

City Commission Meeting
July 10, 2018
6:30 pm

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

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

This was the first regular meeting of the month. Members present included Mayor Mortimer, Commissioner Chastain, Commissioner Nugent, Commissioner Waters and Commissioner Woods. Also present were City Manager Bob Milner, City Attorney Dan Sikes and Police Major Barry Warren. City Clerk Ricky Thompson was absent because of medical reasons.

Mayor Mortimer asked if there were any additions or changes to the agenda. There were none. Mayor Mortimer entertained a motion to approve the agenda. Commissioner Waters made a motion. Commissioner Chastain seconded it. The motion passed 5-0.

Mayor Mortimer asked the commissioners if there was anything they wanted removed from the consent agenda. There was not. The consent agenda consisted of the Minutes from the June 19, 2018 Commission Meeting and the BPAA boot drive on July 14, 2018. Mayor Mortimer entertained a motion to approve the consent agenda. Commissioner Nugent made a motion. It was seconded by Commissioner Chastain. The motion passed 5-0.

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 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." Gloria Walker introduced herself. She thanked the commissioners for allowing her to speak. Mrs. Walker is running for Circuit Court Judge. She has 15-years legal experience at the State, Federal and Appellate level. Mrs. Walker teaches as an adjunct professor. She has lived in Alachua County for 22 years. Mrs. Walker is married to a career prosecutor in the State Attorney's Office. She is the President of the 8th Judicial Bar Association. Mrs. Walker works with at risk youth at Reichert House. Mrs. Walker is a Table Captain for the Pace Center for Girls. Mrs. Walker thanked the commissioners for the opportunity to introduce herself and share her qualifications.

Sarah Yarbrough of 941 Southern Villa Drive addressed the commission asking for a Day of Observance on October 15, 2018 to honor babies lost to death or miscarriage. This is the National Day of Remembrance. She would like to hold an event downtown with local churches, guest speakers and donated items to give away through drawings. Mrs. Yarbrough would like to light up the town square with luminary bags paid for by donations. The proceeds would be

given to the Answers Resource Facility. Mayor Mortimer thanked Mrs. Yarbrough for bringing this before the commission. Mr. Milner will meet with Mrs. Yarbrough and come up with a Resolution. The commissioners were all in favor of the Day of Remembrance.

Mayor Mortimer asked for the City Clerk Report. Commissioner Waters met with the Bond Trustees and made a motion to pay the bills. Commissioner Nugent seconded it. The motion passed 5-0.

Dan Williams addressed the commissioners regarding the additional cost for employee health insurance. The total increase will be approximately \$23, 904 for the fiscal year. Mr. Williams said we should be able to save some money on our life insurance. Commissioner Nugent made a motion for the city to pay for the additional cost. It was seconded by Commissioner Chastain. The motion passed 5-0

Mayor Mortimer asked for the City Manager Report. Mr. Milner addressed the request for proposals for legal services. Commissioner Waters made a motion. Mayor Mortimer passed the gavel to Vice Mayor Nugent. It was seconded by Commissioner Mortimer. Commissioner Woods would like for Attorney Sikes to continue as City Attorney until his term would have run out because Attorney Sikes was away serving Our Country. Commissioner Waters said Attorney Sikes' contract ended in January. Commissioner Mortimer supported returning Attorney Sikes to the position of City Attorney upon return from his military leave. She would like to put out a Request for Proposals. Commissioner Waters made a motion to put out a Request for Proposals. It was seconded by Commissioner Mortimer. The motion passed 3-2. Commissioner Chastain and Commissioner Woods opposed the motion. Vice Mayor Nugent passed the gavel back to Mayor Mortimer.

Mr. Milner asked if the synopsis of the Meter Access Policy could be pulled from the agenda. Commissioner Chastain said there is no supporting documentation in the packet for this item. Commissioner Chastain asked Mr. Milner to make it his recommendation instead of staff recommendation.

Mr. Milner addressed the dates for Budget Workshops and September Commission Meetings. Mr. Milner recommended moving the first meeting in September to September 11, 2018 because the city election will be held on September 4, 2018. He also suggested holding the second meeting on September 25, 2018. Mr. Milner suggested changing the Personnel Manual Workshop scheduled for July 24, 2018 at 5:30 pm to a Budget Workshop. He also suggested holding a second Budget Workshop on August 7, 2018 at 5:30 pm. The commissioners agreed. Commissioner Chastain asked Mr. Milner to have a copy of the budget available to the commissioners a couple of days before the meeting. Mr. Milner agreed.

Mr. Milner addressed the zoning applications for adult gaming facilities. Mr. Milner asked the commissioners if they wanted to have a moratorium prohibiting adult gaming facilities or if they wanted to change the Land Development Regulations to allow them only in properties zoned B-2 or B-3. Commissioner Waters wants to do away with them. Commissioner Woods asked how many there are. Mr. Milner said there are 2 and they will be grandfathered in. Commissioner Waters asked if we could close them. Attorney Sikes said we cannot because we

could face inverse condemnation action. Commissioner Chastain asked about House Bill 155 which shut down adult gaming facilities in the State of Florida. Major Warren said the bill was passed in 2013 but they were allowed to reopen and there were loopholes. Commissioner Chastain asked why the Police Department has not shut them down for dealing in cash which is prohibited. Major Warren said they need to bring in someone undercover from the Gaming Commission to catch them dealing in cash. Commissioner Woods said the state is expected to create legislation to allow them or prohibit them. Attorney Sikes said he does not know when that will happen. He suggested prohibiting the adult gaming facilities and grandfathering in the existing 2 facilities. Commissioner Nugent asked about existing applications to open adult gaming facilities. Mr. Milner said we have not accepted any applications. Mayor Mortimer entertained a motion for the wishes of the commissioners. Commissioner Waters made a motion to prohibit adult gaming facilities. Attorney Sikes said the commission cannot vote tonight to prohibit them but he will look into the legalities of prohibiting them. It was seconded by Commissioner Nugent. Commissioner Chastain asked attorney Sikes to report back on this at the next meeting. Attorney Sikes agreed. Commissioner Chastain asked who owns the 2 existing facilities. Mr. Milner will let him know at the next meeting. The motion passed 5-0.

Police Chief Johnson had nothing further.

Attorney Sikes read the title to Resolution 2018-13 Honoring 50 years of Home Rule. Commissioner Chastain made a motion. It was seconded by Commissioner Woods. The motion passed 5-0. Commissioner Woods said there will be a rally on Home Rule at the Florida League of Cities Annual Conference. He encouraged the commissioners to attend the rally.

Attorney Sikes read the title to Resolution 2018-14 Executing a Traffic Signal Maintenance Agreement with DOT. Commissioner Waters made a motion. It was seconded by Commissioner Nugent. The motion passed 5-0.

Attorney Sikes read the title to Resolution 2018-15 Executing a Utility Work by Highway Contractor Agreement. Commissioner Woods made a motion. It was seconded by Commissioner Chastain. The motion passed 5-0.

Commissioner Waters asked about the progress with the waterpark. Mr. Milner said Gary Sneddon with Stone Engineering will be at the next commission meeting to give an update on the splash park. Commissioner Waters asked about the drainage ditch on State Road 100. It floods every time it rains. Mr. Milner is working with CSX and the Water Management District to make repairs to the culvert to stop the flooding. Mr. Milner will prepare a letter for Mayor Mortimer's signature to send to CSX and the Water Management District. Commissioner Waters asked about Myrtle Street. Mr. Milner said a concrete culvert will cost around \$60,000. The other problem is accessing the easement. They are currently using an abandoned property to access the easement. Mr. Milner will be recommending purchasing the property. Commissioner Waters had provided a copy of a report with the hourly rate of each city employee. He asked the other commissioners to go over the report and be prepared to discuss employee pay raises at the next Budget Workshop. Commissioner Waters said there are some employees who perform demanding jobs who are making very little money. He thanked the citizens of Starke in District 5 for allowing him to serve another 4 years as a commissioner.

Commissioner Woods asked about the aprons off of US Highway 301 that are full of holes. Mr. Milner said DOT has repaired some of them. Commissioner Woods is getting a lot of complaints about the paving on US Highway 301 and the aprons. He would like an answer from DOT so he can answer to the citizens. Commissioner Waters said Jefferson Street is very bad. Mr. Milner said DOT has repaired it twice. Mayor Mortimer asked why it had to be repaired twice. Mr. Milner said it washes out during a heavy rain.

Commissioner Chastain asked about the Orange Street paving project. Mr. Milner is waiting on Mittauer and Associates to finish engineering the project. Commissioner Chastain asked about the sewage spill at the wastewater treatment plant and the possible fine. Mr. Milner said we will probably be fined. Commissioner Chastain asked when a magistrate will be hired. Mr. Milner said he and Attorney Sikes will meet to discuss this. Commissioner Chastain said he would like to advertise for the position. Commissioner Chastain asked about the tree trimming contract. Mr. Milner said FMPA will be hiring a company and we will be able to use them. Commissioner Chastain said we need to hire someone before Hurricane Season. Commissioner Nugent said there are several dead trees around town that need to be taken down. Commissioner Chastain asked about selling the sprayfield. There have been several people who expressed an interest in buying it. Mr. Milner said the engineers have said that selling any of the sprayfield is not feasible at this time. Commissioner Waters asked about drawing up an ordinance that would allow us to notify homeowners with dead trees that pose a danger to our powerlines that they must have them taken down or we will do it and bill them. Attorney Sikes will look into it.

Commissioner Nugent asked about the waterpark parking. Mr. Milner said he is still working on it. Commissioner Nugent asked if Mr. Milner would start putting a list together of properties that the magistrate would need to look at once they are hired. Commissioner Nugent asked about putting some additional benches and lighting in the downtown area. Commissioner Nugent said there are some sidewalks that need to be repaired.

Mayor Mortimer asked Mr. Milner to have the magistrate on the agenda for the next meeting.

Beverly Durrance asked why the sewage spill at the wastewater treatment plant was kept secret. Mr. Milner said they followed the letter of the law in notifying the Department of Environmental Protection. Mayor Mortimer asked if there was any threat to the public. Mr. Milner said no and the Department of Environmental Protection notifies the news media. Mark Crawford asked for a copy of the investigative report.

The next meeting date was set for July 24, 2018 at 6:30 pm.

There being no further business, the meeting was adjourned at 7:58 pm.