

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

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

Clerk Thompson requested to add an agenda item under the City Manager Section 7 G Tree Trimming Contract.

Mayor Woods entertained a motion to adopt the minutes for Commission Meeting June 2, 2015.

Commissioner Chastain made the motion second by Commissioner Waters;
Motion passed 5-0.

Mayor Woods entertained a motion to approve the workshop minutes for Customer Utility Deposits, June 2, 2015.

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

Mayor Woods entertained a motion to approve the workshop minutes for Florida DOT and RXR Overpass June 2, 2015.

Commissioner Waters made the motion to approve, second by Commissioner Chastain; Commissioner Spooner requested more of her comments be added.
Motion passed 5-0.

Bethany Hunsingre, 1207 Blanding Street; addressed the commission and read the following document.

Good evening my name is Bethany Hunsinger, 1207 Blanding Street. I would like to request that the city council reconsider the current animal ordinance to include the allowance of backyard hen keeping. I would like to propose that residents be allowed

up to 6 female hens that must be confined to the owner's personal property at all times.

I personally desire backyard hens to assist in my organic gardening attempts. Hens assist in gardening by controlling insects and weed populations. Hens also greatly speed up the composting process by reducing food waste and yard waste into material that is ready for use in the garden within one short month. I believe that backyard hen keeping supports our city's current mission statement which is:

To enhance the quality of life and safety of its citizens, to preserve its rich heritage culture and diversity, and promote civic pride and unity within the community.

When a resident is able to produce food via hens in their own backyard their quality of life is undoubtedly improved. I would like to honor the culture and traditions of our founder's simple agricultural ways of life.

As far as diversity goes there are over 90 breeds of chickens recognized by chicken enthusiasts in the United States. An example of civic pride would be seeing our community represented in a national chicken publication. I just found Keystone Heights mentioned in the recent issue of Hobby Farm Chickens. Hens unite the community by being the subject of conversations between neighbors and by the gifting of excess eggs to neighbors. I've already initiated numerous conversations with strangers about petitioning the city to allow backyard hen keeping. I might be gaining the reputation as the crazy chicken lady but that's alright by me.

I believe that backyard hen keeping would also boost the local economy as supplies for chickens and chicken housing would increase.

In comparison to our neighboring cities and towns, Starke is slightly behind in the area of allowing hens. Jacksonville, FL just allowed a 2 year hen trial. At the end of the trial period they are now allowing 5 backyard hens. Jacksonville's city council has admitted that they have had little to no reports of the negative fallout they had anticipated from allowing backyard hens. Our other neighboring cities allow the following: Keystone Heights-1 hen since 1997; Gainesville-up to 10 hens; St Augustine-allowed but no max# listed, the only stipulation is 0 that the hens must be confined to the property I can provide more cities hen allowances if necessary.

In light of the recent avian flu outbreak it is more vital than ever to allow backyard hen keeping. Commercially there is an egg shortage. Egg prices are on the rise for individual consumers.

Backyard flocks are less affected by the virus despite being more exposed to the wild game birds believed to be spreading the disease. This could be attributed to the better health and closer monitoring of the backyard flock versus the factory farm.

In closing, I've been told numerous times to just go ahead and get chickens despite the current city ordinance. I do not wish to contribute to our society's current behavior of disrespect towards our governmental agencies. I would love to set a good example of how to handle having an opposing view from one's government.

Thank you for your time and consideration in this matter. I look forward to working on a compromise with the city council to allow backyard hen keeping.

Mayor Woods thank Ms. Hunsingre for coming and giving her presentation. City Manager Ernharth added he had written a chicken ordinance so he could provide it to review for consideration.

Bradford County Sheriff Gordon Smith addressed the commission with a Memorandum of Understanding and an Agreement for Dispatch Services for Police and Fire for approval.

He explained the current agreement is getting ready to expire and the agreements are renewable every five years and there is a slight increase in the new agreement. New communication software was purchased and additional communications officers were hired is the difference in the price.

There will be demonstrated at the next meeting of the new software.

Commissioner Waters asked the Cities of Brooker, Hampton and Lawtey they do not have the same agreement?

Sheriff Smith responded no there is no police department....

Commissioner Waters said it is figured in their taxes?

Sheriff Smith responded it is figured in their taxes and they don't have a law enforcement agency other than Lawtey.

Lawtey puts the biggest chunk into our fines and forfeitures that goes into our regular communication fund.

Mayor Woods suggested for the documents to be placed on the next agenda.

Commissioner Waters added the City is paying \$88,000 now and we are going to \$92,000.

Sheriff Smith it does cost more; basically 236 hours of training is required for every com-center communications and now we are paying \$3,500 for each person to be trained.

Mayor Woods asked the commission about changing the date of the next month meetings. Commissioner Nugent and Commissioner Spooner will not be available for the July 21st meeting; the meeting for July 21st was changed to July 28th.

Sheriff Smith also mentioned the inmate work crews have been painting over the graffiti. Walmart and Ace Hardware have donated the paint, which is mixed wrong and customers return it. He said if anyone sees graffiti that needs painted over give the County Code Officer a call and they will take care of it.

Chief Johnson informed the commission as soon as he obtains the numbers from finance he will be addressing Patrolman's Salary, Vehicle Maintenance, Overtime and Part Time. There has been some miss coding and he wanted to make sure the numbers he discusses are correct.

Commissioner Waters added with the new cars he thought the vehicle maintenance was. . . .

Chief Johnson said it would have been if he would have been able to purchase the other cars. He still has nine old Crown Vics older than 2005.

He informed the Commission of a letter from Governor Rick Scott that the City is 34th safest City in the State of Florida. He will provide copies to the Commissioners.

The Department got recognized for Florida Youth Challenge Academy from Camp Blanding. We got recognized for a partnership award.

City Manager Ernharth presented Resolution 2015-07 for the Bradford County Emergency Management Plan.

RESOLUTION NO 2015-07

WHEREAS, Chapter 252, Florida Statutes, assigns to the Board of County Commissioners responsibility for disaster preparedness, response, recovery and mitigation; and

WHEREAS, being prepared for disasters means being ready to respond promptly as danger threatens, to save life and protect property and to provide relief from suffering and privation; and

WHEREAS, local services may be overburdened or inadequate and local government will have to operate effectively in different ways than in normal times to provide timely relief and minimize hardships in the event of natural and technological disasters in Bradford County; and

WHEREAS, many populated areas and parts of communities may require evacuation, shelter and food until the disaster ends, services are restored and needed supplies and materials are available; and

WHEREAS, this plan is intended to provide the framework for the development of detailed operating procedures for all County forces charged with responsibility of protecting the public's health and safety from natural and technological disaster; and

WHEREAS, Chapter 9G-6, Florida Administrative Code, requires each County to develop a Comprehensive Emergency Management Plan; and

WHEREAS, Chapter 9G-6, Florida Administrative Code, furthermore, requires the governing body of Bradford County to adopt by resolution, the Bradford County Comprehensive Emergency Management Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF STARKE AS FOLLOWS:

The Bradford County Comprehensive Emergency Management Plan is hereby adopted.

ADOPTED in Regular Session This 16th day of June, 2015.

CITY OF STARKE
CITY COMMISSION

Commissioner Tommy Chastain
Commissioner Danny Nugent
Commissioner Carolyn B. Spooner
Commissioner Wilbur Waters
Commissioner Travis V. Woods

Travis V. Woods, Mayor

ATTEST: _____
Ricky Thompson, City Clerk

Mayor Woods entertained a motion to adopt Resolution 2015-07.
Motion made by Commissioner Spooner, second by Commissioner Chastain;
passed 5-0.

Presented a draft ordinance for the Grease Trap Management and requested a
motion to advertise.

Attorney Sikes added he will need to rewrite the title, it isn't legally efficient.
Mayor Woods asked for it to be placed on the next agenda for approval to
advertise.

City Manager Ernharth presented a consulting agreement with Summit
Professional Services for approval to do a FRDAP Grant at Edwards Road
Complex. This will be for the new bathrooms as well as other improvements as
needed at the tennis courts, handball court and walking trail.

We are going out for RFQ for Grant Administrator but this grant is due September
but wouldn't be awarded until May so we need to get the application completed to
submit it on time. He requested permission to approve the agreement.

Mayor Woods entertained a motion to move forward on the grant application;
Commissioner Waters made the motion second by Commissioner Chastain;
Commissioner Spooner asked Manager Ernharth that we have a grant person from
Lake Butler is it possible for that person could do it.

Manager Ernharth responded Summit has done all the other FRDAP grant
applications and he has the back ground information and he has gotten the grant for
us in the past. Motion passed 5-0.

He presented a Sole Source Purchase for the BCR Flow Meter. As you know everything needed for the BCR system we need to purchase from them. This is a sole source purchase which requires a Commission approval.

The amount is \$5,690.38.

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

He addressed the lift station located on Gene Drive that he discussed last month about this lift station going belly-up on us and was the highest priority when we looked at the list of eight lift stations that need to be up dated.

This one was constructed in 1957 and the one pump went down so we only have one pump. It is around \$4,000 for a new pump and to upgrade the lift station itself is about \$150,000.

We had a meeting with TD Bank today and they are looking at quoting for the City to borrow funds at 1.5% to 1.8% to do all the lift stations at once and would save us money.

He requested permission to review all lift stations and see if we can do them all as one bid at the low rate.

Mayor Woods responded we are still waiting to hear about the appropriations money and we should know by next week if we are going to get any and how much of those funds. If we know what we are going to get then we would get the remaining amount.

Manager Ernharth added he would like to get some firm numbers; we have estimates we put together. We could have the engineer take a look and get some firm numbers. Depending how it goes with the appropriations funds we would be able to come back with some better numbers.

He provided an updated Bi-Monthly Report. He also informed the commission his daughter will be in town from Thursday to Monday.

The item added to the agenda is to request to advertise for tree trimming. This has not been done for several years.

Mayor Woods entertained a motion to approve going out for bids on tree trimming. Commissioner Spooner made the motion, second by Commissioner Nugent; passed 5-0.

Commissioner Chastain asked when budget workshops will be scheduled?

Manager Ernharth responded he is meeting with Finance Advisor Thiemann and should be ready July 28th for workshops.

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 Spooner; passed 5-0.

He presented Resolution 2015-08 for Utility Deposits and Fees for adoption. Alicia McMillian was present to explain the tracking of every third late fee increase.

Ms. McMillian explained based on the information she was provided that the commission wanted to allow the customers to have two late fees at \$5.00 and the third time be charged \$7.50; the program we currently have is unable to do that. She discussed the issue with Munis support group and it would require an enhancement program to track for every third late fee to be \$7.50.

She felt it wouldn't be economically feasible to have Munis do the change.

Munis support basically told her the decision the commission needed to make was \$7.50 across the board rather it's the third one or the first one.

The state auditors recommended looking at the late fee because the way it is set up now it is \$5.00 and it didn't matter if the bill is \$10.00 or \$10,000.00 it is still \$5.00.

Mayor Woods asked how much the new program would be?

Ms. McMillian responded support didn't go into any pricing, he just said it would be a program enhancement and usually when it is it runs about \$5,000 to \$10,000.

Commissioner Spooner asked if it could be manually done?

Ms. McMillian stated no; it is a program within the module that assesses the \$5.00 and it uses the aging report; so everything that is over 30 days even if it is a penny it is designed to apply the \$5.00 late fee.

Mayor Woods added at the last meeting the approval was to go up to \$7.50 after the first two at \$5.00. The minutes say one thing and the resolution says another. He ask Attorney Sikes what should be done.

Attorney Sikes explained the resolution proposed he redrafted the title. Basically it is up to the board, you want to revisit the issue of late fees the board has the ability to change its mind from the last time. Whatever you chose we can modify the resolution to be voted on.

You would need to have another motion to amend the last motion and change the rate.

Commissioner Spooner asked if there is an increase you would not have the capability to do it?

Ms. McMillian responded yes we can apply a flat fee; we are unable to keep track of how many times the persons receive a late fee and change the fee for the third time.

Commissioner Chastain asked to get a price on the upgrade and bring it back to the board.

Also when the customers come in to pay the bill; doesn't someone take the money from them?

Ms. McMillian responded yes but the fee is already asses. On the 22nd of each month a program is run and the system automatically applies the flat fee late fee to the accounts that have not been paid.

Mayor Woods asked the wishes of the commission; do we table this item, leave it at \$7.50, or change a date.

Commissioner Spooner added we need to apply an increase based on the audit.

Commissioner Chastain responded if Ms. McMillian is coming back with the upgrade cost, why not table it tonight and come back to the next meeting.

Commissioner Nugent asked how many late customers are there a month?

Clerk Thompson responded 1250 or about 1/3 of the customers.

Mayor Woods tabled the item and it will be placed back on the agenda for the next meeting

Clerk Thompson presented the assistance for the Summer Camp; the commission had been approached for a donation to help Concerned Citizen with their program. The amount was \$2,500. He provided a letter from the city auditor that says it was done in the past and we are doing it now. They are requesting the help to fund there utility bills for two months. He spoke with the County and they have donated \$5,000.

Mayor Woods opened this item up for discussion.

Commissioner Spooner added; it would show good faith on part of the City with the County cooperating and it is for the children, helping with their education.

Commissioner Nugent stated his concern was what the auditor had said in the past and when we did the previous budgets it was agreed to do two organizations. The reason for just two was if we opened to one we would be cash poor; if we donated to one we would have to donate to others. CIS was selected it was helping the children and education and many of the organizations do fund raisers.

Commissioner Chastain referenced minutes dated from 2011; when DD&F were the accountants or auditors they had referenced the Attorney General on numerous

occasions documenting expenditures must be sufficient to demonstrate public purpose for such expenditures.

They also say the City would be written up if we give to Mainstreet, the Chamber...so he is wondering if we are going back on what we have been written up on if we decide to do this. He feels it is a good cause but he believes we would be going against what we have been written up for.

Mayor Woods stated it is a good cause and doesn't have problems to help with what we can. He feels an easy payment plan for the utility bill to pay the \$2,500 and spread the two months over four months.

Commissioner Waters added the payment plan wouldn't be helpful; it is the cash flow they need to pay the bills. He doesn't have an answer, he wants to help but he doesn't want to get into trouble with the auditors.

Chief Johnson asked if the request was for in kind to absorb the light bill or for a \$2,500 cash?

Mayor Woods responded to absorb the light bill.

Commissioner Spooner responded it was her understanding we are unable to do that.

Attorney Sikes added you don't give them a blank check. If you make a specific amount that would be able to be done. The other thing you need to specify at the time you propose the resolution by the board it needs to indicate the public purpose you are spending the money for or absorbing.

You would state; you got the utility bill for X number of months is the problem, but if you say up to \$2,500 for the public purpose of helping this summer camp and how it helps the community; you can legally do that.

Mayor Woods asked Clerk Thompson relating to Commissioner Waters commenting on the cash flow; could we allow them to pay a little bit over the four months and we would still be giving in-kind services and helping to pay the bill without going against the auditors.

Clerk Thompson responded he don't think it will work. My recommendation the cleanest way of doing it is to pay it right out of recreation funds because part of that program is a recreational program; what the auditors were against was to pay the bill for them.

Commissioner Nugent asked if it had to be budgeted because we have a recreation budget to pay for the maintenance of the fields only.

Clerk Thompson added the request was obviously after the budget was set and we will have budget amendments to take care of by year end; if you want to do it the best place is to do it through the recreation checking account.

Commissioner Spooner this is an agency that was supported in the past by our budget and was cut out a couple of years ago because we couldn't afford to do it. We do have the funds available and it is a community program.

Ms. McMillian explained what the Summer Camp program entailed; due to the children having difficulty with the testing and they are trying to prevent the state from coming into our school system. We have collaborated with the school board and with other organizations. A lot of the children are in jeopardy of not being promoted so we have hired a certified teacher.

If we can test the children at the beginning of the summer and let the teacher administer the lesson and at the end of the program test the children and if the children test well will not be held back.

There are 80 children coming to the program. They will be getting free breakfast and lunch through a grant the school system has and the money the school board donated was mostly in kind in the form of computers.

The County is helping with the salary for the school teachers.

Mayor Woods suggested next year allowing a set amount of donation money in the budget next year and when it is gone it is gone.

With all of this said and done he entertained a motion to move forward with the \$2,500 donation.

Commissioner Spooner made the motion, second by Commissioner Waters; Commissioner Nugent commented that if this gets approved that everything being done is correct. He doesn't want the auditors to come back. Attorney Sikes stated the two points; 1. The specific amount; 2. It is for a public purpose.

Clerk Thompson stated he and Ms. McMillian will get together and come up with a public purpose and bring it back to the commission for approval, in case the auditors come back and look at it.

Mayor Woods responded if this is approved you will come back with a statement of whatever and a vote will be needed?

Clerk Thompson stated it will come back as a policy statement.

Commissioner Nugent suggested tabling the issue until everything is worked out and written up for the attorney to review before a decision is made.

Commissioner Waters withdrew his second
Commissioner Spooner withdrew her motion

Commissioner Spooner made a motion to assist the Summer Camp Program for the RJE School with the amount of \$2,500 for the purpose of assisting for with the educational summer program to enhance the education of the children who are getting ready for the school system so they will not be retained; second by Commissioner Waters;

Commissioner Chastain requested the floor be opened for discussion.

He read from the information provided on their desk; “additional we could not find a City ordinance authorizing these types of expenditures” so is he correct to understand that came from the auditor; if we had a City ordinance in place these types of expenditures would be more on the table?

Attorney Sikes recommended going forward to have an ordinance in place on the mechanism in the amount of which you are moving forward and define the limit and the City recognizes worthy causes for the public purpose. That is a clean plan and to do it that way going forward.

It doesn't prohibit what the Commission is doing now.

Mayor Woods commented it didn't think it was right to do budget amendments and then ask legislature for money to stay within our budget.

He called for a vote.

Motion passed 4-1. Commissioner Chastain opposed.

Clerk Thompson presented a policy for approval on Collections, Receivables and Utility Funds. This was one of the State Auditors findings.

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

He presented the Casualty & Property Insurance Bids for approval.

He provided a spreadsheet, which three companies submitted bids, Roberts Insurance, Jallard Insurance and Florida League of Cities.

Roberts was \$226, 703; Jallard was \$181,533; FLC \$96,703. The next line was for the workers comp, Roberts provided no bid; Jallard was \$47,591; FLC \$52,804

He asked if the commission would want to split out the workers comp and award it to Jallard?

Commissioner Spooner made the motion to award the entire bid to FLC; second by Commissioner Chastain;

Commissioner Nugent asked for clarification of the splitting.

Clerk Thompson responded to award the workers comp to Jallard at the lower price.

Commissioner Waters added it is over a \$100,000 savings.

Clerk Thompson added FLC gives rebates on our workers comp and also provide a safety grant program for shoes.

Motion passed 5-0.

Clerk Thompson provided a quote for the Police Department clean up \$15,345

Commissioner Waters made the motion to approve the quote, second by

Commissioner Spooner;

Chief Johnson commented that any amount we put into the building we request that be deducted from the purchase price.

Commissioner Spooner asked if they would clean it.

Chief Johnson responded the contract states we have to maintain the building.

Sheriff Smith asked if the department would need to relocate during the cleaning.

Chief Johnson responded yes

Sheriff Smith recommended they use the Florida Highway Patrol building, his department leases the building.

Mayor Woods stated a motion is on the floor.

Motion passed 5-0.

Clerk Thompson requested to table Item G

He provided updates on the new phone system, training will be week of July 6; the document scanning quote did not have the maps included he will revise the quote; DEO Community Partnership Grant, all documents have been submitted and we are waiting for them to provide us information now. He updated the RFPs advertised.

Mayor Woods asked if the lights along US 301 have been done. Manager Ernharth responded the inspection was done by the police officers and line crew and all lights have been replaced.

Commissioner Chastain asked if the back yard chicken item will be on the agenda for the next meeting.

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Mayor Woods asked if anything additional needed to come before the board. Hearing none, she called for a motion to adjourn.

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

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

Attest: _____
Ricky Thompson, City Clerk