

City Commission Meeting
June 5, 2018
6:30 pm

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

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

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 Police Chief Jeff Johnson, City Manager Bob Milner and City Attorney Dan Sikes. City Clerk Ricky Thompson was absent because of medical reasons.

Mayor Mortimer asked if there were any additions or changes to the agenda. Mr. Milner mentioned a request from the Bradford County Board of Commissioners to schedule a workshop to discuss fire service in Bradford County. Attorney Sikes suggested adding this to the emergency items.

Mayor Mortimer moved to the emergency items. Mayor Mortimer entertained a motion to make the request from the Bradford County Board of Commissioners an emergency item. Commissioner Chastain made a motion. It was seconded by Commissioner Waters. The motion passed 5-0. Mayor Mortimer asked Mr. Milner what number to make the request. Mr. Milner said Item 9 H.

Mayor Mortimer entertained a motion to approve the consent agenda. The consent agenda consisted of the Minutes from the May 15, 2018 Commission Meeting. Commissioner Chastain made a motion. It was seconded by Commissioner Nugent. The motion passed 5-0.

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 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 for continued use as multifamily housing. Mr. Durban said his family members have owned property in Starke for many years and unfortunately, they have all passed away. Mr. Durban acquired the property from his brother thinking he could sell it as a multifamily structure only to be told it has to be used as a commercial property. He is interested in selling the property. Mr. Milner said he would sit down with Mr. Durban, Nora Thompson and LaJuan Whittle to explain the process. Mr. Durban said he was told that it could be fixed for \$4,000. Mr. Milner said if it has to go through the planning council that would probably be an accurate number. Mayor Mortimer asked if that was for an exception. Mr. Milner said it would be for a rezoning and a land use change. Mr. Milner said he would meet with Attorney Sikes to research the property and bring

a recommendation back to the commissioners. Mayor Mortimer asked Mr. Milner to have a recommendation at the June 19, 2018 Commission Meeting. Mr. Milner agreed

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 5-0.

Mayor Mortimer asked for the City Manager Report. Mr. Milner addressed the introduction of new employees hired since January. Mr. Milner introduced Ethan Nugent who was hired as a meter reader. Mayor Mortimer welcomed Mr. Nugent and thanked him for his service. Mr. Milner introduced Wayne Berry who was hired as an inmate squad leader as has since been promoted to foreman of the inmate squads. Mayor Mortimer welcomed Mr. Berry and thanked him for his service. Mr. Milner introduced David Clement who was hired as the warehouse associate. Mayor Mortimer welcomed Mr. Clement and thanked him for his service. Mr. Milner introduced Larry Williams who was hired to work in Public Works. Mayor Mortimer welcomed Mr. Williams and thanked him for his service. Mr. Milner introduced Dan Williams who was hired to be Mr. Milner's executive assistant. Mayor Mortimer welcomed Mr. Williams and thanked him for his service. Mr. Milner introduced Steve Goodman who worked for the city as a meter reader and is now a groundman with the electric line crew. Mayor Mortimer congratulated Mr. Goodman on his promotion and thanked him for his service. Commissioner Waters said that during Hurricane Irma Mr. Goodman was out helping for hours. Mr. Milner introduced the supervisors who were present including Kyle Jerrels, Danny Griffis and Jay Hodge. Mr. Milner said Jay Hodge spent three days meeting with the Public Service Commission for their annual inspection of the Gas Department and there were zero violations. Mayor Mortimer thanked Mr. Hodge.

Mr. Milner addressed the emergency repairs to the wastewater treatment plant. Mr. Milner introduced Tim Norman with Mittauer and Associates. Mr. Norman said there is a meeting with the Florida Department of Environmental Protection on Friday, June 15th. He encouraged the commissioners to attend. The meeting will be in Jacksonville. Mr. Norman said the city is in the final stages of receiving a grant for \$500,000 from the Water Management/Department of Environmental Protection for repairs to Alligator Creek. He asked the commissioners to provide letters of support for the project by June 8th. Mr. Milner said he would provide the commissioners with the letters for their signatures. Mr. Norman said we have a grant from the Department of Environmental Protection for \$75,800 for removal of the grit from the wastewater treatment plant. The city will have to pay for disposal of the grit which is estimated to cost \$31,150. The second emergency repair is dewatering to remove sludge from the wastewater treatment plant. A company called Synagro will dewater the sludge and haul it away at a cost of 8.2 cents per gallon. Mr. Milner said he would have an update on the emergency repairs at the next meeting. Mr. Milner asked for a motion on the grant agreement with the Department of Environmental Protection to pay \$75,800 for the grit removal with the city paying \$31,150 for disposal of the grit. Commissioner Nugent made a motion. It was seconded by Commissioner Woods. The motion passed 5-0. Mr. Milner recommended the commissioners approve the contract with Synagro for dewatering and sludge hauling. Mayor Mortimer asked for the total cost. Mr. Jerrels said \$32,800. Commissioner Chastain made a motion. It was seconded by Commissioner Woods. Commissioner Chastain said the contract

says this is a one-time price. Mr. Norman said it is a price another city received so it is under state contract so we don't have to bid the job out. Commissioner Chastain said this is going to be an ongoing need. He suggested Mr. Milner make sure it is in the new budget. The motion passed 5-0.

Mr. Milner addressed the discussion and vote to select the electrical design and engineering firm for the Department of Transportation State Road 100 railroad overpass and US Highway 301 bridge replacement projects. Mr. Milner introduced Mike McCleary with Florida Municipal Power and Light. Mr. McCleary said Florida Municipal Power Agency has a number of engineers who are qualified to do this kind of design work for the city. He said a member of the Florida Municipal Power Agency staff will be involved in the design process every step of the way. Mr. Milner said the motion would be for the City of Starke to enter into an agreement with Florida Municipal Power Agency for both the State Road 100 railroad overpass and the US Highway 301 bridge replacement. Commissioner Woods made a motion. It was seconded by Commissioner Nugent. The motion passed 5-0.

Mr. Milner addressed the discussion and vote to select the water and sewer design and engineering firm for the Department of Transportation State Road 100 railroad overpass and US Highway 301 bridge replacement projects. Mr. Milner and Mittauer and Associates recommended using the Department of Transportation's choice of engineering firms for the projects. Commissioner Waters made a motion. It was seconded by Commissioner Woods. The motion passed 5-0.

Mr. Milner addressed the emergency purchase for the manhole rebuild on US Highway 301 and State Road 16 by VRIJ, Inc. Mr. Milner said this is the same as the manhole rebuild that came before the commissioners two meetings ago. Mr. Milner apologized for not having the supporting documentation. Commissioner Nugent made a motion to approve paying for the rebuild. It was seconded by Commissioner Waters. Commissioner Chastain asked to have this item on the next agenda with the supporting documentation. The motion passed 4-1. Commissioner Chastain opposed the motion because of a lack of supporting documentation.

Mr. Milner addressed the Construction and Maintenance Agreement with the Department of Transportation on Call Street. Mr. Milner introduced Jamie Driggers with the Department of Transportation. Mr. Driggers thanked the commissioners for allowing him to come before them. The Department of Transportation will be resurfacing Call Street from Saint Clair Street to US Highway 301. The city will be responsible for maintaining all decorative items such as brick pavers, decorative lighting and benches. Commissioner Chastain asked if the crossing at Walgreens that does not line up will be fixed. Mr. Driggers said it would be. Commissioner Chastain asked if the contractors would be required to protect the pavers. Mr. Driggers said they would and they would be required to repair any damage they cause. Attorney Sikes has reviewed the contract and it looks good. Commissioner Waters made a motion. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner addressed the tractor for the electric department. Mr. Milner said the tractor they have is not adequate. Mr. Milner received bids for a new tractor with the current tractor being traded in. Mayor Mortimer asked what the electric department needs a tractor for. Mr. Milner

said maintaining the right-of-way. He said the gas department and the public works department would be using the tractor as well. Commissioner Waters said a 60 HP tractor will be sufficient for everything the city needs to do. Commissioner Waters made a motion to approve the purchase from Gatorland Kubota. It was seconded by Commissioner Woods. The motion passed 5-0.

Mr. Milner addressed the combined meeting with the Bradford County Board of Commissioners and the City of Starke Commissioners to discuss fire services. Mayor Mortimer said the June schedule is full. Commissioner Nugent wants to wait until a later date. Commissioner Chastain said there is an election coming up that could change things. Commissioner Waters said they won't know anything until after the budget workshop. Mayor Mortimer said the commissioners will let the county know that a meeting in June will not work for them but they will notify them when they will be available.

Police Chief Johnson said everything is good. Commissioner Nugent asked about the purchase of the new firearms. Chief Johnson said the firearms have been received and training is being scheduled for certification on the 12th and the 15th of June. After training has been completed the old firearms will be turned over to DGG Tactical.

Attorney Sikes said he received an email from Mayor Mortimer to look into the Florida legislative impacts. The only issue Attorney Sikes found was an amendment by the current legislative session 403.706 paragraph 22 dealing with city contracts for recyclable materials. We need to make sure that future contracts for recyclables address contamination and how that material is disposed of.

Attorney Sikes was asked to do some research on the opioid lawsuits. A number of municipalities have joined in the lawsuit. The city would have to be able to prove damages to our citizens that the city had to pay for. Attorney Sikes recommended to the commissioners that if a lawyer wanted to pursue a lawsuit on the city's behalf they only enter into it on a contingency basis.

Attorney Sikes has been contacted by Attorney Zimmerman from Jacksonville wanting to know if the commissioners want to pursue a lawsuit with BCR. The lawsuit would be based on fraud because BCR transferred all of its assets so they had nothing the city could collect on. Attorney Sikes is going to contact Attorney Zimmerman to see if he would sue on a contingency basis. Attorney Sikes said there is a number of issues with the statute of limitations. If the suit is based on fraud they can get past the statute of limitations. Mayor Mortimer would like to know exactly what the statute of limitations is. She would like to pursue a lawsuit if they can possibly recoup some or all of the money the city paid to BCR. Attorney Sikes will report the statutes of limitations to the commissioners.

Attorney Sikes was asked about the qualifications of the Special Magistrate. The ordinance allows for a Special Magistrate for code enforcement and for parking. They both require that the magistrate be an attorney licensed to practice law for at least five years. It does not require a judge or any special training. The magistrate would be responsible for the court proceedings for code enforcement. Mayor Mortimer asked if they could move ahead with the back log of

code enforcement issues the city has. Mr. Milner's recommendation is to advertise for the position.

Commissioner Waters asked if once they had a magistrate in place they could start enforcing issues with the old buildings in the city. Mr. Milner said they would be able to enforce code violations. Commissioner Waters asked if he could get a list of code violations. Mr. Milner said yes. The first step would be to give owners the opportunity to come within compliance. Mr. Milner asked the commissioners to report any properties with code violations to LaJuan Whittle with Code Enforcement. Commissioner Waters wants to see the eyesores on US Highway 301 cleaned up.

Commissioner Waters asked about getting the storm water pipe that has been sticking out of the ground since Hurricane Irma came through repaired. He said there are holes around it where someone could get hurt. Mr. Milner is working with Patrick Webster to get grant money to fix the pipe and the drainage adjacent to the bus barn. Commissioner Waters wants this issue resolved as soon as possible. Mr. Milner said the only access to the property is on a private drive next to an abandoned house. Jay Hodge said he will have the inmate crews fill in the holes tomorrow.

Commissioner Waters asked if a street light could be put on both corners of US Highway 301 and State Road 100 where the Shell Station is. He said it is very dark at that corner. Mr. Milner said he would get with the Florida Department of Transportation about this. He said there are illumination rules around street lights but he will check with the Department of Transportation.

Commissioner Woods wants the code violations enforced all over the city.

Commissioner Chastain asked to have bidding out for a Special Magistrate on the next agenda for a vote. He also wants the gaming moratorium on the next agenda. Mr. Milner agreed to have them on the agenda for the June 19, 2018 Commission Meeting. Commissioner Chastain asked if they are ready to have a workshop on the personnel manual. Mr. Milner supplied the commissioners with a copy of the personnel manual sometime ago and has only had a few comments. He would like to have a workshop so they can have the personnel manual in place by October 1, 2018. Mr. Milner suggested having a Personnel Manual Workshop in July. He said the July Commission Meetings are scheduled for July 3, 2018 and July 17, 2018. Commissioner Chastain mentioned the first meeting being the day before the 4th of July Holiday. Mr. Milner said he will be on vacation the week of July 15th. He asked the commissioners if they wanted to move the July meetings to July 10th and 24th. Mayor Mortimer asked the commissioners if they wanted to move the meetings. The commissioners agreed to move the meeting dates. Commissioner Chastain suggested meeting an hour early before the Commission Meetings for the Personnel Manual Workshop. The commissioners agreed to meet on July 10th and 24th at 5:30 pm to discuss the Personnel Manual. Commissioner Chastain suggested having a Budget Workshop on July 12, 2018 at 6:00 pm. Mr. Milner suggested discussing the Enterprise Fund at the Budget Workshop. Commissioner Chastain said he asked for an updated budget every month and a half and has not received it. He also wanted historical data on the 2016/2017 budget and has not received it. Mayor Mortimer said she has a problem with CPA John-Paul Ledford not being at work. She said the commissioners need to make some decisions regarding

supervision while City Clerk Thompson is out on medical leave. Mayor Mortimer wants the clerk's employees to report to Mr. Milner until Mr. Thompson returns to work. Commissioner Chastain agreed with Mayor Mortimer but asked Attorney Sikes about the legalities because Mr. Thompson is an elected official. Attorney Sikes will talk to Mr. Milner and Mr. Thompson and check the ordinance to see what the commissioners can legally do and make a recommendation. Commissioner Woods said he understood that Mr. Ledford is in charge during Mr. Thompson's absence.

Commissioner Nugent had nothing further.

Mayor Mortimer welcomed Attorney Sikes back and thanked Mr. Milner for having safety rails installed on Pine Street. She announced that Saturday from 12:00 pm to 5:00 pm there will be a Gospel Fest at the RJE Complex sponsored by the RJE Alumni.

The next meeting date was set for June 19, 2018 at 6:30 pm.

There being no further business, the meeting was adjourned at 8:06 pm.