

CITY COMMISSION MEETING

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Mayor Tommy Chastain announced that if anyone in attendance wishes to speak regarding a motion he asked for them to stand or raise their hand and he will acknowledge them for their comment.

Mayor Tommy Chastain called the meeting to order. Present were Commissioner Janice D. Mortimer, Commissioner Danny Nugent, Commissioner Travis Woods, Commissioner Wilbur Waters, Police Chief Jeff Johnson, City Clerk Ricky Thompson, City Attorney Dan Sikes, Fire Chief Gary Wise, and Code Enforcement Officer Lajuan Whittle.

Commissioner Mortimer gave the invocation and led the pledge of allegiance to the flag.

Mayor Chastain requested any agenda changes.

Clerk Thompson requested to remove Item 8 Health Department; they will reschedule.

He requested to add Item 13 E Kris Kadlec Compensation and Item 13 F Edwards Road Park Unique Abilities Grant.

Mayor Chastain entertained a motion to approve the changes to the agenda.

Commissioner Nugent made the motion second by Commissioner Waters; passed 5-0

Mayor Chastain entertained a motion to adopt the minutes from Commission Meeting December 20, 2016.

Commissioner Mortimer made the motion, second by Commissioner Waters; Commissioner Woods asked if Commissioner's conversations are going to be placed in the minutes then both sides of the conversation should be added. Motion passed 5-0.

Mayor Chastain entertained a motion to adopt the minutes from Commission Meeting January 17, 2017.

Commissioner Woods made the motion, second by Commissioner Mortimer; passed 5-0.

Mayor Chastain entertained a motion to adopt the minutes from Commission Overpass Workshop Meeting January 17, 2017.
Commissioner Woods made the motion, second by Commissioner Mortimer; passed 5-0.

Attorney Sikes read Zoning Ordinance 2017-0736 by title for acceptance of first reading.

ORDINANCE NO. 2017-0736

AN ORDINANCE OF THE CITY OF STARKE, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF STARKE LAND DEVELOPMENT CODE, AS AMENDED; RELATING TO THE REZONING OF LESS THAN TEN CONTIGUOUS ACRES OF LAND, PURSUANT TO AN APPLICATION, Z 16-04, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM SINGLE FAMILY, MEDIUM DENSITY (R-1C) TO MULTI-FAMILY, RESIDENTIAL (R-2A) OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF STARKE, FLORIDA; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Mayor Chastain entertained a motion to accept the first reading of Ordinance 2017-0736.
Commissioner Waters made the motion to accept first reading, second by Commissioner Nugent; passed 5-0.

Mayor Chastain entertained a motion to accept an agreement with the Bradford County Supervisor of Elections to handle the 2017 Election.
Commissioner Woods made the motion to accept the agreement with the changes discussed in the earlier workshop, second by Commissioner Mortimer;
Commissioner Nugent asked for clarification that they are the basic changes?
Attorney Sikes stated he will have the addendum for the next council meeting. The referendum will be a separate item.
Motion passed 5-0.

Mayor Chastain readdressed the boot drive request for Teen Challenge Northeast Florida located in Jacksonville.
Clerk Thompson added no one is in intendance.
Mayor Chastain added they cannot prove to us that they represent people from Starke even though they are located in Jacksonville. Also the dates are for a Thursday for the collection days.
Commissioner Mortimer made a motion to disapprove the request, second by Commissioner Woods due to the money will not be kept within Starke; passed 5-0.

Mayor Chastain entertained a motion for a boot drive for the Bradford Relay for Life on Saturday, March 18, 2017 from 8:30 am to 3:00 pm.

Commissioner Nugent made the motion to approve the request, second by Commissioner Woods; passed 5-0.

The Downtown Merchants Association requests a street closure for Call Street on Friday, March 17, 2017 for a St. Patty's Days festival.

Commissioner Nugent made the motion to approve, second by Commissioner Woods; Clerk Thompson added the closure will be from Walnut Street to Water Street. Motion passed 5-0.

Mrs. Sally Crane, 320 N. Church Street; addressed the regarding the traffic on Church Street; she first thanked the Commission for the speed control devices placed on Church Street.

She also referenced a workshop relating to the overpass and if there are any traffic patterns projections?

Mayor Chastain responded he intend not to say any more than it is now. He believes there will be a roundabout under the overpass on Church Street, which will be South you Mrs. Crane.

Mrs. Crane asked if there expected any increase in traffic?

Chief Johnson responded DOT doesn't predict any increase in traffic except for Water Street.

Mrs. Crane mentioned the mailboxes being all on one side of the road, if traffic increases would that is something that is looked at?

Mayor Chastain responded yes.

Sheriff Smith reported he met with Governor Scott last week and he expressed the concern of the Truck Route. He spoke with the newly appointed Acting Secretary of Transportation and was asked to meet with her when she arrives in Tallahassee. They have received enough letters to get their attention so we need to keep them going. They have reached out and the Acting Secretary asked for a week and she will get back to us.

Major Barry Warren added if no one read the paper there is a link on the City's website.

Chief Johnson requested to purchase equipment: gun rack, tablet mount, Tasers, holsters, battery packs, lap top. The funds will come from Fines and Forfeiture Funds and he has spoken with Finance, the funds are available. There is \$11,000 in the account and the total of this equipment is roughly \$9,385.

Commissioner Mortimer made the motion to approve the purchase, second by Commissioner Woods; passed 5-0.

Clerk Thompson reported on the items for the Utility Department.

The Electric Department purchased the Ford F-150 Pickup for \$5,000. This will replace the white truck that Kris Kadlec drives.

This is the truck that the Police Department purchased from the Sheriff's Department and Kris was in need of a replacement vehicle.

Commissioner Waters made the motion to approve the purchase, second by Commissioner Woods; passed 5-0.

Clerk Thompson continued; state bid information on the utility bed truck for Public Works was provided. There are two pages one is with the diesel engine or the utility bed, towing package \$38,232. The base price for the sheriff bid was \$23,153

Mayor Chastain asked if we go with the diesel it will have a 5 year or 70,000 mile warranty, is that correct?

Clerk Thompson responded that is an option we would have to purchase.

Mayor Chastain asked the pleasure diesel or gas engine?

Clerk Thompson added the gas engine with the towing package, utility bed will be \$32,450.

Commissioner Nugent asked the difference between the warranties?

Commissioner Waters responded normally for new Ford and Chevrolet 36,000 miles or 3 years.

Mayor Chastain entertained a motion for either a gas or diesel engine.

Commissioner Waters asked which Kris Kadlec preferred?

Mayor Chastain responded he thought diesel would be a longer living truck.

Commissioner Waters made the motion for the diesel at the cost of \$38,232, second by Commissioner Mortimer; passed 5-0.

Clerk Thompson presented the request to install casings at State Route 100 and the Truck Route. These casing will permit are utilities from the city for future development. Now is the time to do it or it will cost three times more later and DOT may not permit you to bore under the road.

Mayor Chastain added the casings run \$100 per lineal foot if you do boring for the same size casing it is \$300 per lineal foot. What we are trying to do is invest now for the future growth in that area.

Commissioner Nugent added he thought that was in the original discussion that DOT will put the casings in, when they talked to the County.

Mayor Chastain responded everyone has asked and not one remembers.

Commissioner Woods asked for the cost?

Clerk Thompson responded we will need the length of the casing will be.

Wastewater Supervisor Kyle Jerrels added until DOT gets with us and lets us know the length.

Mayor Chastain asked to table the item until the next meeting?

Commissioner Waters responded yes until we get the total cost.

Clerk Thompson presented information regarding purchasing the DODD Land across from Edwards Road Park for additional parking due to the Splash Park being installed. Requesting a motion to proceed with appraisal?

Commissioner Waters added he just heard about this yesterday and some time ago he and Clerk Thompson discussed property at the old Tidewater Store for parking but this parcel would be bigger?

Mayor Chastain responded an appraisal would need to be done to determine what the city could pay for it. Kris Kadlec did speak with Mr. Dodd and he is interested in selling the parcel.

Commissioner Waters made the motion to proceed with the appraisal, second by Commissioner Woods; passed 5-0.

Clerk Thompson provided a list from the Wastewater Plant for items that need to be placed in the 2018 budget for purchasing. It is a total of \$660,000 worth of equipment. He has spoken about getting a grant but has not heard anything back. Mayor Chastain added some of the items are dated back to 2011 and have not been replaced and is becoming urgent for the plant to continue to operate. This is to give the commission the heads up on what will need to be budgeted for just one department. There is conversations of possibly obtaining a grant through FDEP and Suwannee River.

Clerk Thompson reported the Bond Trustees met along with Commissioner Mortimer and recommended the bills be paid.

Commissioner Mortimer made the motion to pay the bills, second by Commissioner Waters; passed 5-0.

Clerk Thompson requested to purchase a new fire truck. He has been speaking with Chief Wise and has agreed to wait a few years on the tanker if we can move forward on the engine.

Chief Wise added if we wait until the bonds clear up that will be \$100,000 free up.

Clerk Thompson added we can apply for the grant but will not know until March if we receive the grant and we need to get the purchase order in before the prices goes up March 1st by \$14,000 or we can do a bank loan.

Commissioner Waters asked for the delivery time on the new truck?

Chief Wise responded 7 to 9 months, but we will not be making a payment until 2018. He will have two years of budget monies to offset the cost. The total cost if we give them everything they need right now, will be \$422,384.35 but it doesn't look like we can so the cost will be \$426,650.86 that will be needed 45 days after delivery.

Mayor Chastain asked we should have an idea in mid-March what the grant will be, which is a 55/45 and will be a maximum of \$150,000 if USDA gets the same amount of money as last year.

Chief Wise added we could save the \$17,000 if we get a purchase order to them, which will lock in the purchase.

The local bank beat USDA rate for a loan but you would risk not getting anything to offset the cost.

Clerk Thompson asked if the air packs are included?

Chief Wise added the reason for \$500,000, which is \$73,000 more than the cost of the truck. The air packs we have now are two cycles out from National Fire Protection standard. We must upgrade our air packs; I will be taking bottles out of service this year because they have met their 10 year limit.

He has applied for a FEMA grant for 15 air packs and 35 bottles was \$102,000.

With the \$73,000 additional, if the FEMA grant doesn't come through we what is in the firefighting supply plus the \$73,000 he believes he will be able to cover the air packs up to standard for the department.

He is requesting the \$500,000 that includes the \$73,000 to cover the packs and bottles, but if we do receive the FEMA grant he will apply the \$73,000 toward the loan.

Commissioner Waters ask how many years the truck loan would be for?

Chief Wise responded with USDA is 15 years; the local bank is 10 years; either way if we keep the fire budget where it is at now with 10 years with the local we would \$13,000 to \$17,000 a year under budget.

Clerk Thompson added the payment would be \$43,030 based on 15 years at a 3.375% rate.

Commissioner Waters made the motion to approve the purchase of the fire truck, second by Commissioner Mortimer; passed 5-0.

Clerk Thompson presented the City Manager Review Board Rankings and requested to schedule interviews.

Mayor Chastain entertained a motion to proceed with interviews.

Commissioner Nugent requested to interview more than the three persons selected by the board; we did not specify just three persons to interview and he would like a couple of local persons to be added in.

Mayor Chastain responded historically we have interviewed three selected by the board that we put together. To follow tradition we interview the three and move on. If these three are not what we are looking for we proceed in another direction. Commissioner Waters added we don't have to. He feels the same as Commissioner Nugent; just because they set us these three to us he would like to see two of the local candidates be interviewed.

He feels that we could hire either one of the local candidates and either one would do the City an outstanding job. They don't have any background in utilities that is the reason we have Kris Kadlec. He can step in and assist either one of the local persons. He doesn't want to interview the three given to us without the two local persons being interviewed.

Mayor Chastain responded he doesn't disagree with what Commissioner Waters had said but we have advertised the salary for \$80,000 and if we bring someone in with zero utilities experience then we should reevaluate the salary.

Commissioner Waters stated he agrees with that 100%.

Mayor Chastain continued what we need to do is advertise the position with less salary. The City seems to be running smoothly right now and asked Clerk Thompson his thought?

Clerk Thompson responded yes things are moving smooth.

Mayor Chastain added things are getting done in a timely manner and we don't have the position of City Manager filled.

Commissioner Woods stated the salary was advertised between \$60,000 and \$80,000 so we are not locked in at hiring the person at \$80,000.

Commissioner Nugent added the salary is negotiable during the hiring process.

We need to advertise and hire a City Manager to get in here and do his job so the Clerk doesn't have to do both jobs.

Mayor Chastain added you just used the term City Manager and we are no longer looking at it in the perspective.

Commissioner Nugent asked why we are not looking for a City Manager that is what we advertised?

Mayor Chastain responded if you read what our City Manager is to have there are only three persons that meet the requirements.

Commissioner Nugent responded the requirements are a certain degree and there were six applicants that met that qualification; isn't that correct Clerk Thompson?

Clerk Thompson responded there were six to eight.

Commissioner Nugent added and within the six to eight where the locals and he would like to interview those persons.

Commissioner Woods added we ask for a committee to be put together to come up with the persons to interview and they accomplished this for us. Now we don't want to take their recommendation and do it our way. He doesn't believe it is fair to the committee that was put together.

Mayor Chastain suggested re-describing the job and setting different parameters for the salary.

Commissioner Waters added he voted for the committee as well but it doesn't mean I have to accept the three candidates they picked.

Commissioner Mortimer when this discussion started she made a suggestion that we might want to get someone on an interim to make sure things are flowing. We could have had a temporary contract with that person; even if it is local it would not prevent that person applying for the position. No matter whom we get, the issue she thinks needs to be really looked at and think seriously about is, with the elected City Clerk and hired City Manager we are still going to run into the problems we run into. We really need to think about the referendum regarding the City Clerk. She has spoken to Clerk Thompson and it has nothing to do with the person in the seat but did ask his feelings since he is sitting in that seat.

Clerk Thompson agrees the Commission really needs to consider a referendum to put to the voters on an appointed clerk. Once we get past that we would be able to move forward on the City Manager or this hump we have.

She thought we were under the agreement we would accept the committee's recommendation but if we decide to re-advertise and rewrite the job description she suggested to do a contract for someone to fill the position on interim bases until we can get the referendum cleared up and the duties and power struggle we have had that has given us constant failure between the City Manager and City Clerk offices.

Mayor Chastain asked each commissioner if they would like to vote on this tonight or re-advertise with different job parameters and salary.

Commissioner Waters responded he doesn't want to vote on it tonight unless there is agreement to interview more than the three.

Commissioner Woods responded if we are changing form a City Manager position and place a referendum to do an Operational Manager and we are going to do that and move forward he suggested to table the item tonight and have a workshop to move forward on that.

Commissioner Nugent responded he believe we need a City Manager and when one is hired that person needs to be able to do their job and when one is hired we need to allow him to do his job stay out of his business and the Commissioners should only get involved when needed. He agrees to interview the six candidates.

Commissioner Mortimer added we need to move forward from this rut we are in; if we want to interview six persons that will take some time. The Clerk is stepping in

and Kris has stepped down we are just in a holding pattern and we could just consider an interim person on a contract bases that would not prohibit that person to apply for the position. We need to have someone in that office it is not fair to the Clerk's office, the employees or citizen that we have a vacant position and will be vacant until we decide what we will do.

Mayor Chastain suggested going with someone until September when we have an election to allow the citizen to decide if we want a City Manager chair or a Utility Manager chair but in the mean time we reevaluate what we are going to allow the Utility/Manger based on the applications show us or what the salary is going to and if everyone wants to stay in on that salary than we interview them.

Commissioner Mortimer responded she doesn't think we can wait until September on the referendum because the Clerk's office is up for reelection, if we do the referendum at the same time where would that put us? Mr. Sikes can you answer that?

Attorney Sikes responded he would suggest and not weight in on how to vote for that; but if there is a strong consideration about redefining the terms of the city manager than the wise council would be for you to step back and advertise for an interim City Manager between now and September because you will not have anyone that will want to move long distance for a short period.

Commissioner Waters asked if the two local persons could be interviewed for the interim position?

Attorney Sikes stated the City Council can vote to do whatever the City Council wants to do on an interim bases. But it should be re-advertised.

Mayor Chastain asked if the candidates should be asked if they wish their resumes to be in the interim selection?

Attorney Sikes responded yes.

Commissioner Nugent asked why not just interview the six persons and be done with it.

Commissioner Woods added he has no problem with interviewing the six persons, but he asked Clerk Thompson after the conversation today and the conversation you had with Kris Kadlec; is he willing to continue on with a little guidance.

Clerk Thompson responded Kris will continue on but he cannot do the meetings because of coaching baseball.

Commissioner Woods added Kris has done a fine job and has made a lot of headway putting the city back on morals. The next thing to come up is the 10% pay increase for Kris and the back pay for the month that he has already done the position if he is interested. If he isn't interested Commissioner Woods would like to sit down and interview the others.

Commissioner Mortimer added her understanding was Kris wanted to step out and resume his normal duties.

Mayor Chastain stated he received a message from Kris that he would take back on the duties.

Commissioner Waters stated we need to finish what we are doing in regards to the City Manager than move on.

Mayor Chastain asked to go back and advertise it as an interim position until September or whatever date we pick.

Commissioner Mortimer requested to workshop the item so we can discuss it entirely.

Commissioner Waters agreed.

Mayor Chastain stated then it will be on the agenda to vote on.

Commissioner Woods added he will not be available on Tuesday due to his surgery.

The workshop was scheduled on Monday, February 20th at 6:00 PM

Mayor Chastain stated item 13 C is tabled until the next meeting.

Clerk Thompson presented the CDBG Resolutions for approval. Attorney Sikes read by title.

RESOLUTION 2017- 07

RESOLUTION OF THE CITY COMMISSION OF STARKE, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR APPROVAL OF A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SPONSORED BY THE CITY OF STARKE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Starke, Florida is experiencing a need for physical improvements in one or more low-to-moderate income neighborhoods; and

WHEREAS it is the desire of the City Commission that local residents should be assisted in creating an improved living environment in these areas.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF STARKE, FLORIDA;

SECTION 1. That the Community Development Block Grant (CDBG) program is declared to be a workable program for providing needed physical improvements to benefit low-to-moderate income residents.

SECTION 2. That the City Commission hereby directs the Mayor, Vice Mayor or City Clerk, in his/her absence, to sign all necessary certifications of the Community Development Block Grant application, grant contract or other grant documents required by the CDBG program.

SECTION 3. That the City Commission directs the Mayor, Vice Mayor or City Clerk, in his/her absence, to execute and submit the FFY 2016 City of Starke CDBG Grant Application to the Florida Department of Economic Opportunity for state approval.

SECTION 4. That the Mayor, Vice Mayor or City Clerk, in his/her absence, is authorized and directed to submit additional information in a timely manner as may be required by the Florida Department of Economic Opportunity during the application review process and after execution of a contract agreement with the Department.

SECTION 5. The CDBG application is consistent with the Local Comprehensive Plan.

SECTION 6. The City designates its Local Comprehensive Plan, adopted pursuant to Chapter 163, F.S. as its Community Development Plan.

SECTION 7. That this Resolution shall take effect immediately upon its passage.

ADOPTED unanimously in open session of the City Commission of Starke, Florida, on this 7th day of February, 2017.

City of Starke
City Commission

Tommy C. Chastain III, Mayor
Daniel Nugent, Commissioner
Travis V. Woods, Commissioner
Wilbur Waters, Commissioner
Janice D. Mortimer, Commissioner

ATTEST:

Ricky Thompson, City Clerk

Commissioner Woods made the motion to adopt Resolution 2017-07, second by Commissioner Nugent;
Commissioner Mortimer asked there is a section that most of the sewer lines in the Reno lift station area rehabilitated but that changed and she asked Mr. Thompson to find out why. Motion passed 5-0.

RESOLUTION 2017- 08

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA, AUTHORIZING CITY FUNDS TO BE USED AS LOCAL MATCH FOR THE PROPOSED FFY 2016 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), NEIGHBORHOOD REVITALIZATION GRANT APPLICATION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Whereas, the City of Starke plans to provide improvements to the community to benefit low and moderate income persons; and

Whereas, the City of Starke will apply for Federal Fiscal Year 2016 grant funds in the Neighborhood Revitalization Category of the Florida Small Cities Community Development Block Grant (CDBG) program to fund community improvements; and

Whereas, the City desires to enhance the planned CDBG improvements by contributing local funds in the amount of \$50,000 to the project, which will serve as local match to the CDBG funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA;

SECTION 1: That the City shall combine local funds in the amount of \$50,000 with the anticipated \$700,000 CDBG Neighborhood Revitalization grant.

SECTION 2. That the local funds will be used to claim points in the CDBG grant application.

SECTION 3. That the funds will be expended for eligible CDBG activities to include sewer facility improvements and related activities and will be expended after the date of the grant agency's Site Visit and before administrative closeout of the CDBG grant.

ADOPTED unanimously by the City Commission of Starke, Florida, on this 7th day of February 2017.

City of Starke
City Commission

Tommy C. Chastain III, Mayor
Daniel Nugent, Commissioner
Travis V. Woods, Commissioner
Wilbur Waters, Commissioner
Janice D. Mortimer, Commissioner

ATTEST:

Ricky Thompson, City Clerk

Commissioner Nugent made the motion to adopt Resolution 2017-07, second by Commissioner Mortimer; Passed 5-0.

Clerk Thompson continued with Item 13 F is for 10% compensation for Kris Kadlec for assuming extra duties.

Mr. Kadlec will be paid the increase retroactive back to when he started the extra duties and will continued to be paid the increase until the replacement for the City Manager is done.

The vote was 5-0 with no motion recording position 1:45:20

Clerk Thompson requested a motion to accept and sign the Edwards Road Splash Park grant agreement.

Commissioner Nugent made the motion to approve the agreement, second by Commissioner Waters; passed 5-0.

Attorney Sikes presented the Ordinance for the Moratorium for Medical Marijuana. When you take a look at the moratoriums the Police Chief will need to address the concerns in a factual reason why we are suggesting the moratorium. During the process of the moratorium the Chief will need to speak on why it is a good idea and the commission will need to accept if they agree with the chief on it. Also the Ordinance he placed 365 days because he had no other instructions.

Attorney Sikes requested to advertising.

Commissioner Mortimer made the motion to advertise, second by Commissioner Nugent; passed 5-0.

Attorney Sikes asked if the commission desired to re-advertise for the part time engineer position. At the last meeting the commission was informed it was not advertised correctly and the commission wish to table the item until a full board was present.

Commissioner Waters made the motion to re-advertise for the part time engineer, second Commissioner Mortimer;

Mayor Chastain mentioned the information regarding what we have paid Mittauer over the past year. We have paid \$166,974 but out of that reality we only paid \$40,000 the addition \$126,974 was paid through grant funds.

Commissioner Nugent added that Mittauer has done a good job and has obtained a few grants which have cut our cost. He is happy keeping Mittauer as the engineer.

Commissioner Woods added the figures are correct and they have also had site plan reviews which they are overseeing those are being paid for.

Commissioner Waters added when this was first provided to us it was presented that we paid Mittauer the full \$166,974 but now that we received the correct information it is not bad at all.

Clerk Thompson stated the numbers are correct and it is less than what we would have to pay the part time engineer.

Commissioner Woods requested Mr. Lang from Mittauer to provide the information of what the city has actually paid out.

Commissioner Waters asked the Clerk if the numbers are correct?

Clerk Thompson stated yes other than what he just found out about the site plans and we are covering them.

Ms. Whittle added when someone comes in for a site plan we charge \$350 which handles the mailing of the plans and as we get the reviews back from the engineer he bills the city and she in returns bills the company presenting the site plans. All of those funds are reimbursed back to zoning in an invoice so we don't lose anything on site plans. Everything has to be paid before she submits it to the commission for approval.

Commissioner Mortimer added this was an item of discussion that had started before she came on board and she did ask the question of why we want to separate and the answer she got was due to the cost. Now she sees that the cost isn't a factor based on the numbers we received.

Commissioner Mortimer withdrew her second, Commissioner Waters withdrew his motion.

Mayor Chastain asked for another motion; hearing none the item died due to the lack of the motion.

Commissioner Woods brought up the letter that was sent to Mittauer explaining we would not need their services.

Clerk Thompson responded that a letter will need to be sent to reinstate their engineering services. He will take care of that tomorrow.

Commissioner Woods announced he will not be present at the next meeting due to having surgery.

Mayor Chastain asked with the overpass coming to town DOT will not commit to an underground surface that is an additional \$1 million and did away with the red light at St Clair Street and the overpass. For local people want to get on the overpass it will make difficult with a lot of traffic and there is a train blocking. Would it be of interest for a City wide referendum to ask the voters if they would want the over pass or not.

Commissioner Waters stated we need the overpass.

He also asked with the September election are we considering putting on for a city manager?

Commissioner Waters stated; no sir I am not.

Commissioner Mortimer asked what Mayor Chastain meant.

Mayor Chastain responded do we want to go back to a Utility Director vs. City Manager.

Commissioner Nugent stated he is not for that.

Commissioner Mortimer stated there has been some discussion of the City Clerk position becoming an appointed position instead of elected. She thought the Clerk position would be on the referendum, but it would need to be done before September.

Mayor Chastain asked if a special election would be done?

Attorney Sikes added he has spoken on the process; a workshop would be done to discuss what portions of the charter you wanted to mend. We would put that together and the council would vote on which charter amendments would be placed on the referendum and the citizen's vote on the referendum.

Clerk Thompson added the City Manager position was not put to the vote when it was created.

Attorney Sikes stated it is not in the charter.

Commissioner Mortimer stated it is a hired position it is not a position established by charter.

Mayor Chastain asked do we want to put the City Manager out and make it legal?

Mark Crawford added there is nothing that makes it illegal now. The only reason you would place it on referendum is if you wanted it to go into the charter where it is not now.

Commissioner Mortimer added this will not correct the problem.

Mayor Chastain stated we will discuss this further at the workshop on the 20th. Is there any additional information that needed to come before the Commission? Hearing none he entertained a motion to adjourn.

Commissioner Woods made the motion to adjourn, second by Commissioner Nugent; passed 5-0.

Tommy Chastain, Mayor
Commissioner Daniel Nugent
Commissioner Janice D. Mortimer
Commissioner Wilbur L. Waters
Commissioner Travis V. Woods

Attest: _____
Ricky Thompson, City Clerk