

## COMMISSION MEETING

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Mayor Woods 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 Woods called the meeting to order. Present were Commissioner Carolyn B. Spooner, Commissioner Tommy Chastain, Commissioner Danny Nugent, City Clerk Ricky Thompson, Police Chief Jeff Johnson, City Manager Tom Ernharth, Fire Chief Tom Rowe, and Attorney Dan Sikes. Commissioner Wilbur Waters was absent due to being out of town.

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

Clerk Thompson noted a correction in the minutes; page 3 of 3 the workshop date was to be 3<sup>rd</sup> not the 24<sup>th</sup>.

Mayor Woods entertained a motion to accept the minutes with the correction for the Commission Meeting February 17, 2015.

Commissioner Nugent made the motion, second by Commissioner Chastain; Motion passed 4-0.

Attorney Sikes read the following two ordinances by title for the Zoning Department;

### ORDINANCE NO. 2015-0719

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 15-01, 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

Commissioner Spooner made the motion to accept the first reading. No second was made. Motion died to the lack of a second.

ORDINANCE NO. 2015-0720

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 15-02, 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

Commissioner Spooner made the motion to accept the first reading. No second was made. Motion died to the lack of a second.

Commissioner Spooner asked for an explanation for the denial from the zoning board.

Ms. Whittle explained the criteria was mailed out to determine if the area can be suitable; one of the criteria was the impact on sewer, water, drainage and that was what the Zoning Board made their decision to deny the application.

There were no duplex on Myrtle Street but there are some on Call and Epperson Streets. The Zoning Board based the decision on the water pressure.

She felt the main reason for the Zoning Board to deny the applications is for the utilities.

Mayor Woods introduced Scott Modesitt from Summit Professional Services.

Mr. Modesitt was present to conduct the first public hearing for the 2014 CDBG Grant cycle. With this cycle the federal fiscal year 2014 funds will be due in June and the 2015 cycle falling shortly after in the same calendar year.

Mr. Modesitt opened the first public hearing for the Community Development Block Grant and explained the two different cycles Housing Rehabilitation and Neighborhood Revitalization Program for the 2014. He asked for a motion if the commission would like to proceed with a grant application?

He also requested names for a Citizen Advisory Task Force Board.

Commissioner Chastain made the motion move forward with the grant application second by Commissioner Nugent; passed 4-0.

Greg Lang and Tim Norman from Mittauer & Associates presented a proposal for engineering services for the preparation of a Rural Development Preliminary Engineering Report and Environmental Report to evaluate various options for the City's wastewater treatment and disposal needs.

Commissioner Chastain made the motion to approve the preliminary engineering and environmental reports, second by Commissioner Nugent; passed 4-0.

Mary Gavon, Rural Development Office, Gainesville Office; she explained the Redevelopment Planning Grants are for communities that are fiscal disadvantaged, and based on the 2013 Financial Report the city has \$1.6 million sitting out there so it would be hard to justify a redevelopment planning grant.

With the person granted for the preliminary engineer report she recommended to put together application materials for grant funds.

Data will be gathered to make application.

Mr. Jim Powell, 502 Legion Terrace, Starke; he came tonight due to the zoning issue for the duplexes on our street. The commission didn't second either one of the motions for the two ordinances; what does that mean for the future for those tow zoning applications?

Mayor Woods responded the Zoning Board voted 4-0 to deny the application. If the City Commission needs additional time to review the situations we can place it back on the agenda and move forward.

Attorney Sikes added the ordinances will not be read for a second reading due to the fact that they were not approved for first reading and died due to the lack of a second on the motion.

Mr. Scott Modesitt addressed the commission relating to procuring the grant administrator and grant engineer. Currently the City and Summit Professional Services have had a contract since 2010. To proceed with the grant application and to do the other items for 2014 and 2015 they recommended advertising and procure a grant administrator and grant engineer. He will provide information to the clerk.

Chief Rowe requested two motions relating to the Safer Grant.

He requested a motion to increase the starting salary from \$8.50 to \$9.00 per hour.

Commissioner Nugent made the motion to approve the increase, second by Commissioner Spooner; passed 4-0.

He requested approval to apply for the grant

Commissioner Spooner made the motion to approve for applying for the safe grant, second by Commissioner Chastain; passed 4-0.

Chief Johnson informed the commission he will be establishing a bank account for the purpose of holding any ceased funds; it has to be a non-interest bearing account. He will need to get access to the funds when a court order is received so funds can be distributed based on the order. He will write a policy to submit to the commission for approval.

Chief Johnson also discussed the issue of the Code Enforcement Officer's twenty hours a week be placed under the Law Enforcement Budget, is this correct? Mayor Woods added the police are to assist Code Enforcement when she needs it. Attorney Sikes explained to Chief Johnson; she is a separate budget but would like the police to cooperate with code enforcement because there is a fine line between code enforcement and nuisance which in turn can become criminal action.

City Manager Ernharth provided a bi-weekly report to the commissioners in their mailboxes as well as email. He explained the work schedule for the inmate crews.

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

Commissioner Nugent offered a motion to pay the bills based on the recommendation of the Bond Trustees, second by Commissioner Spooner; passed 4-0.

He presented the list of depositories the city uses and needs to be approved each year.

Capital City Bank, Community State Bank, and TD Bank

Commissioner Spooner made the motion to approve the three depositories, second by Commissioner Chastain; passed 4-0

He reminded the Commission of the joint workshop with the County on March 5<sup>th</sup>.

Attorney Sikes presented the Ordinance 2015-0721 for adoption, he read by title.

#### ORDINANCE 2015 – 0721

AN ORDINANCE ADOPTED BY THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA REPEALING AND REPLACING RESOLUTION 2014 – 20, SETTING POLICY FOR UTILITY SERVICES EXTENSIONS PROVIDED TO COMMERCIAL AND RESIDENTIAL CUSTOMERS IN UNINCORPORATED AREAS BEYOND THE CITY LIMITS; PROVIDING DIRECTION TO THE CITY CLERK; PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Starke City Commission previously assessed a surcharge for utility rates for commercial and residential properties lying outside the city limits pursuant to RESOLUTION 2014 – 20; and

WHEREAS, the Starke City Commission previously required commercial and residential property owners seeking utility services from the City of Starke to annex their properties into the City prior to receiving such services; and

WHEREAS, the Starke City Commission recognizes the need to assist development and growth to better serve the residents of the City by providing utility services beyond the City limits without need for annexation; and

WHEREAS, the costs associated with provision of utility services require an offset to recover infrastructure development expenses to be paid by the property owner(s) requesting such services, the costs of which were previously offset by assessing ad valorem taxes through annexation;

NOW THEREFORE be it resolved by the City Commission of the City of Starke, Florida as follows:

Section 1      Applicability

This Ordinance repeals and replaces RESOLUTION 2014 – 20 and shall apply to all properties and potential utility customers lying beyond and within five (5) miles of the corporate limits of the City of Starke who seek connection to, tapping from, or engagement of utility service from the City of Starke.

Provision of electric utility service is subject to existing agreements with service providers. Such agreements shall remain in effect and not be subject to the provisions of this resolution unless or until such time as a geographical territory has been renegotiated. If the City's territory for provision of electric utilities expands by renegotiation, the terms of this resolution

shall apply. Water service, sewer service, and other utility services which may be provided in the future are subject to the terms of this resolution.

Section 2. Extension of Utility Service Beyond Corporate Limits

Acting upon the request of a property owner or developer, the City of Starke may extend utility services to the property subject of the request provided that the property is within five (5) miles of the corporate limits of the City.

The Commission and the property owner/developer shall enter a written development agreement for the connection to the City's existing infrastructure with such agreement being consistent with existing City ordinances. Connection and tapping fees for extension services are set according to the attached schedule marked as "Exhibit A".

Section 3. Billing Rates

Applicants for services pertaining to properties lying beyond the corporate limits of the City which have either previously connected to the City's infrastructure or which have executed a development agreement to establish a new connection shall enter an agreement for utility services to establish the billing rate. (See attached agreement marked "Exhibit B").

Applicants will be billed at an inside city limits rate and surcharge consistent with Florida Statutes § 180.191, according to the City of Starke utility rate table available at City Hall, pertaining to the current year's rates and subject to change annually. Annually, the owner or developer shall pay a calculated sum and subject to change Annually to the City of Starke calculated by multiplying the City's ad valorem tax millage rate times the property appraisal on which Bradford County ad valorem taxes are extended on the property and all parcels for which utilities are provided. Such payment with appropriate discounts for early payment and penalties for late payments shall be paid to the City at such time taxes are due to Bradford County. The

City shall mail bills for the above payments to the address utilized by the Tax Collector of Bradford County.

Section 4. Direction to the City Clerk.

The City Clerk is hereby directed and authorized to use necessary and reasonable measures, policy, and procedure to execute the provisions herein.

Section 5. Repeal of Conflicting Resolutions.

All prior resolutions and rate schedules not in conformance with the provisions herein are repealed.

Section 6. Severability of Resolution Provisions.

If any subsection, sentence, clause, phrase or portion of this resolution is for any reason held or declared to be unconstitutional, invalid or void, such holding or invalidity shall not affect the remaining portions of this resolution, and the unconstitutional, invalid or void provisions shall be deemed to have been severed herefrom, and the remainder of this resolution, after the exclusion of such part or parts, shall be deemed to be valid, as if such part or parts has not been included herein. If this resolution or any provisions hereof shall be held inapplicable to any person, group of persons, property, or kind of property, circumstances, or set of circumstances, such holdings shall not affect the application hereof to any other person, property or circumstances.

Section 7. Effective Date of Resolution.

This resolution shall become effective immediately upon adoption by the Starke City Commission.

RESOLVED AND ADOPTED with a quorum present and voting, by the City Commission of the City of Starke, Florida in regular session, this 3<sup>rd</sup> day of March, 2015.

CITY COMMISSION OF THE CITY OF  
 STARKE, FLORIDA

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

ATTEST: \_\_\_\_\_  
 Ricky Thompson, City Clerk

EXHIBIT A; Page 1 of 5

**Water Service Fees;** User fees for water service provided by the City of Starke shall be adjusted as follows:

<b>Water Service Provided</b>	<b>Current Fee</b>	<b>Fee Effective February 7,2006</b>
Service turn-on:	0	\$15.00
Water meter only:		
5/8" X 3/4"	\$100.00	\$100.00
3/4"	\$100.00	\$100.00
1"	\$150.00	\$150.00
1 1/2"	\$350.00	\$350.00
2"	\$600.00	\$600.00
Above 2"	Contractor to purchase and install 2" and above	
Irrigation meter:		
5/8"	\$100.00	\$100.00 (add \$250 capacity charge plus backflow preventer)



3/4"	\$100.00	\$100.00 (add \$250 capacity charge plus backflow preventer)
1"	\$150.00	\$150.00 (add \$250 capacity charge plus backflow preventer)
1 1/2"	\$350.00	\$350.00 (add \$250 capacity charge plus backflow preventer, supplied by contractor)
2"	\$600.00	\$600.00 (add \$250 capacity charge plus backflow preventer, supplied by contractor)

Water meter installation charge:			
5/8" X 3/4"	0		\$200.00
3/4"	0		\$200.00
1"	0		\$200.00
1 1/2"	0		\$250.00
2"	0		\$350.00
3"	0		\$450.00
4"	0		\$550.00
6"	0		\$600.00
8"	0		\$700.00

EXHIBIT A; Page 2 of 5

Water Service Provided		Current Fee	Fee Effective February 7,2006
Backflow preventer (potable or irrigation):			
	5/8"	\$50.00	\$50.00
	3/4"	\$50.00	\$50.00
	1"	\$75.00	\$75.00
	Above 1"	contractor to purchase and install 1" and above	
Capacity charge:			
	5/8 X 3/4"	\$350.00	\$350.00
	3/4"		Calculation based on E.R.U. X \$350.00.
	1"		
	1 1/2"		
	2"		
	4"		
	6"		
	8"		
	12"		

Water main tapping:			
	5/8" X 3/4"	\$250.00	\$350.00
	3/4"	\$250.00	\$350.00
	1"	\$250.00	\$500.00
	1 1/2"	\$250.00	\$550.00
	2"		\$600.00
	4"		Fees for taps larger than 2" shall be determined by the actual cost x 200%
	6"		
	8"		
	12"		
Water meter testing charge:			
	5/8" X 3/4"	0	\$10.00
	3/4"	0	\$12.00
	1"	0	\$12.00
	1 1/2"	0	\$18.00
	2"	0	\$25.00

EXHIBIT A; Page 3 of 5

Water Service Provided	Current Fee	Fee Effective February 7, 2006	
	3"	0	\$30.00
	4"	0	\$35.00
	6"	0	\$40.00
	8"	0	\$45.00
Temporary water service meters:			
Installed and removed:	0	\$75.00	
Nonrefundable use charge:	0	\$30.00	
Refundable meter and backflow preventer deposit:	0	\$600.00	
Request for re-read meter:			
Where reading is correct	0	\$20.00	
Where reading is incorrect	0	0	
Water charge, per 1,000 gallons	\$0.46	\$1.60	
NOTES: The city does not have its own testing facility so outside fees apply.			
Renewal tap fees are \$50 for 3/4", \$75 for 1 inch, and \$500 for 2"			

**Electrical Service Fees;** User fees for electrical service provided by the City of Starke shall be adjusted as follows:

<b>Electrical Service Provided</b>	<b>Current Fee</b>	<b>Fee Effective February 7, 2006</b>
Connection fee:	0	\$100.00
Service turn-on	0	\$25.00
Non-demand meter:	0	\$25.00
Demand meter / 3 phase metering	0	\$20.00
Request to re-read meter:		
Where reading is correct	0	\$20.00
Where reading is incorrect	0	0
Temporary meter disconnect	0	\$20.00
Temporary pole disconnect	0	\$75.00
Pole reconnection	0	\$75.00
Single phase metering package over 400 amps:	\$500.00	\$500.00
Three phase metering package , over 400 amps	\$1,000.00	\$1,000.00

EXHIBIT A; Page 4 of 5

**Gas Service Fees;** User fees for gas service provided by the City of Starke shall be adjusted as follows:

<b>Gas Service Provided</b>	<b>Current Fee</b>	<b>Fee Effective February 7, 2006</b>
Service and Repair Charges:		
Trip charge	0	\$25.00
Labor, per half hour (minimum ½ hour, plus ½ hour increments)	0	\$18.50
Additional Charge after hours, per ½ hour	0	\$18.50
Request to re-read meter		
Where reading is correct:	0	\$20.00
Where reading is incorrect	0	0
Initiation of Gas Service		
Residential service turn on	\$15.00	\$20.00
Retail/Commercial service turn on	\$15.00	\$20.00
After hours turn on	\$45.00	\$45.00
Same day service request guarantee	0	\$20.00
Return trip due to absence of customer	0	\$20.00
New service connection	0	\$500.00

**Sewer Service Fees;** User fees for gas service provided by the City of Starke shall be adjusted as follows:

<b>Sewer Service Provided</b>	<b>Current Fee</b>	<b>Fee Effective February 7, 2006</b>
Sewer service connection charges, by water meter size.		
3.4"	\$185.00	\$1,000.00
1"	\$185.00	\$3,500.00
1 1/2"	\$185.00	\$8,000.00
2"	\$185.00	\$15,500.00
Above 2"		Actual cost X 200%
Pollution control charge	*\$1,200.00	*\$1,200.00
Street cut water or sewer	\$385.00	\$500.00 (no charge if contractor repairs)

EXHIBIT A; Page 5 of 5

**Fire Inspection Fees;** User fees for gas service provided by the City of Starke shall be adjusted as follows:

<b>Fire Inspection Service Provided</b>	<b>Current Fee</b>	<b>Fee Effective February 7, 2006</b>
Fire inspection:	0	\$75.00
Hydrant flow test	0	\$50.00

EXHIBIT B; Page 1 of 2

## **AGREEMENT FOR UTILITY SERVICES SERVING PROPERTY OUTSIDE THE CORPORATE LIMITS OF STARKE, FLORIDA**

THIS AGREEMENT (hereinafter referred to as the "Agreement") made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Starke (hereinafter referred to as "City"), and

\_\_\_\_\_, (hereinafter referred to as "Customer(s)"). (use additional pages as necessary for multiple owners)

**W I T N E S S E T H :**

WHEREAS, the Customer(s) are in need of water and or sewer utility services to serve the real property described by the following street address: (use additional pages as necessary for multiple parcels or legal descriptions)

\_\_\_\_\_, with said property being located within Bradford County, Florida, but lying beyond and within five miles of the municipal boundaries of the City; and

WHEREAS, water and sewer utility service is not currently provided by Bradford County or any other utility service provider to access the real property described; and

WHEREAS, Customer(s) have weighed the development expense, operational expense, environmental regulatory compliance, usage demands, together with any other consequences or benefit of having water and sewer utility services provided by the City; and

WHEREAS, Customer(s) are seeking water and sewer utility services from the City; and

WHEREAS, the terms and provisions of this agreement serve as a utility service rate contract, and not as a development agreement addressing line extension or tapping fees, which may be set forth by separate instrument. Development and tapping agreements are subject to ordinance;

NOW, THEREFORE, for and in consideration of the covenants and obligations contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto hereby agree as follows:

1. City shall provide the following services to Customer(s)

\_\_\_\_\_ Water                      \_\_\_\_\_ Sewer

2. Annually, the Customer(s) shall pay a calculated sum to the City calculated by multiplying the City's ad valorem tax millage rate times the property appraisal on which Bradford County ad valorem taxes are extended on the property and all parcels for which water and sewer utilities are provided. Such payment with appropriate discounts for early payment and penalties for late payments shall be paid to the City at such time taxes are due to Bradford County. The City shall mail bills for the above payments to the address utilized by the Tax Collector of Bradford County.

3. TERM – This agreement is self-renewing and shall remain in effect until such time as: 1) the utilities are disconnected from Customer(s) property, 2) A new agreement is entered between the parties. Customer(s) may, at any time, elect to enter a new agreement, but any fees, rates, or other sums accumulated under the prior agreement shall be prorated to the date of the new agreement and must be paid at the time of entering the new agreement.

Sign: \_\_\_\_\_  
**CUSTOMER**

Sign: \_\_\_\_\_  
**CUSTOMER**

Sign: \_\_\_\_\_  
**CITY**

Date: \_\_\_\_\_

Commissioner Chastain made the motion to adopt Ordinance 2015-0721, second by Commissioner Nugent;

Commissioner Spooner asked if this ordinance replaces the previous one.

Attorney Sikes this cleaned up the issues of annexation. If the property owner wishes to annex into the city they will pay inside city rates if they are outside the city limits they pay outside limit rates.

Motion passed 4-0.

Attorney Sikes had a Badcock Developers Agreement but asked to table the item. This afternoon he had sent the agreement off and was waiting on their attorney approval.

Commissioner Spooner asked for a cost estimate for all the accommodations being made for the exchange of the property.

Clerk Thompson replied the one is \$400,000 and he will put the cost together for the permits.

Commissioner Chastain ask if we have information on the Sod Farm.

Clerk Thompson added the state is waiting for the city to provide a number and he felt the Attorney hired would be providing that.

Mr. Greg Lang, Mittauer Associates; idea was not to pursue the purchase of land but to receive a monetary settlement that was satisfactory to the city. That was how the meeting was left. A number was to be developed by the Commission and there was guidance of were to go with the figure.

Clerk Thompson added the Commission figure was around \$1.5 million and that doesn't factor in the lost rent for that portion of the property. We need to add to that figure.

Mr. Lang added they felt \$1.5 to \$2 million would make the city whole and the money was banked it could resolve some of the affluent problems.

Attorney Sikes will get in contact with Mr. Willis to find out where it stands.

Mayor Woods suggested removing former Attorney Sanders from the picture and have our current attorney handle the discussions with Attorney Willis.

Commissioner Chastain stated he was not sure we have the authority to make that decision right now Mr. Sikes is our attorney and he can contact Attorney Willis.

Commissioner Spooner stated the contract for Attorney Sanders is with Attorney Willis and not directly with the city so we don't have the authority to remove him from that position.

The City Commission Meeting  
March 3, 2015  
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Mayor Woods asked if anything additional needed to come before the board. Hearing none, he called for a motion to adjourn.

Commissioner Chastain made the motion to adjourn the meeting, second by Commissioner Spooner; passed 4-0.

\_\_\_\_\_  
Travis V. Woods, Mayor  
Commissioner Tommy Chastain  
Commissioner Daniel Nugent  
Commissioner Carolyn B. Spooner  
Commissioner Wilbur L. Waters

Attest: \_\_\_\_\_  
Ricky Thompson, City Clerk