

City Commission Meeting
February 12, 2019
6:30 pm

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

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

This was the first regular meeting of the month. Members present included Mayor Daniel W. Nugent, Commissioner Tommy Chastain, Commissioner Janice D. Mortimer and Commissioner Shannon Smith. Also present were Police Chief Jeff Johnson, City Manager Bob Milner, City Attorney Dan Sikes, Deputy Clerk Lisa Terry and City Clerk Ricky Thompson. Commissioner Wilbur Waters was absent due to work.

Mayor Nugent asked if there were any additions or deletions to the agenda. There were none. Mayor Nugent entertained a motion to approve the agenda. Commissioner Mortimer made a motion to approve the agenda. It was seconded by Commissioner Smith. The motion passed 4-0.

Mayor Nugent asked the commissioners if there was anything they wanted removed from the consent agenda. There was not. The consent agenda consisted of the Minutes of the January 22, 2019 Commission Workshop, the Minutes of the January 22, 2019 Commission Meeting, the Minutes of the January 29, 2019 Special Commission Meeting, the Minutes of the January 29, 2019 Commission Workshop, the Green on the Green use of square and closure of Church Street March 16 and 17, 2019 and the Bradford Cowboys Boot Drive March 16, 2019. Mayor Nugent entertained a motion to approve the consent agenda. Commissioner Mortimer made a motion to approve the consent agenda. It was seconded by Commissioner Smith. The motion passed 4-0.

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

Mayor Nugent 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 city 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." Mayor Nugent asked if there was any citizen participation. Eulinda Russ introduced herself as the manager of Pine Forest Apartments in Starke. She addressed the commission again regarding flooding at the apartments. Ms. Russ said the flooding is a safety issue and the drainage ditch needs to be cleaned out. Mr. Milner said it is on private property that belongs to the owners of the apartment complex. He suggested writing a letter to the property owners asking them to clean the ditch. Mayor Nugent asked Mr. Milner to write a letter to the owners. Mr. Milner said he would get with Attorney Sikes to draw up the letter. Commissioner Mortimer said she has never heard that the ditch was on private property. Attorney Sikes said he could start proceedings

against the owners. Commissioner Chastain asked if they could agree to start that tonight. Attorney Sikes said they would have to follow due process. Commissioner Chastain asked to have the letter ready as soon as possible so they could move forward. Attorney Sikes said Ms. Russ would have to file a petition with the city in order to start the process. He asked Ms. Russ to make an appointment to meet with him. Mr. Milner said cleaning out the ditch will not solve the flooding issue. He said Suwannee River Water Management District will need to be involved. Attorney Sikes said he will include them in the letter. Mayor Nugent thanked Ms. Russ for bringing this before the commission.

Mayor Nugent asked for the City Clerk Report. Mr. Thompson said Commissioner Chastain met with the Bond Trustees to review the bills. Commissioner Chastain made a motion to pay the bills. Commissioner Mortimer seconded it. The motion passed 4-0.

Mr. Thompson addressed the splash park bid award. Mr. Thompson introduced Gary Sneddon the engineer for the project. Mr. Sneddon said they received 2 bids to build the splash park. He said 1 bid was extremely high and the other bid was around \$50,000 over what is budgeted. Mr. Sneddon said he met with M & R Construction and went over options to lower the bid such as reducing the number of handicap accessible picnic tables from 6 to 2. He said Change Order Number 1 reduces the cost by \$40,660. Mayor Nugent asked if having 2 handicap accessible picnic tables met the requirements. Mr. Sneddon said it does. Mayor Nugent asked about removing the coating on the concrete. Mr. Sneddon said it is only for the concrete in the picnic area not the splash pad. He said Change Order Number 2 waves the contractor's performance bond which would save 3 percent of the bid amount. Commissioner Chastain asked about the draw percentages. Mr. Sneddon said typically the contractor puts in for a draw on a monthly basis based on the percentage of work that has been completed. He said because of the short timeline for the project there would only be a few pay requests. Commissioner Chastain asked if the contractor would be ok with that. Mr. Sneddon said the city could direct purchase the equipment for the project saving money for the contractor. Commissioner Mortimer asked if the commissioners could award the bid tonight. Mr. Sneddon said if they award the bid they should vote on Change Order Number 1. Mayor Nugent entertained a motion for the splash park bid award. Commissioner Chastain made a motion to award the bid to M & R Construction. It was seconded by Commissioner Mortimer. Commissioner Smith asked what the monthly maintenance costs would be. Mr. Milner said between \$1,500 and \$1,800 per month in the summer. Commissioner Smith asked Chief Johnson if security would be provided for the splash park. Chief Johnson said there will be security. Mayor Nugent asked if there would be security cameras. Mr. Milner said it would be up to the city because the grant did not include funding for security. Commissioner Chastain asked if a perimeter fence was included in the grant. Mr. Sneddon said it is. Commissioner Mortimer asked what caused the delay in the project. Mr. Milner said there were things that had to be done before they could hire the engineers. Mr. Sneddon said there has been a lack of bidders. Commissioner Mortimer asked what would happen if the vote is not to approve the bid. Mr. Thompson said letters have been sent to Senator Bradley and Representative Payne asking them to try to get an extension for the project. He said if the bid is not approved the city will not receive the grant money. Commissioner Mortimer asked about the money that has already been spent. Mr. Milner said the city will lose the engineering and the grant administration costs. The motion failed 2-2. Commissioner Mortimer and Commissioner Smith opposed the motion. Commissioner

Mortimer said she did not vote for the project because she hasn't seen the information the previous board had when they made the decision to apply for the grant. Also, as such, she doesn't feel the City can sustain the project over the years as a benefit to all of the citizens. Mayor Nugent said he would like this brought back up when there is a full board present. Attorney Sikes said the process would have to be started over because the motion died due to the 2-2 vote.

Mr. Thompson addressed the purchasing procedures. Mayor Nugent entertained a motion to approve the purchasing procedures. Commissioner Mortimer made a motion for discussion. It was seconded by Commissioner Smith. Commissioner Mortimer asked if this is a new procedure. Mr. Thompson said it is not new but it hasn't been approved. Commissioner Mortimer asked why it hasn't been approved. Mr. Thompson said for lack of action from the commission. He said the procedures have been being used for some time but the commission has not voted to approve it. Mr. Milner said he has recommendations for changes to the procedures. Commissioner Mortimer asked why it needs to be voted on now. Mayor Nugent said it will bring the city into compliance with a finding by the Auditor General. Mr. Thompson said just like the Employee Handbook changes will still need to be made on occasion. The motion passed 4-0.

Mr. Thompson addressed the work schedules. He said Mayor Nugent asked him to put this on the agenda. Mayor Nugent said he thought changes to work schedules needed to be voted on by the commissioners. Commissioner Mortimer asked what brought this about. Mr. Milner said he has changed some of his staff schedules to 4 10-hour days per week. Mayor Nugent asked to withdraw the item. Commissioner Chastain asked Mr. Milner to track overtime and revert back to the previous schedule if there is an increase. He asked for a comparison 3 months from now. Mr. Milner agreed. Commissioner Mortimer asked what prompted the change. Mr. Milner said a lot more work can be done with less setup time. Director of Operations Scott Anaheim said with the large projects the city has coming up contractors will be working 10-hour days and our employees will need to be available to them. Commissioner Mortimer asked how holidays affect the schedule. Mr. Milner said they are looking into how to deal with that. He said the employee could use 2 hours of leave time on holidays. Mr. Anaheim said they could revert back to 5 8-hour days on holiday weeks.

Mr. Thompson asked for discussion on zoning for Medical Marijuana Dispensaries. Commissioner Chastain said the Florida League of Cities is hosting training on how to handle medical marijuana dispensaries. He suggested Mr. Milner and Mr. Thompson attend the training. Commissioner Smith asked if anyone had applied for a license. Mr. Thompson said no.

Mayor Nugent asked for the City Manager Report. Mr. Milner addressed the request for a workshop with Firefighters' Local Union 3120. He said the firefighters would like to present their proposals to the commission. Mayor Nugent entertained a motion to approve the workshop. Commissioner Smith made a motion to approve the workshop. Commissioner Mortimer seconded the motion. The motion passed 4-0.

Mr. Milner addressed the request for a workshop on March 5, 2019 at 5:30 pm to discuss closing East South Street and East Adkins Street railroad crossings with CSX and DOT. Mayor

Nugent entertained a motion to approve the workshop. Commissioner Chastain made a motion to approve the workshop. It was seconded by Commissioner Smith. The motion passed 4-0. Mayor Nugent said he does not know his schedule and Commissioner Waters is not in attendance so there may not be a full board at the workshop.

Mr. Milner addressed the determination of zoning classification for adult gaming facilities. Mr. Milner recommended they be zoned B3. Attorney Sikes said this needs to be handled through Building and Zoning. Commissioner Smith asked for more information on B3 zoning. Mr. Milner said B3 zoning requires highway frontage and adequate parking. Mr. Milner asked if the commissioners would like to wait until the March 5, 2019 meeting when he could bring zoning maps. Commissioner Smith said he would like to wait. Mayor Nugent asked that LaJuan Whittle with Building and Zoning attend the March 5, 2019 meeting. Commissioner Chastain asked what they needed to do to move forward with this. Attorney Sikes said the commissioners could direct him and Mr. Milner to prepare an ordinance requiring adult gaming facilities to be in B3 zoning areas only with special exceptions. Commissioner Chastain made a motion to move forward with adult gaming facilities being in B3 zoning. It was seconded by Commissioner Smith. The motion passed 3-1. Commissioner Mortimer opposed the motion.

Mr. Milner addressed dates for meetings and workshops. Mr. Milner reminded the commissioners about the Northeast Florida League of Cities dinner on Thursday, February 21, 2019 at the Charley E. Johns Conference Center. He said Ms. Terry has made registrations and reservations for the Legislative Action Days in Tallahassee. Mr. Milner said Small County Legislative Days is Wednesday, April 17, 2019. Commissioner Mortimer said she will be attending the event. Mr. Milner said the Firefighters' Local Union 3120 Workshop had just been approved. Mayor Nugent said he would like to wait until Commissioner Waters is in attendance to schedule the workshop. Commissioner Chastain asked about a meeting with the county. Mr. Milner said they asked for agenda items for the meeting but have not responded with a date.

Mayor Nugent asked for the Police Chief Report. Chief Johnson asked if there will be 3 railroad crossing closings. Mr. Milner said it is down to 2. Commissioner Mortimer asked about 1 of the closings being outside the city limits. Mr. Milner said according to the DOT nothing is available to close outside of the city limits. Commissioner Mortimer asked for statistical data from other areas.

Mayor Nugent asked for the Attorney's Report. Attorney Sikes had nothing further.

Commissioner Chastain said \$300,000 was approved for emergency repairs at the wastewater treatment plant and all but \$50,000 has been spent. He said when that money is spent jobs need to be bid out again. Commissioner Chastain said the money for the repairs was suppose to come out of the money from the sale of the spray field land and it didn't.

Commissioner Chastain asked about the 311 number that does not work when dialed from a cell phone. Mr. Thompson said the city has been assigned a new representative from CenturyLink and she is working on the issue. Commissioner Mortimer asked if we are being charged for the service. Mr. Thompson said the new representative is looking into that as well. Commissioner Chastain said the 311 call is to allow citizens to report code violations.

Commissioner Mortimer said someone is supposed to be doing an audit of the city cell phones. Mr. Thompson said Assistant Director of Finance, Tonya Wainwright, is doing the audit.

Commissioner Chastain asked if the city is going to part-time employees instead of contract employees. Mr. Milner said they are. He said the only 2 contract employees they still use are the Building Inspector and the mechanic. Mr. Milner said the county is looking into having their Building Inspector be the Building Inspector for the city.

Commissioner Chastain asked Mr. Anaheim about updating connection fees. Mr. Anaheim said he is looking into it. He said they need to be increased.

Commissioner Chastain asked Mr. Anaheim for an update on replacing breakers. Mr. Milner said the breakers have been ordered and Florida Municipal Power Agency is going to provide training to the linemen. Mr. Milner asked Mr. Anaheim to give the commissioners an update. Mr. Anaheim said there has been a major cleanup and organization of the purchasing yard. He said the utility crews can get in and out of the yard much more quickly and safely. Mr. Anaheim said pumps have been repaired and equipment that cannot be repaired is being discarded. He said the parts inventory is being organized and the procedures for discarding of old light poles has been changed. Commissioner Mortimer asked if these are poles that cannot be used. Mr. Anaheim said they can't. He said they joined Advanced Utility Resources and Supply Incorporated. Mr. Anaheim said a lot of municipalities use them because they cover the bidding policy. He said they are using govdeals.com to sell surplus equipment. Commissioner Mortimer asked what they used before govdeals.com. Mr. Milner said they held an auction. Mr. Anaheim said he has gotten quotes to run water and sewer lines to the proposed Holiday Inn. Mr. Anaheim said he is reviewing relocating the gas, water, sewer and electric utilities for the State Road 100 railroad overpass project. Mr. Milner said it will cost more than \$1,000,000 for the relocation so we need to get forgiveness from the State for the loan. Commissioner Mortimer suggested that the commissioners read Mr. Anaheim's report and contact him with any questions. Mr. Anaheim said the blockage in the wastewater treatment plant pipe was cleared at a cost of \$3,100. It would have cost a lot more if the pipe had to be replaced. Mayor Nugent thanked Mr. Anaheim for his report and asked him to continue to provide them to the commissioners.

Commissioner Chastain said Waste Corporation of America pays the city a 50 cent per bill processing fee. He asked Mr. Thompson how long it has been 50 cents. Mr. Thompson said forever. Commissioner Chastain said with the increased cost of postage he would like to see it increased to \$1.

Commissioner Smith asked Chief Johnson what he has heard about the speed bumps installed on North Thompson Street. Chief Johnson said he has heard nothing but positive feedback. He said the Police Department has received requests to replace the stop signs on Pratt Street with speed bumps.

Commissioner Smith asked when the magistrate would be available to enforce code violations. Mr. Milner said the Ordinance does not include a timeframe for the violator to respond to the notice. He has spoken to Attorney Sikes about modifying the ordinance. Mr. Milner said the

ordinance needs to include an opportunity for the violator to respond and to make an appeal. Commissioner Smith asked Mr. Milner to have this on the agenda for the next meeting.

Commissioner Mortimer asked how people with previous violations are being handled. Mr. Milner said letters have been sent out. Attorney Sikes said that due process dates need to be added to the ordinance. He said he will send the commissioners dates for due process.

Commissioner Mortimer thanked Chief Johnson for the pole for a security light for a senior citizen on Oak Street.

Mayor Nugent thanked Mr. Thompson for representing the city at the audit review committee in Tallahassee. Commissioner Mortimer asked for an update. Mr. Thompson explained to the committee that the city has been short staffed until recently. He said the committee extended the deadline to complete the findings.

There being no further business, the meeting was adjourned at 8:09 pm.