

Commission Meeting
September 19, 2017
6:30 pm

Minutes of September 19, 2017 Starke City Commission Meeting

This was the first regular meeting of the month. Members present: Mayor Tommy Chastain, Commissioner Mortimer, Commissioner Nugent and Commissioner Woods. Also present were Interim City Attorney John Cooper, Accountant John-Paul Ledford, Finance Director Alicia McMillian, City Manager Bob Milner, City Clerk Ricky Thompson, Police Major Barry Warren and Fire Chief Gary Wise. Commissioner Waters was in the hospital.

Mayor Chastain called the meeting to order at 6:35 pm. Commissioner Nugent offered a prayer and led the Pledge of Allegiance.

Mayor Chastain asked if there were any changes to the agenda. Mr. Thompson had an additional item 10. R. Shriner's Boot Drive on September 23, 2017 from 1:00 – 5:00 pm at Highway 301 and SR 100. Commissioner Woods made a motion to approve the agenda. It was seconded by Commissioner Nugent. The motion passed 4-0.

Commissioner Mortimer asked to table acceptance of the minutes until the next meeting. The commissioners agreed.

Mr. Clint Butts addressed the commissioners regarding flooding and sewage backups on St. Clair Street. Water from the ditch in front of his house came up to his house and sewage water came up from the behind his house. He had 16 to 18 inches of water in his house during Hurricane Irma. He asked what the city plans to do to stop further instances of flooding. Mayor Chastain mentioned the grant to evaluate and then repair the sewer system. Mr. Butts also mentioned flooding on Crum Street that washed out the road and left citizens stranded. Mayor Chastain stated that this was the first he had heard about this. Mr. Milner stated that they had the road passable the next day and that it is going to take a better fix. Commissioner Mortimer asked what the better fix was going to be. Mr. Milner stated that there was a wash out on Water Street as well and that an engineering firm would have to be brought in. Commissioner Mortimer asked if FEMA money could be used. Mr. Milner stated that if it was eligible for FEMA money they would apply for it. Mayor Chastain asked if sand bagging could have helped. Mr. Butts stated that it was sand bagged.

Wesley Larkin addressed the commissioners to ask what actions would be taken against the Chief of Police following the discovery of officers being on the city time clock and the VyStar time clock simultaneously. Mr. Larkin called for the immediate suspension of Police Chief Jeff Johnson until a formal investigation could be performed. He would like to see Chief Johnson face criminal charges along with the other officers involved. His client, Bridgett Underhill, was placed on administrative leave with pay while she was under investigation so it is only fitting that Chief Johnson should be placed on leave. He also called for an investigation by the Florida Department of Law Enforcement. If Chief Johnson cannot be placed on leave Mr. Larkin asked

that Mr. Johnson voluntarily step down. If the investigation finds wrong doing Mr. Larkin asked the commissioners to impeach Chief Johnson. Mr. Larkin stated that City Manager Milner stated during a television interview that an independent audit would be performed but that has not yet occurred.

Karen Kelly addressed the commissioners regarding her lights being turned off twice. The first time they were cut off before the cutoff date. She made a payment before her lights were cut off the second time. She put a check for \$100.00 in the drop box on Tuesday and told the head of the meter department she would pay the remaining \$70.00 on Thursday. On Wednesday when she got home her lights had been cut off. She stated that it was embarrassing. She wants to know why her lights were the only one cut off. Mayor Chastain asked Mr. Milner about this issue. He stated that he would like to meet with Mr. Thompson tomorrow and get back to her. She gave her phone number to Mr. Milner. Mayor Chastain asked if there was a particular time he should call her and she stated after 5:00. Commissioner Woods asked LaJuan Whittle if Mrs. Kelly was the only one cutoff. LaJuan stated that they were required to cutoff everyone on the cutoff list. Commissioner Mortimer expressed her apologies for the embarrassment and inconvenience and stated that communication needs to be improved so this does not continue to happen.

Major Barry Warren stated that they came through the storm well. They had one patrol car get flooded trying to help a motorist being swept away. The motorist was rescued. Mayor Chastain expressed his appreciation for the first responders during Hurricane Irma.

City Manager Milner addressed the following issues:

- 1) Mr. Milner addressed the Sewer System Evaluation Change Order No. 5. The net change will be \$5,800.00. Commissioner Woods made a motion to approve. It was seconded by Commissioner Nugent. The motion passed 4-0.
- 2) Mr. Milner stated that they were still in post cleanup following Hurricane Irma and it will be a while before they are ready to file for FEMA. Mr. Milner has a larger truck from WCA coming in to help with cleanup. Commissioner Mortimer asked how long the cleanup would take. Mr. Milner stated that they will know more after a few days.
- 3) There were 2 fires during the storm. Commissioner Woods asked if the house that caught fire was destroyed. Chief Wise stated that they responded very quickly and both structures were able to be saved

City Clerk Thompson addressed the following issues:

- 1) Commissioner Waters was not able to meet with the bond trustees. Commissioner Nugent volunteered to meet with the bond trustees following the meeting. He made a motion to approve paying the bills. The motion was seconded by Commissioner Mortimer. The motion passed 4-0.

- 2) The next item was the Public Risk Management of Florida Alternate Board Member Vacant Position. Mr. Thompson would like Ms. Terry to fill the position. Commissioner Woods made a motion to approve. It was seconded by Commissioner Mortimer. The motion passed 4-0.
- 3) The next item was the appraisal of the Hercules property. Commissioner Nugent made a motion to approve. It was seconded by Commissioner Woods. The motion passed 4-0.
- 4) The next item was the price quote for the labor and masonry for the Fire Station sign. There was an accident at the corner and one of the vehicles jumped the curb and hit the sign. The insurance money was received so it has been repaired. The motion passed 4-0.
- 5) The next item was the sign for City Hall. Commissioner Woods made a motion. Commissioner Mortimer seconded it and asked where the sign will be placed. Mr. Thompson stated that it would be placed out front. Commissioner Nugent prefers to wait to spend the \$9,134.00 on the sign at a later date. Mr. Thompson stated that the money for the sign is in the budget. Commissioner Woods made a motion to approve. The motion was seconded by Commissioner Mortimer. The motion passed 3-1. Commissioner Nugent preferred to wait on purchasing the sign.
- 6) The next item was the proposal for the Call Street Substation breaker/reclosure. Mr. Thompson stated that it would not exceed \$30,000.00. Commissioner Woods made a motion to accept. The motion was seconded by Commissioner Mortimer. The motion passed 4-0.
- 7) The next item was approval of the Resolution to release the City of Vero Beach from FMPA Power Supply Contracts. The City of Vero Beach is paying \$108,000,000.00 to FMPA to take its power utility. That money will go to the members. All 19 members must vote yes for it to pass. Mayor Chastain asked Mr. Thompson if he would recommend it. Mr. Thompson said he would. Commissioner Mortimer asked who our representative on FPMA's Board of Directors is. Mr. Milner stated that he is. If the commissioners need more information FMPA will provide it. Commissioner Mortimer made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.
- 8) The next item was the Fiscal Year 2018 Agreement Between the City and the Planning Council for Local Government Comprehensive Planning Services. Mr. Thompson stated that the cost is \$10,000.00. Commissioner Woods made a motion. It was seconded by Commissioner Nugent. Mayor Chastain asked if they ever got back to us on the flood ordinance. Mr. Milner stated that they had not but he expects to hear back from them. The motion passed 4-0.

- 9) The next item was the request from FGU for an increase in our letter of credit. They are asking for an increase of \$3,000.00. Commissioner Woods made a motion. It was seconded by Commissioner Mortimer. The motion passed 4-0.
- 10) The next item was the Crum Property Elevation Certificate. Commissioner Mortimer made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.
- 11) The next item was the North Florida Elite Cheer Boot Drive Request for November 11, 2017. Commissioner Woods made a motion. It was seconded by Commissioner Mortimer. Commissioner Mortimer asked if North Florida Elite Cheer was a local group. Major Warren stated that it was. The motion passed 4-0.
- 12) The next item was Sandra Demps' fulfilled contract. This was a Community Development Grant. Mr. Thompson stated that she has done everything required of the contract for 5 years so she should receive the deed to her home. Commissioner Mortimer made a motion. It was seconded by Commissioner Woods. Commissioner Mortimer knows her and stated that she deserves this.
- 13) The next item was Mr. Milner's Contract. Mr. Thompson asked if the commissioners wanted to renew his contract. Commissioner Woods wants an Operational Manager not a City Manager. Mayor Chastain stated that the contract will expire on September 30, 2017. Commissioner Mortimer expressed concerns. Mr. Cooper stated that the contract could go month to month until issues are addressed. The commissioners agreed to have a meeting next Tuesday and to discuss the contract.
- 14) The next item was the first reading of Ordinance No. 2017-0478 Clay Electric Cooperative Franchise Agreement. Mr. Cooper read the title. Commissioner Woods made a motion. It was seconded by Commissioner Mortimer. The motion passed 4-0.
- 15) The next item was the first reading of Ordinance No. 2017-0479 Floods. Mr. Cooper asked if we wanted to wait on a response from the Regional Planning Council. The commissioners agreed to table this item.
- 16) The next item was the first reading of Ordinance No. 2017-0480 Police Officers' Retirement System. Mr. Cooper read the title. Commissioner Mortimer made a motion. It was seconded by Commissioner Woods. Mayor Chastain asked if Chief Johnson would have to go to the lower salary. Commissioner Mortimer stated that it should. Mayor Chastain stated that this would need to be looked at next year.
- 17) The next item was the Edwards Park Unique Abilities Project. This item was information only.

18) The next item was the Shriner's Boot Drive for September 23, 2017 from 1:00 – 5:00 pm at Highway 301 and SR 100. Commissioner Woods made a motion. It was seconded by Commissioner Nugent. The motion passed 4-0.

Mr. Cooper wants to add enforcement to the Nuisance Ordinance. Mayor Chastain suggested having a workshop to discuss this. The commissioners agreed.

Commissioner Mortimer expressed concern over a photo taken by a citizen after the previous Commission Meeting. She is concerned about stalking. Mr. Cooper stated that there are civil and criminal consequences for stalking and urged Commissioner Mortimer to call law enforcement if she feels threatened. Commissioner Woods stated that it is ridiculous that 2 commissioners cannot have a conversation without someone taking a picture.

Mayor Chastain reopened to floor so Mr. Goodman could address the commissioners. Mr. Goodman stated that Mr. Hayes has signed off on his electrical. He asked to be grandfathered in on the set back because the house on the property was grandfathered in. Mayor Chastain asked Mr. Cooper to address the issue. He stated that the law does not like the word grandfathered. He stated that the LDR allows for a variance but the Board of Adjustment would need to hear the request. Mr. Goodman asked the commission to waive the fee if he covers the advertisement. Mr. Milner stated that there is a \$750.00 fee to request a variance. There will be a meeting to hear requests for variances in October. Commissioner Mortimer asked Mr. Thompson his thoughts on waiving the fee. He stated that it needs to be put on the next agenda to be voted on. Commissioner Mortimer asked if we have ever waived the fee. Mr. Thompson stated that he is not aware of the fee ever being waived. Mayor Chastain expressed concern over waiving the fee and opening a door for other citizens to asked for fees to be waived.

Commissioner Woods wanted to thank everyone who worked during Hurricane Irma.

Commissioner Nugent also wanted to thank everyone who worked during Hurricane Irma. He was happy to see Mr. Milner and Mr. Thompson were at the EOC meeting.

Commissioner Mortimer also wanted to thank everyone who worked during Hurricane Irma and asked that we continue to show that same camaraderie and team work.

Mayor Chastain stated that we came together with the county during Hurricane Irma. He asked the commissioners to hold a workshop to share with the citizens the plans for the parking lot. The commissioners agreed. They agreed to have the workshop on October 3, 2017. Mayor Chastain mentioned signs on Highway 301 to draw people to the downtown area. Mr. Milner stated that the Downtown Merchants have been discussing signs as well.

There being no further business, the meeting was adjourned at 8:09 pm.