

Commission Workshop  
March 5, 2019  
5:30 pm

Mayor Nugent called the workshop to order at 5:30 pm.

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.

Mr. Milner introduced Laura Miller Regalado from the Florida Department of Transportation. Mrs. Regalado thanked the commissioners for having them. She said their goal is to answer questions regarding the railroad crossing closings. Mrs. Regalado said they first visited Starke in January of 2016 regarding the railroad overpass on State Road 100. She asked the commissioners to ask questions as they go as opposed to holding them until the end. Mrs. Regalado held up a map of the rail system of Florida. She said Starke has a very active rail system running through it. Mrs. Regalado said the overpass came about because the institution of the SunRail system which increased train traffic in Starke by around 20 trains per day. She said the Department of Transportation is decentralized with the main office in Tallahassee and 7 district offices with Starke being located in District 2. Mrs. Regalado said the Department of Transportation's first goal is safety followed by efficient movement of people and goods. She said there are around 4,500 public and private at-grade railroad crossings in the State of Florida. Mrs. Regalado said in 1991 the Federal Railroad Administration asked all states to eliminate 25 percent of railroad crossings and to limit new crossings to ones that are clearly justified by public need. She said the State of Florida is unique in that the opening and closing of railroad crossings is handled by the Department of Transportation. Mrs. Regalado said an application is submitted and a public meeting is held. The public meeting for these closures was held on June 28, 2016. She said once the parties agree a stipulation of parties is drawn up and becomes the permit. Mrs. Regalado said if a stipulation of parties can not be reached then the Department of Transportation issues a notice of intent stating that the department feels it is in the best interest of the citizens to close the crossings. If an agreement cannot be made there will be an administrative hearing. Mrs. Regalado said CSX requires closing 3 railroad crossings for 1 opening and requires closure of redundant crossings. Redundant crossings are defined as more than 1 per quarter mile in an urban setting and more than 1 per mile in a rural setting. Mrs. Regalado said there can be up to a 20-minute delay for emergency vehicles travelling on State Road 100 if stopped because of a train crossing. She said the Department of Transportation proposed a railroad overpass for State Road 100. She said the City of Starke objected to closing the crossings because it would disconnect the continuity of the downtown area. Mrs. Regalado said the design moved forward without coordinating with CSX. Normally an at-grade crossing is replaced by a grade separation crossing and the at-grade crossing is closed but in this case the proposal moved forward with a crossing on the opposite side of the overpass so there would be a one-way pair. Mrs. Regalado said CSX considers that an opening that requires 3 closings. She held up a map with the vehicle count and the distance between

crossings. Mrs. Regalado said they identified several crossings that were possibilities for closings. She said the commission at that time wanted the Adkins Street and South Street crossing closed. Mrs. Regalado said the traffic counts on Adkins Street and South Street are low as well as Washington Street but that closing was objected to. Mrs. Regalado said the public meetings had been held and closing the crossings at Adkins Street and South Street had not been objected to so they moved forward with that plan. She said the Department of Transportation agreed to improve 2 other crossings that have safety concerns so CSX is allowing them to move forward with just the 2 closings. Mrs. Regalado said they are hoping to get the necessary signatures to move forward with this valuable project. Commissioner Waters said in 2016 Mrs. Regalado said that no one objected to the closings but that is not true. Mrs. Regalado said at the public meeting she attended no one objected to the closings. Commissioner Waters said he objected to closing the South Street crossing and he still feels that way. He also said he is against closing the Epperson Street or Westmoreland Street crossings because of the amount of traffic coming off of State Road 100. Commissioner Waters asked who is saying the Adkins Street and South Street closings must be closed. Mrs. Regalado said now it is the Department of Transportation. She said it is CSX's policy but the Department of Transportation controls the process. Mayor Nugent said the Department of Transportation has not done things they said they would do. Mrs. Regalado asked such as what. Mayor Nugent said improvements that were supposed to be made. Mrs. Regalado said the city was offered \$50,000 if they agreed to 3 closings and that money could have been used to make the improvements. Commissioner Mortimer said even if they do not agree to the closings the Department of Transportation has the authority to close them. Mrs. Regalado said they do and it could end up being 3 closings. Commissioner Smith asked if the city could still receive the \$50,000. Mrs. Regalado said it was offered in June of 2016 but the commissioners rejected it and it would require 3 closings. Mayor Nugent asked if one of the closings could be in the county. Commissioner Waters said there isn't one in the county that can be closed. Mrs. Regalado said the Department of Transportation looked into closing a crossing in the county but Commissioner Waters is correct there is not one in the county that can be closed. Commissioner Chastain asked if the traffic count provided is current or from 2016. Mrs. Regalado said they would be from 2016. Commissioner Chastain asked for traffic counts for crossings on the west side of Starke. Mrs. Regalado said they are no longer looking at closings on the west side of the city. She said she would look into getting the incentives with a third crossing closure. Commissioner Mortimer asked what the timeframe is. Mrs. Regalado said the applications are with Mr. Milner. Commissioner Mortimer asked what the timeframe would be if the applications do not get signed. Mrs. Regalado said she would meet with their executive leadership and determine if they are going to issue a notice of intent. She said the city would have 21 days from the date the notice of intent is issued to file a challenge and then there would be a hearing with the Department of Transportation against the City of Starke and an Administrative Hearing Judge would make a decision. Commissioner Smith asked how they move forward. Attorney Sikes said the commission can't vote on this because it is a workshop but if they decided to move forward by signing the 2 documents in a meeting then the Department of Transportation will move forward with the closings. Attorney Sikes asked if this is on the agenda for tonight's Commissioner Meeting. Commissioner Smith said it is not on the agenda. Commissioner Chastain asked at what point-in-time the Adkins Street crossing will be closed. Mrs. Regalado

said it will be left open as a route during the construction. She asked the commissioners if they would sign the closings if she could get \$30,000 in incentives for the 2 closings. Mayor Nugent said he is not willing to do that. Attorney Sikes suggested the Department of Transportation get together some offers to bring before the commission. Mr. Milner said he will have the closings on the agenda for the March 19, 2019 meeting. Mrs. Regalado asked the commissioners to look at the 8 criteria in their packets because that is the argument the city will have to make before the Administrative Hearing Judge. She said she will ask CSX if they will offer the \$30,000. The commissioners thanked Mrs. Regalado for coming.

There being no further business, the meeting was adjourned at 6:03 pm.