

City Commission Meeting  
March 19, 2019  
6:30 pm

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

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

This was the second 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 Police Chief Jeff Johnson, City Manager Bob Milner, City Attorney Dan Sikes and Deputy Clerk Lisa Terry. City Clerk Ricky Thompson was absent due to illness.

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 5-0.

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 March 5, 2019 Commission Workshop and the minutes of the March 5, 2019 Commission Meeting. Mayor Nugent entertained a motion to approve the consent agenda. Commissioner Smith 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." Mayor Nugent asked Rick Story to come to the podium. Mr. Story of 402 East South Street addressed the commission regarding the railroad crossing closing on East South Street. He said he is in favor of the railroad crossing closure. He showed pictures taken in 1 hour of traffic on East South Street. Mr. Story said the pictures show what the traffic is like all day on his street. He said there are tractor trailers on the street even though it is not wide enough to have 2 vehicles pass on it. Mr. Story said there are water leaks on the street and he is concerned the traffic issues are going to get worse when the overpass is built. He thanked Chief Johnson for having extra officers patrol East South Street. Commissioner Waters asked if there is tractor trailer traffic on the street every day. Mr. Story said it is every day because the tractor trailers use it as a short cut. Mayor Nugent asked Mr. Milner to have weight limit signs posted on East South Street. Mr. Milner said he would look into it. Chief Johnson said tractor trailers need to be on certain roads to make

deliveries to the downtown area but there is no reason for a tractor trailer to be on East South Street. Commissioner Mortimer asked if tickets were being issued. Chief Johnson said the large vehicles are being stopped to ask why they are on South Street. Commissioner Mortimer asked Attorney Sikes if tickets could be issued once the signs are posted. Attorney Sikes said it depends on traffic citation code. He asked Chief Johnson if weight limits were covered in the code. Chief Johnson said it is and the limit should be 25,000 pounds. Mayor Nugent thanked Mr. Story.

O'Keima Brown of 1000 North Thompson Street said she feels like she is being discriminated against. She said she made a phone call on January 7<sup>th</sup> and was told to come to the next Commission Meeting. She attended the January 8<sup>th</sup> meeting. On January 10<sup>th</sup> she sent a text to Commissioner Smith and January 14<sup>th</sup> Commissioner Smith came to her house and agreed that something needs to be done about the traffic on North Thompson Street. Mrs. Brown said she sent a text message on January 31<sup>st</sup> but received no response. She said speed humps were installed on February 4<sup>th</sup> but they are too low. Mayor Nugent said he travels that road and has to slow down to go over the speed humps. He said there are speed humps on each end of the street. Mrs. Brown said she feels like she is getting the run around. Mayor Nugent said the speed humps have been installed. Commissioner Smith said there is no discrimination. He said the speed humps have been installed and he has spoken to the City Manager about other ways to improve traffic issues on North Thompson Street. Mrs. Brown said there are larger speed humps on other streets in the city. Mr. Milner said on smaller roads like North Thompson Street with a smaller right of way they use smaller speed humps. Commissioner Mortimer asked what the speed limit is on North Thompson Street. Mr. Milner said 25 miles per hour. Commissioner Waters suggested Chief Johnson have officers patrol North Thompson Street because like East South Street it is used as a cut through. Mrs. Brown asked for someone to contact her about additional ways to improve traffic on North Thompson Street. Commissioner Smith said he will contact her.

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

Ms. Terry addressed Resolution 2019-09 to vacate a certain portion of the right of way located on Jackson Street. Attorney Sikes read the title of the Resolution 2019-09. Ms. Terry said this is related to the property the commissioners issued a quit claim deed to at the last meeting. The mortgage company accepted the quit claim deed but the title insurance company is requiring the resolution and release. Attorney Sikes said he prepared the documents and the resolution was posted. Ms. Terry said it has been posted in the lobby, at the library, the post office and on the city website. Mayor Nugent entertained a motion to approve Resolution 2019-09. Commissioner Chastain made a motion to approve Resolution 2019-09. It was seconded by Commissioner Waters. Commissioner Mortimer said the quit claim deed was issued for property on Water Street. Ms. Terry said it is on the corner of Water Street and Jackson Street. Mr. Sikes said the right of way is on Jackson Street. The motion passed 5-0.

Ms. Terry addressed the release of reservation of right of way. Mayor Nugent entertained a motion to approve the release of reservation of right of way. Commissioner Waters made a

motion to approve the release. It was seconded by Commissioner Chastain. The motion passed 5-0.

Ms. Terry addressed the selection of the new city attorney. Commissioner Mortimer made a motion to select Folds & Walker with the right to call back one of the other attorneys if negotiation of a contract cannot be reached. It was seconded by Commissioner Waters. The motion passed 5-0. Commissioner Waters asked when the city attorney contract will be ready. Mr. Walker said he will get with Attorney Sikes and Mr. Milner tomorrow regarding the contract. Then he would like to meet with each of the commissioners individually, the Fire Chief, Police Chief and department heads. Attorney Sikes said the commissioners need to decide when they want Folds & Walker to start as city attorney. Mayor Nugent said Attorney Sikes needs to be given 30-day notice. Attorney Sikes said he is ok with what ever date the commissioners want Folds & Walker to start. Attorney Sikes said the attorney contract could be voted on at the April 2, 2019 meeting and Folds & Walker could start on April 15, 2019. Commissioner Mortimer made a motion to have the attorney contract with Folds & Walker on the agenda for review and approval at the April 2, 2019 meeting with a start date of April 15, 2019. It was seconded by Commissioner Waters. The motion passed 5-0.

Mayor Nugent entertained a motion to approve Change Order No. 2. Commissioner Chastain made a motion to approve the change order. It was seconded by Commissioner Smith for discussion. Commissioner Smith asked if this removes the bond requirement. Ms. Terry said it further reduces the cost to build the splash park by eliminating the bond requirement. Commissioner Chastain said he would like to change the wording of his motion. Commissioner Smith withdrew his second. Commissioner Chastain withdrew his motion. Commissioner Chastain made a motion to require only 3 payments and a retainer fee of 10 percent until the work is complete. Attorney Sikes said the contract needs to have the mayor's and city clerk's signatures. It was seconded by Commissioner Waters. Commissioner Mortimer asked about the bond. Mark Williams with M & R Construction said Change Order No. 2 eliminates the need for the bond but to lessen risk he will only require 3 draws on work in place and the city will direct purchase the materials saving the sales tax and reducing the amount paid to M & R Construction. He said there will also be a 10 percent retainage. Commissioner Mortimer asked what the purpose of the bond is. Mr. Williams said a payment and performance bond is an insurance policy that guarantees the city will not be out any money if the contractor does not finish the job. Attorney Sikes said taking the payments in installments means the contractor only gets paid for work already completed. The motion passed 4-1. Commissioner Mortimer opposed the motion. Mayor Nugent entertained a motion to approve Change Order No 2. Commissioner Waters made a motion to approve Change Order No. 2. It was seconded by Commissioner Chastain. The motion passed 4-1. Commissioner Mortimer opposed the motion.

Ms. Terry addressed bringing City Hall into ADA compliance. Mr. Milner said he and Mr. Thompson met with Paul Stresing, architect of record, about the ADA compliance issues at city hall. Mr. Stresing will bring specifications for replacing all exterior doors with ADA compliant doors and bringing the bathrooms into ADA compliance. Attorney Sikes said they need to be Title II Complaint. Mayor Nugent asked to table this item.

Mayor Nugent entertained a motion to use direct purchasing during the splash park construction. Commissioner Waters made a motion to use direct purchasing. It was seconded by Commissioner Chastain. The motion passed 4-1. Commissioner Mortimer opposed the motion.

Mayor Nugent asked for the City Manager Report. Mr. Milner addressed the splash park request rule waiver for extension. Mayor Nugent entertained a motion to approve the rule waiver for extension. Commissioner Waters made a motion to approve the rule waiver for extension. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner asked to address the Request for Proposals for installation of a generator at the fire station. He said the generator will cost \$24,000 but he is asking permission to submit a Request for Proposals for installation of the generator. Commissioner Waters asked where the \$24,000 is coming from. Mr. Milner said he will be meeting with Director of Finance John-Paul Ledford and will recommend the money comes from FEMA money. Commissioner Waters made a motion to approve the Request for Proposals. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner said he, Commissioner Mortimer and Commissioner Smith will be attending Small Counties Legislative Days in Tallahassee on the day the second meeting is scheduled. He asked for ideas to use on the backdrop. Mr. Milner asked if the meeting could be moved to Monday night. Mayor Nugent said they will stick to their schedule. Mr. Milner said the pension board meetings will be on April 24, 2019.

Mr. Milner submitted his resignation effective September 30, 2019.

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

Mayor Nugent asked for the Attorney's Report. Attorney Sikes said he will talk to Attorney Walker in the morning to draw up a contract.

Commissioner Waters had nothing further.

Commissioner Chastain said the city and county have discussed joining together to apply for grants. He asked that it be on the agenda for the upcoming city/county meeting.

Commissioner Chastain asked Ms. Terry for a breakdown of what has been budgeted and what has been spent for salaries and overtime.

Commissioner Chastain asked Mr. Milner if he has gotten a response regarding the maintenance of the train tracks that Mr. Torode brought before the commission at the last meeting. Mr. Milner said he sent an email to Katie Chimelewski with CSX but it came back out of the office. He will follow up on this tomorrow. Chief Johnson said CSX fixed the underpinning south of South Street.

Commissioner Chastain asked Mr. Milner about the ditch in Commissioner Waters district. Mr. Milner said he will meet with Pat Webster with Water Management to decide if the railroad tracks are the blocking factor. Mayor Nugent asked for it to be on the next agenda.

Commissioner Chastain asked about the number of employees at the wastewater treatment plant. Mr. Milner said they are maxed out at 5 employees. He said he is reviewing the contract to see if it needs to be changed.

Commissioner Smith asked to have what kind of support the county is going to provide for the splash park on the agenda for the city/county meeting.

Commissioner Mortimer asked about the letter regarding the ditch at the Pine Forest Apartments. Mr. Milner said he is meeting with Pat Webster to determine who the letter needs to go to. Commissioner Mortimer asked Attorney Sikes if he had met with Eulinda Russ. Attorney Sikes said she has not contacted him.

Mayor Nugent asked Commissioner Smith about Communities in Schools. Commissioner Smith said the Glow Run was a huge success. Mayor Nugent asked Commissioner Chastain about the Tourism Development Council. Commissioner Chastain said the next meeting is Thursday. Mayor Nugent asked Commissioner Mortimer about the North Central Florida Regional Planning Council. Commissioner Mortimer said the speakers are geared more towards the counties so she has asked Executive Director Scott Koons to address municipalities.

Mr. Milner said he met with the Bradford Parents Athletic Association and their contract needs to be rewritten.

Mr. Milner said he met with Alan Holtzendorf regarding the spray field lease and Mr. Holtzendorf understands he owes the city some money.

Mr. Milner said opening day for the ballfield was Saturday and the handball courts were painted for the opening and are now covered in graffiti. He is working with the Police Department to try to determine who was responsible. Mr. Milner said they will be repainted this week.

Mr. Milner said he got a call from the Athletic Director at Bradford High School saying the ball field being built is not going to be ready in time. They have asked to use Thomas Street Park for an 8-day period starting on Thursday, March 28, 2019. Mr. Milner said they will be using the concession stand as well as the ball field.

Commissioner Waters suggested having the handball courts torn down. Mayor Nugent suggested turning them into batting cages.

There being no further business, the meeting was adjourned at 7:49 pm.