

City Commission Meeting  
January 8, 2019  
6:30 pm

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

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

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

Mayor Nugent asked if there were any additions or deletions to the agenda. There were none.

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 December 18, 2018 City Attorney Workshop, the Minutes of the December 18, 2018 Commission Meeting and the Martin Luther King Junior Parade on January 21, 2019 at 10:00 am. Commissioner Mortimer made a motion to approve the consent agenda. It was seconded by Commissioner Chastain. The motion passed 5-0.

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." Alicia McMillian addressed the commission on behalf of the Concerned Citizens of Bradford County regarding the Martin Luther King Junior Celebrations. Mrs. McMillian said there will be a banquet at the Charlie E. Johns Conference Center on Saturday, January 19, 2019 at 6:00 pm. There will also be a parade on Monday, January 21, 2019 at 10:00 am followed by a program and luncheon at the RJE Center.

Sissy Story addressed the commission regarding trash cans at the road and unkept yards on East South Street. She said there are a lot of renters on her street. Ms. Story asked if tickets could be issued by code enforcement or the meter readers. She said she was told she could live somewhere else. Commissioner Waters said that didn't come from the city. Ms. Story said it did and she will tell Commissioner Waters who said it after the meeting. Mr. Milner and Commissioner Waters agreed to meet with her after the meeting.

Clint Butts addressed the commission regarding boot drives for Victory Chapel on March 30, 2019 with a rain date of April 27, 2019 and September 21, 2019 with a rain date of October 12, 2019. The money will be used to send teens to Bible Boot Camp. Mayor Nugent asked if they had insurance. Mr. Butts said they do. Mayor Nugent asked Mr. Butts to get with Mr. Milner about the boot drive.

Chris Dougherty addressed the commission regarding the Urban Land Institute of North Florida bus tour on January 17, 2019 at 8:00 am. He said the tour would take about an hour and go from the Bradford County Courthouse to the Bradford County Fairgrounds. Mr. Dougherty said Sheriff Gordon Smith would be on the bus and they would take a tour of the bypass. He said they would take 100 East to Madison Street Baptist Church then take Alton Road to the Edwards Road Ball Field. The tour would then go south on US Highway 301 to VyStar Credit Union then to State Road 100 to Shands Starke and end at the Bradford County Courthouse. Mr. Dougherty said the panel of experts from the Urban Land Institute would then prepare a report to address the economic impacts of the bypass for Bradford County and the City of Starke. He said the report would normally cost around \$20,000 but it will be prepared for the city and county at no cost. Commissioner Waters asked what time the tour would begin. Mr. Dougherty said 8:00 am. Commissioner Mortimer asked Mr. Dougherty to include the northeast quadrant of the city in the tour if time permits. Mr. Dougherty said he would.

Oliver and Ruth Crum addressed the commission regarding shooting guns behind her home. Mrs. Crum played a recording of the gun shots for the commissioners. Mayor Nugent asked Major Warren if he was aware of this. Major Warren said Mr. Crum has spoken to Chief Johnson about the problem. Major Warren said he had an officer respond to the area on Faxon Lane. He said they have identified the subject who said the sheriff told him he could shoot the gun in the city limits. Chief Johnson called the sheriff who said he did not give the subject permission to shoot the gun within the city limits. Major Warren said State Law says anyone recklessly or negligently discharging a firearm around property with a dwelling or zoned residential commits a first-degree misdemeanor. Major Warren said the subject has been advised of the law. Commissioner Mortimer said she lives in the area and has heard gun shots. She would like to know what Attorney Sikes opinion on this is. Mr. Sikes said in order to arrest someone an officer would have to witness the person discharging a weapon or have a warrant. Mr. Crum said he has called the police while shots are being fired. Attorney Sikes said those 911 tapes could be used as evidence.

Okeima Brown addressed the commission regarding the need for speed humps on Thompson Street. She said she called a year ago and asked about getting speed humps and was told the city is not putting them in residential areas. She said Sunday her son was almost hit by a truck. Mr. Milner said Ms. Brown could get residents on her street to sign a petition requesting speed humps. He would then meet with Chief Johnson and review it as a public safety issue and make a recommendation. Commissioner Smith asked for Ms. Brown's phone number so he can work with her on this issue as her commissioner. Commissioner Chastain asked Mr. Milner to have an answer for Ms. Brown by the next meeting.

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. Commissioner Chastain said one of the Bond Trustees had some concerns about an \$1,740 electric bill for recreation when we don't have a Recreation Department. Commissioner Chastain said he let them know the city still pays the electric bills for the parks. One of the Bond Trustees questioned the \$995 chainsaw. Mr. Milner said the chainsaw is commercial grade. One of the Bond Trustees asked about the \$70,000 backhoe. Commissioner Chastain let them know the \$70,000 for the backhoe is in the budget. Commissioner Mortimer asked what location the \$1,740 electric bill is for. Mr. Milner said Edwards Road, Thomas Street and Wainwright Parks. The motion passed 5-0.

Mr. Thompson addressed Ordinance No. 2019-01 amending the future land use plan map. Attorney Sikes read the title of the ordinance. Mr. Milner said these properties should be zoned residential. Mayor Nugent entertained a motion to approve the first reading of Ordinance 2019-01. Commissioner Chastain made a motion to approve the first reading. It was seconded by Commissioner Waters. The motion passed 5-0.

Mr. Thompson addressed Ordinance No. 2019-02 amending the official zoning map. Attorney Sikes read the title of the ordinance. Mayor Nugent entertained a motion to approve the first reading of Ordinance 2019-02. Commissioner Waters made a motion to approve the first reading. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Thompson addressed the automatic bill payment feature. Mr. Thompson said it will save time because the customers will not have to come in to pay their utility bills. Commissioner Smith asked if there was a cost to the city or the customer. Mr. Thompson said there is not.

Mayor Nugent asked for the City Manager Report. Mr. Milner addressed the listing of surplus property. Mr. Milner said the items will be listed for sale with photos on govdeals.com. Commissioner Waters made a motion to approve the listing of surplus property. It was seconded by Commissioner Smith. Commissioner Mortimer asked what happens if the items do not sell. Mr. Milner said the items will be scrapped. The motion passed 5-0. Commissioner Mortimer asked where the money for the items goes. Mr. Thompson said into the department the item came from.

Mr. Milner addressed the agreement with the Department of Environmental Protection regarding the consent order. He said the Department of Environmental Protection has accepted the city's proposal to install a Supervisory Control and Data Acquisition System in lieu of the fine for the spill at the wastewater treatment facility. Mr. Milner said there is a \$500 bill for the Department of Environmental Protection for expenses incurred following the spill. Commissioner Waters made a motion to approve the agreement. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mr. Milner addressed the revised employee handbook. He said the old leave policy will remain intact. Commissioner Mortimer made a motion to approve the handbook. It was seconded by Commissioner Smith. The motion passed 5-0. Commissioner Mortimer asked if all employees will receive a copy of the handbook and sign for it and new employees will be provided a copy at orientation. Mr. Milner said they will.

Mr. Milner addressed the Florida Gas Utilities proposal for discounted gas. Tom Geoffroy from Florida Gas Utility said this is a guaranteed discount. We will be required to purchase a specific amount of gas. Commissioner Chastain asked how many other cities have signed up for the discount. Mr. Geoffroy said 18 and 2 others will sign up tonight. Commissioner Smith asked how long the city has been doing business with Florida Gas Utilities. Mr. Geoffroy said since 1989. Commissioner Waters asked when the city would be able to get out of the agreement. Mr. Geoffroy said after 5 years the discount will reprice. If the discount is less than 23 cents we could opt out of the agreement at that time. Commissioner Smith asked how the amount of gas we are required to purchase compares to what we sell. Mr. Geoffroy said it will be about 32 percent. Commissioner Smith said we have been doing business with Florida Gas Utilities for 30 years and we are being asked to continue to do business with them for another 30 years. Commissioner Waters said he is not comfortable voting on this. Mayor Nugent entertained a motion to approve the agreement. Commissioner Smith made a motion to approve the agreement. It was seconded by Commissioner Mortimer. The motion passed 3-2. Commissioner Chastain and Commissioner Waters opposed the agreement.

Mr. Milner addressed the request for discussion of status regarding Canopy Communications. Mr. Milner introduced David Suarez with Canopy Communications. Mr. Suarez said they added an addendum allowing a 12 month opt out period. He said he provided a financial overview to Commissioner Chastain and Mr. Thompson. Mr. Suarez said he looks forward to working with the City of Starke. Commissioner Mortimer asked if the other commissioners could be provided with the financial overview. Mayor Nugent said he does not want to vote on this tonight. Commissioner Smith asked if Attorney Sikes had read the addendum. Attorney Sikes said he has and he has concerns. Attorney Sikes said there is no information on what it will cost the city. Mayor Nugent said the commission needs more information. Commissioner Mortimer asked Mr. Suarez to provide her with the financial overview excel spreadsheet that was provided to Commissioner Chastain and Mr. Thompson. Mr. Suarez said he will provide her one. Commissioner Waters said he knows the city needs high speed internet but they need more information. Mayor Nugent asked to have a workshop on January 22<sup>nd</sup> at 5:30 pm. Mr. Suarez asked what he would need to provide. Commissioner Chastain asked if they could have a cost analysis for what it would cost the city. Commissioner Chastain asked Utility Director Scott Anaheim what he thought of the proposal. Mr. Anaheim said he believes this is what everyone is going to. He said they were approached when he worked at Jacksonville Electric Authority by wireless companies. Mr. Anaheim asked what the bandwidth would be. Mr. Suarez said 100 meg.

Mayor Nugent asked for the Police Chief Report. Major Warren had nothing further.

Mayor Nugent asked for the Attorney's Report. Attorney Sikes discussed the Lucas Feng Shi affidavit to waive the suspension. He said their business license was suspended for 90 days during which time their business license expired so they will have to wait 6 months to apply for a new license. Attorney Sikes said an affidavit can be done if the person responsible for the offensive behavior is no longer employed by the business. He said in this case Dong Feng is the person who was managing the business when the incident occurred and he is still the manager. Attorney Sikes said he has discussed this with Chief Johnson and Mr. Thompson. Attorney Sikes said he has searched for a moratorium that would allow him to shut them down but he has not

been able to find it. Commissioner Chastain said he believes there is a moratorium. Commissioner Mortimer said is it rumored in her district that Winners II is paying out cash. Attorney Cooper said that would need to be investigated by the Police Department. Major Warren said they would have someone investigate. Mr. Milner mentioned making zoning changes to address adult gaming facilities. Attorney Sikes recommended doing that. The commissioners agreed to have Mr. Milner look into it.

Commissioner Waters had nothing further.

Commissioner Chastain asked Attorney Sikes about the Contract for Fire Services with the county. Attorney Sikes will talk with Chief Wise about it tomorrow.

Commissioner Chastain asked Mr. Anaheim if he has worked with the Clerk's Office to learn the calculations involved with the utilities. Mr. Milner said he would have Mr. Anaheim work with Ms. Terry to learn the calculations.

Commissioner Chastain asked about a joint city and county meeting date. Mr. Milner said he has spoken with Deputy County Manager Rachel Rhoden and she asked about potential agenda items. Commissioner Smith suggested giving potential agenda items to Mr. Milner.

Commissioner Chastain said 311 still does not work with cell phones. He asked Mr. Thompson to look into it.

Commissioner Chastain asked Ms. Terry to go back through meeting minutes and make a list of agenda items that have been tabled. Ms. Terry said she will create a list.

Commissioner Chastain asked about temporary services being required to have trash service. Mr. Milner said he discussed it with City Clerk Ricky Thompson but not in length.

Commissioner Smith suggested having a third lawyer present at the Canopy Communications workshop because of the conflict with Attorney John Cooper representing Canopy Communications. He asked if it needed to be advertised. Attorney Sikes said no. He suggested authorizing the clerk to find an attorney. Commissioner Smith made a motion to authorize Mr. Thompson to hire outside council for the January 22, 2019 Canopy Communication workshop. It was seconded by Commissioner Mortimer. The motion passed 5-0. Commissioner Chastain said whenever we meet with Canopy Communications, we will have an additional cost for an attorney. Commissioner Smith said Canopy Communications said they would pay those costs.

Commissioner Mortimer asked Major Warren to make sure the issue with shots being fired behind Mrs. Crum's residence is resolved. Commissioner Mortimer welcomed Mr. Thompson back.

Mayor Nugent said he hopes Chief Jeff Johnson recovers soon.

There being no further business, the meeting was adjourned at 8:38 pm.