

CITY COMMISSION

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In Attendance were Mayor Travis Woods, Commissioner Carolyn Spooner, Commissioner Tommy Chastain, Commissioner Danny Nugent, Commissioner Wilbur Waters, Chief Jeff Johnson, Chief Tom Rowe, City Clerk Ricky Thompson, City Manager Tom Ernharth, City Attorney Dan Sikes and City Financial Advisor/ Senior Accountant John Thiemann

Mayor Woods called the Commission meeting to order and asked if anyone in the audience had anything they wanted to bring before the commission to please step forward, state their name and address. No one came forward.

The invocation and the pledge of allegiance to the flag was lead by Mayor Woods.

Mayor Woods: Okay, do we have a motion to accept the motions from the minutes for the meeting of July 28th?

Commissioner Chastain: I so move

Mayor Woods: I have a motion from Commissioner Chastain, do we have a second?

Commissioner Nugent: I second

Mayor Woods: Seconded by Commissioner Nugent. Any questions? All for say aye.

Commissioners: Aye

***Motion made by Chastain, seconded by Nugent. Motion passed 5-0**

Mayor Woods: On the July 28th Workshop on Databank, do we have a motion to accept them as published.

Commissioner Waters: So move

Mayor Woods: Motion by Commissioner Waters, do we have a second

Commissioner Spooner: Second

Mayor Woods: Seconded by Commissioner Spooner. All for say aye

Commissioners: Aye

***Motion made by Waters, seconded by Spooner. Motion passed 5-0**

Mayor Woods: on to the minutes of August 4th, remember they were not quite type in time for the last meeting. Do we have a motion to accept those?

Commissioner Nugent: So move

Mayor Woods: I have a motion from Commissioner Waters, do we have a second?

Commissioner Chastain: second

Mayor Woods: Seconded by Chastain, all for say aye.

Commissioners: Aye

***Motion made by Waters, seconded by Chastain. Motion passed 5-0**

Mayor Woods: August the 4th the Workshop, motion to accept those (minutes)

Commissioner Nugent: I make the motion

Mayor Woods: Motion by Commissioner Nugent all for. Oh, we need a second. I was trying to get ahead of myself (laughs).

Commissioner Waters: second

Mayor Woods: Second by Commissioner Waters, all in favor say aye

Commissioners: Aye

***Motion made by Nugent, seconded by Waters. Motion passed 5-0**

Mayor Woods: Alright, we have a Bradford Athletic Association boot request for August 22nd. Do we have all their paperwork and insurance information?

City Clerk Thompson: Yes, they're ready to go.

Mayor Woods: Okay, do we have a motion to give the authority to collect?

Commissioner Waters: Is anybody here? Uh, I'll do it under questions.

Mayor Woods: Do we have a motion to grant their request?

Commissioner Waters: So move

Mayor Woods: Motion made by Mr. Waters, do we have a second?

Commissioner Chastain: Second

Mayor Woods: Seconded by Mr. Chastain. Any questions?

Commissioner Waters: Question. On these boot drives, the last one that they had at 301 and 100, they had some of the people that were collecting the money kept pushing the button for the red light to come up. I don't want to see that, because I had several phone calls about them stopping the traffic so that they could collect. So, definitely don't want to see that. Thank you.

Mayor Woods: Any more questions or concerns?

Commissioner Spooner: Not on this issue, but while they are here. Are you responsible or are the same group that does the ballgames over at the RJE Complex? I'm asking that please whoever is out after each event, if they would pick up the field because they're leaving the field extremely littered.

Speaker for the Bradford Athletic Association: Yes, ma'am we're working on that. We're making sure...if it's possible, as far as the large trash cans that you have, we have a shed that we can lock them up, we are limited to one trash can and it really full quickly, but if we could, we would make sure they are locked up before we leave.

Commissioner Spooner: I don't know if it's locking them up that's...if they get full.

Speaker for the Bradford Athletic Association: just don't want them to get taken, but

Commissioner Spooner: I get what you're saying

Speaker for the Bradford Athletic Association: Yes, we can make an effort to do that

Mayor Woods: Anyone else with any questions? Okay, is this y'all's first request or your second?

Speaker for the Bradford Athletic Association: first

Mayor Woods: This is your first, okay so you get one more this year. I just wanted to make sure y'all were in order here. All for say aye.

Commissioners: Aye

***Motion made by Waters, seconded by Chastain. Motion passed 5-0**

Mayor Woods: It is now granted

Speaker for the Bradford Athletic Association: Thank you. I'm sorry, is there a timeframe?

Mayor Woods: From 10 am to 2 pm, I believe. Is that correct?

Commissioner Water: some of them are 9 am

Speaker for the Bradford Athletic Association: 9 to 1, or something like that?

City Clerk Thompson: Usually it's 10 am to 2 pm, but sometimes they start a little earlier.

Speaker for the Bradford Athletic Association: Is it okay if we start at 9?

City Clerk Thompson: As long as the Chief doesn't have a problem with it or the Fire Chief.

Chief Johnson: I don't have a problem with it.

Mayor Woods: 9 to 1 then?

City Clerk Thompson: Tom (Fire Chief), are you okay (with it)?

Chief Johnson to the speaker for the Bradford Athletic Association: Get with Barry (Captain Warren).

Captain Warren: for the safety vests

Speaker for the Bradford Athletic Association: Thank you

Mayor Woods: Now under Citizen's Participation, do we have someone in the audience that needs to address the Commission? Come up, if you will, and state your name.

William Gatlin: How are y'all doing tonight? My name is William Gatlin. I'm interested, I'm representing a man name Kenny Ping and he is interested in bringing a business into Starke. It's going to be kind of like a senior center. It's going to have checkers and chess and some computer gaming, such things like that. They'll have free food and drinks for participants and have giveaways and what have you like that, different prizes and everything. I was just letting y'all know and wanted to know if there is anything special I need to do or what I need to do.

Tom Ernharth: Yeah, contact my office in the morning and I will sit down with LuJuan and go over the zoning, look at locations for you and narrow down your search for properties and at that point then we can get involved with the specific permits you might need.

William Gatlin: Cause we, uh, we are familiar with a place there next to Save-a-lot, it use to be the little thrift store there, and because the gentleman who owns the lease, we've had dealings with him before and we were interested in that spot, if at all possible.

Tom Ernharth: I would have to take a look at the zoning before I could determine if that was acceptable.

William Gatlin: Absolutely, yes.

Commissioner Spooner: Are you aware that there is a Senior Center at the Health Department?

William Gatlin: Yes, ma'am

Commissioner Spooner: SO would it work in conjunction with it or would it be independent?

William Gatlin: Independent

City Clerk Thompson: This would be more of a gaming facility.

William Gatlin: Correct

City Clerk Thompson: You will have to obtain an Occupational License

Mayor Woods: You can get all that information when you meet with Tom in the morning and if you need the Clerk to step across the hallway, he'll be here to help you out also.

Tom Ernharth: we'll do what we can to help

William Gatlin: Thank you.

Mayor Woods: Anyone else? Okay, we're moving right along then. Chief Rowe?

Chief Tom Rowe: Mayor and Commissioners, I do have one thing, the MDA boot drive on September the 5th, for y'all's approval, please.

Mayor Woods: You heard the request by the Chief; do we have approval to accept the boot drive?

Commissioner Spooner: I'll make the motion to accept the boot drive

Mayor Woods: Motion by Commissioner Spooner, do we have a second?

Commissioner Waters: second

Mayor Woods: Seconded by Commissioner Waters, all for say aye.

***Motion made by Spooner, seconded by Waters. Motion passed 5-0**

Chief Tom Rowe: That's all I have tonight.

Mayor Woods: Thank you Sir, appreciate it. Okay, Chief Johnson?

Chief Johnson: Two issues, one is I talked to the gentleman in Lake City after talking to the Commissioner Waters about the traffic lights, especially Westbound 100 at 301. We're being...I've been told 3 different things, so I'm not sure what's actually the problem. I've been told the traffic loop's broke, the timing was changing and...so I went up there and sat on it, he actually sat on it, that's where I was at yesterday while y'all were at the DOT meeting, I was with DOT at 301 and 100. It seems to do it, I've seen it do it, between 6pm and 8pm. Usually when I leave here on Tuesday, I'll come up and I'll set at that light for just a few minutes and watch it (time it) and it will "short cycle," it'll get 2, maybe 3 cars through it before it changes. Now he (with DOT) says it's in the process of changing its cycle, because you know the night cycle differs from the day. They programmed that. When it goes from one cycle to the other, it's likely to short cycle, it's what they call a "change cycle" and it'll happen 3 or 4 times before it sets on the new one. I don't understand all that, but that's what they're telling us. But we are having trouble with that light because that's not the only time it happens. I've contacted the Sheriff's Office, the fire department, and I don't know if the emails or whatever are out yet but anytime there is a responding code and they approach that light and they get a quick cycle, they're suppose to note it in CAD (Computer Aided Dispatch), and let CAD know about it where we can pinpoint the times and dates and try to get an idea of when this is going on. Because we are really, really not sure, so I gave Commissioner Waters the number to Lake City (DOT office), the engineer guys, and all you can do is bombard them with a bunch of complaints until we get something done, but that light is causing a problem right now... a big problem.

Commissioner Waters: Big problem.

Mayor Woods: As long as you're on it—

Chief Johnson: Yes

Mayor Woods: then you need to report back to us on it.

Chief Johnson: Okay.

Tom Ernharth: I did get an invoice or estimate from Summerville that loop is broken at that section, whether that's the problem or not, I don't know, but we did get that Thursday or Friday.

Chief Johnson: So, that is one of the issues, the other one is we are still waiting on the USDA and the Department of Transportation grants. I haven't heard anything. That's it.

Mayor Woods: Sometimes you can't rush them. They take their own sweet time—

Chief Johnson: You know the state; they're going to hang onto that money as long as they can.

(laughter)

Commissioner Spooner: Chief, as you're aware, there's been multiple deaths within the community and in District 2 there's 2 or 3 funerals that'll be going on at the same time and so there may be a lot of congestion downtown and in certain pockets of the community.

Chief Johnson: Yes, Mrs. Haile is real good about notifying us and letting us know by giving us a "heads up." We'll get them through town. Sometimes the family requests, a lot are doing the viewing and the funeral on the same day. They do an hour for the viewing and then the funeral, which helps us a lot, but whatever the family wishes to do is what we're going to do.

Oh, did forget... Uncle Harold Crews, who was Assistant Chief and worked for the Starke Police Department for 19 years passed away.

Commissioner Spooner: You have our condolences.

Chief Johnson: I talked to Commissioner Nugent and then, he called for me and I was kind of out of pocket and he made sure Ricky sent flowers and everything. I just want to say my family and I appreciated it.

Mayor Woods: Anything else?

Chief Johnson: No, thank you.

Mayor Woods: Okay, Mr. Tom your time.

Tom Ernharth: Sure, first under my agenda, the Edwards Bottomland Project, the local agreement. About 5 years ago, we signed the initial one. That initial agreement called for us to maintain the diversion dam. Since that time the project has expanded and gotten more partners in it, DOT has come in. They've extended the project and what we have here is the new updated agreement. Under that updated agreement the City would be the applicant and will be required to pay the \$500 application fee, however the Suwannee River Water Management District would oversee the construction of the project so our only involvement is to submit it and pay the fee. What their concept on that is, if we are the applicant then Suwannee River can be the reviewing agency, if they (Suwannee River) are the applicant, then DEP (Department of Environmental Protection) has to get involved and nobody wants DEP involved. They've removed all the maintenance requirements, the diversion structure is no longer in the project's contract. Next, DOT's involvement included the creation and transfer of wetland credits, these credits will be used for the truck route project and if they're not required, we're going to use them for other projects within the city, within the region. One being the Alligator Creek bridge, is another project that we are looking at bridge replacement that we may need some credits. And the last one, the project has enlarged to include the transfer of a 14 acre parcel to the city. That's a portion of the KOA property will be added to the city's property. It'll be more of a benefit to the city as it will expand and add to the flood storage area, we're creating more wetlands and Suwannee River Management authority felt that it would be beneficial to the city by expanding it and allowing in DOT. So, we have the updated agreement for you to consider as far as that project.

Mayor Woods: Okay—

Tom Ernharth: Oh, and the only change that appears on the agreement you have is the solicitor's name, the city attorney's name.

Mayor Woods: Alright, you've heard the request, do we have a motion to move forward with the, enter the agreement?

Commissioner Chastain: So move

Mayor Woods: Motion made by Commissioner Chastain, do I have a second?

Commissioner Nugent: Second

Mayor Woods: By who? Seconded by Commissioner Nugent. All for say aye.

Commissioners: Aye

***Motion made by Chastain, seconded by Nugent. Motion passed 5-0.**

Tom Ernharth: Next, we have the Sprint Tower and the Spray Field, the easement agreement for FPL (Florida Power and Light) as part of the truck route project. FPL is going to take over the electricity for the Sprint Tower, they're also as part of our territorial agreement with them, they are going to take over Mr. Hendricks's lawn...shop that he has down there at the spray field and in order to accomplish that we need an easement and that easement is shown in your packet and it's pretty much going to run up the primary roadway, up the dirt road to the Sprint Tower, that's included there in the agreement. The city attorney has reviewed it and had no objects to it.

Mayor Woods: Okay, you've heard the request, do we have a motion?

Commissioner Spooner: I'll make the motion

Mayor Woods: Motion made by Commissioner Spooner, do we have a second?

Commissioner Chastain: Second

Mayor Woods: seconded by Commissioner Chastain, any questions?

Commissioner Waters: Question. You said they're going to run power to the building, the buildings that are there?

Tom Ernharth: Yes

Commissioner Waters: Well, those are city buildings now.

Tom Ernharth: Right, under the territorial agreement that we have we them, my understanding is that's the last piece of property them to take over providing electricity to.

Commissioner Waters: The last piece?

Tom Ernharth: Yes

Commissioner Waters: okay

Mayor Woods: We have a motion and a second, all for—

Commissioners: Aye

***Motion made by Spooner, seconded by Chastain. Motion passed 5-0**

Tom Ernharth: The next agreement is the DOT Truck Route Project, as part of the Truck Route there are a number of city utilities that are located in the way of the construction project. We had the option of either relocating the utilities ourselves and DOT reimburse us for that or incorporate it into their project and have their contractors do it. The utilities involved are in front of the Lakewood development, several hundred feet of water line needs to be relocated. We do not have the man power or the time or the equipment to do that, so we are entering into an agreement with DOT for them to incorporate it into part of their project.

Mayor Woods: Okay, sounds good to me. Do we have a motion to accept?

Commissioner Nugent: I make the motion

Mayor Woods: Motion by Commissioner Nugent. Do we have a second?

Commissioner Waters: Second

Mayor Woods: Seconded by Commissioner Waters. Any questions at this time?

Commissioner Spooner: Yes sir, more of a comment that they make sure to watch all of the lines so we don't have a 144th street situation (laughs)

Tom Ernharth: Yes, 3 or 4 times over.

Commissioner Spooner: okay

Mayor Woods: All in favor say aye.

Commissioners: Aye

***Motion made by Nugent, seconded by Waters. Motion passed 5-0.**

Tom Ernharth: Next is under the agenda is something for discussion. We have talked a number of times about the bleacher covers over on Edwards Road Ball Field. Tommy (Chastain) had brought that up at several of the other meeting that we talked about. We do have a quote. The quote is for 9 of them. The total cost is \$29,875 is the estimate. The 9 bleachers to be covered, they are involved in the 4 primary ball fields in and around the concessions stand. There are 4 additional that are not under this proposal; they're on the 2 smaller fields that are located over by the handball court and the basketball court, in that area. I did speak with Brad, with the Parent's Association; they are extremely interested in partnering with us should we decide to proceed with this. They'll make some contributions to it. We have not gotten into dollar figures as to how much, but if we're interested in proceeding with this, they would be interested in partnering with us. All 9 that are under this proposal are all on concrete foundations the big heavy bleachers that we've seen out there before and they may be a benefit in the future with ball fields and auditoriums to have them covered. Similar to, those of us that have been to Lake City, we've seen them.

Mayor Woods: And you're saying the 2 small fields are not included?

Tom Ernharth: Are not included in the 9 proposal. When they did the estimate, they looked at the 4 existing fields that are out there in and around the recreation, I mean concession stand, they did not wander over around to the basketball court.

Mayor Woods: I'm in agreement with doing the 9 plus the 2. I know it's going to cost a bit, but I don't think we would be doing justice if we did the grown-ups and not the kiddie fields, so if you want to get the price on the other 4 covers or have it, we can separate it tonight. We can do this, we can table this on the price until the next commission meeting. I don't really know if it's that big of an issue to have done immediately, but we're going to do it so... how do y'all feel about it?

Commissioner Spooner: Just a question, I know we're in the throes right now of developing our budget and before we commit the dollars I think we should, in my opinion, finish that. Then we could designate a certain amount of money. I know it could come out of the recreation budget money, but before we make the expenditure I think we ought to finish the budget.

Mayor Woods: Mr. Clerk, didn't you say we had money available to do this?

City Clerk Thompson: Right now we do. We have about \$80,000.

Commissioner Nugent: You say there's 4 additional ones, if I am figuring it right it'll be about \$12,000 more if there the same size roughly. That would put us at 30...41,000 for all of them. If you can get some numbers together and get with Brad and find out how much they are willing to give, that would give us a better idea, like you said budget wise. Then we'd know what they could pay and what we'd have to pay and we'd have all our covers.

Commissioner Waters: Personally, I don't see how...go ahead—

Mayor Woods: No, go ahead

Commissioner Waters: Personally, I don't see how they can come up with too much money in their budget. In getting a price on this on getting the other 4 done, might be a little less than what Mr. Nugent just figured, but it could be more too. I don't know, but have that price for the next meeting.

Mayor Woods: Let's go ahead, if it's alright with y'all and let's go ahead and table this for tonight and get the exact figures. We are working on the budget and we do have this to consider but according to the Clerk we do have money in which to do this with so we can—

Commissioner Chastain: Am I right to understand your requesting to go out for bid

Tom Ernharth: That's right

Commissioner Chastain: not that we are going to use this particular one

Tom Ernharth: Right, I've learned that lesson.

(laughter)

Commissioner Chastain: He could be a state contractor.

Mayor Woods: So, we'll just go ahead and table this while we work on getting the exact price. Tom, if you will, get with Brad with the Parent's Association and see how much they would be willing to, give them the total and see what they're able to come up with.

Tom Ernharth: Okay

Mayor Woods: Thank you. Moving right along.

Tom Ernharth: Next I have my bi-monthly report. A couple of things I want to bring up. First is the 2015/2016 budget. We need to schedule a workshop, desperately. We are running out of time. September 8th is our tentative budget date. We've only had about an hour and a half on the budget. Is there any way we can together Thursday and knock it out? At that point it gives us the opportunity to work any kinks out next week, before we get into the tentative budget dates that we've scheduled.

Commissioner Waters: This coming Thursday?

Tom Ernharth: Yes

Commissioner Waters: I can't. I can do it tomorrow.

Tom Ernharth: Would there be enough time advertise it

City Clerk Thompson: 48 hours

(Multiple people say no)

Mayor Woods: Okay, what about 25th, next Tuesday? I would like to give us maybe enough time. I know we're going to sit here and say a couple hours is a long time to go through it, but I would like enough time to get through it. If it takes 2 hours or 2.5 hours, that's what we need to do, so...we can get set up for the tentative deals

Commissioner Waters: Next Tuesday works for me.

Tom Ernharth: with the budget

Mayor Woods: What about next Tuesday?

Commissioner Nugent: What time?

Mayor Woods: 6pm

Commissioner Nugent: I can't make 6. I can make 6:30.

Mayor Woods: Is 6:30 good for y'all?

(Multiple, in unison, sounds of agreement)

Mayor Woods: 6:30 Budget Workshop

Tom Ernharth: Next I want to point out. We had discussions regarding the chicken ordinance. Last night the Zoning Board discussed it and they voted 3 to 1 in denial, to recommend denial of it. We're looking at advertising it and moving it forward to you. I believe maybe on September 8th for discussion and I just wanted to bring that out.

Next on my report, the nuisance property, I'm looking at updating the ordinance or writing a new ordinance. To take a look at the nuisance property, under our current ordinance, a resident basically needs to petition a property to be credited a nuisance and we won't do anything about it. In looking around at other cities are doing they are requiring the registration of nuisance properties, or properties that are vacant, that gives us the name and address of a contact person to make sure that they are maintained. It requires a \$150 registration fee. It requires contact information. If the city is required to go out there and clean up the property, because the owner fails to do it, they pretty much say the entire city is a specific, I'll call it an "enterprise zone," or something like that. It gives the city the ability, if the owner does not pay the city's invoice for the city cleaning up their property, it can be tacked onto their ad valorem taxes to insure that the city gets their money. So, there are other options out there for addressing these. It's particularly evident this time of year because we're in that grass growing season and you look around town and you see a lot of properties that need to be registered and need to be addressed. So, I'd like some direction as we move forward with this. I've talked to Code Enforcement officers with other cities and they said they'd be willing to help me with the format of it.

Mayor Woods: I think this is something we need to do. I think we need to move forward with this. If you want to go ahead and get an ordinance put together, draft an ordinance we'll take a look at it and see.

Tom Ernharth: I'll get with Dan (Sikes, City Attorney) as well and take a look at it before I come back with it.

Mayor Woods: Then if we need to change things we have the opportunity to do. Okay, you have our blessings to go ahead and move with it.

Tom Ernharth: I think that's it with the report and I just have one more thing to bring up that's not in the report. It's somewhat irritating and annoying and embarrassing as well. Each of you has gotten the anonymous article that was mailed out. I first heard of it from a friend in Pennsylvania who said it had been in the newspaper. His quote was the bashing of the previous manager with a gun. I tried to address through my attorney with letters back in May and I thought that had addressed the situation. In the last month, I know 3 of you have gotten anonymous copies of that article. I did nothing wrong. I did not take any money. I did not garner any favors because I took, I reduced those fees, essentially under Pennsylvania law you're not allowed to make a profit on building permittees. At the time, township's ordinance at the time was not in compliance with state law. I chose to follow state law and charged what the city was encouraged to charge. A new manager came in and he said, "Oh, he didn't collect these fees on the ordinances that he should have," and is making a big deal out of it. Like I said, I got wind of it from a friend, I tried to address it. I sent them a letter, and talked to my attorney as well who did his best to address it. Somebody's not happy with that, which is why the anonymous letters were sent down here. I apologize for that and if there any way I can address it with you or anything more I can do, let me know.

Mayor Woods: Okay, thank you Tom. I appreciate you bringing it to the Commission tonight. I also received one and to my knowledge, I did not know if the other 4 had, so I spoke with our city attorney, Dan, and he did a little investigation and I will turn it over to him and will let him go ahead.

City Attorney Sikes: Before I precede, Mr. Wilbur do you have a question?

Commissioner Waters: I got a letter too. I read it. First thing I did was tore the thing up and threw it in file 13 (i.e. the trash can).

Chief Johnson: Amen

City Attorney Sikes: Basically, if I can, my report confirms your actions

(uproar of laughter)

Tom Ernharth: but in a legal way

(more laughter)

City Attorney Sikes: Here's what I found in my research on the matter. These allegations were made after he left and right before an election. It was perfectly timed to cause turmoil when the sitting members of the city council were up for re-election to have a big glow up with in the Press and timed in such a way that no one could respond to it. When a last minute bombshell is thrown like that, you've always got to look and see who is benefiting from these bombshells. The interesting thing about it is when I actually dug into it was that the article made the statement that it would be too expensive to pursue any sort of legal redress. I gotta tell you, that can't be true. I've looked at what they have in Pennsylvania and essentially if there were funds that should have been collected then they could have gone out and collected it none the less because it's still due to the government. And government can collect money that's owed, that's not some the government has a problem with.

Number two, had he, being Mr. Ernharth, conducted himself in a criminal fashion, then there would have been some sort of criminal case and there is no, we can't find any evidence that he has been criminally investigated in any way, shape or form.

Thirdly, if someone wanted to throw a bombshell and really hurt him, individually, for his conduct as opposed to the politics of the board at the time, there is a very similar ethics law in Pennsylvania and with the Mayor in my office today. I pulled up the ethics code and took a look at the ethics commission and then I researched to see if there were any ethics complaints filed against Mr. Ernharth. I could find no allegations. So...you know, one of the difficulty things with how our justice system is constructed is I can prove someone innocent, but I can prove them guilty. So, I can't stand here and tell you that Mr. Ernharth is innocent, but I can tell you I can't find any evidence that proves he's guilty of the allegations that have been made. After that investigation, I met with the City Clerk, I met with the Mayor and my recommendation was to file this away in the personnel file and it's done because there is nothing there that confirmed the allegations against Mr. Ernharth.

Commissioner Waters: Why would you even want to put it in his personnel file?

City Attorney Sikes: We have to keep record of it because of Chapter 119. It isn't necessarily in his personnel file, just that we have to keep a record of it because of Chapter 119.

City Commissioner Waters: I got that file, file 13.

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(laughter)

City Attorney Sikes: Listen, Mr. Waters I agree with you, but under the law I've got to keep a record of it under Chapter 119, that's the only reason why I've kept it. I've also kept the research I have that confirmed what I found.

Mayor Woods: and there is nothing out there—

City Attorney Sikes: There is nothing sir.

Tom Ernharth: And once again, I apologize that you guys have been drug into this. I hate wasting time.

City Attorney Sikes: You don't—

Mayor Woods: I don't think that you did with the discussion that I had with you today I felt that this was something we needed to do to clear it up, move it on get on and get passed and work for tomorrow. Okay, anything else?

Commissioner Spooner: we're we going to do the Badcock's Pump Station—

Tom Ernharth: Oh, I missed that one

Commissioner Waters: I was going to bring that up too. I'd been waiting

Commissioner Nugent: I thought I'd miss something. I thought I was losing my mind.

Commissioner Waters: He jumped over it awhile ago

Tom Ernharth: that's because it wasn't in my pile. Today at 2:00pm we opened bids for the Badcock's Pump Lift Station. We received 2 bids. The lowest contractor was Grimes Utility of Orange Park; their bid was in the amount of \$73,815. That's a little over the original estimate from when we looked at it back in March. It's about \$10,000 over, but we're recommending that it be awarded to Grimes. Kellen is here from Mittauer for any questions of the bid itself? I can answer any questions you may have.

Mayor Woods: Do we have any questions on the Badcock's Pump Lift Station? Go ahead.

Kellen with Mittauer: Oh, I was just here to answer any question you may have.

Commissioner Spooner: and you indicated that was the lowest bid.

Kellen with Mittauer: It was the lowest bid, yes.

Kellen with Mittauer: Grimes Utility, we had experience with them in the past, all favorable. They did the Pratt Street Pump Station here back early in the beginning of the year and I believe by all accounts they did a good job. We had no issues with them. We spoke with Jessie Fitzgerald, Vice President of Grimes at the bid opening today and she was comfortable with the number and ready to get going. Ready to get started.

Mayor Woods: Okay, we appreciate it.

Mark Crawford: Does that cover the entire project including the boring under 301 and everything.

Kellen with Mittauer: The \$73,815 covers the entire project as it was bid. There will be an additional charge for the coordination and installation of the power with FPL. That's why it's taken a little bit longer to get this one out to bid because we've been trying to coordinate with them since this property and the pump station will be located outside the city limits, it served by FPL and not the City of Starke, so we've had to coordinate with them and they've had some personnel shifts as to who's actually managing this area. We've been trying basically to figure out what we can do and where we can install it.

Tom Ernharth: and the initial estimate was \$8500 to provide power to it.

Commissioner Spooner: Since we have a representative from Florida Power here can we speak to him, not to put you on the spot.

FPL worker: I know nothing about that

(uproar of laughter)

Mayor Woods: I think that if we go ahead and do our part and move forward with it and I think Mittauer can go ahead and get in contact with FPL and do your business with them,

Kellen with Mittauer: We've been in contact with them for the last 2 or 3 weeks, and it's just a matter of getting the project bid. So, we're ready to go and all set assuming you make a motion and the commission approves we'll get contracts out tomorrow and have them start on submittals.

Mayor Woods: Okay, do we have a motion to go ahead and accept the bid of \$73,815?

Commissioner Nugent: I do

Mayor Woods: Who did?

Commissioner Nugent: I did

Mayor Woods: Motion by Danny Nugent. Do we have a second?

Commissioner Waters: Second

Mayor Woods: Seconded by Mr. Waters, all for say aye.

Commissioners: Aye

***Motion made by Nugent, seconded by Waters. Motion passed 5-0**

Mayor Woods: Good luck and I hope everything works out for you, nice and smooth.

Okay, I know I got confused here.

Commissioner Spooner: May I ask one more question?

Mayor Woods: You sure can

Commissioner Spooner: I know it's at the conclusion of your report, but is there anything you can do, that we can encourage to get the citizens to retrieve their garbage cans once they've been picked up? If not that particular day then at least by the next.

Tom Ernharth: We can send letters out. I know that they are everywhere. I know back in Pennsylvania we used to fine people for not doing it, but there are different ways in doing it to get the word out that you want people to bring their cans back in.

Commissioner Spooner: Thank you.

Mayor Woods: We can even put them as door hangers if you want to. Anything else for Mr. Tom? Okay Mr. Ricky it's all yours.

City Clerk Thompson: First item is our Board of Trustees met along with Commissioner Waters and recommended that we pay our bills.

Mayor Woods: Do we have a motion?

Commissioner Waters: so move

Mayor Woods: Motion by Commissioner Waters, do we have a second?

Commissioner Chastain: Second

Mayor Woods: Seconded by Chastain, all in favor say aye

Commissioners: Aye

***Motion made by Waters, seconded by Chastain. Motion passed 5-0**

City Clerk Thompson: Item B, you have within your packet. It's a contract with DOT on State Road 230/Call Street, the section where we have the brick pavers be diagonal parking, and the issue with the crosswalk on 301. When we decided not to assume the responsibility of that entire street from 301 to, I think it was St. Clair Street. It reverted back to DOT as well as the funds so this section here, we are now responsible for and our attorney did review the document and what's your opinion again (to City Attorney Dan Sikes).

City Attorney Sikes: I already signed it actually.

City Clerk Thompson: Sweet.

City Attorney Sikes: No legal objection

Mayor Woods: Alright, do we have a motion to accept it?

Commissioner Spooner: So move

Mayor Woods: Motion by Commissioner Spooner, do we have a second

Commissioner Waters: yes

Mayor Woods: Seconded by Commissioner Waters. All in favor say aye.
Commissioner Chastain?

Commissioner Chastain: So explain to me what we are voting on.

City Clerk Thompson: The contract with DOT. Are you asking me or the attorney?
Sorry.

City Attorney Sikes: From my understanding, the way I understand it, we are accepting responsibility for maintaining the road, this area of it. It's perfectly legal, now if it's something we have to do, I can't give you that answer. I went over the maintenance agreement and looked at the legality of the terms.

Commissioner Nugent: My question is if this is their property why would we want to take responsibility away from them if it creates extra costs to the city and we've discussed this before and I thought we had turned it down twice. I don't know who put it on the agenda but—

Mayor Woods: I agree with Commissioner Nugent, we did agree that we did not want it, that we wanted to leave it under them as to not have the cost and maintenance of that whole complete road.

Commissioner Spooner: I think one of the concerns was if they did take it over, we could possibly lose the city structure.

City Clerk Thompson: Exactly, lose the brick pavers

Commissioner Waters: and parallel parking

Commissioner Nugent: My point is if we have any with that road from the power plant on, we're responsible for it and we've already addressed this twice and I just don't see how it got on the agenda. I mean I asked the City Manager if he put this on the agenda and he said he didn't. So I'm just curious.

Commissioner Spooner: I didn't put it on there.

Commissioner Chastain: Since we had DOT here tonight, and they seemed to be negotiable with us on the overpass plans. Why not table this and have a little more discussion with them about what we really are taking on our city with this. Because I'm like everybody else, I thought we told them we didn't want the money because the money wouldn't take care of it and—

Commissioner Nugent: Yeah, that's my concern too, I thought we took care of it, but it keeps coming back up.

City Attorney Sikes: If your question to me is why, I can't answer that. I can tell you that it is a valid, legal contract. As to why, I've got no answer to why we need to do it, I can't answer that.

Mayor Woods: Okay what are we going to do on this tonight on this that's come before us—

City Clerk Thompson: That's fine. I mean if they want to wait and do a workshop with DOT, that's fine.

Mayor Woods: I think we need to check with DOT because I don't know...this was the same thing before we would lose our pavers, we would lose our parking and all this and I'm not quite sure that we will, but I would like to table this and give them a call and see what their reactions are this time and really I'm like Danny, I m not sure why this is coming back to us again.

City Clerk Thompson: It's a new supervisor and it's never been signed from the previous time it's been submitted and it's changed supervisors so it's a new...same contract, but coming from a new person.

Mayor Woods: So let's table that and let's talk about it some more and put it back on the next agenda.

City Attorney Sikes: so it is the same exact contract we've voted in before

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City Clerk Thompson: except it doesn't include the whole street

City Attorney Sikes: Not the whole street, just sections

City Clerk Thompson: yes, that's the difference

Commissioner Nugent: Can you tell us when you find out more about it?

Mayor Woods: Commissioner Waters would you withdraw your motion?

Commissioner Waters: I withdraw my motion

Mayor Woods: Okay

Commissioner Spooner: I withdraw my motion also

Mayor Woods: Both motions have been withdrawn also we are going to table this for tonight and move on to the next thing.

***Both Spooner and Waters have withdrawn their motions and the item has been tabled for the night.**

City Clerk Thompson: Item number C, the health insurance recommendation. I'll ask Brenda to do that since she was mainly over that process. If you will come up and present it

Brenda Wiggins: We handled things just a little different this time we went out with RFPs and some things just came in. This year when you decided you wanted to go out for RFP for health insurance, the idea came across that there would be a panel of employees that would review the RFP system. We gathered 7 of us, I believe total, 5 or 6...7, but anyway, they did their due diligence. They were very interested in reviewing the proposals, so they did your homework for you. The biggest concern it seemed this year with the health insurance is with what they are paying for their pharmaceuticals. Under United last year, we have, we're still currently with them, we have a plan that's really good but what has happened is with some of the pharmaceuticals issues that some of the employees take, medications, the co-pays were pretty high. We had one incident where it changed

but she got with Wendy Owen and got it all straightened out. They're actually going to give her the money back. We have some employees who are on medications that are on the high tier cover so they pay \$100 co-pay and if I'm not mistaken and Tim can correct me if I'm wrong, they can change prescriptions in July and January of what tier they are on and so right now you might be taking a \$10 co-pay, but come July of next year they can change it and you might have to pay \$100, maybe not that drastic, but it's up to them to change it. And that's what it is, the same with Florida Blue, but this is Paul Herbert from Arthur Gallagher sent us the middle, which is the Florida Blue sheet you have there, which is the blue option and they are a self-funded group, so if I'm explaining this wrong please interrupt me, because it's crazy trying to understand it all. They told me they wouldn't increase our pharmaceutical charges. Is that correct?

Paul Herbert: The co-pay will stay the same.

Brenda Wiggins: the co-pays stay the same, but they can change from...okay so it would be no difference. I just wanted to make sure because that was one of the main concerns that the panel of employees had, what they're going to have to pay out of pocket for their pharmaceuticals.

Commissioner Spooner: May I ask a question?

Brenda Wiggins: Sure

Commissioner Spooner: I know that you

(commotion due to lightning storm)

Commissioner Spooner: I know that you pay a nominal fee if it's a certain kind of meds but if it's generic then the cost is much less. Is this for both generic and brand names?

Paul Herbert: correct

Commissioner Spooner: So the generic and brand name would be the same cost?

Multiple people saying no

Paul Herbert: There are 3 tiers that cover the different costs, all that are covered are within those tiers,

Commissioner Spooner: Will there be a change in the cost of the generic at least twice a year?

Brenda Wiggins: no

Mayor Woods: He's (Paul Herbert) saying no.

Brenda Wiggins: No, not for generic

Tim Owen: Brenda, if I can let me explain how the plan works

Mayor Woods: Would you come up to the microphone so we can get it on tape for the girl to hear it and everything.

Tim Owen: No problem, I'm Tim Owen with Owens and Associates. All the insurance carriers have different tiers and co-pays. The co-pay is what the employee pays. And the drug that is on that particular tier can move from one tier to the next. Honestly, what drives that drug moving from one tier to the next is frankly the cost of the drug. If the prescription drug company increases the cost of the drug and it's in a low tier co-pay. If the price of the drug goes up, the insurance company will, they want to get more money for the expensive drug they're paying claims for, so they will move the drug from the lower tier to the higher tier. So that's kind of how they go back and forth on these tiers and believe it or not, prescription drug companies actually lower the cost on a drug and the name brand can only keep its patent for so long. Many name brands fall off the name brand list, and they fall back into the generic pricing list. That's kind of how that works .

Mayor Woods: Brenda do you have anything else?

Brenda Wiggins: Yes, so you will see on this sheet here that there are some red marks. We just made it a little more self-explanatory as to what the co-pays are for the employees and such. Going from the United plan that we have now, there was a renewal rate of zero, we didn't get this until late this afternoon. They offered us another plan which actually reduces down the co-payment of the tiers for pharmaceuticals and they came in at rates comparable to what we were offered under the Blue option. The consensus of the board, the panel of employees, is what you have there. We have the option to if we switch to the Blue option, we can keep United Dental coverage, which is paid by the employees and they really like that plan. We going to have the same eye plan which is Avesis which we've had forever, the life insurance policy which the city pays for the employees, we're

going to keep the one with United. That's their recommendation because it was a \$15,000 coverage compared to a \$10,000 we've had other years. So for less money you're getting more life insurance on the employees. The panel was very adamant switching to Blue and that pretty much was their consensus. When we got this other proposal from United late this afternoon, I was able to get one of the employees that was on the panel and he came back and looked at it and he said, "yes it's better, but the whole panel was saying that they liked Blue."

Mayor Woods: So that is why you are saying it is your recommendation to switch to the Blue option?

Brenda Wiggins: That it is the recommendation of the panel to switch to the Blue option. I think you need to look at it yourself and make that decision as well

Mayor Woods: You have heard the recommendation from the panel

Commissioner Nugent: Excuse me; you said a panel made this selection. How could the panel make this selection if you said you just got some of this information tonight?

Brenda Wiggins: I couldn't get them. It came in late.

Commissioner Nugent: But did all the employees get to see a copy of this?

Brenda Wiggins: No, we would have...no. What we did was, Tom went to each department and had somebody from that department to represent them and sit on this panel. So, we didn't have like 85 people, we had a person from each department.

Commissioner Nugent: But everybody was aware of these changes? Or they don't know about these new changes.

Brenda Wiggins: Right, like I said it was right around 4:00pm when we got it. So I got a hold of one of them

City Attorney Sikes: So basically after United got to hear everyone else's proposal, they came up with a different proposal.

Brenda Wiggins: Um, no.

Mayor Woods: if they came in late then you couldn't have accepted it anyway. So you are recommending Florida Blue under Gallagher

Brenda Wiggins: and these are the gentlemen here so if you have any question for them. I'm sorry this is Scott Roberts.

Scott Roberts: I don't have a dog the hunt. I just want clarification, you're choosing companies not agents, so are we here with agents? Or are we here to pick a company? I don't see anyone from Blue Option. Is any with Blue Option here... anyone? No? Y'all with Arthur? Gallagher? So y'all are probably just picking a company and not an agent. There's a little confusion there, ya know I can be a consultant for a company too so I'm just saying... I'm not sure this was handled quite right, but that's up to y'all. Everybody getting a second look, a third look... coming in late. That's up to y'all, how y'all do things.

Paul Herbert: We only had one look. We responded to the RFP with a sealed bid period. We we're supplied any subsequent to the original submission.

Mayor Woods: I have a question here. I've been in on some of the conversations with it. You're talking about some of the stuff Scott's talking about... it's my understanding that these agents or whatever have gone to Florida Blue and wanted you to give them quotes to go out with it and y'all wanted to do it on your own? No, that's not what happened?

City Clerk Thompson: They're considered a consortium. If you want to come up and explain

Commissioner Waters: Question.

Mayor Woods: Go ahead Wilbur while he's coming up.

Rickshaw Shell: Rickshaw Shell with Gallagher Benefit Services, Boca Raton Florida. Arthur J, Gallagher and company have acted as the consultant/broker for public risk management for Florida for the last 25 years. Basically our responsibility is to correlate, monitor the results of the pool and marketing of new members. The consortium currently has 44 cities and county participants in it. There are approximately 5,600 employees and members, when I say members, I mean belly buttons, spouses and children, there are about 10,000. The advantage of participating in consortium provides you, a small group, to act as a large group and provides much more stability and a much more predictable renewal process. Over

the last 12 years, our increases have averaged a little over 5%. So, I think when it comes budget time, that for a group your size it becomes critical. Again, we've been operating for 25 years and I believe we've had 4 members leave. 3 of the original 4 from 27 years ago are still participating in the pool. It's 1 member, 1 vote. The members decide the benefits, the number of plans that we have, what the co-pays are, both for the medical plan and the prescription drug. We meet quarterly to discuss the plan. We have a conference in June of every year which is when we distribute the renewal rates. So you've got ample time if you wanted to make an adjustment that you can with an October 1 effective date. Any questions?

Mayor Woods: Any questions?

Rickshaw Shell: Again the biggest factor is the stability.

City Clerk Thompson: Compared to League of Cities, are y'all about the same type operation?

Rickshaw Shell: Who?

City Clerk Thompson: Florida League of Cities.

Rickshaw Shell: They use United, we use Blue Cross. We have several members who are on the Northern end of the state, and Blue Cross gives us the best statewide coverage from the number of hospitals and physicians available through their network.

City Clerk Thompson: okay

Mayor Woods: any other questions? Okay, we have a motion, not a motion, a recommendation from the Insurance Committee requesting Florida Blue. Do we have a motion to go ahead and accept that and move forward.

Commissioner Waters: I've got a question if I may. Mr. Roberts

Scott Roberts: Sir?

Commissioner Waters: Did you turn in a quote?

Scott Roberts: I'll let Ms. Thompson talk about that.

Ms. Thompson: No Sir, we did not turn in a quote, however, I have asked and asked and asked for this to go out for bid in a fair manner. When it came out in the paper, when it was available which was July 31st, I was out of town. The bids were due August 2nd which for a group this size is impossible. Not only that, I wasn't in town to get the paper and nobody had seen it and I didn't know which... apparently, according to y'all's rules it was done in a fair amount of time, but still again for a group this size, I find it hard to believe that everything was done in 12 days. So, I did not get to submit a bid, there again if it's fair, it's fair, but here again we have nobody local and my opinion is, we are local, I don't expect special privileges because we are local, however, I feel like we would be of better service to your people because we are local. We can get here or they can come see us. I'm sorry y'all I'm shaking I'm so mad. I've had a hard time over this.

Scott Roberts: Sorry to interrupt. We want to do it fair and we want to do it right. We're not after these guys. We just want what's fair.

Mayor Woods: We understand that.

Scott Roberts: I just find it very disheartening that you're going with a Blue Cross when we're just down the road and we have Blue Cross. You can do it, but I'm here as a citizen to tell you, that's wrong.

City Clerk Thompson: But it was put out for bids

Scott Roberts: But you bid out for the company, not the agent like you did last time. Somehow, somehow it always ends up this way, but that's fine guys.

Mayor Woods: Now wait, it hasn't always been done this way, because we haven't put it out for bids for quite some time, some years.

Ms. Thompson: It always goes out for bids.

Scott Roberts: It went out for bids 2 years ago.

Ms Thompson: However long ago, but how it was worded is companies/insurers which is the company. It's worded that way. That means agents cannot respond because in the past Mr. Owen has been the gatekeeper to the census and everything else. When you call them for information and there again, it's nothing personal, in the past when you called in for the census information, they tell you right quickly,

“you’re not a company.” Here again, the business company, not agent. But here in this meeting we have people who are going to get paid for providing this service. That means it’s not coming directly from the company. You don’t have a company representative here tonight presenting you with a bid, so that’s not fair. It’s not fair, but thank y’all for listening.

City Attorney Sikes: Can I ask a quick question?

Ms. Thompson: Sure

City Attorney Sikes: Does your office represent consortiums in the same way that the Gallagher firm does?

Ms. Thompson: We do not. We represent companies directly. We are an agent for the companies, but then again the big cog for a company...they’re not a company. They’re representing a company as well. There’s nothing that we couldn’t do local.

Mayor Woods: Anything else?

Tim Owen: May I share something briefly?

Mayor Woods: Very briefly

Tim Owens: Actually I agree with Scott. The bid did say that companies were to bid and for some reason agents were bidding, I’m not sure why. The majority of those agents were bidding Blue Cross. Blue Cross tried to get it done within that timeline and that bid came late, even through us. So, as far as the last minute numbers, this is the Florida Statutes on how to shop health insurance. Florida Statute 112.08 2b, and it says the local government unit may undertake simultaneous negotiations with those companies which have submitted reasonable and timely bids that are found by the local government unit to be qualified and capable of meeting all services and requirements. It’s to your advantage to and by the way United came in at the last minute with additional numbers, but it’s to your advantage to get those numbers, because those numbers are frankly saving you money. The bid that came in today and you do want to create that simultaneous negotiating environment, competitive environment. That’s what a bid does, it kind of produces the lowest cost. United, just so you know, has better benefits a lower co-pay on the drug card and with a package deal they want to keep. The rates are 1% below your current rate. They can buy- to a more rich plan that are 1% over your current rates. The stability that Gallagher is telling you of 5,000 plus

employees but what you're not hearing is January 2016, your group, your sizing group, will go into by federal law, under a community underwriting which involves 16 million employees, not 5, 000. And when your group goes into community underwriting under federal law, then, talk about stability, your renewal, this happens next year is more stable that it's ever been. So, I think it's financial suicide to change carriers when no employer is changing carriers right now and I think you have a lower rate, a better benefit, and you're headed toward a more stable renewal environment. Everything is in your favor and you can change but I just wanted you to know that, before you change.

Mayor Woods: Thank you.

Commissioner Chastain: Question. It was explained to me about the 2016 insurance plan and our low number of employees that we would fall into a big increase based on if we tried to stay like we were. Now you tell me that we will fall into a pool of 16 million category and see less rates or equal rates. Did I hear you right?

Tim Owen: Community underwriting actually takes place for your size group January 2016, so when you renew in October, you will be in that risk factor pool pricing of it'll probably be more than 16 million and so you have everything working for you for future renewals and right now you have a renewal lower than your current rate. To not renew a carrier when they've frankly been super competitive with a rate lower than current, why in the world would you buy a higher rate with less benefits? Why would you do that?

Mayor Woods: Anyone else have any questions for Tim?

Commissioner Spooner: Not a question, but more of a comment. Your presentation at the last meeting was that if we didn't go with you it would cost the city much more if we chose to send it out for bids. That's the message I got.

Tim Owen: If you stay with your current plan that you have right now and renew with what we consider a "sleeper" plan with additional plans, you can use those plans next year to void if the community underwriting does not work in your favor.

Mayor Woods: I understand Tim, but let me cut you just a tiny bit short. Mr. Tom here has met with all of the employees, he went from department to department and he had a meeting with their supervisors at every department. This is the one that the employees are saying that they prefer, the want the Blue Cross/Blue

Shield, so basically we're going to sit here and have employees, I think they need to have a say in it also.

Tim Owen: I agree they should have a say, but they are not experts in the—

Mayor Woods: I'm not going to argue about that point. You can stand here all night long and try to sell me on your company and I can hear every word you're saying, but I don't know if it's going to change anything or would change anything. So, I'm having to listen to what my employees have to say because I'm city management.

Tim Owen: okay

Mayor Woods: That's basically what I'm having

Tim Owen: I understand

Mayor Woods: Anyone else have any questions for Tim? Okay, thank you. Appreciate it. Okay now we are back to do we have a motion to continue with Florida Blue through Gallagher? Because they were the lowest bidder and were recommended by the Insurance Committee?

Commissioner Spooner: I make the motion to move forward with the consortium.

Mayor Woods: Okay, I have a motion by Commissioner Spooner, do we have a second?

(silence)

Mayor Woods: Okay, I'll second

Commissioner Chastain: We have a motion by Commissioner Spooner and seconded by Mayor Woods. Any discussion?

Commissioner Waters: I have a question for the attorney. Everything that you have looked at, everything was done legal by going out for bids.

City Clerk Sikes: Yes, but I will tell you that I am kind of concerned with some of the comments Mr. Roberts has said. Do I think we did anything improper, no. I think our notice was legally sufficient in comparison to what our internal

requirements are. What I am concerned about is I am sitting here and I'm thinking about our local insurance agencies did not submit bids because of they thought it was only for companies. That kind of concerns me. Does that mean our notice was illegal and untimely...improper, no it does not. Do I think there's legal grounds, and what I'm chewing on right now is I'm reading the FSS112.08 and I'm chewing on where we are if we decide to reject all and submit for them to be rebid. That's what I'm trying to figure out. \

Mayor Woods: We will certainly give you a few minutes to continue to read the article then.

Commissioner Nugent: If I remember right, when we usually get these bids in a timely fashion we could have a workshop and talk about them something like that, but these came in, got on the agenda and now we all of a sudden have to vote on them. Instead of us having time and that's an issue I expressed at the last meeting

City Clerk Thompson: If I may interject, the commission just decided to go for a full RFP that's why they are on there (on the agenda) if that answers your question.

City Attorney Sikes: and understand something, I am not casting spurs toward you or anybody, because I'm not. One of the things I am concerned about though as I look at this process that I'm concern that there's a last minute bid that all of the employees have not had an opportunity to take a look at because you (Brenda) said the rest of the committee hadn't had the opportunity to look at it. Is that correct?

Brenda Wiggins: yes

Mayor Woods: That was late.

Brenda Wiggins: Yes, it came in real close to 4:00pm and the people down at the yard were gone and the only reason I was able to get Sammy was because he happened to call me back on his cell phone on his way home. He said he'd turn around and come in and he did. That's how Sammy got to look at it, but other than that no one else that was on the panel got to see it.

City Clerk Thompson: But the same plan that the panel or group pick is still on here, nothing has changed.

Brenda Wiggins: the Blue Option plan that you have in front of you is the one that the panel saw and the panel recommended. They did not see the United plan that came in late with the co-pays for the pharmaceuticals being lower.

Mayor Woods: I understand what you're saying and I understand bid was a certain time, a certain date and I don't know

Brenda Wiggins: Yes, we followed our guidelines, we advertised it twice in the Telegraph, it was on the City's website and no offense if somebody from Boca Raton can get it, then somebody here in Starke can get it.

Several people talking angrily at once.

Brenda Wiggins: I'm just saying it was advertised.

Ms. Thompson: I still don't see how you can get it all done in just 12 days.

Brenda Wiggins: I don't know, that's them not us.

Ms. Thompson: Let me just say that I commend y'all for getting a panel and creating an insurance committee, that is like the best news ever. If you get somebody from each of the departments, you're getting the voice of the employees.

City Clerk Thompson: well actually, I came up with that idea and caught a bit of flack for it, but I appreciate that.

Brenda Wiggins: They appreciated being involved. When they had a question we got the speaker phone and I don't know how many times we talked to Paul that day. We called Wendy several times on some things because we wanted clarification. I couldn't give them the answer. The only way we were going to get the answer was to ask the people who do the job, do the work and that's where it lie, between United and what we had before and the reason Option Blue got picked was closest to what we had. Not that they don't like what we have. They didn't like their co-pay and plans on some of the pharmaceuticals and I'm telling you that was the biggest reason. If we could have had a different tier program with United for some of the higher costs of the medication then they probably would have stayed with United. But still I hate to say it but for the highest tier program it's still \$100 so if your medication falls in there you're still going to pay \$100.

City Attorney Sikes: I cannot tell you that there is a legal ground in which I can look at this and say you must reject. I must admit I find some things that are disconcerting to me from some of the stuff I've heard, but at the same time there is no legal basis for me to tell you that you must reject the bids. So, if you vote and decided you want to accept them, you can vote and accept them. If you vote and decide you're not satisfied with the process and rebid again, you can do that. I cannot tell you right now on the record how I feel about that, but legally speaking I can't tell you that there are grounds to reject all the bids.

Mayor Woods: There are no grounds to reject them, okay. The only problem too that I have with what you are saying is we've got all the bids in and everybody knows what's been bid so they've all been reviewed and put out there for the public. I do have a problem with reject the bids and make them all come back and bid when everybody already been shown their hand.

Brenda Wiggins: If you want, I know y'all have to have a budget workshop next week as well. We have time to advertise for a special meeting are only problem is our open enrollment needs to take place next week. If you want the committee to review the other sheet from United, that's entirely up to y'all. We can gather the people back in to look at it and have it be said that all the employees that reviewed the earlier documents are reviewing these documents.

Commissioner Chastain: I like that idea

Brenda Wiggins: But, we have to have open enrollment next week, because with payroll and everything Sharon has to be able to do the payroll deductions for everything. It all has to be done and it's a lot of work. I mean we were under a lot of pressure to get this done, so...it's up to y'all. That's just an option.

Mayor Woods: but if we do that and go your route, we're going to have to reject the bids and bid again.

Brenda Wiggins: No, you just have to table it for the reviewing of the last one to come in.

Mayor Woods: and that one was what a week later?

City Attorney Sikes: No what she's saying is

Mayor Woods: I understand what she's saying but this is the one that came in late from United. Okay, but what was the deadline?

Tim Owen: According to Florida State Statute

Mayor Woods: wait, wait

City Attorney Sikes: I got it

Mayor Woods: What was the last date in the advertisement?

Brenda Wiggins: Oh, I don't think I have that paper with me.

City Clerk Thompson: Had to Wednesday because of I was off that day.

Mayor Woods: and this came in today?

Brenda Wiggins: We had them this was just their newest numbers.

City Clerk Thompson: It was bid to our city ordinance's timeframe and everything. It was done by the book.

Brenda Wiggins: and they gave us a bid on time and that was what the panel compared it to with the Blue Option plan.

Mayor Woods: and then when they saw the other bids that came in they came back with another offer.

Brenda Wiggins: Yes, so they provided it late today and Sammy and I were the only two that saw it so...

Mayor Woods: Dan did you have anything?

City Attorney Sikes: no

Mayor Woods: We've got a motion and a second on the floor. All for raise your hand. 2 for and 3 against. Okay, so I take it we're going to go back again and look at United and review United and come back with a recommendation from the review board. Okay, moving on.

Rickshaw Shell: Does that mean others can submit additional options?

Mayor Woods: If one can do it, all can do it.

City Attorney Sikes: Yes, if you allow one to do it...

Mayor Woods: So y'all can do the same thing.

Brenda Wiggins: now would that just be for the Blue Options or the whole field?

City Attorney Sikes: If we're going to accept bids from others we have to let them do it.

City Clerk Thompson: Excuse me, I'm confused. I didn't mean to open that one up there.

City Attorney Sikes: We're not opening up for RPs again.

City Clerk Thompson: Let me ask a question, the only way to do it is to re-advertise and—

City Attorney Sikes: But you can't do that in time for open enrollment.

City Clerk Thompson: so we won't have insurance.

Scott Roberts: You can say legally that it's right and I don't agree with that but if you voted it down I think can go back to Mr. Owens and see what you can do

City Attorney Sikes: The issue now is there is not enough time to RP it in time for open enrollment. So what it is if you are going to have an emergency meeting next week, right now the bids are from Mr. Owen and Gallagher and update the thing and give it to the committee for the special meeting next week. That's my understanding, correct?

Commissioner Spooner: and if you're offering a counter offer, you (Gallagher) have the right to counter offer because they sent one in and you have a right to look at those too.

City Clerk Thompson: The same committee

Commissioner Spooner: Yes the same committee

Scott Roberts: I just want to go on the record and I said it earlier, Agent or Company. Mr. Owens is a good agent, but these guys are consultants so they are a company. I've been in plenty of situations where Blue Cross has come and stuff like that. The last time it went out it was for agents. So it's just one or the other. So I just have one question I want to ask. If you're going to do it, go ahead and redo it or leave it like it is and y'all figure it out. That's just my opinion.

Mayor Woods: If Tim's going to come back with another one from United then both of them can do the same thing, but there again to me it's a bit unfair. He already knows what his hand is and he knows what his hand is.

Tim Owen: That's the purpose of—

Mayor Woods: I know what the purpose is

Tim Owen: it's legal and it's actually recommended.

Mayor Woods: Okay, we're going to move on, the Commission has already made its decision as what to do so we're going to move on.

Commissioner Waters: Do you mind taking a 5 minute recess

Mayor Woods: We're still recording. So from what I understand we need to set special call or meeting for next Tuesday, we already put a workshop there. What we can actually do if y'all want to is to call a special meeting at 7:00pm. We can take a break from our budget workshop at 6:30 have our special meeting on this and move on. It won't take 10 minutes and we can get back to the workshop. Okay, Mr. Thompson would you do the advertisement for the special meeting and make sure all that's in order?

City Clerk Thompson: Sure.

Mayor Woods: Okay, that's what we're going to do so...what do we have on the agenda? Ricky do you have anything else?

City Clerk Thompson: Yes, we're on the bucket truck.

Mayor Woods: Okay we're on the next page.

City Clerk Thompson: You have a memo on that if you have any questions, if not would like a motion to reject TD Bank's quote and negotiate with Capitol City Bank.

Commissioner Nugent: I make a motion

Commissioner Chastain: I second.

Mayor Woods: We have a motion to reject TD Bank's Okay, motion made by Nugent, seconded by Chastain, all for say aye.

Commissioners: Aye

***Motion made by Nugent, seconded by Chastain. Motion passed 5-0**

Mayor Woods: Okay now we need a motion to negotiate with Capital City Bank

Commissioner Chastain: So move

Mayor Woods: Motion by Commissioner Chastain, do we have a second?

Commissioner Nugent: Second

Mayor Woods: seconded by Commissioner Nugent. All in favor say aye.

Commissioners: Aye

***Motion made by Chastain, seconded by Nugent. Motion passed 5-0**

City Clerk Thompson: Next issue is the fuel adjustment for this month. I'm requesting that we lower from \$46 per 1000 to \$28.70 and we give the citizens back \$116,850 to help lower their costs.

Commissioner Spooner: I do

Mayor Woods: I have a motion from Commissioner Spooner do we have a second?

Commissioner Chastain: Second

Mayor Woods: Seconded by Commissioner Chastain. All for say aye

Commissioners: aye

***Motion made by Spooner, seconded by Chastain. Motion passed 5-0**

Commissioner Chastain: So total how much have we done so—

City Clerk Thompson: Close to \$400,000, it's probably going to be this next month, we've got 1 more month to go. We're probably going to get that close to giving away \$200,000

Tom Ernharth: We're trying to keep \$90,000 as carryover.

City Clerk Thompson: Right. Okay next item is our pen, I believe Commissioner Spooner asked about some pins and things you wear for our city that has our city seal on it. If we want to get some to hand out at the Strawberry Festival, the Bike Fest, something like that, I'm mean it's not that much and it does advertise our city.

Mayor Woods: I remember we had some at some time that said "I love Starke" it had a heart on it or something like that.

City Clerk Thompson: There's a proof in there of what it would look like.

Mayor Woods: Do we have a motion to go ahead to order the pins and how many?

Commissioner Waters: 100

(uproar of laughter)

Commissioner Waters: What the smallest is 500 or 1000

Tom Ernharth: 500 pins are \$1.30. 1000 pins are \$1.05 a piece and there's an \$85 set up charge

Commissioner Spooner: We can sell them back for \$1

Captain Warren: You can put them on the leather jackets at the bike fests.

City Attorney Sikes: I just want to make sure that we don't get sued because there's no cross on the water tower. I had to say that...I'm sorry.

Tom Ernharth: So we're going for the 1000?

Mayor Woods: Yes so at \$1.05 that's a little over \$1000

Commissioner Spooner: We're worth it.

Mayor Woods: So do we have a motion to order 1000 pins at \$1.05 a piece?

Commissioner Waters: I'll put it in my same motion

Mayor Woods: Motion by Waters

Commissioner Spooner: I second.

Mayor Woods: Motion made by Commissioner Waters, seconded by Commissioner Spooner. All for say aye.

Commissioners: Aye

***Motion made by Waters, seconded by Spooner. Motion passed 5-0**

City Clerk Thompson: Next item, this guy actually contacted me, it's the guy that's been used in the past here for fireworks and with Veteran's Day coming up he was inquiring if we were going to be doing any fireworks. He did today send me a quote. Proposal 1 would be duration of 3.5 minutes for the cost of \$2,000. The second proposal is a duration of 6.5 minutes for \$5,000. Any more than that on the size of that lot he is not comfortable with for safety. This is the max he's...I think one year we did \$3,500 worth.

Mayor Woods: If we can hit a happy medium between \$2000 and \$5000.

Commissioner Spooner: You said it was 6.5 minutes

Mayor Woods: 3.5 minutes is for \$2000 and 6.5 is for \$5000

Commissioner Spooner: can I ask one more question

City Clerk Thompson: Sure

Commissioner Spooner: Is the Chamber or the County or whatever going to split the cost?

City Clerk Thompson: I will ask them, I'm pretty sure the Chamber would. The County...maybe, if we take the liability, but I'll find out.

Mayor Woods: I'm sorry Mr. Nugent

Commissioner Nugent: I had a question. Is this the same guy we tried to get to do other fireworks? Was it because of costs?

City Clerk Thompson: We tried him for the 4th of July, but he was already booked up...solid.

Commissioner Chastain: So why don't we make the deal and say you're going to have to come see us for the 4th of July this coming year.

City Clerk Thompson: Okay.

Mayor Woods: If we're going to do it, we need to see about doing it. They were nice last year and I thought if we wanted to spend around \$3500 we'll get somewhere in between 3.5 and 6.5 minutes at \$3500. But I thought it was pretty nice last year.

Commissioner Chastain: Yeah it was.

City Clerk Thompson: It would be double what we did last year. It's going to be a good show

Commissioner Nugent: Would it be like last year where we asked for assistance and had Mr. Dampier and them come and help with it, do we need to send a letter.

Mayor Woods: We can always ask the Chamber and the County if they'd like to participate and go in with us and if they do...I think all we need to do is to commit that we are going to spend \$3500 on fireworks and if anyone wants to help us with

it feel free to write us a check and if you don't send us one. I'm not being ugly, but that's the way it is. If you want to help us then help us, if you don't...If they do and they are very interested would it be okay with the Commission to come up with some more money to just go ahead and move it up to the 6.5 minutes?

Commissioner Waters: I would like to see that

Mayor Woods: If we gets some help, we'll move it up to 6.5 minutes and if we don't we can keep it at \$3500 and we'll probably get 4 or 4.5 minutes in there.

City Clerk Thompson: Then at the next meeting I'll bring this back around for approval and I'll have had a chance to talk with the Chamber and the County and get the information from Mr. Adams.

Mayor Woods: So you're asking to table this for tonight, is that what you want to do?

City Clerk Thompson: Yes. Like I said that will give me time. I just got this quote today

Mayor Woods: Alright, let's do that. I think you have a consensus of the Commission as to what we'd like to see done.

City Clerk Thompson: Okay, next item is informational as well. The Commission had requested some recommendation on an information system. I had put a copy of their state contract on Database on the scanning and record retention system. I've got a copy of the state contract number and some references. So, does the Commission still want me to bid this thing out eventually?

Mayor Woods: We're bidding everything else out so sure

Commissioner Chastain: Now wait, if it's a state contract then we've always accepted state contracts in the past. So why are we going to put additional burden on you to bid out whenever they've been accepted in the past?

City Clerk Thompson: I've spoken with this company and they are willing to help me with RPs so you may find a lower bid. I mean some times in some case you might find one. It's not that I don't want to do the work, but it's up to the Commission

Mayor Woods: Let me help understand it. If we have a contract with the state and we advertise it, and some beats the state bid then or we can automatically go with the state right now

City Clerk Thompson: Correct

Commissioner Chastain: If we're going to do that, then we no longer accept state bids. If we're going to bid everything out.

City Clerk Thompson: The confidence in the state bid is that it is the best negotiated price and service that you can get.

Commissioner Chastain: Exactly

City Clerk Thompson: so...

Mayor Woods: So what do we have to do now again to stay with the state bids?

City Clerk Thompson: Just put it back on the agenda for approval to go with this company or have him come back in for another presentation. I noticed he did not do a good job when he was here. Before he had gotten home, he was sick, he got the flu so...I knew something wasn't quite right.

Commissioner Nugent: I'd like to see it bid out. It's kind of expense to me. I mean maybe in the long run it might benefit in the long run but

City Clerk Sikes: The cost of not having a proper service could be astronomical if we don't get it taken care of in a timely fashion. That's the concern from my point of view. I've seen litigation on these things bankrupt people. I'm not telling you that you have to do something. I'm just saying whatever we do, we need to do something.

Commissioner Nugent: I know we keep our disks and stuff here and we have enough staff, but I'm not know if we're overburdened or not. Ricky would have to decide that

Mayor Woods: What is the timeline Ricky?

City Clerk Thompson: The times there. We've been working overtime on this for a while now, it's just when the Commission wants to move forward with it. This is just the information that was request when it was proposed during the last meeting.

Mayor Woods: This guy was from the state and he came and gave us a presentation and I would like to see the option of...and we can always go...there's times when emergencies come up where we can go ahead and buy directly from the state. I mean let's see if we can get a cheaper price. Right Ricky?

City Clerk Thompson: State contract is suppose to be the lowest bid. We can bring it back because it's not on here for approval anyways for the next meeting or skip a meeting.

Mayor Woods: What do y'all want to do?

Commissioner Spooner: We can bring it up at the next meeting.

Mayor Woods: Then we'll just table this one too for tonight.

City Clerk Thompson: Okay

Commissioner Chastain: One question. This would probably come out of your budget Mr. Thompson

City Clerk Thompson: That is correct. It would come out of the Building Fund.

Commissioner Chastain: and the funds are there?

City Clerk Thompson: Oh yeah. We add \$36,000 to it every year.

Commissioner Chastain: And it's a state bid so I don't see why we can just go ahead. Table it tonight but put it on the next agenda for a vote.

City Attorney Sikes: We legally can't

Mayor Woods: We tabled it for tonight and will bring it back up at the next meeting. Anything else?

City Clerk Thompson: I believe that's all for my report.

Mayor Woods: Alright, moving right ahead. Mr. Dan?

City Attorney Sikes: I have nothing.

Mayor Woods: Mr. Dan has nothing, okay.

City Attorney Sikes: We have an Executive Meeting after this

(multiple groans and sounds of disappointment)

Mayor Woods: I'm going to go over something real quick. I don't know a whole lot about it but we can see about it. As you all well know, we are always getting complaint about Comcast. Mr. Ricky is going to meet with the County and some other folks about Comcast on Thursday, so I just wanted to let y'all know that there is something being done about looking into Comcast. Then maybe them coming back in to help us a little bit or find somebody to help us with our RFPs to send out to see who we can get

Commissioner Waters: What time was that meeting

City Clerk Thompson: 12:00pm at was going to be at Sonny's but more people wanted to go so it changed. Did you know about that Mark?

Commissioner Chastain: are you going to be there? If 2 or 3 of us show up, were good.

City Clerk Thompson: It's this Thursday at 12:00 noon. If you want, I can send you the email.

Commissioner Waters: But where at?

City Clerk Thompson: At the Commission Room at the Courthouse.

Commissioner Waters: Okay

City Clerk Thompson: I think they're serving sandwiches and maybe refreshments. It was going to be Sonny's BBQ but it ain't going to be that now.

Mayor Woods: I didn't think that too many people would have...but I just wanted to let y'all know that this was coming up and so if you get any more complaints.

I've got one from the other night that lasted 45 minutes or so. I did talk to Mr. Thompson about it so, we'll just have to see what we come up with. Moving right along. Commissioner Waters?

Commissioner Waters: I've had a couple of phone calls and I've taken a couple of pictures too of how the garbage trucks are mashing the ends of the culverts flat. Cutting corners short and creating a big mess. My question is, these metal culvert pipes that they are mashing flat, will they pay for a new pipe? Looking over the bills today and Jim Lewis was one of them, both his pipes, where the garbage trucks back in, off of Butler Road to turn around has got his over the years. I took another picture of them cutting corners and it must be about 5 foot wide that they've widened the turns. There's a concrete like state like post 3.5 to 4foot high that they have busted the bottom have of that thing plum off. I would like for someone to check into that.

Mayor Woods: and let me give you an answer to that. Yes, Commissioner Waters we will. I have talked with Brad Avery which is the CEO of their garbage company. I have advised him of this...more,,than,,one,,time.

Commissioner Waters: Well, good.

Mayor Woods: I've talked with him about this several times. It may be that... Mr. Thompson, I would like, if you will, have a conference call with Brad Avery and go over what Commissioner Waters has said and we may get to the point if they need to start dishing out a little bit of money. Because we have, I have also complained that they cut the edges of the road short. They're eating up the pavement, they're eating up the newspaper boxes. I have talked to him about both subjects. He has promised me every time that he will go over it in their program, once a week, once a month to not to do that, but it hasn't done any good so far

Commissioner Waters: But everybody knows what I'm talking about.

Mayor Woods: Yes

Commissioner Waters: That's all I've got.

Mayor Woods: Okay, I'll get with Ricky and if you don't mind helping. You go ahead and get together and I'll do my best to get here.

City Clerk Thompson: Okay

Mayor Woods: Mr. Nugent.

Commissioner Nugent: No, I'm good for tonight. Thank you.

Mayor Woods: 3 things. Where are we with the housing grant application?

City Clerk Thompson: Oh that would be you, housing grants

Tom Ernharth: FRDAP grant was just submitted and we probably will not hear back on that one until May.

Commissioner Spooner: Okay because some of the people in the community wanted to know as to when they needed to apply. And the Scrap, Skrope?

Captain Warren: The Scope?

Commissioner Spooner: yes did we get everything on that in on time?

Tom Ernharth: yes

Commissioner Spooner: and then I want to ask that when they do trim those branches that they do come back with our truck but over in District 2 there are still a lot of streets that the branches are still on the side of the road. I know the Connolly and Estelle. If you could get somebody to ride through and get all those branches out of the ditch, I'd appreciate it. That would be it.

City Clerk Thompson: I will say that I do know that Ed East is scheduled to come by and meet with Tom and I tomorrow...the grant guy.

Mayor Woods: Is that all Ms. Spooner?

Commissioner Spooner: while we were at League of Cities, there are plenty of grants out there for recreation, all kinds of things, water parks, and there was one of the exhibitors that was willing to come and share some of the thing the city could do.

Tom Ernharth: Do you have the contact information on the him?

Commissioner Spooner: yes. Thank you that's all.

Mayor Woods: Commissioner Chastain?

Commissioner Chastain: No, I'm good.

Mayor Woods: Okay I have one question that I forgot to ask. As we're into the good rainy season that we know. Tom are they cleaning out the culverts very much? We need to get them. I have not seen them in Saratoga Heights. Because with some of the pipes that have been, ya know, I even showed you a couple of them. I'm not really hitting on my district, but I have not seen anyone over there cleaning out anything and they ones I showed you over there are really bad. I even rode around to other ones, but Saratoga Heights ones are really bad.

Several joking about the situation.

Mayor Woods: Do we have anything else? If not, do I have a motion to adjourn?

Commissioner Nugent: I move

Commissioner Chastain: Second

Mayor Woods: this is over so we will hang loose for a few minutes and take a 3 minute break and stretch our legs and then on to the Executive Meeting.

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

Attest: _____
Ricky Thompson, City Clerk