

## COMMISSION MEETING

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Mayor Woods announced that if anyone in attendance wishes to speak regarding a motion she asked for them to stand or raise their hand and she will acknowledge them for their comment.

Mayor Woods called the meeting to order. Present were Commissioner Wilbur Waters, Commissioner Carolyn B. Spooner, Commissioner Tommy Chastain, Commissioner Danny Nugent, City Clerk Ricky Thompson, Police Chief Jeff Johnson, Fire Chief Tom Rowe, and Lajuan Whittle.

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

Mayor Woods entertained a motion to accept the minutes of the City Commission Meeting October 7, 2014.

Commissioner Chastain made the motion, second by Commissioner Nugent; Mayor Woods ask for the motion to be corrected on page 8, Commissioner Waters made the motion for Commissioner Woods to be Mayor. Motion passed 5-0.

The following Ordinances were presented for first reading. Attorney Sanders read them by title.

### ORDINANCE NO. 2015-0715

AN ORDINANCE OF THE CITY OF STARKE, FLORIDA, AMENDING THE FUTURE LAND USE PLAN MAP OF THE CITY OF STARKE COMPREHENSIVE PLAN, AS AMENDED, RELATING TO AN AMENDMENT OF TEN OR LESS ACRES OF LAND, PURSUANT TO AN APPLICATION, S 140515 A, BY THE PROPERTY OWNER OF SAID ACREAGE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR A CHANGE IN THE LAND USE CLASSIFICATION FROM COMMERCIAL TO RESIDENTIAL, MEDIUM DENSITY (LESS THAN OR EQUAL TO 2 TO 8 DWELLING UNITS PER ACRE) ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF STARKE, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Commissioner Waters made the motion to accept the first reading, second by Commissioner Chastain;  
Commissioner Spooner asked if this was to bring it into compliance for what it will be used for, is that correct. Motion passed 5-0.

### ORDINANCE NO. 2015-0716

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 14-01, BY THE PROPERTY OWNER OF SAID ACREAGE; PROVIDING FOR REZONING FROM HIGHWAY COMMERCIAL (B-3) 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 Nugent made the motion to accept the first reading, second by Commissioner Chastain; passed 5-0.

ORDINANCE NO. 2015-0717

AN ORDINANCE OF THE CITY OF STARKE, FLORIDA, AMENDING THE TEXT AND FUTURE LAND USE PLAN MAP OF THE CITY OF STARKE COMPREHENSIVE PLAN; PURSUANT TO AN APPLICATION, CPA 14-01, BY THE CITY COMMISSION, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3248, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR AMENDING THE TEXT AND FUTURE LAND USE PLAN MAP OF THE COMPREHENSIVE PLAN BASED UPON AN EVALUATION COMPLETED BY THE CITY ON OCTOBER 20, 2014 REFLECTING CHANGES IN STATE REQUIREMENTS PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, AS AMENDED; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Commissioner Chastain made the motion to accept the first reading, second by Commissioner Waters; passed 5-0.

Ms. Whittle presented information and forms relating to creating a program for the beatification of some properties within the city. She spoke with Attorney Sanders and he reviewed the statue and created the forms before the commission.

We would obtain permission from the property owners plus the city would not be liable. We would have people that need to conduct community service.

Attorney Sanders added the city doesn't have permission to send any of the inmate crews on private property but there are community service people that could do this type of work.

There are waiver forms (attachment A); permission from the property owner, but it doesn't mean the city would have no liability. They would need to be supervised while on private property. This program is just to make some properties look better.

Ms. Whittle added many of the buildings along US 301; no one is renting and are boarded up. This would be to paint the face of the building with a flat base paint so painting over would be easy.

Captain Warren suggested he would talk to Wal-Mart and the paint that gets mixed and wouldn't sell maybe donated to something like this. This would reduce the cost, which would be for the rollers and handles and no one would be put on ladders to paint.

Mayor Woods asked if this could pertain to the elderly that need assistance with cutting grass.

Ms. Whittle replied as long as there is no liability to the city. We could run an ad for anyone that would like to volunteer to help.

Mayor Woods asked where would the equipment come from to cut the grass?

Ms. Whittle stated she has also spoken with Captain Warren and he suggested the light weight push lawn mower that has been donated to the Shop with a Cop Program.

Captain Warren added Wal-Mart has been donating lawn mowers to the Shop with a Cop Program to avoid DEP issues. These are mowers that get returned. He also recommended discussing this program with the judges and having the sentencing for the program.

Clerk Thompson was instructed to check on the liability coverage cost to the city and place the item on the next agenda for action.

Clerk Thompson received a request for a truck show on December 27, 2014 from 12:00 PM to 6:00 PM and to permission to close Call Street.

Commissioner Spooner made the motion to approve the request, second by Commissioner Waters;

Commissioner Chastain asked what section or sections of Call Street will be closed.

Clerk Thompson responded from Walnut Street to the Downtown Square. Commissioner Spooner amended her motion to close Call Street from Walnut Street to the Downtown Square, Commissioner Waters second the amendment. Motion passed 5-0.

Bill Dampier addressed the commission in reference to a Veterans Day Celebration. Tourist Development Council (TDC) contacted him for the American Legion to take over the celebration that was started three years ago by the Historical Society.

He will go before the County Commission with the TDC and see if funds are available for the celebration. If there are no funds there will not be a parade. We are looking at providing food for the youngsters, fireworks, sanitary stations at the square.

On the list provided a breakfast will be provided at the American Legion for veterans and families.

Music from 3 to 5, there will be no speaker in the afternoon but Colonel R. Dwayne Jarriel, Commander at Camp Blanding will be the speaker in the morning. The museum at Camp Blanding has informed us that they will not be having a ceremony this year so they will provide some display. There will be vehicle units from the National Guard.

Commissioner Spooner ask what the amount of funding is needed for this event? Mr. Dampier responded we ask the TDC to provide up to \$3,200 anything not used will go back to the TDC. The American Legion will handle writing the checks if they provide the funds.

Mr. Dampier will visit surrounding councils and invite veterans from our county.

Rick Torode, Torode Electric 303 S. Cherry Street; he wanted to address the issues of the pot holes and the condition of the roads; South Street, Walnut Street, Call Street.

Mayor Woods informed Mr. Torode he will request Clerk Thompson to complete work orders for the repairs on the streets named.

Mr. Brad Avery, WCA was not present but Clerk Thompson gave some input. He was made aware of this increase after the budget was set. After reviewing the contract we can dispute the increase, and that is what he would like to do.

The increase would have to be picked up by the city and filtered to the customer. Commissioner Waters added they want to give us an increase when they returned \$300,000 back to Bradford, Union, and Baker Counties.

The increase was about \$3,000 for Starke.

Captain Warren reminded everyone of all the events on Friday, October 31<sup>st</sup> Halloween, the Pumpkin Escape and home football game.

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

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

He provided information on the property located on Brownlee Road from the last meeting. That owner is willing to sell it for \$25,000.

Commissioner Waters made the motion not to purchase the property, second by Commissioner Spooner; passed 5-0.

Commissioner Spooner requested a counter offer of \$2,500.

Clerk Thompson; next property is the Water Street property that is leased next to the Veterans Park. He was asked to check with Mr. Hewitt to see if he is interested in selling the property.

The only way he would be interested in selling that property if the purchaser took the Redgrave Property across the street as well. This is the property he purchased from the City. Mr. Hewitt asked for the city to make an offer.

Commissioner Chastain added he was the one that requested to see if Mr. Hewitt would be interested in selling the property. But an appraisal would need to be done to be able to make the offer.

Mayor Woods entertained a motion to have the property appraised and make an offer based on the appraisal.

Commissioner Chastain made the motion, second by Commissioner Spooner; Commissioner Chastain stated for clarification we are not obligating anything other than an appraisal. Mayor Woods stated yes.

Motion passed 5-0.

Clerk Thompson presented the final Vac Truck information for approval to purchase. It is the 2001 Vac Con \$95,000 from the dealer in Green Cove. This is the recommendation to purchase.

Commissioner Waters made the motion to approve the purchase as recommended, second by Commissioner Chastain; Commissioner Spooner asked the difference in the prices. Clerk Thompson responded a couple thousand. Motion passed 5-0.

Clerk Thompson presented the Special Meeting minutes found not approved by the State Auditor. November 23, 2010, BCR Payment; September 13, 2011, Tentative Budget Hearing; September 27, 2011, Final Budget Hearing; June 27, 2013, the 2013 Audit Report; September 17, 2013, City Attorney Selection.

Mayor Woods asked for discussion prior to a motion.

Commissioner Waters asked for additional research be done. He does not remember voting on the issue in those minutes.

Clerk Thompson stated he will go back and research it.

Mayor Woods asked for it to be researched more and also the minutes refer to another contract and if it was presented to the commission.

Commissioner Chastain referenced in these minutes a BCR contract was drawn up duplicated from Clay County's contract. That contract was to the City's best interest. We were getting things BCR didn't want to furnish after they realized they done it. There was discussion of a new contract that would take some of the items out and nothing, it just went away. Was there ever a new contract created and if so was it approved by the commission?

Is BCR furnishing everything they are to be furnishing us.

Clerk Thompson responded these minutes are for a pay request. He will have to look into it.

Commissioner Chastain asked to remove the November 23, 2010, BCR minutes for approval until we find out what happened.

Mayor Woods entertained a motion to approve the following minutes; September 13, 2011, Tentative Budget Hearing; September 27, 2011, Final Budget Hearing; June 27, 2013, the 2013 Audit Report; September 17, 2013, City Attorney Selection.

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

Clerk Thompson will bring back the FMPA survey results to the next meeting they didn't have all the information when they published it.

Attorney Sanders updated the commission on the Tenant/Landlord Utility Bill issue. A policy was started back when Mr. Brown was the attorney. An ordinance or resolution was discussed but never voted on, it started a policy regardless at the city that landlords be charged the remainder utility bill their tenant left behind. He wanted point out that it cannot be done.

He spoke to Ms. Johns about a year and half ago and it was before he became the city attorney at the time. He had a landlord/client ask him about the policy and that is when he spoke to Ms. Johns and found out that there was a pending matter that was not voted on yet, and she relayed to Mr. Sanders that Mr. Brown was relying on home rule as a way to get this approved. It is in direct conflict with Florida Statutes. He had a copy of the Statue 180.135, which says you cannot attach a landlords property to a tenants utility bill in any way. If this policy is being implemented in any way it should be stopped.

Clerk Thompson stated it has not been done since October 1<sup>st</sup> of this year.

Attorney Sanders wanted to discuss establishing an agenda policy. There was email from Mark Crawford on how we add items to the agenda is not exactly done the same way and it is confusing him as well as us.

He has provided some information and asked the commission how they would like to proceed. Some of the information was an Attorney General Opinion; all though you are not restricted to stick to the agenda as published but you should because the public needs to know what is going to be discussed ahead of time. We do have the ability to add things; we just need a policy. It would not be a bad idea to publish the policy on the website so everyone understand the policy.

There can be a motion at the beginning of the meeting to approve the agenda.

Commissioner Spooner suggested having a consent agenda.

Attorney Sanders also added he has not found anything in the statues that says how to add items to the agenda has to be an emergency to be placed on the agenda.

After additional discussion Attorney Sanders will construct a policy to bring back to the board.

Attorney Sanders announced there will be an Executive Session to night to discuss the Firefighters' Contract.

Mayor Woods presented board re-appointments.

Mr. Jim Lewis 3 years to Bond Trustee; Motion to approve the reappointment was made by Commissioner Nugent, second by Commissioner Spooner; passed 5-0.

Mr. Walter Westcott 3 years to the Planning and Zoning Board; Motion was made by Commissioner Chastain, second by Commissioner Waters; passed 5-0.

Mayor Woods asked for a repair to be done at the concession stand at Edwards Road.

Commissioner Waters also mentioned equipment is needed to drag the field.

Mayor Woods has checked on the classes that will be required to be taken by elected officials. It will be a 2 hour ethic class and a 2 hour public records class. Ann Jackson will notify us of when the classes will be held.

Commissioner Chastain announced that Mr. Thiemann has given his resignation. He suggested taking Mr. Thiemann's salary and combined with the City Manager salary and re-advertise the position with an good back ground in finance. All of the finance will be going under the City Manager when we get one. This would make the salary around \$75,000.

There were 5 applicants that qualified for the position, and one pulled his resume, one is in house and the other three are out of town with the closest being Keystone Heights.

After discussion the five applicants will be telephoned and informed their applications will be held and the position is being re-advertised at the new salary. Before any interviews are conducted.

Mayor Woods asked the opinion of the commission; the applicant that was dismissed by two other entities should it be eliminated?

Commissioner Spooner is the only one that would like to still interview that applicant the other four stated no.

Commissioner Waters commented how fortunate the city has been. The amount other cities pay their employees compared to what we pay is unbelievable.

The figure of \$75,000 is a good starting point for this position.

Mayor Woods summarized the position will be re-advertised with the new salary and keep the qualified applicants if they are still interested. Telephone calls will be made to cancel the interviews scheduled for next week and inform them that the position will be re-advertised and their resumes will be included if they still wish to participate.

Clerk Thompson informed the commission the reason the applicant from Pennsylvania turned the position down was due to the salary range.

Mayor Woods suggested contacting him and ask if he would like to be included.

Commissioner Spooner stated the salary range was advertised.

Mayor Woods summarized that the position will be re-advertised, and calls will be made to the first round of qualifiers, and the one applicant will be removed.

Applicants will need to provide references with their resumes.

Commissioner Spooner was contacted by Mr. Milner regarding a donation to the food pantry for a station sponsor. She suggested \$20 from each commissioner would provide a \$100.

She also requested if anyone would be willing to contribute to the Veterans Day celebration to assist Mr. Dampier if he isn't able to receive all the funds that will be needed.

She requested dates for the annual fall clean up.

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

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

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

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