
The Live Oak City Council met in a regular City Council meeting, Tuesday, June 14, at 5:30 p.m. in City Hall located at 101 SE White Ave., Live Oak, Florida 32064. The following officials were present: Mayor Garth R. Nobles, Council President Councilman Keith Mixon, Councilman Bennie L. Thomas, Councilman Jacob Grantham, Councilman John W. Yulee Sr., Councilman Frank Davis, Attorney Fred Koberlein, City Manager Ron Williams, and City Clerk John Gill.

Council President Keith Mixon called the meeting to order. Mr. George Curtis then led the invocation, which was followed by the pledge of allegiance to the flag.

Councilman Mixon then presented for approval the May 10, regular council meeting minutes.

Councilman Yulee moved to approve the minutes as presented, which Councilman Grantham seconded. The motion carried unanimously.

Councilman Mixon then turned the floor over to Mayor Nobles to discuss matters regarding the city.

Mayor Nobles began with discussing the city's preparation for the annual Florida League of Cities Conference, and asked that councilmembers desiring to attend to contact the Administrative Receptionist, Ms. Stone, so that she may register them for attendance.

Mayor Nobles then made a special presentation of the Mayor's Community Service Award to Councilman Grantham in honor of his four years of service to the city.

Councilman Mixon then turned the floor over to City Clerk, Mr. John Gill, who made a special presentation recognizing the graduating Youth Advisory Council Seniors. Mr. Gill began with discussing the mission of the Youth Advisory Council and member's participation in local government and civic duty. Those recognized include the following:

- Hannah Mosley-President for the 2015-2016 school year - Served 2 Years on the YAC
- Aldo Garza-Vice President for the 2015-2016 school year, and President for the 2014-2015 school year - Served 2 Years on the YAC
- Kassidy Perkins – Served 1 Year on the YAC

Councilman Mixon then turned the floor over to City Manager, Mr. Ron Williams. Mr. Williams began by introducing Mrs. JoAnne Luther as the Interim Finance Department Director and proceeded with presenting the request to reclassify Melissa Ogles' (Finance Department-Cashier) employment status from probationary to permanent.

Councilman Davis moved to approve the reclassification of Melissa Ogles' employment status from probationary to permanent. Councilman Yulee seconded the motion. The motion carried unanimously.

Mr. Williams then discussed his next item regarding the lease agreement between the city of Live Oak and the Live Oak and Suwannee County Recreation Board. Mr. Williams then requested that the item be tabled for the June 21, Special Called City Council Meeting in order to allow for deliberation on the matter. The Council consensus was to do so.

Mr. Williams then proceeded with his next item regarding the final reading of Ordinance 1389.

LDR 16-1; ORDINANCE No. 1389 -Final Reading

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING ORDINANCE NO. 817, AS AMENDED, ENTITLED THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 16-1**, BY **THE LIVE OAK CITY COUNCIL**, AMENDING, REORGANIZING, RENUMBERING AND/OR STRIKING PORTIONS OF TEXT, INCLUDING CHANGING THE ACTUAL LIST OF PERMITTED, CONDITIONAL OR PROHIBITED USES WITHIN A ZONING CATEGORY, WITHIN ARTICLE: **TWO – DEFINITIONS, FOUR – ZONING REGULATIONS AND SUPPLEMENTARY DISTRICT REGULATIONS, NINE – HOUSING REGULATIONS AND CODE, AND FOURTEEN – PERMITTING AND CONCURRENCY MANAGEMENT**; PROVIDING AUTHORITY AND SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Councilman Mixon asked if anyone would like to speak regarding Ordinance 1389.

At which time, Ms. Catherine Cason (1422 W. 5th St.) addressed Council with the inquiry of how the amendments would affect residents on the West side of town. Mr. Curtis then addressed the inquiry discussing that the main objective was to make allowances for an expanded variety of housing that would be less restrictive than what was previously adopted. These amendments would be applied equally throughout the city, but an analysis would be required according to the property size, location, and the other related parameters including the zoning and what portions apply in particular situations.

Ms. Cason then inquired that should this ordinance result in extreme hardship on a resident were there any appeal process included within the ordinance to allow for changes. Mr. Curtis discussed that there is a variance process that would include going before the Board of Adjustment and requesting an adjustment to an adopted standard, if someone should file an actual appeal to the ordinance itself, Mr. Curtis would then have to refer to City Attorney, Mr. Koberlein on how that would be accomplished.

Councilman Thomas then addressed Mr. Curtis on what provisions were made for existing smaller lots such as those found in his district. Mr. Curtis discussed that in the residential number two and number three zones, amendments were made to the setback requirements, allowing for greater buildable area of those lots. The amendments make a distinction between existing plotted lots and those that were newly platted. The minimum lot size was reduced for those plots that had been previously plotted. In addition, provisions were made in the code regarding the width of lots, making it more flexible for appropriate housing to be placed on the narrow lots.

Councilman Yulee moved to approve the **final** reading of Ordinance 1389, which Councilman Davis seconded. The motion carried unanimously.

Mr. Williams then requested that agenda item number 4-D, regarding the **first** reading of Ordinance 1390, be withdrawn at this time. The Council consensus was to do so.

Ms. Williams proceeded to his next agenda item pertaining to the filling vacant seat # 1, of the Planning and Zoning Board, Board of Adjustment and other functions as outlined in LDR. The Mayor had received one letter of interest from a Mr. Jimmy Cherry. Councilman Davis moved to appoint Mr. Jimmy Cherry, which Councilman Yulee seconded. The motion carried unanimously.

Mr. Williams then presented his next item regarding a request for funds from Fine & Forfeiture for the purchase of equipment for the LOPD. Chief Buddy Williams discussed that these funds would be used for the painting of two vehicles, as well as for replacement of Tasers, and 20-year anniversary badges.

Councilman Grantham moved to approve the request for \$11,229.50 out of Fine & Forfeiture for equipment for the LOPD, which Councilman Yulee seconded. The motion carried unanimously.

Mr. Williams introduced his next item regarding the qualified contractor recommendation by Eutaw Inc. for the Ichetucknee road improvement project. Mr. Williams then turned the floor over to City Engineer, Mr. Lane Lucas of Eutaw Inc. Mr. Lucas discussed that the bids were opened on June 2, 2016, with three firms having submitted bids for the project. Mr. Lucas' recommendation was for the city to accept the bid from the lowest, responsive, responsible bidder, identified as Curt's Construction Inc.

Continuing, Mr. Lucas discussed that upon Council and Florida Department of Transportation (FDOT) approval Eutaw Inc. would prepare the Notice of Award in the Agreement for Construction for execution by a Council's designee. (The contract for the Ichetucknee road improvement project would be for an amount not to exceed the bid price of \$1,114,299.47.)

At this time, Councilman Thomas requested Mr. Lucas to explain the scope of the Ichetucknee Road Improvement Project. Mr. Lucas discussed that the project would begin at the intersection of Miller and Railroad Avenue, run across a vacant pasture and old railroad bed, all the way to the city limits. It was then questioned if there would be any further improvements done to Miller. Mr. Lucas explained that Miller Street would not be improved under this project, but improvements were submitted under a new SCOP grant funding program.

Councilman Mixon inquired that if the grant submission was successful what improvements would be addressed on Miller. Mr. Lucas discussed that the road would be completely rebuilt, and would be widened to 11 foot lanes, with manholes being flush with the roadway.

Councilman Davis inquired if there would be sidewalks implemented. Mr. Lucas discussed that under this SCOP grant submission there would not be. Mr. Lucas then identified that there would be other potential grant funds available for sidewalks due to the proximity of the schools. Continuing, Mr. Lucas explained that the Miller Street improvements conceptual design provided a corridor for future sidewalks.

Councilman Mixon then inquired if the part of Miller that curves back to Railroad would be addressed in the road improvements. Mr. Lucas discussed that to his knowledge, this was not included in the scope the project. Councilman Mixon requested that Mr. Lucas identify the additional cost for addressing this portion of the roadway.

Councilman Grantham then identified that there was a \$200,000 difference in the awarded grant amount and the cost for the Ichetucknee Road Improvement Project. Councilman Grantham then inquired where the additional funding would be coming from. Mrs. Luther then identified that available funds had been budgeted this fiscal year for the continuation of Walker Ave., North. It was Mrs. Luther's opinion that this project would not be continuing within this fiscal year, whereas the Ichetucknee Road Improvement Project was ready to proceed. Mrs. Luther's recommendation was that the city utilize those funds this fiscal year to make the Ichetucknee Road Improvement Project happen. The city could then pull from the capital improvement projects fund to re-budget for Walker Ave., North during the next budget year.

It was discussed that The Walker Ave., North project was on hold due to the necessity of moving a traffic signal in order to facilitate truck traffic. The estimated cost for moving the traffic signal was between \$75,000-\$100,000. In discussing the matter with the FDOT, the state was agreeable to moving the traffic signal during a future project. In looking at the FDOT's budget, Mr. Lucas identified that plans were in process for resurfacing US - 90 in the 2019 budget year. At that time, the FDOT would then move the traffic signal, at no cost to the city.

Councilman Thomas then inquired what storm water management efforts had been planned. Mr. Lucas discussed that a storm water retention pond had been planned and that the city would need to acquire right of way in order to proceed with implementing the retention pond. The retention pond was identified as part of the second SCOP grant submission (covering improvements to Miller). The city is currently waiting on FDOT to award the grant, in order to determine how to proceed with the project.

Councilman Mixon then opened the floor for public comment. At this time, Mr. Gary Caldwell (646 Henry St.) addressed council regarding projected improvements to Miller Street.

Following the discussion, Councilman Thomas moved to approve the awarding of the Ichetucknee Road Improvement Project to Curt's Construction. Councilman Yulee then seconded the motion. The motion carried unanimously.

Mr. Williams proceeded to his next agenda item regarding an update on the current CDBG application. Mr. Williams discussed the city was in line for a site visit the following day.

Mr. Williams then presented his final agenda item regarding the distribution of audited financial statements. Mr. Williams explained that the statements provided were for the Council to review in preparation for the Special Called City Council meeting on June 21, during which there would be an Audited Financials Presentation.

Councilman Mixon then introduced the next agenda item regarding Ordinance 1373 (yard trash pickup), regarding the frequency of pickups. Councilman Mixon then turned the floor over to Councilman Grantham for discussion. Councilman Grantham discussed that previously the city had addressed how much could be picked up by the city, increasing the pickup amount to 20 cubic yards. Councilman Grantham then identified that it was not determined how often the city would perform pickups, and advised that this matter be addressed.

It was determined that the city had authorized the superintendent (Public Works Director) to make a decision for the city of Live Oak above and beyond what was defined in the ordinance. It was explained that the Public Works Department would pick up 20 cubic yards per week, any debris pickups in excess of this would then be charged to the resident. In order to prevent a charge being placed against the resident, 20 cubic yards would be picked up one week, and the Public Works Department would return the following week to pick up another 20 yards, this would continue until all debris were removed.

The Council sought Mr. Koberlein's opinion on the matter. Mr. Koberlein advised that the city not define the frequency of trash pickup within an ordinance, due to the cost of advertising and attorney's fees in ordinance preparation. Mr. Koberlein advised that individuals with more than 20 cubic yards of debris be referred to code enforcement. Under these circumstances, the individual would be the minority of the city population, and the city should not bear the burden of additional services. By addressing the matter with code enforcement the

property owner would either incur the cost of removing the debris within the same week or seek another means of removing the debris in a timely manner.

No further direction from the council was provided on this matter.

Councilman Mixon then announced the upcoming Special Called City Council meeting, for Tuesday, June 21 at 5:30 PM.

The floor was then opened for final public comments, at which Ms. Marion Gross addressed the Council regarding housing standards and a stop sign located on May Street having been covered by tree limbs.

With no further public comments, the meeting was adjourned.

Councilman Mixon
City Council President
Attest:
Mr. John Gill
City Clerk