

City Commission Meeting
March 5, 2019
6:30 pm

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

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

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 and City Clerk Ricky Thompson.

Mayor Nugent asked if there were any additions or deletions to the agenda. Commissioner Mortimer asked about the take home vehicles item. Mr. Milner said it is for Line Crew Supervisor Steve Warren and Director of Operations Scott Anaheim. There were no changes to the agenda. 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 entertained a motion to approve the consent agenda. Commissioner Smith made a motion to approve the consent agenda. It was seconded by Commissioner Mortimer. Commissioner Chastain asked to remove Item 5.C. from the consent agenda and make it Item 9.F. The rest of the consent agenda consisted of the minutes of the February 12, 2019 Commission Meeting and the line clearing at the wastewater treatment plant. 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 if there was any citizen participation. Rick 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 because there are a lot of pedestrians and there is a lot of speeding on the street. Mr. Story said vehicles use his driveway to avoid driving over the speed humps on the street. He said there are tractor trailers that use the street and it is not built for that kind of traffic. Mr. Story said one morning when he was leaving for work there was a SWAT Team on the East South Street and he was ordered back into his house. He said one night around 3:00 in the morning they heard a loud noise on their front porch and the next morning they found blood on their front porch and a dent in their door frame. The police came out and said it could have been from a dog. They found out later that it was a local drug dealer being

assaulted by one of his customers. Mayor Nugent asked Mr. Milner to have police officers patrol East South Street. Mayor Nugent and Commissioner Smith thanked Mr. Story for bringing this before them.

Sissy Story of 402 East South Street addressed the commission regarding problems on her street. She said tickets are not being written for vehicles speeding on East South Street and she wants to know why. Mayor Nugent asked Mr. Milner to see how many tickets have been written for speeding on East South Street.

Richard Torode addressed the commission regarding East South Street railroad crossing problems. His business is located at 303 South Cherry Street and no one has talked to him about the railroad crossing closure. He said the railroad tracks are not being kept up properly and it is dangerous. Mr. Torode has called CSX several times and they come out and put a little rock but have not properly addressed the problem. He asked the commissioners to put pressure on CSX to properly maintain the railroad tracks. Mayor Nugent asked Mr. Milner to contact CSX regarding this issue. Commissioner Mortimer suggested writing a letter signed by Mayor Nugent asking CSX to address the issue. Commissioner Chastain asked Mr. Milner to report back to the commissioners about the response from CSX.

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. The motion passed 5-0.

Mr. Thompson addressed Resolution 2019-08 naming the truck bypass bridge over State Road 100 in honor of Archibald Johns Thomas. Mr. Thompson said Steve Futch is in attendance and he is the one who asked for this to be on the agenda. Mr. Futch thanked the commissioners for considering the resolution. He said the Thomas Family asked to have this done and Representative Bobby Payne and Senator Rob Bradley suggested they get a local resolution supporting naming the bridge in honor of Mr. Thomas. Mr. Futch said Mr. Thomas was a clerk, a school teacher, a mason and a member of Madison Street Baptist Church. He said Mr. Thomas' family owned the property where the bridge is going to be located. Mr. Futch thanked Ms. Terry for putting the resolution together. Commissioner Waters said the bridge is in Bradford County not the City of Starke. Mr. Futch said some of the property is contingent to city property. Mayor Nugent entertained a motion to approve Resolution 2019-08. Commissioner Waters made a motion to approve Resolution 2019-08. It was seconded by Commissioner Smith. The motion passed 5-0.

Mr. Thompson addressed the splash park bid award. He said there were only two bidders and M & R Construction had the best bid. Commissioner Waters apologized for missing the last meeting. He said he believes the splash park is important for the local children. Commissioner Waters made a motion to award the bid to M & R Construction for \$481,678. Commissioner Nugent passed the gavel and seconded the motion. He said building the splash park will include bringing the bathrooms and concession stand into Americans with Disabilities Act compliance which has to be done anyway. Gary Sneddon with Stone Engineering, the engineers for the project, said Change Order No. 1 will bring the price of the construction down to approximately \$441,000 and Change Order No. 2 would bring the price down to approximately \$425,000.

Commissioner Mortimer said it's a good project but she has concerns about the cost of maintaining and operating the park and the lack of a Recreation Department. Mr. Milner said the estimated maintenance costs are around \$1,500 per month. Commissioner Mortimer asked if that included staff. Mr. Milner said it does not but that could be handled by the Water Department. Commissioner Waters said the splash park is around \$100,000 the rest is for improvements to the park that will come out of the tax payer's money if the city does not take the grant. He said \$75,000 has already been spent that the city will not be reimbursed if they don't take the grant. Mr. Thompson said the upgrades to the park is where the value in the project is. Commissioner Mortimer said the timeline is critical. She said she does not know what caused all the delays for 2 years. Mayor Nugent asked Mark Williams with M & R Construction to address the timeline. Mr. Williams said he feels confident the project can be completed within a 90-day timeframe. Chrissy Allen came forward on behalf of the Downtown Merchants to say they support the splash park. She said the county commissioners are willing to help with the maintenance costs for the park along with the Downtown Merchants. Ms. Allen said the park is needed for the community and the children of the community. She said other cities charge \$1 admission to cover the maintenance costs. The motion passed 3-2. Commissioners Mortimer and Smith opposed the motion.

Mr. Thompson addressed Change Order No. 1. Commissioner Waters asked Mr. Sneddon if he recommends going with Change Order No. 1. Mr. Sneddon said he does recommend it. Commissioner Waters made a motion to approve Change Order No. 1. It was seconded by Commissioner Chastain. The motion passed 4-1. Commissioner Mortimer opposed the motion.

Mr. Thompson addressed Change Order No. 2. Mayor Nugent entertained a motion to table this item. Commissioner Waters made a motion to table this item. It was seconded by Commissioner Chastain. The motion passed 3-2. Commissioners Mortimer and Smith opposed the motion.

Mr. Thompson addressed the Request for Qualifications for City Attorney. He said three attorneys sent in qualifications. Mr. Thompson asked how the commissioners want him to proceed. Commissioner Waters wants to ask the attorneys a salary range during the interviews. Commissioner Smith asked if there was anything scheduled before the next commission meeting. Mr. Milner said he is going to ask for a meeting with the Firefighters' Local Union. Commissioner Mortimer made a motion to interview the attorneys on March 19, 2019 at 5:30 pm. It was seconded by Commissioner Waters. The motion passed 5-0.

Mayor Nugent asked for the City Manager Report. Mr. Milner addressed the structure of addressing in development authority property. Mr. Milner introduced Ray Shuford Director of Emergency Management for Bradford County and Christi Hudson with the Bradford County Sheriff's Office. Mr. Shuford said new addresses need to be created for L. M. Gaines Boulevard so a new building can be built. He said Bradford County now has a computer to generate addresses. It generates an address for every 5.28 feet. Mr. Shuford is asking permission to generate new addresses for L. M. Gaines Boulevard and Ambient Air that would provide for future growth. He said the current occupants would have to change their address. Mayor Nugent asked if the addresses are on the signs creating a cost to change the addresses. Mr. Shuford said there are some addresses on signs but his department would bear the cost of

changing them. Commissioner Smith asked if anyone has talked to the owners about the change of address. Mr. Shuford said they have not. Commissioner Smith asked if there are other areas in the city with this problem. Mr. Shuford said there are. He said they would like to wait to change residential properties addresses when they change ownership. Commissioner Smith asked if the owners on L. M Gaines Boulevard can be informed of the change. Mr. Shuford said the 911 mapping department will reach out to the owners. Attorney Sikes said the property owners need to be notified that this is coming before the commissioners before it is voted on. Commissioner Chastain suggested tabling this item until the property owners are notified. Mr. Shuford said he and Mrs. Hudson would like to hand deliver letters to the property owners. Mayor Nugent entertained a motion to table the item. Commissioner Mortimer made a motion to table the item. It was seconded by Commissioner Waters. The motion passed 5-0.

Mr. Milner asked to address the proposed date for the City/County Meeting. Mr. Milner said the county has suggested April 4, 2019 at 5:30 pm. Commissioner Smith made a motion to approve the meeting date of April 4, 2019 at 5:30 pm. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mr. Milner addressed the request for a Workshop with Firefighter's Local Union 3120. Commissioner Mortimer suggested meeting on April 2, 2019 at 5:30 pm. Commissioner Waters made a motion to approve the date of April 2, 2019 at 5:30 pm. It was seconded by Commissioner Mortimer. The motion passed 5-0.

Mr. Milner addressed the internet cafes and the Northeast Florida Regional Planning Council. He said Lucas Gaming had reopened without a certificate of occupancy so he issued a cease and desist letter. Mr. Milner said the Northeast Florida Regional Planning Council will not work on zoning for internet cafes because of legality issues. Attorney Sikes said Lucas Gaming had their license suspended for 6 months. During that time Lucas Gaming restructured so they are eligible for the business license. However, they changed locations so they are no longer grandfathered in and they are no longer properly zoned. Commissioner Mortimer said the Northeast Florida Regional Planning Council says the City of Starke is in violation of Florida Statute because of the internet cafes. Attorney Sikes disagreed. Commissioner Mortimer asked what they are supposed to approve. Mr. Milner asked for direction if Lucas Gaming requests a certificate of occupancy. He said there are a number of problems with the new property including a lack of parking. Commissioner Waters said the commissioners agreed that no more of these businesses would be allowed. Attorney Sikes said the 2 that were here were grandfathered in but any others that tried to open would have zoning issues. Attorney Mathis came forward to represent the gaming room. He said when the cease and desist letter was issued, he advised his clients to shut down. Attorney Mathis said his clients are aware of changes that will need to be made to the building but he disagrees with Attorney Sikes' opinion about the business being grandfathered in. He said it is the same business but it has different shareholders. Commissioner Mortimer said that was their choice. Attorney Mathis said so they could stay in business. Attorney Mathis said he has not been to the property but Google Earth shows around 40 parking spaces. Mayor Nugent asked Attorney Mathis to meet with Mr. Milner about the issues with the building. Commissioner Mortimer asked what the vote is for. Mr. Milner said he wants to know how the commissioners want him to proceed if Lucas Gaming meets the criteria for a certificate of occupancy. Attorney Sikes said it needs to be brought

before the commission once that happens. Commissioner Chastain made a motion to table this item. It was seconded by Commissioner Smith. The motion passed 4-1. Commissioner Mortimer opposed the motion.

Mr. Milner addressed 300 North Water Street encroachment on city property. He said the house and the garage are sitting on the city's right-of-way. The house is up for sale and cannot be sold without the city granting a quit claim deed. Commissioner Waters asked why this can't be grandfathered in. Attorney Sikes said this is a requirement of the title company. He said a quit claim deed is the quickest and the cleanest way to clear this up. Attorney Sikes said the city does not own the property but it has a right-of-way. He said the commission can authorize him to draw up a quit claim deed and it can be signed by the mayor. Commissioner Waters made a motion to grant a quit claim deed as given by the surveyor. It was seconded by Commissioner Chastain. The motion passed 5-0.

Mr. Milner addressed the take home vehicles. Mr. Milner said the commission has to approve a vehicle being taken home more than 20 miles from city hall. He said Line Crew Supervisor Steve Warren lives 23 miles away from city hall and Director of Operations Scott Anaheim lives 39 miles from city hall. Commissioner Waters said he did have concerns but he is ok with it now. Commissioner Chastain said the take home policy for the Police Department is that vehicles cannot be taken outside the county and he thought the city had adopted the same policy. Commissioner Smith asked what vehicles they are driving. Mr. Milner said Mr. Anaheim is driving a 15 year old Sport Trac and Mr. Warren is driving a 17 year old Ford pickup truck. Commissioner Mortimer asked what the annual cost is for the vehicles being taken home. Mr. Milner said he has not figured it. Commissioner Mortimer said she is ready to vote on this but she wants Mr. Milner to provide her with an annual cost for taking the vehicles home. Commissioner Mortimer made a motion to allow Mr. Anaheim and Mr. Warren to take the vehicles home. It was seconded by Commissioner Smith. The motion passed 4-1. Commissioner Chastain opposed the motion.

Mayor Nugent asked for the Attorney's Report. Attorney Sikes said he met with Fire Chief Gary Wise about billing the county for fire services provided outside the city limits. He suggested Chief Wise come up with a price and it be brought before the commission. Commissioner Chastain said they discussed proposing a price to the county. Commissioner Waters said the call time needs to be rounded up to an hour. Commissioner Chastain agreed. Chief Wise said in his opinion if the call takes less than 30 minutes it should not be billed. He said the county is in the process of doing a fire assessment. Chief Wise said if it is instituted the county will be adding 12 firefighters. He said then the county could bill the city for fire services. Commissioner Chastain said they need to discuss this further. Commissioner Mortimer said it can be discussed at the April 4, 2019 City/County Meeting.

Commissioner Waters had nothing further.

Commissioner Chastain asked about the substation upgrade. Mr. Anaheim said they are working with Gainesville Regional Utilities to install batteries. He said as soon as the breakers are received they will begin installing them. Commissioner Chastain asked if there will be outages during the installation. Mr. Anaheim said he will meet with Gainesville Regional

Utilities and if outages are planned notifications will be sent out. Mayor Nugent said he does not want outages for businesses during business hours.

Commissioner Chastain asked about Mr. Milner and Mr. Thompson attending training with the Florida League of Cities regarding Medical Marijuana Dispensaries. Mr. Thompson said he is looking into it.

Commissioner Chastain expressed appreciation for the colored lights under the water tower. Mr. Anaheim said they will be installing an LED light that can be programmed.

Commissioner Chastain asked Mr. Milner about the bi-weekly report. Mr. Milner said January is on his desk and he will have February tomorrow. Commissioner Chastain asked that it include dates.

Commissioner Smith asked if there was any progress on the Orange Street and State Road 100 intersection. Mr. Milner said the Department of Transportation will get a traffic count at the intersection once the bypass is complete and they will get started with the paving projects. Commissioner Smith asked Mr. Milner to follow up with them on the traffic light and the traffic light at Tractor Supply.

Commissioner Mortimer attended the Suwanee River Water Management District Meeting yesterday and it was very informative. She said they are working with the Army Corps of Engineers on a 12-month model to help with flooding issues.

Mayor Nugent asked about the flooding issues on Wilson Road. Mr. Milner said he spoke to Patrick Webster about that yesterday. He said it is going to require netting. Mr. Milner said they need a civil engineer to look at it. Commissioner Mortimer asked about the Pine Forest Apartment flooding issues. She asked if Mr. Sikes had met with Eulinda Russ. Mr. Sikes said she has not come to see him. Commissioner Waters asked about sending a letter to CSX and DOT about putting in another drainage pipe. Mayor Nugent asked Mr. Shuford about using the gradall to clean out the ditch. Mr. Shuford said the vegetation is the biggest problem. He said they do not need to make the ditch any deeper.

There being no further business, the meeting was adjourned at 9:16 pm.