staff that are in finance now are doing a fantastic job and I wanted to say that for the record. Commissioner Nugent said a rebuttal on that. I thought Mr. Crosby did an excellent job while he was over there as well.

Mayor Roberts said that ordinance passed. Moving on to the quasi-judicial hearing for Ordinance 2024-09 and 2024-10. Attorney Walker said if anyone anticipates discussing the items that are on the agenda as 9A and 9B Ordinance Numbers 2024-09 and 2024-10 if you'll stand up and raise your right hand do you swear or affirm to tell the whole truth and nothing but the truth. The witnesses have been sworn and the next step is to ask if there has been any ex parte communication. Commissioner Nugent said no. Commissioner Smith said no. Commissioner Mortimer said no. Commissioner Redding said no and Mayor Roberts said no. Attorney Walker read Ordinance Number 2024-09 by title. An ordinance of the City of Starke, Florida amending the future land use plan map of the City of Starke Comprehensive Plan, as amended, relating to an amendment of 50 or less acres of land, pursuant to an application, S240328A, by the city commission, under the amendment procedures established in sections 163.3161 through 163.3248, of the Florida statutes, as amended; providing for a change in the land use classification from public to high density, residential (more than 8 and less than 20 units per acre) on certain lands within the corporate limits of City of Starke, Florida; providing severability; repealing all ordinances in conflict; and providing effective date. The appropriate motion would be to pass Ordinance Number 2024-09 upon its second reading by title only. Mr. Powell said thank you. Good evening, Mayor and commissioners. Kevin Powell, Planning and Zoning Department. As Attorney Walker stated, this is our second reading. This is a city application to change the land use from public to high density. This is all that we're looking at doing with this property at this time. We have no additional information on this property from last reading, pending any

questions from the commission. That's all we have. Mayor Roberts said any questions of Mr. Powell on the second reading. Hearing no questions I'll entertain a motion to

approve. Commissioner Mortimer said there is a gentleman who wants to speak. Alvin Hunter said I have great concerns with this because the guarantees made to us as veterans have not been followed up with I would have asked as well as Commissioner Smith and Nugent to have a survey. I haven't seen a survey we don't know where the property line is. We don't know what we're going to get for the memorial but you want us to agree to let you do this. I have concerns about that. How come we don't have this stuff . It is not available. It seems like you are trying to hide something, That's how I feel and you just need to take into consideration what you're going to move and how we're going to do it. We had a plan at one time and then it just disappeared. So, another thing is who's going to do the work now. We were promised in a meeting in here a hundred thousand dollars from the city now the backtrack on that with conversations that I've had with the city clerk. Mr. Cosby is not the city clerk anymore. That money is not available. Where are we going now. Mayor Roberts said this is to address the land use. I will say this. Are you done. Mr. Hunter said yes, sir. Mayor Roberts said all those things you said we are working on we have not taken them back, nor hidden them. We are trying to get the survey we've called several times and we're going to get the survey. No land has been swapped. Nothing has been done because we don't have a survey. We're trying to get things in place so we can get this stuff done. If you're not speaking on the land use, that's what I need you to speak on. Mr. Powell said I was just going to go ahead and address that issue also. This is for the the change from public to high density. It's not the survey for the property. Once this is all taken into account, then those will come at a future date when we start going towards the actual land swap with the survey. The first step in this is to see if we can get the density changed in order to potentially make that happen. Mayor Roberts asked for commissioner's questions. Commissioner Mortimer said I was sick for the first reading of this ordinance. What was the vote of this board on that first reading. Mr. Powell said it was 3-0 unanimous for. The Planning and Zoning Board was unanimous against. Mayor Roberts said you've heard the reading of Ordinance 2024-09. I would entertain a motion to approve the second reading of the ordinance. Commissioner Redding made a motion to approve 2024-09 on second reading. It was seconded by Commissioner Smith. The motion passed 5-0.

Mayor Roberts said moving on to Ordinance Number 2024-10. Attorney Walker said this is an ordinance of the City of Starke, Florida, amending the future land use plan map of the City of Starke Comprehensive Plan, as amended, relating to an amendment of 50 or less acres of land, pursuant to an application, S240328B, by the property owner of said acreage, under the amendment procedures established in sections 163.3161 through 163.3248, of Florida statutes, as amended; providing for a change in land use classification from medium density, residential (more than 2 and less than or equal to 8 units per acre) to high density, residential (more than 8 and less than 20 units per acre) on certain lands within the corporate limits of the City of Starke, Florida; providing severability; repealing all ordinances in conflict; and providing an effective date. The appropriate motion would be to pass Ordinance Number 2024-10 upon a second reading by title only. Mr. Powell said thank you. Good evening. Once again, Mayor and commissioners, Kevin Powell, Planning and Zoning Department. This is the property that is located on Redgrave. This is another one that we're looking at changing the density of this property. First before they decide what they're going to develop on that or how that's going to develop, we're going to go from a medium density to a high density residential. Just to bring Commission Mortimer up to speed this was a unanimous vote at the last

meeting approving the density change. The applicant is not here tonight to answer any questions but there's been no additional information brought to us on this property

regarding changes to it, pending any questions from the commission. Mayor Roberts said hearing no questions. I would entertain a motion to approve Ordinance 2024-10. Mr. Hunter do you want to speak again. Mr. Hunter said No. I would entertain a motion to approve 2024-10 on second reading. Commissioner Redding made a motion to approve 2024-10 on second reading. It was seconded by Commissioner Smith. The motion passed 5-0.

Mr. Crosby said the only thing we need to have from you is when you want to start the budget process. Mayor Roberts said our next meeting is the 18th, but we can have a budget workshop on a different date. Commissioner Redding suggested June 24. Commissioner Mortimer said I will be at the pension conference. Commissioner Smith suggested starting at 5:00 or 4:30 and then go into our regular meeting. Mayor Roberts asked how is that looking for everybody else. Commissioner Mortimer said I like that. Commissioner Redding said I'll be out of town. Commissioner Smith said you can catch up on the next one because I know there'll be 3 or 4 meetings. Commissioner Mortimer said if Commissioner Redding is okay with us having the initial meeting that's fine. Mayor Roberts said so what I'm hearing is 4:30 on the 18th. Commissioner Smith suggested starting early for the budget for the next 3 meetings. Mr. Crosby said go ahead and schedule them and advertise. Mayor Roberts said so we have the next three meetings starting at 4:30.

Mayor Roberts called for the Law Enforcement Report. Captain Mueller said this report is for the month of May and everything was handled by the sheriff's office. There were 2043 service calls, which breaks down to 66 calls per day. 250 traffic stops were conducted in the City of Starke and then 33 traffic assignments on top of that. In that 31 day time period 133 offense incident reports were generated within the City of Starke. There were 3 DUI arrests and 3 burglaries were documented and investigated. 10 deaths, 9 shoplifting, which comes from your businesses and frauds. 8 Mentally handicapped, child abuse, sex offenses, unfortunately, both those categories are children. Then drug /narcotic investigations 20 investigations are ongoing in May and 51 charging documents issued during the month of May. Commissioner Nugent asked about the road behind the hospital. Captain Mueller said I've personally been traveling that road a lot for you and monitoring, doing some traffic stops, doing everything we can to keep the speed down. Mayor Roberts asked about the percentage that's ticketed. Captain Mueller said it doesn't give me a separate number for those written in the City of Starke but that's an important number that I'm going to start providing it for you. Commissioner Mortimer said this extra patrol property checks 919 is that businesses or is that residents or is it both. Captain Mueller said both and it also includes property checks that are performed at schools. Commissioner Mortimer asked is it always this high. Captain Mueller said yes, ma'am. Commissioner Mortimer said 919 jumped out at me. You guys are doing a great job. Thank you.

Mayor Roberts called for the Attorney Report. Commissioner Mortimer said we have Mr. Folds here tonight. Attorney Walker had no report.

Mayor Roberts called for the Commissioner Reports. Commissioner Nugent said once people have a contract we need to be doing our due diligence to do interviews again because contracts run out and I know some are overdue. Commissioner Smith said we did evaluations for other city managers so, if we have one of those forms let's put them in our boxes just to be in compliance.

Commissioner Redding said I just want to follow up on Mr. Hunter's comments. These ordinances and everything else are part of the process of getting us to where we want to be with the Veteran's Park and I want you to know that I am 100% committed to this and I'm really excited about what we are looking to have down there. If something has changed financially, I want to know it but I'm good for it. Mr. Crosby said the commission has not formally voted to put in \$100,000. The second part of it was that as of right now, we don't have \$100,000 but James will verify that we are proposing in the budget that you're getting the \$100,000 that was mentioned, and it will be up to the commission whether they pass that budget or not. We were going based on what we were getting as a consensus from you all. I'm sorry there was a misunderstanding about that but the commission has not ever taken action. We'll go back and read the minutes.

Commissioner Redding said we're still committed to this endeavor and moving forward. I think we're all excited about it. We have to go through the process to get to that point where we can formally make it happen so this is the City of Starke Veteran's Park.

Mayor Roberts said we're still moving forward with this thing. Mr. Hunter, if I cut you off, I'm trying to keep us focused on what we're doing today. Everything that you said we are addressing. I've personally been by to try to get the survey myself. I've made 3 calls and I've made a personal visit with Mr. Crosby to meet with the surveyor. Commissioner Nugent said we have talked about \$100,000. We had agreed and I believe it's in the minutes. Commissioner Smith said I remember that number but that was for moving Veteran's Park to Edwards Road Park. Mr. Crosby said there was never a vote. Mr. Hunter said Mr. Mayor, could I please answer this. I think we need to go on the record. about our conversation. It didn't come out the way I intended it. I remember in the commission meeting I remember the vote.

Commissioner Mortimer had nothing further.

Mayor Roberts entertained a motion to adjourn. Commissioner Redding made a motion to adjourn. It was seconded by Commissioner Mortimer. The meeting was adjourned at 6:20 pm.