

City Commission Meeting  
December 19, 2017  
6:30 pm

Commissioner Chastain offered a prayer and led the Pledge of Allegiance.

This was the second regular meeting of the month. Members present included Mayor Mortimer, Commissioner Chastain, Commissioner Nugent and Commissioner Woods. Also present were Interim City Attorney John Cooper, City Manager Bob Milner, City Clerk Ricky Thompson and Police Chief Jeff Johnson. Commissioner Waters was absent due to illness.

Mayor Mortimer called the meeting to order at 6:30 pm.

Mayor Mortimer asked if there were any changes to the agenda. Mayor Mortimer removed Item 8. D. because of Commissioner Waters' absence. We need the entire commission in attendance in order to have a vote on this item. Mayor Mortimer removed Item 9. G. because of Commissioner Waters' absence. We need the entire commission in attendance to vote on this item as well. We will address these two items at our first meeting in January. Mayor Mortimer entertained a motion to approve the agenda with the changes. Commissioner Nugent made a motion. Commissioner Chastain seconded it. The motion passed 4-0.

The only item on the Consent Agenda was the December 5, 2017 Commission Meeting Minutes. Mayor Mortimer entertained a motion to approve the consent agenda item. Commissioner Woods made a motion. Commissioner Chastain seconded it. The motion passed 4-0.

Mayor Mortimer asked if there were any emergency items. There were none.

Mayor Mortimer read the statement for citizen requests "The City of Starke welcomes you to this meeting. This time is set aside for our citizens and general public to address the commission. This is not a question or answer time. It is not a political forum, nor is it a time for personal accusations or derogatory remarks to or about city personnel. If you would like to address the commission please complete a form, come to the podium when you are called, speak into the microphone and state your name and address for the record. Please also limit your comments to not more than 3 minutes. Your participation is welcomed." Paul Still of 14167 SW 101<sup>st</sup> Avenue addressed the commission regarding Alligator Creek. He expressed concern over the current condition of Alligator Creek. He stated that Hurricane Irma caused a lot of trees to fall into Alligator Creek causing blockages. Mr. Still said that the part of Alligator Creek behind Jackson Building Supply was badly flooded. He mentioned funding opportunities from a USDA Program called Emergency Water Shed. The Suwannee River Water Management District also has grant opportunities. These water grants could help the city address other flooding issues such as the flooding of the retention pond between Bradford Middle School and Starke Elementary School. Mr. Still expressed concern over the Edwards Bottom Land Project. He said it is possible that Alligator Creek could change its route and go through the old City of Starke dump. He mentioned that the soil that would be removed from the Edwards Bottom Land Project could be put on top of the old dump to stabilize it. Mayor Mortimer stated that Sheriff Gordon Smith attended the last commission meeting with similar concerns about

Alligator Creek. She said that Mr. Milner, Mr. Thompson and Commissioner Waters are working with the county to come up with solutions. Mayor Mortimer agreed that Alligator Creek and flooding are serious concerns that must be addressed. Mr. Milner has met with Mr. Still and with Kellen Lindsey and Tim Norman of Mittauer and Associates. Mittauer and Associates is working on securing grants. Mayor Mortimer thanked Mr. Still.

Mayor Mortimer asked for the City Manager Report. Mr. Milner addressed the land use and rezoning changes. Proposed changes were advertised for 5 weeks to allow owners to contact the Building and Zoning Department to ask for rezoning of their properties. Nora Thompson addressed the properties which owners would like to have rezoned. She asked for permission to proceed with the changes. Mayor Mortimer asked for a vote to proceed with the application for rezoning. Commissioner Chastain made a motion. Commissioner Woods seconded it. The motion passed 4-0.

Mr. Milner addressed the US 301 manhole adjustments. Columbia Anderson Construction is re-milling US Highway 301 and will do the manholes repairs for \$4,298.56. Former City Manager Tom Ernharth signed a contract last April saying that city employees would do the work on the manholes. Mr. Milner feels that it is much better for Columbia Anderson Construction to do the repairs. Mr. Milner would like the commission to rescind the previous contract and agree to have Columbia Anderson Construction make the repairs. Commissioner Chastain made a motion to rescind the previous contract and accept the price of \$4,298.56 for manhole repairs. It was seconded by Commissioner Nugent. The motion passed 4-0.

Mr. Milner asked the commission for permission to move the first Commission Meeting in January, 2018 from January 2, 2018 to January 9, 2018. The commissioners agreed.

Mr. Milner addressed the Edwards Bottomland Project. We need a temporary bridge over Alligator Creek in order to move thousands of pounds of dirt to build a berm around the Wastewater Treatment Plant. It is being facilitated by the Suwannee River Water Management District.

Mr. Milner addressed the Employee Handbook. Mr. Milner and Mr. Thompson contracted Dynamic Corporate Solutions to revise our Employee Handbook. They also provided performance review training for supervisors and they are working on job descriptions. Mr. Milner would like to meet to discuss the revised handbook.

Mr. Milner addressed the Wastewater Treatment Plant Workshop. The commissioners agreed on Thursday, January 11, 2018 at 5:30.

Mr. Milner addressed the James Moore Contract. The firm will be reviewing time sheets for the Starke Police Department and VyStar Credit Union between 2012 and 2017.

Mr. Milner addressed the Orange Street paving (SCOP Funds). The county received \$1,000,000.00 to pave Orange Street from Weldon Street to State Road 100. It includes curves, gutters and hand rails. The City of Starke is responsible for everything else. We will be working with Mittauer and Associates on this project.

Mr. Milner addressed the drainage ditch adjacent to Orange Street. Steve Scanlan with the Department of Transportation believes there is enough money in the Orange Street paving project to repair the drainage ditch. They will also try to repair the drainage ditch behind the bus barn.

Mr. Milner reached an agreement with the Management of Anytime Fitness to allow city employee memberships for \$20.00 per month. The city will payroll deduct the money and provide Anytime Fitness with a monthly check.

Mr. Milner addressed the Christmas luncheon for city employees. It will be Thursday, December 21, 2017 from 11:30 am to 1:00 pm. Mr. Milner invited the commissioners to attend the luncheon.

Mr. Thompson addressed the Bond Trustees Report. Commissioner Chastain met with the Bond Trustees and made a motion to pay the bills. It was seconded by Commissioner Woods. The motion passed 4-0.

Mr. Thompson addressed the Request for Proposals for Engineering Services. This is for the CDBG grant that we were awarded for \$700,000.00 with a \$50,000 in-kind match. Commissioner Nugent made a motion to approve the Request for Proposals. It was seconded by Commissioner Woods. The motion passed 4-0.

Mr. Thompson addressed the Request for Proposals for Grant Administration. This is the same CDBG grant as the Request for Proposals for Engineering Services. Commissioner Woods made a motion to approve the Request for Proposals. It was seconded by Commissioner Chastain. The motion passed 4-0.

Mr. Thompson addressed the Satisfaction of Mortgage for Edward Smith. Commissioner Nugent made a motion to approve the Satisfaction of Mortgage. It was seconded by Commissioner Chastain. The motion passed 4-0.

Mr. Thompson addressed the Auto Tent Sale at Walmart from Tuesday, January 9, 2018 to Sunday, January 14, 2018. The same company did one last year. Commissioner Nugent made a motion to approve. The motion died due to lack of a second. Commissioner Chastain asked Attorney Cooper his thoughts. He was concerned about citizens purchasing a car from a company based in New Port Richey. If they have car problems they could have difficulty getting them fixed. Commissioner Woods wanted to protect the car dealers in the City of Starke who pay taxes and utilities. Mayor Mortimer mention that this is the same company that set up last time and then asked to have the event. Attorney Cooper will look at what the commission can do to limit events like this.

Mr. Thompson addressed restricting the use of the Money Market Utility Account to sewer related items and the purchase of land for the spray field. This ties up money and makes it easier to get grant funding. Commissioner Woods made a motion to approve. Commissioner Chastain seconded it. Commissioner Nugent asked how much money was in the account. Mr. Thompson said around \$1,800,000.00. The motion passed 4-0.

Chief Johnson did not have anything.

Commissioner Woods had nothing further.

Commissioner Chastain asked when the Budget Report will be available. Mr. Thompson said it would be available around the middle of January. Commissioner Chastain asked if the commissioners would receive monthly Budget Reports after the quarterly one. Mr. Thompson said they should. Commissioner Woods asked if it would be a line item budget. Mr. Thompson said it would be. Commissioner Chastain suggested drafting a letter to be signed by the city commissioners inviting the school board and the county commissioners to the Florida League of Cities dinner hosted by the City of Starke in February. Mr. Milner said he would prepare a letter for the commissioners to review. He will include every school board member. Commissioner Chastain asked that an RSVP be included with the letter. Commissioner Chastain asked for an update on the Vero Beach Project. Mr. Milner said that to date every city that has voted has voted yes to allow them to sell their electric utility. Commissioner Chastain asked if there were any amendments to the 2016-2017 budget. Mr. Thompson said there would be few if any. Commissioner Chastain asked if the commission would be voting on the amendments. Mr. Thompson said they would. Commissioner Chastain asked for an update on the cost to the city for the 2020 bypass. Mr. Milner said the state comptroller rejected our hardship letter. They felt that we could afford the approximately \$400,000.00 that it would cost for the relocation of all the cities utilities. The bridge replacement project will cost another \$100,000.00. Mr. Milner said we will be appealing the decision. Commissioner Chastain suggested denying the overpass. Commissioner Nugent agreed and said he would like future communications regarding the overpass to be in writing. Mayor Mortimer asked when the Florida League of Cities Legislative Days in Tallahassee would be. Commissioner Woods said they would be in February. Mayor Mortimer suggested the commissioners attend the Legislative Days. Commissioner Chastain addressed the \$1,000,000.00 Orange Street paving project. The documentation says that any overruns will be at our expense. Mr. Milner concurred. Commissioner Chastain asked about bidding out the city attorney position while Attorney Dan Sikes is on military leave. Attorney Sikes' contract expires at the end of January. Attorney Cooper suggested not doing anything until the first part of February. Commissioner Woods suggested contacting Attorney Sikes to see if he is interested in renewing his contract. Mr. Milner will contact Attorney Sikes on behalf of the commission.

Commissioner Nugent expressed his appreciation for the Christmas Parade.

Mayor Mortimer asked Attorney Cooper to address the commission regarding the ordinance that regulates adult arcades. Attorney Cooper said that the ordinance was adopted back in 2007. It has a restriction in it that allows only one adult arcade in the City of Starke for every 6,500 residents. We currently have one adult arcade and the clerk's office has received an application for a second one. Attorney Cooper questioned if the population based restriction is lawful. He would like to bring the ordinance back before the commission for a first reading with some updates. Attorney Cooper's opinion is that the population based restriction is not lawful because it creates a monopoly. He asked for permission to update the ordinance and bring it back before the commission in January. Commissioner Woods said that the ordinance was

created when Jacksonville was shutting their adult arcades down and several of the owners were trying to move their adult arcades to Starke. Attorney Cooper said that we need to have an ordinance that can be defended in court. Mayor Mortimer asked how restrictive the commissioners would like to be. Attorney Cooper said that we can restrict adult arcade locations such as they cannot be close to schools or churches. Commissioner Nugent asked if Attorney Cooper could ask other cities how they handle adult arcades. Attorney Cooper has already requested information from a couple of cities.

Mayor Mortimer wished everyone a safe and happy holiday season.

There being no further business, the meeting was adjourned at 7:32 pm.