

COMMISSION WORKSHOP

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Mayor Woods called the workshop to order to discuss a policy for police vehicles and Call Street/DOT. Present were Commissioner Wilbur Waters, Commissioner Carolyn Spooner, Commissioner Tommy Chastain, Commissioner Danny Nugent, City Clerk Ricky Thompson, Police Chief Jeff Johnson, City Attorney Dan Sikes, and Mark Crawford, Bradford County Telegraph.

Mayor Woods asked for the commissioners to give comments regarding the policy.

Commissioner Waters had no issue with the policy that was presented based on the figures.

He asked Chief Johnson if the officers are paying the IRS required \$3.00 per day?

Chief Johnson ask to explain the policy the use now. (attached Exhibit A) During the state audit it revealed we need to show a benefit of a take home vehicle; the statues states a marked unit, but he is doing all vehicles. He was unaware we had to do that and we have corrected it.

There is a 25 mile radius for the city it will be \$3.00 per day; if they are outside the 25 miles it will be \$5.00; this will be their benefit and it will be done through payroll.

Commissioner Waters asked if they are covered with insurance.

Chief Johnson responded yes they are covered with the insurance.

Commissioner Waters asked how many officers are outside the 25 miles?

Chief Johnson responded 3, and 2 are investigators that are on call. They averaged the mileage to 25 to be fair and it lines up with everyone else.

Commissioner Chastain referenced other cities; Green Cove does 15 miles, Wauchula and Flagler does 25 miles, Williston does 4, etc.

Chief Johnson responded it would be great if the county was a circle.

Common sense tells me that I'm not going to permit someone drive it 19 miles, but not allow someone to drive it 3 miles.

Commissioner Chastain explained he went door to door at 35 houses and 30 of those households stated to stay within the county, 4 stated it was ok and one of those being a police officer, and he also spoke to the past 3 chiefs in the survey. What it explains is the people we work for the vehicles should not go outside the county.

Chief Johnson responded he would explain to those people, and the fare thing to do is make it the 25 miles circle and charge the officer as such.

Commissioner Nugent asked how many are outside the county and how many miles outside?

Chief Johnson responded 3, and he is not going to be specific but they are outside the 25 miles.

Commissioner Spooner commented that she does get calls about persons seeing the vehicles outside the city limits and these are concerns from residents of our community. Our officers should have access to the vehicles when needed but we do need to take a closer look at the utilization of the vehicles when it is appropriate and when it is not.

Chief Johnson responded they only drive them to and from work unless they are going to the lab or school. If you can tell me when and where they are seen I can tell you why they were there if I can.

Mayor Woods commented he doesn't have a problem with the cars outside the county as long as they are on duty, investigating, or on their way to the lab, etc. If there is an officer that is living outside the county they should leave the vehicles here at the department.

Commissioner Waters asked Mayor Woods if he was referring to the investigators that are on duty 24/7. They would have to drive their personal vehicle and then pick up their assigned police vehicle?

Mayor Woods responded yes; if he gets called out to do an investigation he can drive his personal car in, pick up the police vehicle.

Commissioner Waters asked if the officers get paid when they are called out?

Chief Johnson responded they receive on-call pay, which is 8 hours per pay period, on a 28 day cycle, and they don't receive overtime and on call when they get called out.

Investigators are called out on an average of 4 times per week and they rotate shifts.

Commissioner Spooner suggested monitoring the vehicle mileage usage after hours on an annual basis we can see what kind of usage per vehicle.

Clerk Thompson asked if the commission wanted the policy on the agenda for the next meeting for approval.

Mayor Woods responded he would like to see some data on the mileage first.

Chief Johnson will provide data in February.

With no additional discussion the Mayor Woods closed the workshop regarding the vehicle policy and opened the discussion on DOT/Call Street

Clerk Thompson reported the state will fund up to \$150,000 for the city to take Call Street.

Mayor Woods asked if the City has a choice?

Clerk Thompson responded yes; accept it or not accept it. The cost to have it repaved and the curbing issues would be around \$300,000 to \$400,000.

Mayor Woods ask for each commission to give their thoughts.

Commissioner Waters stated he doesn't want it let them have it. We can make phone calls to close certain streets if we need to.

Commissioner Nugent stated he doesn't want it either and he has stated that earlier.

Commissioner Spooner added she somewhat concurs; there are additional DOT funding for safety issues for highway and if DOT is not willing to grant us access to some of those funds than they can control it.

Clerk Thompson added it would wipe out our road paving budget in one year for that single section of highway.

If DOT takes it over and makes it compliant with the new rules they will do away with the parking at the square. The engineers are present to answer questions.

Commissioner Chastain commented we cannot take it over for \$150,000 and we don't want to lose parking or the brink pavers.

Klyan Lindsay, Mittauer Associates; back in early 2013 the city made a request to DOT to receive funds to resurface so the city could take over that area so the city wouldn't have to permitting.

After discussing with Clerk Thompson; the permitting process is not really that difficult so there is really no need for that section of Call Street.

The pavers are permitted within DOTs standard specifications as well as the parking along Call Street. For DOT to come in and say you couldn't have that, he wasn't sure if they have the ability to do that.

His concern is the City signed the agreement, which was executed in May, 2013; and in the agreement there was a time limit of a year to do the construction, and you are well over that time limit.

Attorney Sikes asked for the contract and he will review it.

Also Clerk Thompson stated the agreement was extended; he had the extension taken care of when he first became clerk because it was ready to expire.

Mr. Lindsay commented he didn't feel was feasible for the city to accept the agreement.

Commissioner Spooner ask if it was an non-negotiable section around the square?

Clerk Thompson responded it was a statement made in an email or letter.

Mr. Lindsay responded it was a discussion they had with Mr. Thompson that the brick pavers would be done away with.

Mayor Woods recommended giving all the documentation to the Attorney Sikes and have him review it and come back to give us the legal advise.

With no additional discussion the Mayor Woods closed the workshop.

Travis V. Woods, Mayor
Commissioner Tommy Chastain
Commissioner Daniel Nugent
Commissioner Carolyn Spooner
Commissioner Wilbur Waters

Attest: _____
Ricky Thompson, City Clerk

STARKE POLICE DEPARTMENT

Title: Department Take Home Vehicle Program

Procedure: 1.102

Date Issued: 01/01/2008

Revised: 11/26/2014

PURPOSE:

To establish and maintain procedures and guidelines to ensure the accountability of all officers.

To establish guidelines for take home vehicle usage and restrictions.

To establish financial benefit and method of remedy in accordance with IRS code.

POLICY:

The Starke Police Department has adopted the "Lexington Plan" as our Take Home Police Vehicle Policy.

The Lexington Plan is a policy of allocating and maintaining police vehicles, and was started in Lexington, Kentucky in the 1970's. Many Departments simply refer to it as a "take home" plan. Instead of a pool of cars used by every officer, the plan calls for each officer to be assigned a vehicle for use. The officer may use the car anywhere for personal use while off duty. The vehicle is kept at the officer's house and must be parked in a conspicuous location. The plan is intended to prevent crime, save the city money and serve as an increase of patrol manpower allocation.

The Starke Police Department began a "modified" Lexington Plan in the mid

nineties. Officers are assigned cars, take them home and park them in conspicuous locations. This policy was slightly modified again in 2006, permitting officers to use their vehicles for personal reasons within the geographical confines of Starke and with pre-approval from the Chief of Police, they may be utilized on occasion within additional geographical areas. When using the cars on off duty time, officers are required to be armed, carry body armor and assist on duty officers as needed. They are required to intervene in any law enforcement situation that they encounter while using the department's vehicle off duty. Officers are not permitted to put in for pay during any of these off duty occurrences except in extreme circumstances (There have been no payments since this policy was initiated in 2006). Some officers living outside of Starke and assigned to special critical units such as investigations and K-9 take their vehicles home as well so they may respond to critical incidences in an expedient manner. These officers do not use them outside of Starke off duty.

POLICY BENEFITS TO THE DEPARTMENT AND CITY OF STARKE:

1. **CRIME PREVENTION:**
Criminals are less likely to

commit crimes in a neighborhood where a marked or known police vehicle is parked. **Residents feel safer.**

2. **INCREASED PATROL:** Anytime an officer is using his/her car off duty, patrol is increased, at no charge to the City of Starke. Officers can provide assistance to residents and fellow officers.
3. **CARS LAST LONGER:** The typical life span of a police car used 24/7 by several officers is 2-3 years. Take home cars can be expected to be in use for 5-7 years.
4. **A SENSE OF OWNERSHIP:** Human nature dictates that officers will take better care of cars assigned only to them. Officer's moral is increased. It can be a recruitment tool. The fleet looks better and a professional projection of the department is bolstered. Accountability for the misuse and faulty care of the vehicle is easier.
5. **OVERTIME IS DRASTICALLY DECREASED ALMOST DAILY:** Officers are "on-duty" upon signing on in their vehicles at home enroute to the station. This could be up to half an hour or more before their shift actually begins. During shift change these on coming officers routinely take calls for off going officers without being paid for this time. If officers were not already in cars on their way at that time, officers already on duty would have to respond **(remaining past their shift and**

creating OT) or; these calls would have to be "stacked"-response delayed until the oncoming shift was available.

The consequence of delaying response to motor vehicle accidents, in progress emergency calls, etc., is obvious.

6. **QUICKER RESPONSE AND BETTER PREPAREDNESS TO CRITICAL INCIDENTS:** Every officer, including officers assigned to critical response units, can respond from home at anytime with all the needed equipment. Without a take home car, officers must respond to the station first, (perhaps proceeding past the incident location) locate a vehicle, gather equipment, then respond. In critical situations such as barricaded persons, shootings, explosive devise threats, manhunts, etc., swift manpower allocation is vital and minutes count a great deal. At a moment's notice, because every officer has a cellular phone and a vehicle, the City of Starke can mobilize all units that qualify for take home vehicles, fully equipped. **Response time can save lives, and ultimately be the difference in capturing a dangerous felon.**
7. **LASTLY, AND PERHAPS MOST IMPORTANT TO MANY PEOPLE-IT SAVES TAX DOLLARS:** Figures studied by many cities and law enforcement agencies over the years have shown that maintenance costs are drastically reduced using a take home program. Studies show that in order to maintain a safe, adequate

pool system, the same number of patrol cars would have to be budgeted annually as is required to maintain a take home program. Maintenance costs would increase, and the benefits of the take home program outlined above would be eliminated.

RESTRICTIONS & LIMITATIONS

All Division Chiefs will be authorized to utilize their assigned vehicles at all times.

All investigators and K-9 will be authorized to utilize their assigned vehicles for take home, due to their on-call status being a 24/7 status. Personal usage will be limited to within the geographical boundaries of Starke.

All Patrol Supervisors will be authorized to utilize their assigned vehicles for take home, and personal usage is restricted to the geographical boundaries of Starke. Due to the experience level of supervisors, they are called out much more frequently for critical incidents than a lower ranking patrol officer.

All patrol will be authorized take home vehicles and may only utilize them for personal business within the confines of Starke.

Effective December 1, 2014, the following rates will be charged to officers living outside the limits of Starke to maintain their take home privileges:

Officers living within a twenty-five (25) mile radius measured from the nearest City of Starke jurisdictional boundary line to the officer's nearest property line

of their residence will pay the rate of \$3.00 (three dollars) per day worked in a twenty-eight (28) day pay cycle.

Officers living beyond a twenty-five (25) mile radius measured from the nearest City of Starke jurisdictional boundary line to the officer's nearest property line of their residence will pay the rate of \$5.00 (five dollars) per day worked in a twenty-eight (28) day pay cycle.

All limitations, restrictions, benefits, and charge amounts may be adjusted at the discretion of the Chief of Police.