
The Live Oak City Council met for a regular City Council meeting, Tuesday, September 13, 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 John W. Yulee Sr., Councilman David Burch, 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 announced that he would be proceeding to the public hearing for the millage rate, and there turned the floor over to City Manager Ron Williams who presented the **first reading** of Ordinance 1397, an ordinance adopting the City of Live Oak Fiscal Year 2017 millage rate. Mr. Williams then introduced Interim Finance Director JoAnn Luther who discussed that the recommended millage rate would be 8.925. The clerk then read the ordinance title into the record.

ORDINANCE 1397
AN ORDINANCE FIXING AND PRESCRIBING THE MILLAGE TO BE LEVIED BY THE
CITY OF LIVE OAK, FLORIDA, FOR THE MUNICIPAL PURPOSE FOR FISCAL YEAR
2016-2017.

Councilman Burch moved to approve Ordinance 1397, which Councilman Yulee seconded. The motion carried unanimously.

Mr. Williams presented the **first reading** of Ordinance 1398, regarding the 2017 fiscal year budget, for council approval. The clerk then read the ordinance title into the record.

ORDINANCE 1398
AN ORDINANCE ADOPTING THE CITY OF LIVE OAK FLORIDA'S OPERATING
BUDGET FOR FISCAL YEAR 2016-2017.

Councilman Davis then inquired regarding available funding for employee raises. Mr. Williams explained that he would review the budget and return with recommendations.

Councilman Davis then moved to approve Ordinance 1398, which Councilman Yulee seconded. The floor was then opened for public comment, with none being heard, the vote was then taken, and the motion carried unanimously.

The public hearing was then closed.

Councilman Mixon returned to agenda item number one, regarding the approval of the August 9th, regular council meeting minutes and the August 3rd, council workshop meeting minutes. Councilman Burch moved to approve the meeting minutes as presented, which Councilman Davis seconded. The motion carried unanimously.

Councilman Mixon then turned the floor over to Mr. Williams who then presented Resolution 16-12, a resolution adopting the 2016-2017 flexible spending account. Councilman Yulee moved to approve Resolution 16-12, which Councilman Thomas seconded. The motion carried unanimously.

Councilman Mixon requested that Mr. Williams review the health insurance to verify costs and noted that there had been a \$5,000 to \$10,000 increase for every city department in the budget.

Mr. Williams then presented his next item concerning the implementation of the initial phase of the fire assessment fee. After the Council's decision to fund the Fire Department's budget, it was staff's recommendation, that the city implement a fire assessment fee at the 25% rate (per dwelling unit-totaling \$291,000).

Councilman Davis moved to approve the implementation of the initial phase of the fire assessment fee, which Councilman Yulee seconded. The motion carried 4 to 1 with Councilman Thomas dissenting.

Ms. Luther then clarified that it would be too late for the assessment fee to be collected through the tax bills, and that staff was seeking the Council's approval to implement this fee into the utility billing. In addition, staff would also ask for clarification on whether the Council would have all utility users billed for the fire assessment.

Councilman Burch moved to approve the fire assessment fee being added to the utility billing and that all users be billed for the fire assessment fee. Councilman Yulee seconded the motion. The motion carried 4 to 1 with Councilman Thomas dissenting.

Mr. Williams then presented the **first** reading of Ordinance 1399, an ordinance of the City of Live Oak amending the rates for water, sewer, tap, gas and miscellaneous service fees. The clerk then read the ordinance title into the record.

ORDINANCE 1399

AN ORDINANCE ADJUSTING UTILITY RATE FEES FOR CHAPTER 78, ARTICLE II WATER- SECTION 78-34 WATER TAPPING FEE, SECTION 78-35 PROPERTY OWNED BY CITY, SUPPLYING WATER OUTSIDE CITY AUTHORIZED, SECTION 78-36 WATER RATE SCHEDULE, SECTION 78-37 DELINQUENT ACCOUNTS, PENALTIES, AND REMEDIES, ALL REFLECTED IN APPENDIX A; AND CHAPTER 78, ARTICLE III SEWERS GENERALLY- SECTION 78-84 TAPPING FEE, SECTION 78-86 SEWER SERVICE CHARGES; AND CHAPTER 78, ARTICLE IV GAS- SECTION 78-121 DELINQUENT ACCOUNTS, PENALTIES, REMEDIES, SECTION 78-123 TAPPING FEES, SERVICE CALL CHARGES, TURN-ON FEES, SECTION 78-124 GAS RATE SCHEDULE, OF THE CODE OF ORDINANCES OF THE CITY OF LIVE OAK; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Councilman Yulee moved to approve Ordinance 1399, with an effective date of October 1, 2016. Councilman Thomas seconded the motion. The floor was then opened for public comment.

Ms. Anita Williams, 655 Miller St., then addressed Council with inquiries concerning Ordinance 1399, and the fire assessment. Mr. Williams discussed that Ord. 1399 would be user based and that low consumption (2 units or less) users would not realize an increase.

Following the discussion, the vote was then taken and the motion carried unanimously.

Mr. Curtis then presented the **final reading** of Ordinance 1395, an ordinance of the City of Live Oak amending the future land use classifications. The clerk then read the ordinance title into the record.

ORDINANCE 1395

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE FUTURE LAND USE CLASSIFICATION TO TWENTY OR FEWER ACRES OF LAND (SMALL SCALE) ON THE FUTURE LAND USE PLAN MAP OF THE CITY OF LIVE OAK COMPREHENSIVE PLAN, PURSUANT TO AN APPLICATION, **CPA 16-2**, BY THE PROPERTY OWNER(S) AND/OR THEIR AUTHORIZED, DESIGNATED REPRESENTATIVE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED, AND ARTICLE THREE OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR A CHANGE IN THE ASSIGNED FUTURE LAND USE CLASSIFICATION **FROM INDUSTRIAL TO RESIDENTIAL MODERATE DENSITY**, ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE

Councilman Thomas moved to approve Ordinance 1395, which Councilman Yulee seconded. The floor was then opened for public comment, hearing none, the vote was then taken and the motion carried unanimously.

Mr. Curtis then presented the final reading of Ordinance 1396 an ordinance of the City of Live Oak amending the zoning districts. The clerk then read the ordinance title into the record.

ORDINANCE 1396

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE ZONING DISTRICT TO 0.59 ACRES (MOL) OF LAND ON THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 16-4**, BY THE PROPERTY OWNER(S) AND/OR THEIR AUTHORIZED, DESIGNATED REPRESENTATIVE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN ARTICLE THREE OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR A CHANGE IN THE ASSIGNED ZONING DISTRICT **FROM INDUSTRIAL, LIGHT AND WAREHOUSING (ILW) TO RESIDENTIAL SINGLE FAMILY / MANUFACTURED HOME - TWO (RSF/MH-2)**, ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; PROVIDING SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE

Councilman Thomas moved to approve Ordinance 1396, which Councilman Yulee seconded. The floor was then opened to public comment, hearing none, the vote was then taken and the motion carried unanimously.

Councilman Mixon then presented the final item regarding Council approval for surplus property disposal. Councilman Burch moved to approve the surplus property disposal, which Councilman Davis seconded. The motion carried unanimously.

Councilman Mixon then requested that the city attorney draft an ordinance regarding the dispensing of medical marijuana. This proposed ordinance would limit the locations and the number of dispensaries.

With no further public comments, the meeting was adjourned.

Councilman Mixon
City Council President

Attest:
Mr. John Gill
City Clerk