

COMMISSION MEETING

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

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

Commissioner Nugent 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 21, 2014.

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

Clerk Thompson requested to add the final amendments to the 2014 budget for approval as item 10, H.

The following Ordinances were presented for second and final 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, S140515A, 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

WHEREAS, Section 166.021, Florida Statutes, as amended, empowers the City Commission of the City of Starke, Florida, hereinafter referred to as the City Commission, to prepare, adopt and implement a comprehensive plan;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, empowers and requires the City Commission to prepare, adopt and implement a comprehensive plan;

WHEREAS, an application for an amendment, as described below, has been filed with the City;

WHEREAS, the Planning and Zoning Board of the City of Starke, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the Local Planning Agency of the City of Starke, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to Sections 163.374, Florida Statutes, as amended, the Land Development Code, as amended, the Planning and Zoning Board, serving as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Planning and Zoning Board, serving as the Local Planning Agency, reviewed and considered all comments received during said public hearing and the Concurrence Management Assessment concerning said application for an amendment, as described below, and recommended to the City Commission approval of said application for an amendment, as described below;

WHEREAS, the City Commission held the required public hearing, with public notice having

been provided, under the procedures established in Sections 163.3161 to 163.3248, Florida Statutes, as amended, on said application for an amendment, as described below, and at said public hearing, the City Commission reviewed and considered all comments received during said public hearing, including the recommendation of the Planning and Zoning Board, serving as the Local Planning Agency, and the Concurrency Management Assessment concerning said application for an amendment, as described below;

WHEREAS, the City Commission has determined and found said application for an amendment, as described below, to be compatible with the Land Use Element objectives and policies, and those of other affected elements of the Comprehensive Plan;

WHEREAS, the City Commission, has determined and found that approval of said application for amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA, AS FOLLOWS:

Section 1. Pursuant to an application, S140515A, by ROCK'N LEE, LLC, to amend the Future Land Use Plan Map of the Comprehensive Plan by changing the future land use classification of certain lands, the land use classification is hereby changed from COMMERCIAL to RESIDENTIAL, MEDIUM DENSITY (less than or equal to 2 to 8 dwelling units per acre) on property described, as follows:

A parcel of land lying within Section 21, Township 6 South, Range 22 East, Bradford County, Florida. Being more particularly described, as follows: Commence at the intersection of the center line of the CSX Transportation Railway and the center line of Market Road; thence North 72°00'00" West, along the center line of said Market Road, a distance of 974.00 feet to the Easterly right-of-way of U.S. Highway 301 (State Road 200); thence South 18°00'00" West, along the Easterly right-of-way of said U.S. Highway 301 (State Road 200) 934.00 feet to the Point of Beginning; thence continue South 18°00'00" West, along the Easterly right-of-way of said U.S. Highway 301 (State Road 200) 386.00 feet; thence South 72°00'00" East 345.00 feet; thence North 18°00'00" East 386.00 feet; thence North 72°00'00" West 345.00 feet the Easterly right-of-way line of said U.S. Highway 301 (State Road 200) and the Point of Beginning.

Containing 3.00 acres, more or less.

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or portions of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall be effective upon adoption.

The effective date of this plan amendment shall be thirty-one (31) days following the date of adoption of this plan amendment. However, if any affected person files a petition with the Florida Division of Administrative Hearings pursuant to Section 120.57, Florida Statutes, as amended, to request a hearing to challenge the compliance of this plan amendment with Sections 163.3161 through 163.3248, Florida Statutes, as amended, within thirty (30) days following the date of adoption of this plan amendment, this plan amendment shall not become effective until the Florida Department of Economic Opportunity or the Florida Administration Commission, respectively, issues a final order determining this plan amendment is in compliance. No development orders, development permits or land uses dependent on this plan amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued, this plan amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Economic Opportunity, Division of Community Development, 107 East Madison Street, Caldwell Building, First Floor, Tallahassee, Florida 32399-4120.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on the 21st day of October 2014.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this 4th day of November 2014.

Attest:

CITY COMMISSION OF THE
CITY OF STARKE, FLORIDA

Ricky Thompson, City Clerk

Travis V. Woods, Mayor
Tommy Chastain, Commissioner
Daniel W. Nugent, Commissioner
Carolyn B. Spooner, Commissioner

Commissioner Spooner made the motion to adopt Ordinance 2015-0715, second by Commissioner Chastain; 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

WHEREAS, Section 166.021, Florida Statutes, as amended, empowers the City Commission of the City of Starke, Florida, hereinafter referred to as the City Commission, to prepare, adopt and enforce land development regulations;

WHEREAS, Sections 163.3161 through 163.3248, Florida Statutes, as amended, the Community Planning Act, requires the City Commission to prepare and adopt regulations concerning the use of land and water to implement a comprehensive plan;

WHEREAS, an application for an amendment, as described below, has been filed with the City;

WHEREAS, the Planning and Zoning Board of the City of Starke, Florida, hereinafter referred to as the Planning and Zoning Board, has been designated as the Local Planning Agency of the City of Starke, Florida, hereinafter referred to as the Local Planning Agency;

WHEREAS, pursuant to the Section 163.3174, Florida Statutes, as amended, and the Local Development Code, as amended, the Planning and Zoning Board, serving also as the Local Planning Agency, held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the Planning and Zoning Board, serving as the Local Planning Agency, reviewed and considered all comments received during said public hearing and the Concurrency Management Assessment concerning said application for an amendment, as described below, and recommended to the City Commission approval of said application for amendment, as described below;

WHEREAS, pursuant to the Section 166.041, Florida Statutes, as amended, and the Land Development Code, the City Commission held the required public hearing, with public notice having been provided, on said application for an amendment, as described below, and at said public hearing, the City Commission reviewed and considered all comments received during said public hearing, including the recommendation of the Planning and Zoning Board, serving as the Local Planning Agency, and the Concurrency Management Assessment concerning said application for an amendment, as described below; and

WHEREAS, the City Commission has determined and found that approval of said application for an amendment, as described below, would promote the public health, safety, morals, order, comfort, convenience, appearance, prosperity or general welfare.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STARKE, FLORIDA, THAT:

Section 1. Pursuant to an application, Z 14-01, by ROCK'N LEE LLC, to amend the Zoning Map of the Land Development Code by changing the zoning district on certain lands, the zoning district is hereby changed from HIGHWAY COMMERCIAL (B-3) to MULTI-FAMILY RESIDENTIAL (R-2A) to on property described, as follows:

A parcel of land lying within Section 21, Township 6 South, Range 22 East, Bradford County, Florida. Being more particularly described, as follows: Commence at the intersection of the center line of the CSX Transportation Railway and the center line of Market Road; thence North 72°00'00" West, along the center line of said Market Road, a distance of 974.00 feet to the Easterly right-of-way of U.S. Highway 301 (State Road 200); thence South 18°00'00" West, along the Easterly right-of-way of said U.S. Highway 301 (State Road 200) 934.00 feet to the Point of Beginning; thence continue South 18°00'00" West, along the Easterly right-of-way of said U.S. Highway 301 (State Road 200) 386.00 feet; thence South 72°00'00" East 345.00 feet; thence North 18°00'00" East 386.00 feet; thence North 72°00'00" West 345.00 feet the Easterly right-of-way line of said U.S. Highway 301 (State Road 200) and the Point of Beginning.

Containing 3.00 acres, more or less.

Section 2. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

Section 3. Conflict. All ordinances or portions of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective upon adoption.

The effective date of this amendment, Z 14-01, to the Official Zoning Atlas shall be the same date as the effective date of Future Land Use Plan Map Amendment, S140515A. If Future Land Use Plan Map Amendment, S140515A, does not become effective, this amendment, Z 14-01, to the Official Zoning Atlas shall not become effective. No development orders, development permits or land uses dependent on this amendment, Z 14-01, to the Official Zoning Atlas may be issued or commence before it has become effective.

Section 5. Authority. This ordinance is adopted pursuant to the authority granted by Section 166.021, Florida Statutes, as amended, and Sections 163.3161 through 163.3248, Florida Statutes, as amended.

PASSED UPON FIRST READING on the 21st day of October 2014.

PASSED AND DULY ADOPTED UPON SECOND AND FINAL READING, in regular session with a quorum present and voting, by the City Commission this 4th day of November 2014.

Attest:

CITY COMMISSION OF THE
CITY OF STARKE, FLORIDA

Ricky Thompson, City Clerk

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

Commissioner Spooner made the motion to adopt Ordinance 2015-0716, second by Commissioner Nugent; passed 5-0.

Community State Bank Employees requested to hold a boot drive to raise money for the Shop with a Cop program on Saturday, November 15, 2014; 9 AM to 2 PM at US Highway 301 and State Route 100.

Commissioner Nugent motion to approve the boot drive, second by Commissioner Waters; passed 5-0.

Stephanie Scott, 1115 Meadows Drive, and Danielle Smith, 17747 NW 52nd Avenue; Bradford Athletic Association requested a boot drive for the November 22, 2014 to support the teams that will be traveling to Nationals in Tampa. Commissioner Nugent asked how many drives they have had this year. Ms. Scott stated they have had one drive this year. Mayor Woods referenced the item is not an emergency and we will place it on the next meeting agenda for approval.

Mr. Brad Avery, WCA was present to discuss the New River Landfill fee increase. New River has agreed to increase the fee \$2.00 per ton and asked for suggestion on how to handle this.

Commissioner Spooner asked why there isn't any increase for Union?

Mr. Avery responded he felt that was interesting and they have not received a very good response from New River about that question.

WCA didn't receive notification of the increase until the 2nd of October when the item was already voted on by the landfill board in September. The way we found out was on the bill.

Commissioner Nugent referenced last year there was a surplus of money they had refunded back, now they need to do a rate increase.

Commissioner Chastain asked how many tons go to the landfill? With the city doing recycling which should cause a decrease in tonnage; could that be a factor of the increase?

Mr. Avery responded he wasn't sure. There is still 18 to 20 tons.

Commissioner Spooner suggested writing a letter stating we are not paying it and the reasons why.

Clerk Thompson stated it will be around \$11,500 annual cost. He suggested the attorney draft a letter to the New River Board.

Chief Rowe requested to surplus the following vehicles. He added the Ford is a 1978 not a 1987.

1978 Ford, vin # C70FVCA8067

2004 International, vin # 1HTMKAAR05H695235

Commissioner Waters made the motion to surplus the vehicles, second by Commissioner Nugent; passed 5-0.

Clerk Thompson reported the Bond Trustees met and recommended the bills be paid. Mayor Woods will review the bills in the morning.

Commissioner Chastain offered a motion to pay the bills based on the recommendation of the Bond Trustees, second by Commissioner Spooner; passed 5-0.

Suwannee River Economic Council presented the Emergency Home Energy Assistance Program (EHEAP) agreement, offering assistance for utility bills for approval.

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

Next is the Low Income Home Energy Assistance Program (LIHEAP) agreement. Commissioner Waters made the motion to approve the agreement, second by Commissioner Nugent; passed 5-0.

Clerk Thompson reported the \$2,500 counter offer made on the Brownlee Road property connected to Thomas Street Park was turned down.

Commissioner Waters made the motion to deny the purchase of the Brownlee Road property, second by Commissioner Spooner; passed 5-0.

He reported there should be an appraisal for the Redgrave Street and Water Street properties for the next meeting. The item was tabled to the November 18th meeting.

Clerk Thompson requested approval of the November 23, 2010 BCR Pay Request Special Meeting Minutes that was tabled at the last meeting.

After a discussion there will be additional information needed for the next meeting regarding the contract, but the minutes can be approved.

Commissioner Nugent made the motion to approve the November 23, 2010 BCR Pay Request minutes, second by Commissioner Spooner; passed 5-0.

Clerk Thompson requested approval to continue with Phase II of the Site Assessment for 128 S. Walnut Street that was placed on hold several weeks back. Commissioner Waters made the motion to continue to Phase II, second by Commissioner Chastain; Commissioner Chastain stated what he has read, if contamination is found and we do not disturb the slab. Can it stay underneath the slab? Clerk Thompson responded that is how he understands it, but he will have to contact the state DEP for verification. Motion passed 5-0.

Clerk Thompson presented the Code Enforcement Beatification Program with liability attachment for cleaning up property as presented by Code Officer Lajuan Whittle at the last meeting. Ms. Whittle asked for the item to be tabled until she does some additional investigation on how the County is handling their issues and placing it on the taxes. Ms. Whittle requested at the next Commission Meeting the decision be made if the Code Enforcement will be placed under the Police Chief, if it can be settled. Mayor Woods stated it will all be placed in your plans.

Clerk Thompson provided the following for information. FMPA's Survey Results, FMPA Conservation Funds, East Call Street Transfer to DOT, he will have a meeting with the Development Review Committee for the Badcock Development at the County, and an updated project list.

Commissioner Nugent referenced the East Call Street transfer from DOT. He was under the impression we informed DOT we did not want the street. Clerk Thompson responded we did but an agreement was already approved and signed. After additional discussion Clerk Thompson was requested to contact DOT and see if they can reduce the cost to the City.

Clerk Thompson provided the final 2014 Budget Amendments for approval. Ad Valorem transferred to Transportation trust for paving, building rent discontinued for utility improvements to maintenance yard, the Loan for the new police cars, salary adjustments for new Zoning position and Financial Advisor position. (Exhibit A) Commissioner Chastain made the motion to approve the amendments as presented, second by Commissioner Nugent; Commissioner Spooner referenced the \$184,000 loan is for the six cars. Motion passed 5-0.

Attorney Sanders provided a copy of the new Badcock Agreement. He has reviewed the agreement and suggested not approving the agreement based on section 10 until the environmental studies have been received. Mayor Woods tabled the agreement until the studies are completed. Attorney Sanders also commented on the personnel changes that will need to be made.

He also mentioned the attorney for the spray field will have his engineers report by the end of this week or beginning of the next week. He would like to get some idea of the commissioner's schedules to set a meeting with FDOT at the Lake City Office. He requested for the commission to appoint a delegate to negotiate with FDOT but the final approval would have to come before the entire board for approval.

Mayor Woods will be the delegate and Attorney Sanders will take the date of December 18th for the meeting.

Mayor Woods reported the Christmas Parade is December 13, 2014 in the evening and he has ordered Christmas decorations.

Commissioner Chastain referenced the Hendrick contract for the sod farm; should a notice be given to Mr. Hendrick regarding the loss of property and to negotiate the contract based on that.

Attorney Sanders responded it would be better to wait and see what land will be removed from the contract first.

A discussion on the Hendricks contract was held. To summarize currently the contact is a month to month contract. An eviction notice was issued when he was a year behind on payments and once the payments were up to date the Commission motion and approved to set Henricks up as a month to month payment. The eviction notice cancelled the original agreement.

Commissioner Chastain had a discussion with Chief Rowe relating to the mutual aid agreement with Clay County that had been recently approved.

Commissioner Spooner requested dates for the Annual Fall Clean Up and for sidewalks to be looked at; Pine, Old Lawtey, and Calvary Streets the trees are buckling the pavement.

She also asked for paving on Keller Street by the ball park.

She asked to check on the grant writer in Lake Butler

She will be out of town November 7 through November 12.

Commissioner Waters reported he will be out of town December 1st through December 5th.

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

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

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

Attest: _____
Ricky Thompson, City Clerk