

## COMMISSION MEETING

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Mayor Nugent 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 Nugent called the meeting to order. Present were Commissioner Tommy Chastain, Commissioner Carolyn B. Spooner, Commissioner Wilbur Waters, Commissioner Travis Woods, City Clerk Ricky Thompson, City Manager Tom Ernharth, Fire Chief Tom Rowe, Police Capitan Barry Warren, and City Attorney Dan Sikes. Police Chief Jeff Johnson was absent.

The recording was not recording correctly

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

Mayor Nugent entertained a motion to adopt the minutes from the March 1, 2016 City Commission meeting.

Commissioner Chastain made the motion to adopt the minutes from March 1, 2016 City Commission Meeting, second by Commissioner Waters; passed 5-0.

Mayor Nugent entertained a motion to adopt the minutes from the March 15, 2016 City Commission meeting.

Commissioner Waters made the motion to adopt the minutes from March 1, 2016 City Commission Meeting, second by Commissioner Chastain; passed 5-0.

Mayor Nugent entertained a motion to adopt the minutes from the March 21, 2016 Joint Recreation Workshop with the County Commission and City Commission.

Commissioner Spooner made the motion to adopt the minutes from March 21, 2016 Workshop, second by Commissioner Waters; passed 5-0.

Mayor Nugent requested a motion to adopt the Arbor Day Proclamation.

Commissioner Waters made the motion, second by Commissioner Spooner Attorney Sikes read the Proclamation.

WHEREAS, in 1872, J. Sterling Morton Proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increases property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE, BE IT PROCLAIMED, BY THE CITY COMMISSION OF STARKE, FLORIDA, THAT **APRIL 29, 2016**, BE

In the City of Starke, we urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands by planting trees to gladden the heart and promote the well-being of this and future generations.

Adopted by the Starke City Commission in regular session at Starke, Florida on this 5<sup>th</sup> day of April 2016.

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

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

Motion passed 5-0.

Mayor Nugent asks if there was anyone under citizen participation and if they would step forward to the mic state their name and address for the record than state your business.

Mr. Shawn McCoy, Career Source addressed the Commission with information on a \$10 million stem ready grant for Bradford and surrounding counties to assist persons over the age of 18 to learn a trade and enter back into the workforce. They will be working with the persons at the new Transition House to get them back into the workforce.

Bradford County Sheriff Gordon Smith addressed the commission with a communication system issue.

We at the county dispatch have attempted on our own to address all the state and federal mandates that have been imposed upon us from the Federal Communications Commission. Each mandate created different dilemmas and the department has been barely able to keep up and adjust.

The only feasible answer is to join the state wide system SLERS. This system was designed for public safety and is the most financially feasible option.

SLERS is used throughout the law enforcement agencies within the state. It is considered critical infrastructure and will be maintained in a constant state of readiness.

The cost for the city is around \$97,000 to purchase new radios for the police department. Clerk Thompson has already put the paperwork together for a grant with the USDA that he will discuss later to purchase these radios. Unfortunately with the narrow banding coming we cannot wait for the funding from a grant. This is something we will need to move forward with or without the grant funds.

Chief Rowe has placed funds in his budget plus County EMS is covered for radios for fire.

Chief Rowe reported he has placed funds in his budget for the new radios. He will also not purchase the exhaust he had in the budget to help cover the cost if the EMS grant doesn't work out. He also reported the contractor has placed all the trusses for the roof but no metal sheets have been put on.

Capitan Warren stated the only thing he had for the commission is to discuss the radio situation that Sheriff Smith has already talked about.

Mr. Ernharth requested emergency purchase to the Call Street lift station. It has broken beyond repair and is also a confined space entry repair. There are sufficient funds budgeted to handle this cost.

The cost is \$27,236.50 for an emergency repair to replace the pumps at the Call Street lift station.

With the pumps to be installed if we end up getting the CDBG grant funds to build new lift station these pumps can be moved to the waste water plant and used for either RAW/WAS pumps or influent pumps for backup if we have any one of these pumps at the plant go down.

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

Mr. Ernharth brought back to the commission the personnel changes for the Public Works Department. James Hallmark had ask to step down from the supervisor position and with that take the salary reduction so that there would be no increase to the city, which no other employee that even got demoted had their salary reduced based on policy.

Commissioner Woods at the last meeting ask him to follow the procedure and advertise the position so if there were any other employee that would like to apply that would have the opportunity to do so.

Mr. Ernharth advertised the position in house for 10 days and received only one applicate, Brandon Demers who was the recommendation for the position.

The following are the changes he is requesting for the department.

James Hallmark will step down as supervisor and will be reducing his salary to \$12.00 per hour.

Brandon Demers will be promoted to Superintendent and receive a salary increase to \$14.00 plus the \$60 cell phone allowance and be on probation for a one year period.

All policy and procedure were followed as requested by Commissioner Woods. Commissioner Woods questioned the increase Mr. Demers was receiving that it was more than the 10% that the manual states.

Mr. Ernharth as well as Clerk Thompson added the manual reads a minimum of 10% can be given in a promotion increase, which is the lower amount that can be given. If the department head wishes to give additional percentages he can do so if it is feasible.

Commissioner Waters made the motion to approve the salary increase to Mr. Demers along with the phone allowance, second by Commissioner Chastain; passed 5-0.

Commissioner Chastain thanked Mr. Demers for the good work he has been doing.

Mr. Ernharth elaborated on Mr. Hallmark reducing his salary with stepping down from the position is the first employee to do that even the persons that received demotions didn't receive salary decreases.

As part of that Mr. Hallmark requested part of the money that is being taken from him be used to provide an increase to Henry Broskey.

Mr. Broskey has worked for the city for 19 years and is only making \$10 per hour. He is the lowest paid person in the department and this increase will make his wage \$11.78 per hour but he will still be the lowest paid in the department. With this increase would be a cost of \$600 this year.

Mr. Demers spoke to Mr. Broskey's character he has worked with him at DuPont as well as the city and he is a hard worker that doesn't complain when you call him to help.

Commissioner Woods stated that if we agree what will stop other employees to come forward for increases.

Deputy Clerk Wiggins ask to address the commission. She addressed the performance evaluation that is done in reference to receive the bonus that is given around the holidays. Everyone receives the same amount of bonus even if they scored lower than others on their evaluation. Shouldn't you get rewarded for the higher score?

Jeramiah Johnson, Gas Department Supervisor addressed the commission and suggested job ratings.

Attorney Sikes explained Mr. Ernharth has completed this process according to the policy. To grant the increase he is asking the commission's approval.

That is the issue that needs the vote does the commission approve the increase for Mr. Broskey.

Commissioner Chastain made the motion to approve the increase for Mr. Broskey, second by Commissioner Waters; passed 5-0.

Mr. Ernharth requested a motion to ratify the amended DEP Consent Order. He received it and due to the timing he needed to obtain the mayor's signature and return the agreement. He was asking now for a vote to ratify the Amended Consent Order.

Commissioner Spooner made the motion to ratify the DEP Consent Order, second by Commissioner Waters; passed 5-0.

Mr. Ernharth had been request to contact FDOT and request signage to encourage trucks on US 301 to use SE 144<sup>th</sup> Street to access eastbound State Road 100 and also to install signage to encourage westbound trucks on SR 100 to use SE 144<sup>th</sup> Street to access US 301.

FDOT would like for trucks traveling east/west on State Route 100 to remain on State Route 100 through the intersection of US 301 to reduce the number of trucks turning left and right from State Route 100 onto US 301.

Mr. Ernharth reported he met with representative from DOT's Transportation Rail Office regarding the closing of railroad crossings.

In order to close any crossings a public hearing would need to be held sometime in June when DOT holds the public hearing on the overpass.

There was discussion for the reasons for the required closures and suggested that Adkins and South could possibly be closed.

The typical amount given on closures is \$15,000. \$7,500 from DOT and \$7,500 from CSX, but this amount can be negotiated as long as it is tied to an improvement within the area of the closures.

It was suggested to resurface South Street from US 301 to Highway 100.

The drawback on this option of funding is closing the crossing early. We are not sure what early means. With the closing it would assist in getting the people use to the new traffic pattern. If we decline the early closings the closing will take place in 2023/24 when the project is done.

It was decided there are still many unanswered questions and to find out more details; what is closing early, when the project begins these areas will be needed for the traffic until the project is complete.

Mr. Ernharth has been approached by Julie Weston from Crown Castle regarding the possible extension of the cell tower lease beyond 2022 due to the need of amending the lease due to FDOT purchasing property. She has also provided several bonus offers.

The Commission asked for Mr. Ernharth to bring back suggestions for counter offers.

Mr. Ernharth presented the tabled item of additional parking at the Tidewater property on Edwards Road.

Commissioner Waters suggested giving permission for him, Clerk Thompson, and Mr. Ernharth to meet with the owner and find out what the cost would be to make the parking and bring that back to the commission.

Mr. Ernharth along with Rachel Rhoden from the county met with the Parents Association and representative from Pop Warner and are working on getting things lined up for the seasons. They will be attending the Fair Board meeting to get assistance from them with the use of their field.

Mr. Ernharth as well as Clerk Thompson has scheduled the LAP Certification to help with obtaining grant funding.

Mr. Ernharth reviewed his Bi-weekly report.

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

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

Clerk Thompson obtained three quotes for the pre demo asbestos inspection and requested permission to have the engineers review them and make any recommendations.

Mayor Nugent entertained a motion to table this item until we have the engineers review the quotes and can make a recommendation.

Motion was made by Commissioner Chastain, second by Commissioner Waters; passed 5-0.

Clerk Thompson presented Resolution 2016-08 for Utility Deposits. This will assist with some of the good customers we have had for many years.

Attorney Sikes read the Resolution by title.

#### **RESOLUTION 2016 – 08**

**A RESOLUTION OF THE CITY COMMISSION OF STARKE, FLORIDA, ESTABLISHING POLICY FOR THE ADMINISTRATION OF THE STARKE UTILITY DEPARTMENT; ESTABLISHING THE AMOUNT OF COMMERCIAL AND RESIDENTIAL DEPOSITS; ESTABLISHING FEES FOR RETURNED CHECKS; ESTABLISHING CONNECTION FEES; ESTABLISHING REQUIREMENTS FOR BILLING EXTENSIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

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

**FLORIDA AS FOLLOWS:**

#### **Section 1. Deposits for Utility Services**

- a. The residential utility service deposit shall be \$200.00. Residential customers that have previously established seven years of good payment history with the City of Starke and no delinquencies shall be considered grandfathered and therefore exempt from this requirement.

- b. The commercial utility service deposit shall be calculated as the average actual charge for utility service for the most recent 12 month period multiplied by two (2).  
Commercial customers that have previously established seven years of good payment history with the City of Starke and no delinquencies shall be considered grandfathered and therefore exempt from this requirement.
- c. New commercial utility customers shall provide a preliminary deposit in an amount to be determined by procedure as documented by the City Clerk. Said deposit will be effective for six months. At the close of the six month period, the city clerk shall collect a deposit calculated as the average actual charge for utility services for the six month period multiplied by two (2).
- d. Commercial utility service deposits may be re-evaluated to ensure that commercial utility deposits comply with the mythology detailed in Paragraph (b).

## **Section 2. Returned Check Fees**

In the event that a utility customer's check is returned due to insufficient funds, the city clerk shall collect a returned check fee prior to re-initiation of utility services. For all checks in the amount of \$300.00 or less, the returned check fee shall be \$30.00. For all checks in an amount greater than \$300.00, the returned check fee shall be \$30.00, plus 5% of the face value of the returned check.

## **Section 3. Connection Fees**

- a. New connection fee for electrical service shall be \$25.00.
- b. New connection fee for water service shall be \$15.00.
- c. New connection fee for natural gas service shall be \$20.00.
- d. Reconnection fee of \$15.00 per service
- e. Additional after hours fee \$45.00.

## **Section 4. Meter Tampering**

In the event that a utility customer's meter was found to have been tampered with, there is a minimum charge of \$100.00 before service will be restored.



**Section 5. Billing Extensions.**

All utility customers shall be allowed to extend the time for payment of their utility bills twice per calendar year. The extended period of time shall not exceed seven (7) days. All request for extension shall be made on or before the 29<sup>th</sup> day of the billing month.

**Section 6. Effective Date**

This resolution shall become effective immediately upon the date below written.

**RESOLVED**, with a quorum present and voting, by the City Commission of Starke, Florida in regular session, this \_\_5<sup>TH</sup> day of April 2016.

**CITY COMMISSION OF  
STARKE, FLORIDA**

**TOMMY CHASTAIN  
DANIEL W. NUGENT  
CAROLYN B. SPOONER  
WILBUR WATERS  
TRAVIS V. WOODS**

ATTEST:

\_\_\_\_\_  
Ricky Thompson  
City Clerk

BY: \_\_\_\_\_  
Danny Nugent  
Mayor and Commissioner

Commissioner Woods made the motion to adopt Resolution 2016-08, second by Commissioner Waters;  
Commissioner Spooner asked if this excluded Shands?  
Clerk Thompson responded yes.  
Commissioner Spooner stated she was reluctant to approve this.  
Motion passed 5-0.

Clerk Thompson presented the amended EHEAP Agreement from Suwannee River Economic Council for approval. There is a change to the contract period time it is April 1<sup>st</sup> to March 31<sup>st</sup>  
Commissioner Spooner Made the motion to approve the EHEAP Agreement, second by Commissioner Spooner, second by Commissioner Chastain; passed 5-0.

He presented a letter from Mittauer outlining their commitment to the DEP Consent Order.

Commissioner Spooner motion to approve, second by Commissioner Woods; passed 5-0.

Clerk Thompson presented the next FLC Dinner Meeting and ask for those who wanted to attend he needed to know by the 14<sup>th</sup>.

He requested a street closure for the Citizen Crime Watch on April 16 from 3 to 5 PM on North Westmoreland Street.

Commissioner Spooner made the motion to approve the street closure, second by Commissioner Woods; passed 5-0.

He requested approval to submit for the USDA Grant for the Radios as Sheriff Smith presented earlier.

Commissioner Spooner made the motion, second by Commissioner Waters; passed 5-0.

He also requested approval for the Mayor to execute the grant documents for the police cars.

Commissioner Waters made the motion, second by Commissioner Spooner; passed 5-0.

Commissioner Woods asked for the landfill information to be looked into. He believes the contact ends in July 2016. He requested authorization for the Clerk to follow through with a letter.

Commissioner Chastain asked the status of the County's feedback for the Nuisance Ordinance.

Mr. Ernharth responded the Tax Collector is reluctant to do it and County Attorney Will Sexton was to provide a letter of why the county objects to this practice. Attorney Sikes added that Lawtey was not on board with the idea as well.

Commissioner Chastain referenced the contracted work that was being done on Pat Marlin Street and that when the city enters into agreement like this we have a completion date.

Attorney Sikes added when you have that kind of stipulation the cost increase. Clerk Thompson requested having the contractor have a performance bond.

Commissioner Spooner announced that she has tendered her resignation effective November 22. She is seeking a seat for County Commissioner. She has enjoyed and will always cherish her time as a city commissioner and no matter what happens come November she will always support the city.

Mayor Nugent asked if any additional information needed to be brought in front of the board. Hearing none he entertained a motion to adjourn.

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

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

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