

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 Travis Woods, Commissioner Wilbur Waters, Police Chief Jeff Johnson, City Manager Tom Ernharth, Fire Chief Tom Rowe, Deputy Clerk Brenda Wiggins, City Attorney Dan Sikes, and LaJuan Whittle Zoning Director. Clerk Thompson was absent.

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

Deputy Clerk Wiggins requested the following changes to the agenda. Under Item 12 City Clerk move C Health Insurance under Item 5 to accommodate Mr. Kelly's travel schedule, and add E Budget 1. Set tentative millage and 2 set the budget hearing dates. Under Item 13 City Attorney add A File suit against BCR, motion to proceed.

Commissioner Spooner made the motion to amend the agenda as requested, second by Commissioner Woods; passed 5-0.

Mayor Nugent entertained a motion to adopt the minutes from Commission Meeting June 21, 2016.

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

Chief Jeff Johnson presented a plaque to Captain Donald Spriggle for his service to the City in the Police Department.

The Commission was presented with a request for a zoning change. Attorney Sikes read the ordinance by title for approval of the first reading.

ORDINANCE NO. 2016-0728

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 16-01, BY THE PROPERTY OWNERS 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 Chastain made the motion to accept the first reading, second by Commissioner Woods;

Commissioner Spooner asked the location. Ms. Whittle responded Weldon Street and Epperson Street. The Zoning Board passed it with no opposition. Motion passed 5-0.

Deputy Clerk Wiggins introduced Mr. Jim Kelly from AJ Gallagher, PRM if there are any questions. She informed the board that the city received the new rate for the same plan the employees selected last year. It came in at an 8% and Mr. Ernharth has already placed it in the budget.

Mr. Kelly explained he worked for Blue Cross Blue Shield for thirty years and with groups this size typically had 25% insurance company admin fee, 10% pooling charge that meant 35% went to the insurance company and 65% paid the claims. Under PRM it is set up to pay 87% of the expenses are allocated to pay claims and 13% on admin fee.

Commissioner Spooner asks what it equated to dollars for the employees and the city.

Deputy Clerk Wiggins responded current rate paid for each employee \$462.11 the 2017 rate \$500.18; Additional for Spouse \$648.02 to \$690.50; Additional for Child \$394.49 to \$420.34; Additional for Family \$995.18 to \$1,060.42.

Mayor Nugent entertained a motion to accept the renewal.

Last year at renewal time Owen & Associates explained that come 2016 most plans would receive a substantial two digit increase due to the changes taking effect January 1, 2016

Commissioner Chastain made the motion, second by Commissioner Waters; passed 4-1, with Commissioner Spooner opposing.

Pop Warner Football requested boot drives for Saturday, August 6, 2016. Commissioner Woods made the motion to approve the boot drive, second by Commissioner Waters; passed 5-0.

Pop Warner Football requested boot drives for Saturday, October 15, 2016. Commissioner Woods made the motion to approve the boot drive, second by Commissioner Waters; passed 5-0.

Chief Johnson mentioned the detour from State Road 16 to State Road 100 during the August 6 boot drive.

Ms. Joann McQue, Project Director at Career Source; she requested approval to sign an agreement to assist with the Youth Work Experience Internship Program. This program assist with youth ages 16 to 24 gain employment and obtain their GED. They learn to write a resume, shake a hand, how to conduct their self in an interview, and how to complete an employment application.

They work site agreement, work experience program. If they have never worked before we provide 240 hours of work experience for the participates and this is where we need the employers to sign agreements to work the participants the 240 hours. We pay more than minimum wage it will be the going rate for that position. At the end of the 240 hours they are finished and have obtained skills to help them assist in finding a full time position.

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

Casandra Kiser addressed the commission regarding a letter she requested be placed in the Commissioner mailboxes. She had not received any responses and she wanted to make sure they had been received.

Mayor Nugent received the letter.

Attorney Sikes addressed the issue; his response when he looked at the records from 1984, the city authorized a pay raise but never took effect or did anything about it and no one ever double checked on it. You raised the issue recently which is close to 32 years after the fact. Under the law the city is not bound to do what was done back then, if the city wants to the city can do something but it is not required to do anything under the law.

Mayor Nugent requested Mr. Ernharth to look into the matter.

Kris Kadlec, City Line Crew; addressed the commission regarding the issue of the recent power outage and read the following statement.

ON THURSDAY JULY 14, 2016 AT APPROXIMATELY 8:30 AM I FOUND MELTED WIRE ON THE GROUND AT THE CITY OF STARKE SUBSTATION WHILE WE WERE PERFORMING OUR DAILY

PROCEDURES. AFTER LOOKING FOR THE SOURCE OF THE MELTED WIRE, WE DETERMINED THAT IT CAME FROM THE B PHASE JUMPER, WHICH HAPPENED TO BE ONE OF THE THREE JUMPERS THAT TIE OUR CITIES BREAKERS TOGETHER. THE B PHASE JUMPER WAS FRAYED AND MELTED.

I ELECTRIC DEPT. FOREMAN NOTIFIED MY SUPERVISOR ALAN SMITH. ALAN ASKED MYSELF WHAT WE NEEDED TO DO TO GET THIS ISSUE RESOLVED. I LET HIM KNOW THAT WE NEEDED TO CALL HELP IN AND DROP THE POWER TO THE WHOLE CITY. ALAN INSTRUCTED ME TO HANDLE THE ISSUE IN THE SAFEST MATTER.

I BROUGHT IT TO THE ATTENTION TO OUR CITY MANAGER TOM ERNHARTH. TOM TOLD ME TO MAKE THE CALLS AND GET HELP ON THE WAY. I NOTIFIED FPL WHAT WAS GOING ON SO THEY WERE AWARE OF THE SITUATION. AFTER MAKING NUMEROUS PHONE CALLS TO OUR SISTER CITIES, I RECEIVED A PHONE CALL BACK FROM THE CITY OF OCALA. THE CITY OF OCALA WAS ABLE TO HELP US AND BE AT OUR SUBSTATION AT 7:30 PM.

I TOOK IT IN MY OWN HANDS TO SAY THAT AT 8 PM WE WILL DROP THE CITY FROM POWER. I MADE THIS DECISION ON THE TIME FROM THE TIME OF ARRIVAL OF THE CITY OF OCALA AND ALSO KNOWING THAT THE JUMPER COULD FAIL AT ANY TIME. IF AND WHEN THE JUMPER WOULD HAVE FAILED, THE DAMAGE COSTS AND TIME ON OUR CITY WOULD HAVE BEEN OUTRAGEOUS.

THIS BEING SAID, THE CITY LINECREW AND OCALA'S MEN MET AT OUR SUBSTATION. WE AS A GROUP CAME UP WITH THE SAFEST AND FASTEST WAY TO REPAIR THE JUMPER. AT 8 PM WE DROPPED ALL POWER TO THE CITY AND BY 8:25 PM ALL POWER WAS RESTORED. THE TRAINING AND KNOWLEDGE THAT I HAVE OBTAINED TO DO MY JOB AS THE LINECREW FOREMAN FOR THE CITY OF STARKE, ALONG WITH THE KNOWLEDGE OF OUR SYSTEM, I AM VERY QUALIFIED TO MAKE THE BEST DECISIONS FOR THE CITY OF STARKE WHEN IT COMES TO THE ELECTRICAL SYSTEM. THROUGH COMMENTS MADE ABOUT MY JUDGMENT CALL ON THIS SITUATION (REPLACING THE JUMPER), IF THE POWERS TO BE BELIEVED, (BY THE COMMISSIONERS AND CITY CLERK) I AM NOT QUALIFIED TO DO MY JOB I WILL GLADLY STEP DOWN.

Mayor Nugent thanked the line crew for the efforts and timely manner everything was handled.

Commissioner Spooner added the City's Electrical Department is one of the most efficient in the region; they are expedient to the job and correct it quickly. This has

been her experience since she has been here. The crew is super and she appreciates all of you.

Mr. Kadlec added there were people making phone calls and questioning my decision.

Commissioner Woods thanked the crew for their good job.

Commissioner Waters added he appreciate all city employees. The line crew does a great job. He realized that the call to Ocala and that is the time they could help. The statement you made about the Commission felt like you were not doing our job, you are totally wrong.

Mr. Kadlec responded some Commissioners.

Commissioner Waters added OK, he knows you all care.

Mr. Kadlec stated he felt it was against his judgment call. He is highest certified in the City on the electric system and it rubbed him wrong for people to comment that he didn't know what I was talking about.

Commissioner Chastain stated if he owes anyone an apology, I apologize; he was one that said can we do it at 9:00 to give restaurants time and go through their process so they wouldn't lose money. I didn't question any one's ability and I'm sorry if it sounded that way.

Chase Higginbotham, City Line Crew; addressed the Commission reading a letter written by him for some of the employees.

We as employees are hardworking and dedicated. We perform our jobs and daily duties to the high standards and we take pride in our jobs. There has been a lot of talk to create pay scales for the employees for some time and it seems to be discarded.

Surrounding cities and utilities are ahead of our city with pay scales, number of employees and up to date equipment.

Not having a pay scale or progressive training system show how out of date our city is.

We are requesting a pay scale and job titles be established in the City of Starke Personnel Rules and Regulations Handbook. We have been a stepping stone for a lot of great employees that have been trained here and went on to better paying jobs.

We have heard city employees should get second jobs to help with the lack of money we don't make. As a line crew member we cannot have a second job and be on call.

We feel we are unappreciated as employees even though all we hear is we are appreciated. There is a city not far from here that has fewer customers than we have and we are 82% behind on the pay scale from them. This is just from the line crew perspective and he is unsure of the other departments.

We bring this up and it never gets on the agenda for discussion. Can we please do something about this issue?

Mayor Nugent stated we understand what you are telling us. Mr. Ernharth can get with you on this and it is a project he is working on.

Mr. Higginbotham responded we have spoken to Mr. Ernharth of this.

Mayor Nugent added we have been discussing pay scales, and get with Mr. Ernharth again.

Mr. Higginbotham added he has seen a few city managers come and go since he has been with the city, working on his ninth year, Mr. Ernharth is the best one he has seen since he has been here and will back him 100%.

Ms. Mary Johnson from the Gas Department addressed the commission to agree with Mr. Higginbotham; he is right we are shorthanded there was four employees in the gas department now we are down to two.

Mayor Nugent responded that the commission is looking at that with the budget this year about getting a couple positions.

She also wanted to add she agrees with the statement made of Mr. Ernharth. He is excellent at the position he has. He needs to have the room to do his job. There have been times Clerk Thompson has stepped in Mr. Ernharth way; over stepping his boundaries is the reason there is an ethics complaint against Clerk Thompson. She also referenced an email that was put out that stated something that Commissioner Woods lied about. Clerk Thompson backed the lie up and wanted her reprimanded.

Her question is where the reprimand is for a professional person like you all.

Commissioner Woods stated he isn't going to go low enough to any the question, too stoop low enough to reply.

Mr. Ernharth asked to respond. He and Commissioner Woods discussed the email and when he saw the email Commissioner Woods specifically told him that there are issues within that email that are incorrect and that he would take it up with Clerk Thompson.

We had a conversation with your supervisor shortly after that, Commissioner Woods told him that as well. From Commissioner Woods's position the email is incorrect and wrong.

He has requested the video tape but has not received it yet.

Mayor Nugent requested Ms. Johnson before you come in front of the commission with these types of issues, and he is not saying you can't come before us, please discuss the issue with your supervisor or department head before you make remarks to Commissioner Woods.

Commissioner Woods added the entire concept Ms. Johnson has is incorrect. The only thing he was talking about was employees not speaking when you are spoken too. As employee when someone walks by you and speaks and you don't speak back that is disrespectful.

Brandon Demers, Public Works; Commissioner Woods made a statement about being disrespectful, it is also not right for a Commissioner to speak bad of the employees of the city.

Jerimiah Johnson, Gas Department Supervisor; he would like to see a meeting that people can sit down and talk that there is no rumors going around. What can be arranged?

Commissioner Spooner asked for Mr. Ernharth, Clerk Thompson to call a meeting, a town hall meeting to discuss these issues with the employees.

Attorney Sikes added it can be treated as a workshop and the commission can attend, but no action can be taken.

Commissioner Spooner responded that it should be between the managers and employees.

Mr. Ernharth announced with Chief Tom Rowe retiring at the end of the month, he has 17 shifts remaining; Lt. Gary Wise will be taking over as Chief and will take over September 1st.

Chief Johnson requested acceptance of the 2010 Ford F-150 forfeiture vehicle. Commissioner Chastain made the motion to accept the vehicle, second by Commissioner Waters; passed 5-0.

He requested the following job description approvals.

Assistant Chief/Major

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

Lieutenant

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

Capitan

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

Chief Johnson requested the approval for the promotions and salary increases. He is going back to the old structure with the retirement of Capt. Spriggle putting someone on the road and saving some money to help with the cars and the radio grants. This is within the budget this year.

Capitan Barry Warren to Assistant Chief/Major.

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

James Hooper to Lieutenant

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

Tom Gorman to Capitan

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

Chief Johnson requested permission to use Investigative funds to assist with the bullet proof vest purchase.

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

Chief Johnson clarified this is the BPV Grant and we have to pay for ½ the cost. We will file for hardship and should receive that ½ cost back to replace in the Investigative Fund.

He requested permission to purchase the vest.

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

Commissioner Spooner asked if the department has body cameras?

Chief Johnson responded we have two but have in car cameras in all cars but two. She recommended working toward body cameras.

Chief Johnson announced the City took second in the DUI challenge; Lawtey took first and Sheriff Department took third. He wanted to acknowledge and thank them for the hard work.

Commissioner Spooner stated the dirt bike riders are back out on Old Lawtey Road. She ask for frequent patrolling in the area to save lives.

Mr. Ernharth provided a DOT Maintenance Agreement for intersection at S. Thompson Street and US 301.

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

He requested the commission to renew the lease with the Armory Board for the 0.081 acres for a \$1 per year.

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

Mr. Ernharth ask the commission on direction to go with the BCR ?

Commissioner Spooner referenced the recommendation on asking DuPont about used.....Mr. Ernharth responded that is a long term solution we are looking for a short term fix.

Commissioner Chastain ask about the super bug, would it be best to sit on what we have for 30 more days and see what the end results of the super bug would be.

Mr. Ernharth added the problem we have is that we have been dumped on again with an unknown substance. Whatever it was did harm to the bugs and Kyle Jerrels went and purchased 100 gallons of molasses to get the bugs to come back to life.

Mr. Jerrels elaborated on the progress being made and the direction they are heading. The blower and piping he has hopes to have it up and running by end of July beginning of August.

The big things is not to put that unknown substance into the digester we need to get it out and start with good C sludge. We get to that point we could be looking at 3 months without hauling which would be a savings and give time to decide what to do with BCR.

Commissioner Chastain added what he is hearing is to table the BCR Alternative item?

Mr. Jerrels responded that is what he would like as long as we can haul if we need to.

Mr. Ernharth requested a motion to advertise the Impact Fee moratorium but to do it this year to have put a phase in it to have it until the commission decides to change it. This would help us from doing it every year.

Commissioner Chastain motion to approve, second by Commissioner Waters; passed 5-0.

Mr. Ernharth requested a Budget workshop to discuss the combined budget.

After discussion it was scheduled for Tuesday, August 16 at 5:30 PM

He reviewed his Bi-Weekly Report.

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

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

She reported the Dental Rates have increased from last year. This is an option that the employees choose and pay for.

The life insurance the City buys on behalf of the employee has no increase.

There is a small increase on the Vision insurance for the employees.

She presented SRF Procurement Certification for Mittauer for approval.

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

She reported information Clerk Thompson provided on the Electric Fuel Adjustment and that there was a small increase, and the FRDAP Grants.

Deputy Clerk Wiggins requested approval to set the tentative millage of 4.1125, which is a roll back rate.

Commissioner Woods made the motion to set a tentative millage, second by Commissioner Spooner; passed 5-0.

She also requested to set the 2017 budget hearings. September 13th and September 27th.

Commissioner Spooner made the motion to set the hearing dates, second by Commissioner Woods; passed 5-0.

Attorney Sikes requested a motion to authorize Attorney Niesen to file suit against BCR. He would like to schedule an Executive Session to discuss litigation.

Commissioner Woods made the motion for Mr. Niesen to proceed, second by Commissioner Spooner;

Commissioner Woods asked Mr. Ernharth if we had heard anything additional from BCR?

Mr. Ernharth responded we have heard from them but they were accusations, but nothing positive.

Commissioner Chastain asked if this will fall under the \$5,000 that has been approved for his expenses?

Attorney Sikes suggested that be discussed at the executive session but it should not go over the \$5,000.

Motion passed 5-0.

It was scheduled for 7:00 PM on Tuesday, July 26, 2016.

Commissioner Waters asked for an update on the Sod Farm.

Mr. Ernharth reported an inmate crew is mowing it and quotes are being opened next week for a new tenant

Commissioner Chastain requested Mr. Ernharth to schedule a meeting with DuPont and both water management areas to discuss the unclaimed water.

Commissioner Chastain requested to schedule the meeting with the employees as discussed earlier. Tuesday August 9th at 5:30

Commissioner Spooner added all city employees are important but there needs to be ground rules. It is ok to be passionate to express your feels but not to be insulting. We can agree to disagree but do it respectfully. She also requested the ditches to be cleaned and mowed. Also take a look at the culverts.

Zoning Director Lajuan Whittle addressed the commission; back around the first part of May the commission voted to rezone some multi-family property for Mrs. O'Neal.

She has contacted Mrs. O'Neal and instructed her to complete the application and no one has responded.

Mayor Nugent suggested Ms. Whittle to contact Mrs. O'Neal.

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

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

Attest: _____
Ricky Thompson, City Clerk