

City Commission Meeting
June 19, 2018
6:30 pm

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

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

This was the second regular meeting of the month. Members present included Mayor Mortimer, Commissioner Nugent, Commissioner Waters and Commissioner Woods. Also present were Police Chief Jeff Johnson, City Manager Bob Milner and City Attorney Dan Sikes. Commissioner Chastain was absent because his wife had surgery that morning. 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 Nugent made a motion. Commissioner Woods seconded it. The motion passed 4-0.

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 5, 2018 Commission Meeting and the Minutes from the June 12, 2018 Commission Budget Workshop. Mayor Mortimer entertained a motion to approve the consent agenda. Commissioner Waters made a motion. It was seconded by Commissioner Woods. The motion passed 4-0.

Mayor Mortimer asked if there were any emergency items. Chief Johnson asked to add the Contract for Services with Joan Hall for 90 days. Mayor Mortimer entertained a motion to amend the agenda. Commissioner Waters made a motion. It was seconded by Commissioner Woods. The motion passed 4-0. Mayor Mortimer asked Chief Johnson what item number he wanted to make the contract. Chief Johnson said 10 A. Mayor Mortimer entertained a motion to approve the agenda. Commissioner Woods made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.

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." Chris Durban addressed the commissioners regarding zoning of 237 South Thompson Street. He is requesting a zoning change and a zoning variance. Mr. Milner met with his team to discuss the issue. Mr. Durban said the property is zoned commercial even though it has never been used as a commercial property. It was recommended that Mr. Durban fill out a zoning change request and he has. He asked about a zoning variance that would allow him to use the property as a multi-family unit. Mr. Milner said Mr. Durbin has the forms to move forward with the zoning

change but it will cost around \$3,600. Mr. Milner said the commissioners could wave the fee. Commissioner Nugent said there are apartments across the street from Mr. Durban's property. Mr. Milner asked LaJuan Whittle to explain the zoning difference. Mrs. Whittle said the apartments across the street had been zoned B2 commercial. She said when we ran the advertisement with the proposed zoning changes property owners could come forward and request a zoning change. Mrs. Whittle explained that the building does not meet code to be a multi-family home because it lacks a firewall. Mr. Durban said he has removed the old drywall and wiring. He was hoping to sell the property to someone who would renovate it but he can't sell it because it is out of zoning compliance. Mayor Mortimer asked Mr. Durban what he is asking of the commission. He said the property is basically worthless because of a zoning classification that the property has never been used for. Attorney Sikes said this is not on the agenda for a vote. He suggested Mr. Durban meet with Mr. Milner about requesting the rezoning and then request the fees be waived. Commissioner Waters said if something can be worked out he would like to see it done. He asked Mrs. Whittle and Nora Thompson to look into it and see if anything can be done. Commissioner Woods said there is spot zoning, and in this case, he would be in favor of it.

David Robertson addressed the commission to introduce himself. He will be available after the meeting if anyone would like to speak with him. He has been a lawyer for 20 years in North Florida. He has served as the City Attorney for the City of Live Oak for over 2 years. He has significant litigation experience. For the last 10 years he has served as the Chief Counsel for the Florida Department of Transportation's District 2 Region. Mr. Robertson also manages an office of 8 attorneys and 4 paralegals. Mr. Robertson also serves in the Florida Army National Guard holding the rank of Major. He was deployed overseas in 2015 and 2016. Mr. Robertson is married with 6 children. Mr. Robertson said he has a very strong work ethic and will be available after the meeting. Mayor Mortimer thanked Mr. Robertson.

Mark Williams addressed the commissioners regarding the Adult Gaming Moratorium. He has two businesses in the City of Starke. He appreciates the job that Mrs. Whittle does for the city. He is renovating the old Whataburger building for the third time and his clients would like to open an Internet Cafe. Mr. Williams was told that his clients would be able to open an Internet Café or at least have a few games in the business. Mayor Mortimer asked if the advice was given by a city official. Mr. Williams said it was.

Chris Daugherty addressed the commissioners regarding the Urban Land Institute. They would like to conduct a study on how the US Highway 301 bypass will affect the City of Starke and Bradford County. They would like to put together a panel of experts to address the issue. They will put together a TAP or Technical Assistance Panel. Mr. Daugherty said they will do this at no cost to the city. It will start in August and end in May. He would like a consensus to move forward. He has the blessings of the Development Authority. Commissioner Waters thanked Mr. Daugherty for coming. Mr. Daugherty gave the commissioners a handout with information on other TAPs the Urban Land Institute has done recently. The commissioners expressed interest in moving forward with the TAP. Attorney Sikes advised that a consensus could not be given because it is just a discussion. Mayor Mortimer asked for comments from the commissioners. Commissioner Waters would like to see more. Commissioner Woods would too. Commissioner Nugent would like more information. Mr. Daugherty encouraged the

commissioners to email him with their concerns so he could compile a list of their concerns. Mayor Mortimer asked Mr. Daugherty to provide a copy of the handout for Commissioner Chastain. Mayor Mortimer thanked Mr. Daugherty. Commissioner Waters asked if Mr. Daugherty had any information on proposed 48-inch pipes to take water during the hurricane season toward Keystone Heights. Mr. Daugherty said he is only aware of pipes to take water from Black Creek towards Keystone Heights but not Alligator Creek.

Mayor Mortimer asked for the City Clerk Report. Commissioner Woods met with the Bond Trustees and made a motion to pay the bills. Commissioner Waters seconded it. The motion passed 4-0.

Mayor Mortimer asked for the City Manager Report. Mr. Milner addressed Resolution 2018-12 for the Construction Maintenance Agreement for State Road 230 that was approved at the last meeting. Attorney Sikes read the title of the resolution. Mayor Mortimer entertained a motion to approve the resolution. Commissioner Waters made a motion. It was seconded by Commissioner Woods. The motion passed 4-0.

Mr. Milner addressed the Utility Pole Attachment with CenturyLink. He said the average amount similarly sized cities receive for each pole attachment is \$18.59. Mr. Milner recommended renewing the agreement. Commissioner Nugent asked what the time period is for the contract. Mr. Milner said 4 years. Commissioner Woods asked how many pole attachments CenturyLink has in the city. Mr. Milner said 860. Mayor Mortimer entertained a motion to renew the agreement. Commissioner Waters made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.

Mr. Milner addressed the USDA Loan Resolution for the purchase of 4 police cars and a generator for the police station. Mr. Milner said this is a 55/45 match grant. Mr. Milner said the USDA will fund \$72,600 and the city will fund \$59,400 for a total of \$132,000. Commissioner Waters made a motion for discussion. It was seconded by Commissioner Woods. Chief Johnson said the new cars will replace the 2003 Explorers and a 2010 Crown Victoria the police department is currently using. Commissioner Waters asked if the money is in the budget. Chief Johnson said the police department can afford the cars without the money they are expecting to receive from the Federal Emergency Management Agency for reimbursement of expenses from Hurricane Irma. Commissioner Waters asked if one of the Crown Victorias was totaled during the hurricane. Chief Johnson said the engine was totaled but was replaced by insurance. Commissioner Waters asked if the generator would be big enough to run the police station. Chief Johnson said the generator will completely run the building including all electronic devices. Commissioner Waters and Commissioner Woods withdrew their motions for discussion. Mayor Mortimer entertained a motion to approve the grant. Commissioner Waters made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.

Mr. Milner addressed the Florida Department of Transportation agreement for utility work during the resurfacing project on State Road 100 from Orange Street to the Union County line. This is an agreement to pay \$7,700 to do utility work during the resurfacing project. Mayor Mortimer entertained a motion to approve the agreement. Commissioner Woods made a motion. It was seconded by Commissioner Waters. The motion passed 4-0.

Mr. Milner addressed the policy regarding access to customer utility meters. Mr. Milner is proposing a policy which requires the utility meters to be read at least once every 3 months. Mr. Milner said it is the owner's responsibility to make sure our meter readers have access to their meters. If we can't access the meters for 3 months the customer will get a notice that they will be cutoff. Mayor Mortimer asked how many customers we have with meters that can't be accessed. Mr. Milner said 15 to 20 customers. Mrs. Whittle said the customers are being billed but they are calling in their own meter readings.

Mr. Milner addressed the Public Risk Management Board Position. He recommended replacing Brenda Clement as an alternate board member with Dan Williams. Mayor Mortimer said Mr. Williams was originally a temporary employee. She asked if he was now a permanent employee. Mr. Milner said Mr. Williams will probably be employed for approximately 6 months. Mayor Mortimer asked if the representative has to be someone from Mr. Milner's office. Mr. Milner said it does not. Mayor Mortimer asked why Mr. Williams is going to be the representative if he is only going to be employed for 6 months. Mayor Mortimer would like a long-term employee to be the representative. Mr. Milner said he will be bringing a recommendation concerning the HR position in July. Commissioner Woods made a motion to appoint Mr. Williams to the board. It was seconded by Commissioner Waters. The motion passed 3-1. Mayor Mortimer opposed the appointment.

Mr. Milner addressed the zoning implications of the adult gaming facilities within the city limits. He said the city could enact an ordinance prohibiting adult arcades or the city could designate zoning classifications B2 and B3 as the only places allowing adult arcades. Mr. Milner recommended prohibiting them. Attorney Sikes has concerns. Mayor Mortimer asked about the existing 2 facilities. Attorney Sikes said they are grandfathered in. Commissioner Woods asked how the prizes are paid out. Mr. Milner said he has been in them and there is cash even though cash payouts are prohibited. Commissioner Woods said they use to give out Master Cards with a stamp on the back prohibiting them from being used to purchase alcohol or tobacco. Attorney Sikes suggested waiting 3 months for the moratorium. Commissioner Waters asked if adult arcades are prohibited from being opened during this time. Attorney Sikes said that is correct. Mr. Williams asked how these 2 were originally put in. Mr. Milner said they met all the requirements. Mr. Williams said he would just as soon not have them but he asked Attorney John Cooper if they could open a restaurant and put machines in it and not call it an internet café. Attorney Cooper said yes. Mr. Williams asked how many machines they could put in and Attorney Cooper said 9. Mayor Mortimer apologized but said they have to follow protocol. Mrs. Thompson said first they need guidance from the commissioners on how they want to proceed. Mayor Mortimer suggested they wait until Commissioner Chastain returns. Attorney Sikes said we can wait until the next meeting. Attorney Sikes said they did have a clause about using prizes to purchase alcohol or tobacco. Mayor Mortimer asked that this item be on the agenda for the next meeting for a vote.

Mr. Milner told Commissioner Waters that he is meeting with DOT to look at the lighting at the intersection of US Highway 301 and State Road 100. He is also meeting with the contractor to look into the storm water at Pinewood Drive and Francis Street.

Police Chief Johnson addressed the Contract for Services with Joan Hall. He said one of his employees has a medical issue and he needs Mrs. Hall to work for 90 days so he can get someone trained and certified for Mrs. Hall's old position. Mayor Mortimer entertained a motion to approve the contract. Commissioner Nugent made a motion. It was seconded by Commissioner Waters. The motion passed 4-0. Chief Johnson said construction on US Highway 301 will continue. He said we are having problems with traffic lights because wires are being cut during the construction. Mayor Mortimer asked about Washington Street. Chief Johnson said Summerville Electric has set Washington Street to have a red light until motion is sensed. He said the construction is causing problems with it. Chief Johnson said Pratt Street is set to hold for approximately 2 minutes.

Attorney Sikes had nothing further.

Commissioner Waters had nothing further.

Commissioner Woods asked when the aprons off of US Highway 301 will be fixed. Chief Johnson said DOT was supposed to fix them last night. He said the city can't do anything with them or we have to accept the responsibility for them. Chief Johnson said if you see anything hazardous to contact him so he can get an officer on the scene until it can be fixed.

Commissioner Nugent had nothing further.

Mayor Mortimer mentioned the Florida League of Cities Dinner on Thursday, June 21 in Orange Park, Florida. She asked if the City of Starke had any festivities for the 4th of July. Chief Johnson said they do not but Camp Blanding has plenty of things planned.

The next meeting date was set for July 10, 2018 at 6:30 pm.

There being no further business, the meeting was adjourned at 8:04 pm.