

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 Carolyn Spooner, Commissioner Tommy Chastain, Commissioner Wilbur Waters, Commissioner Travis Woods, City Clerk Ricky Thompson, Police Chief Jeff Johnson, City Manager Tom Ernharth, Fire Chief Tom Rowe, and City Attorney Dan Sikes.

Mayor Nugent gave the invocation and led the pledge of allegiance to the flag.

Mayor Nugent entertained a motion to adopt the minutes from the April 19, 2016 City Commission meeting.

Commissioner Chastain made the motion, second by Commissioner Woods; Commissioner Spooner stated she was out due to an illness. Motion passed 5-0.

Mary Johnson, Lawtey; she has been an employee with the City for 19 years. The reason she is present is to address the commission in a public meeting. She didn't want this to go this far but it has.

As the commission knows she has made accusations toward the purchasing department back in October 2015 regarding some things she felt that were not handled correctly. This has escalated into a lot of harassment on the part of the purchasing director toward the department I work for.

A letter was presented by Ms. Underhill with, in my opinion, defamation of my character and work ethic.

She spoke with Attorney Sikes at the time and he advised me to talk to an attorney and provided a name for me. She didn't want it to go that far, she has been here for 19 years.

An investigation has begun by the sheriff's department and they have informed me I am under the whistle blower act for bringing this to their attention.

She was informed yesterday that Ms. Underhill wrote another letter that is accusing me of a lot of untruth.

No one has spoken to me about the letter. She has been absent due to assisting a friend that had a heart attack. She is under the impression there was a meeting held on Friday between Attorney Sikes, Tom Ernharth & Clerk Thompson. Attorney

Sikes suggested that each Ms. Underhill and she be provided a letter for non-contact order; which is difficult due to both of us working in the yard area. She needs to go to the purchasing department to the window just as everyone does and in this letter Ms. Underhill accused me of ringing the bell in a manner of unprofessional and she felt threaten by me.

Ms. Johnson asked if the commission had received the letter?

Mayor Nugent added there are procedures we go through and the issue is being worked on.

Ms. Johnson responded her problem is she doesn't believe she is being heard like Ms. Underhill.

Commissioner Woods visits Ms. Underhill at least once a week.

Attorney Sikes added what he said to Ms. Johnson was he is the attorney for the City so he cannot provide legal advice and provided a name of an attorney for you. The meeting that was held with Mr. Thompson and Mr. Ernharth was; I have competing allocations, an investigation going on and allocations from you and some from her. To discuss this with Mr. Ernharth was that he is not taking sides and suggested the employees don't have contact with each other until the investigation is over.

Ms. Johnson is questioning the letters that Ms. Underhill writes putting things in the letters slandering her and no one has spoken to her about what Ms. Underhill is writing.

Mayor Nugent stated this entire thing is being investigated and will be handled through Mr. Ernharth's office and due process will be done.

Commissioner Woods requested to make a statement; there was a statement made that I am at the purchasing department once a week. He is an elected city commissioner and has the right to stop by purchasing, garage, street departments as well as any place he so desires. If I feel the need to stop by purchasing once a week, which I don't believe it is that much, I have the right to do so. He doesn't appreciate Ms. Johnson pointing him out that he is going to purchasing.

Mayor Nugent requested that we let the process take the steps and complete the investigation. If Ms. Johnson has any questions she can contact Mr. Ernharth or Attorney Sikes.

Ms. Johnson provided a copy of the second letter which was addressed to the commission but none of them received it.

Commissioner Waters asked Ms. Johnson if she had wrote letters to the commissioners and we have not received them? How were they delivered?

Ms. Johnson responded yes and she placed them in each of the commissioner's mailbox as well as emailed a letter to each of you.

Commissioner Woods asked Mr. Ernharth if he is aware of the letters?

Mr. Ernharth responded they are previous, one in October and one in December. The most recent was two weeks ago and he is making copies now.

Ms. Johnson stated that is her concern that the commission isn't receiving the entire story of everything.

Chief Johnson added he was contacted by the investigator and was asked if he had any knowledge of the person or persons being investigated being placed on suspension or moved or anything like that. He could not respond to the question since these are not his employees.

He does know if one of my employees are under investigation they will not be working under the field they are being investigated for.

Chief Rowe reported the roof is coming along

Chief Johnson reported the blocking on State Route 100 looks like it should be finished by the end of the week, with the storms coming tomorrow might take it to Saturday. They are working on it until they are finished.

City Manager Mr. Ernharth presented budget amendment #5 for approval. He is increasing the recreation line in the general fund from \$6,000 to \$21,000; due to the netting at the fields need replaced. The estimate received is for a little over \$13,000 but he is making the amendment for \$15,000. He will not purchase them all at one time they will be purchased when needed.

The second part of the amendment is under the utility, electric budget for \$25,000 vegetation right away control. We will go out for bid to have the right away cut for the power lines.

Commissioner Spooner made the motion to approve the budget amendment for the general fund for \$15,000 increase to recreation line, second by Commissioner Waters; passed 5-0.

Commissioner Spooner made the motion to approve the budget amendment for the vegetation removal, second by Commissioner Chastain; passed 5-0.

Mr. Ernharth informed the commission that he along with Clerk Thompson met with Julie Weston regarding the cell tower lease extension and look at options. She provided the breakdown of the lease that expires in 2022; there are 10, 15, and 20 year option. It shows a 15% increase for 2032; 3% increase in 2017; 10% increase in 2022 for a 15 year option; a 15% with extension approval for a 20 year option. The purchase price if they do additional pole locations we would get a percentage of that, they were open to that; if we sold the tower outright to them we would still only get the \$250,000.

Commissioner Waters made a motion to table this item to another time, second by Commissioner Woods; passed 5-0.

Mr. Ernharth ask to pass over the BCR Sludge hauling after the discussion earlier in the workshop.

Mr. Ernharth received a donation request from \$800 from the Downtown Business & Merchants Association for the Starke Bikefest that will be held August 13 and 14th

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

Mr. Ernharth reviewed two items from his bi-weekly report; he attended the Local Access Planning Certification to apply for a grant.

The other item is the railroad crossing closures that was discussed a few weeks back. The estimate received for paving South Street was \$58,000; the concern is CSX is willing to jump on this right away and close them within six months and the overpass may not be complete for 10 years.

How quickly does the city want to move or do you want to take time to think about it?

Commissioner Spooner asked for a workshop regarding the strategic planning and inviting the stake holders.

Mr. Ernharth responded we will schedule a workshop and invite everyone.

Clerk Thompson reported the Bond Trustees met along with Commissioner Chastain and Commissioner Spooner and recommended the bills be paid except one invoice for an ice machine rental at Thomas Street.

Commissioner Spooner made the motion to pay the bills except the ice machine invoice, second by Commissioner Chastain; passed 5-0.

Clerk Thompson requested a motion on which method the commission desires to fill the seat that will be vacant in District 2.

Commissioner Waters made the motion to hold a special election for the District 2 seat that will become vacant in November, second by Commissioner Woods;

Commissioner Chastain asked if the election will be held at City Hall?

Clerk Thompson responded yes, and election date will be September 13th

Motion passed 5-0.

Clerk Thompson requested to revisit the donation to the gospel sing from the last meeting. He provided a copy of the Resolution 2015 – 09 which regulates the donation policy.

Attorney Sikes added the church requesting the donation is outside the city limits and the resolution prevents donations outside the city limits. The commission needs to rescind the motion.

The activity is being held within the city limits the city could rent the portables. Commissioner Woods made the motion to rescind the motion due to the church being outside the city limits, which is against the city resolution, second by Commissioner Waters; passed 5-0.

Attorney Sikes added with this activity being held within the city limits by a nonprofit organization the city could make available the portables. Commissioner Spooner made the motion to authorize the City Clerk to handle the portables for the event, second by Commissioner Chastain; passed 5-0.

Clerk Thompson reported the SRWMD Grant has been submitted and it looks good that we will receive it.

The USDA Grants for the cars and radios is sitting in the hands of the review team. The contractor for the asbestos inspection came and took 26 samples from the building. We should hear something within 10 days.

The paperwork has been submitted for the SCOP grant for paving of Old Lawley Road and Orange Street.

Chief Johnson added they have held back the funds from Walnut Street and Madison Street due to the overpass. The engineer wanted to get those funds moved to the Orange Street project and ran into resistance. If there is anyone the commission can speak to about this would be assistance for the engineer.

Clerk Thompson requested a motion to time certain item 9 Pension ordinance 2016-0727.

Commissioner Waters made the motion to time certain the ordinance to the next meeting, second by Commissioner Spooner; passed 5-0.

Attorney Sikes will be placing on the agenda for the next meeting a resolution to appoint Mr. Nissen as attorney for the BCR contract.

Commissioner Waters discussed with the personnel at Hercules about the additional parking at Edwards Road. He is in a lease at this time and he will discuss with his attorney about the city leasing parking.

Commissioner Woods asked Mayor Nugent regarding the committee change and he apologized for not seeing this. He knew he was removed from the pension board but he didn't know he was removed from the CIS Board. His question is he has been attending the CIS meetings since December to represent the City. While

there he did not notice Mayor Nugent attending the meetings. So what is your wish at this point?

Mayor Nugent responded Commissioner Woods was appointed to the Transportation Board and that is the board he would like for him to stay on.

Commissioner Spooner thanked the city for the support while she was out due to illness.

She thanked that Old Lawtey Road is on the SCOP funding.

She asked for the sidewalk on Pine Street at the RJE location and the canal to see what can be done with that.

Ms. Petteway requested use of the Thomas Street facility for meals.

She again mentioned the dirt bikes on Old Lawtey Road and the safety issues.

Chief Johnson added there is no place for them to ride due to the liability issues.

Oliver Crum addressed the commission in reference to Old Lawtey Road paving. There are no rails on the Old Lawtey Road where there are ditches and he requested that rails be put on.

Mr. Ernharth ask if it is what was done on Orange Street?

Mr. Crum responded yes.

Commissioner Waters referenced the drainage ditch behind Winn Dixie; trees had fallen off and they were cut off now there are stumps, with a heavy storm that will back up.

Mayor Nugent reminded the commissioners to look at their sidewalks and let Mr. Ernharth know while he has someone looking at them.

He mentioned some of the signs are faded and speed limit signs are missing.

Commissioner Spooner referenced persons sitting bags of garbage alongside their garbage cans due to the cans being full. The garbage pickup will not pick it up.

Commissioner Woods responded that if they are filling up the one can the persons should rent another can to get the overflow.

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

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

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

Attest: _____
Ricky Thompson, City Clerk