

City Commission Meeting
May 1, 2018
6:30 pm

Mayor Mortimer 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 City Attorney John Cooper, City Manager Bob Milner and Police Chief Jeff Johnson. 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 asked to remove Item 9B the Contract Regarding IT Services. Commissioner Woods made a motion to remove Item 9B. It was seconded by Commissioner Waters. The motion passed 5-0. Mayor Mortimer entertained a motion to approve the agenda. Commissioner Woods made a motion. It was seconded by Commissioner Nugent. The motion passed 5-0.

The Consent Agenda consisted of the April 17, 2018 Commission Meeting Minutes and use of the city square for a gospel sing on Saturday, May 12, 2018. Mayor Mortimer entertained a motion to approve the consent agenda. Commissioner Chastain made a motion to approve the consent agenda. Commissioner Woods seconded it. 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 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." Attorney Dan Sikes asked to speak. He is back from military deployment. His term will end on May 24th. Mayor Mortimer thanked Mr. Sikes for his service. Mr. Sikes asked to be reinstated as the City Attorney effective June 1st. He explained that a contracted employee is covered by the Uniformed Service Employment Reemployment Rights Act if the contract term is more than 1 year. Mr. Sikes said his contract is for 2 years.

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

Mayor Mortimer asked for the City Manager Report. Mr. Milner addressed the request to rent the Edwards Road ballpark. A family wants to rent the front 2 ballfields and the playground over the holiday weekend. They want the restrooms to be open. Commissioner Woods said the

Bradford Parents Athletic Association should make the decision. Mr. Milner said there are no games scheduled for that weekend. Commissioner Nugent asked if there was a contract. Mr. Milner said to his knowledge the only contract is the one with Bradford Parents Athletic Association. Commissioner Chastain asked if Mr. Milner had spoken to Matt Waters to ensure there is nothing scheduled for that weekend. Mr. Milner said he has. Commissioner Chastain asked who will clean the park after the weekend event. Mr. Milner said the inmates would clean it on Monday. Commissioner Chastain suggested requiring a deposit to insure the people using the park would clean it up. Commissioner Waters said the Bradford Parents Athletic Association maintains the ballfields so they should be the ones to decide who can use them. Mayor Mortimer said the request should be made to the Bradford Parents Athletic Association because we have a contract with them. Attorney Cooper said he needs to see the contract with the Bradford Parents Athletic Association. He said even if a request to use the ballfield comes through the Bradford Parents Athletic Association there needs to be a liability insurance policy. The City of Starke as the owner of the property will be liable if there is an injury. Chief Johnson said they have been asked about using the ballfield and they refer them first to the Bradford Parents Athletic Association and then to the city manager to make sure they obtain the liability insurance policy. Commissioner Woods asked if they could use one of the other parks. Mr. Milner said he asked them if they could use Thomas Street Park or Wainwright Park and they indicated that they needed more space. Mayor Mortimer asked Attorney Cooper to review the contract and report back to commission.

Mr. Milner addressed the approval of Change Order No. 6 from J & H Waterstop. Mr. Milner introduced Kellen Lindsey of Mittauer & Associates. Mr. Lindsey addressed the emergency repair of the gravity sewer line under US Highway 301 at Lafayette Street. There is a hole in the clay sewer pipe. The hole was discovered by J & H Waterstop last year and has gotten much larger. Because it is under US Highway 301 it should be considered an emergency repair item. The engineers from Mittauer & Associates considered several alternatives. The most feasible involves clearing the pipe and installing a liner from manhole to manhole within the existing pipe. Mr. Lindsey said they may replace the pipe at a later date. The cost for the repair will be \$53,800. J & H Waterstop believes they can do the work but there is the possibility of an additional \$15,000 if the liner gets cut. Mr. Lindsey recommended approving the change order so the repair work can begin. Mr. Lindsey said the State Revolving Fund has agreed to include this change order in the loan. Commissioner Woods made a motion to approve the change order and to add the \$53,800 to the loan and to approve using the \$15,000 if it is needed. It was seconded by Commissioner Waters. The motion passed 5-0.

Mr. Milner addressed the amendment to the Pole Attachment Agreement with Century Link. He said we have billed them for 886 pole attachments the last 2 years but Line Crew Supervisor Kris Kadlec believes there are a lot more Century Link Pole attachments than that. We billed Comcast for 1633 last year. Commissioner Chastain said the Century Link Contract mentions 783 pole attachments. It also mentions the amount Jacksonville gets per pole attachment. Commissioner Chastain asked Mr. Milner's assistant to call other small cities to see how much they get per pole attachment. He does not believe the amount Jacksonville gets per pole attachment should be the same as what we get because we have far fewer poles than Jacksonville. The scale of economics says if you have a lot you pay less if you have less you pay more. Commissioner Chastain spoke to Mr. Kadlec who said we have approximately 6,000 poles

and he believes Century Link has a pole attachment on about 3,000 of them. Commissioner Chastain said the contract says that we will furnish Century Link with a GIS Map of the poles with attachments. Commissioner Waters asked if Century Link would send a representative to go around with one of our employees to count the pole attachments. Mr. Milner said he believes they would. Commissioner Chastain asked Mr. Milner to contact other small cities to find out how much they are being paid for their pole attachments. Attorney Cooper said in paragraph 16 an audit is mentioned. He said there are private entities that perform audits and we would share the cost with Century Link. Attorney Cooper said the contract in the commissioner's packet is from 2007 and references 783 pole attachments. He recommended that we take no action on this tonight. Attorney Cooper suggested looking into obtaining an audit to determine the actual number of pole attachments. The commissioners agreed to table the contract until they have answers to all the questions regarding the pole attachments.

Mr. Milner addressed the Construction Management Agreement with Florida Gas Utilities regarding the railroad overpass and bridge replacement projects. Mr. Milner said that gas is a unique utility. He spoke to Jones Edmunds several times but we already have a contract with Florida Gas Utilities and he believes they are best suited for the job of relocating the gas utilities. He said the Florida Department of Transportation's engineers recommended going with Florida Gas Utilities. Mayor Mortimer entertained a motion. Commissioner Chastain made a motion to approve using Florida Gas Utilities to oversee the design and engineering of the gas utilities relocation for the railroad overpass and bridge replacement projects. Commissioner Nugent seconded it. The motion passed 5-0.

Mr. Milner addressed the discussion of electric, water and sewer design and engineering services for the railroad overpass and bridge replacement projects. Mr. Milner, Attorney Cooper and John McCarthy with the Florida Department of Transportation had a 3-way phone call to discuss the options and timeline. Mr. Milner had 2 conversations with Brian Hepburn from Jones Edmunds regarding the projects. Mr. Hepburn said that as civil engineers they would contract the projects out. Mr. Milner met with Mike McCleary from Florida Municipal Power Agency last week. Florida Municipal Power Agency already has design and engineering firms doing similar projects for other member cities. They would oversee the projects for the relocation of the electric utilities much like Florida Gas Utilities will be doing with the relocation of the gas utilities. For the water and sewer utilities relocation Mittauer & Associates is the engineer of record. Mr. Milner said the commissioners need to make a decision due to the tight timeline. Commissioner Chastain said they should decide tonight before the Department of Transportation takes over the projects. Attorney Cooper said the city has existing contracts with Mittauer & Associates and Jones Edmunds but we have not used Jones Edmunds in a while. Attorney Cooper said if the commissioners cannot come to an agreement by the next meeting the Department of Transportation will make a decision and send the city the bill. Kellen Lindsey and Tim Norman from Mittauer & Associates addressed the commission. Mr. Lindsey spoke with the Department of Transportation regarding the projects. The Department of Transportation will not relocate gas or electric utilities. He agreed with the commissioner's decision to use Florida Gas Utilities for the gas utility relocation. He emphasized that they need to stick to the Department of Transportation's timeline. Mr. Lindsey said for the electric utility relocation they could go with Florida Municipal Power Agency or the engineer of record. For the water and sewer utility relocation they could allow the Department of Transportation's

engineers to do them and the city would be free of the responsibility. Attorney Cooper said we need to make sure whoever we chose can meet the timeline for the project. Mayor Mortimer asked Mr. Lindsey what he would choose. He said in terms of coordination it would be easier on the city to go with the Department of Transportation's engineers but it would probably cost more. Mr. Milner said the cost may be forgiven. The commissioners agreed that a decision needs to be made at the next meeting. Mayor Mortimer asked if Mr. Lindsey and Mr. Norman could attend the next meeting. They said they could.

Mayor Mortimer asked for the Police Chief Report. Chief Johnson addressed the request for surplus approval of the department's firearms for the purchase of new firearms. Mayor Mortimer asked for the name of the vendor. Chief Johnson said DGG Tactical who is the State of Florida's Glock dealer. They will be able to keep the old guns for up to 45 days while receiving training on using the new guns. Chief Johnson said the firearms currently in use will be traded in and therefore not sold or auctioned by the city. Commissioner Waters made a motion to approve the surplus and purchase. Commissioner Woods seconded it. The motion passed 5-0.

Commissioner Chastain asked about the flags for National Police Week. Chief Johnson said they are expensive. Mayor Mortimer asked how many poles there are. Chief Johnson said 46. Commissioner Chastain suggested putting a flag on every other pole for this year and buying flags for the rest of the poles before next year's National Police Week. Chief Johnson said he could use money from his miscellaneous fund to purchase 23 flags. Attorney Cooper said Chief Johnson could spend up to \$3,000 without a motion.

Chief Johnson addressed road construction. He put 3 different officers on SR 230 for 3 hours. They pulled over 4 dump trucks and 38 cars for speeding. Commissioner Waters said they are digging 3 60-acre ponds. Commissioner Nugent said he has gotten complaints about speeding on SR 100. Commissioner Woods referenced the large ponds being dug east of Starke by the removal of dirt being used to build the US Highway 301 bypass. Commissioner Woods said there is a requirement in the city for ponds to have a 4-foot fence around them. Commissioner Woods asked if we can require the county to put fences around the ponds. Attorney Cooper said we can't require them to but we can ask.

Attorney Cooper read the title to Ordinance 2018-02 Concerning an Amendment to the Future Land Plan Map. This was the second reading. Commissioner Chastain made a motion to approve the second reading. Commissioner Woods seconded it. The motion passed 5-0. Attorney Cooper read the title to Ordinance 2018-03 Concerning an Amendment to the Future Land Plan Map. This was the second reading. Commissioner Waters made a motion to approve the second reading. Commissioner Nugent seconded it. The motion passed 5-0. Attorney Cooper read the title to Ordinance 2018-04 Concerning an Amendment to the Future Land Plan Map. This was the second reading. Commissioner Waters made a motion to approve the second reading. Commissioner Chastain seconded it. The motion passed 5-0. Attorney Cooper read the title to Ordinance 2018-05 Concerning an Amendment to the Future Land Plan Map. This was the second reading. Commissioner Nugent made a motion to approve the second reading. Commissioner Chastain seconded it. The motion passed 5-0. Attorney Cooper read the title to Ordinance 2018-06 Concerning an Amendment to the Future Land Plan Map. This was the second reading. Commissioner Woods made a motion to approve the second reading.

2018-22 Concerning an Amendment to the Zoning Map. This was the second reading. Commissioner Chastain made a motion to approve the second reading. It was seconded by Commissioner Waters. The motion passed 5-0. Attorney Cooper read the title to Ordinance

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2018-35 Concerning an Amendment to the Zoning Map. This was the second reading. Commissioner Chastain made a motion to approve the second reading. It was seconded by Commissioner Waters. The motion passed 5-0. Attorney Cooper read the title to Ordinance

2018-36 Concerning an Amendment to the Zoning Map. This was the second reading. Mayor Mortimer passed the gavel to Vice-Mayor Nugent Commissioner Mortimer made a motion to approve the second reading. It was seconded by Commissioner Chastain. Vice-Mayor Nugent passed the gavel back to Mayor Mortimer.

Commissioner Waters asked Mr. Milner if Vicky Forsyth had been taken care of. Mr. Milner said he is waiting for Mr. Scandlan to get back to him.

Commissioner Woods asked the commissioners to let him know by May 10th if they are going to attend the Northeast Florida League of Cities Dinner on May 17, 2018 in Atlantic Beach.

Commissioner Chastain asked Lisa Terry for an update on the Hercules property. Ms. Terry said she talked to Jason Wilkes today. He is in the process of purchasing the property through his lease and expects to be able to sell the property in June. Commissioner Chastain asked Mr. Milner about his bi-weekly update. Mr. Milner said he is working on it. Commissioner Waters asked Mr. Milner to keep the commissioners updated on his mom.

Commissioner Nugent asked about the other property the city was looking into buying. Mr. Milner said he has had the property surveyed and sent the survey to the daughter of the owner. The daughter is going to talk to her father and uncle about selling the property to the city.

Mayor Mortimer asked Attorney Cooper to do research on the City Clerk's duties. Mr. Cooper said he would put out a memo with the information on Friday. Mayor Mortimer said Alicia McMillan asked her express appreciation for the letters of support for grants and designating the RJE Gym as a historical site. She said Andy Easton contracted with them last year and he has been doing a great job. Mayor Mortimer said the letters provided by this board and other boards has really strengthened their application. She wanted to thank Chief Johnson for responding with a very positive police presence. Mayor Mortimer asked for continued prayers for Mr. Milner's mother.

The next meeting date was set for May 15, 2018 at 6:30 pm.

There being no further business, the meeting was adjourned at 8:24 pm.