
The of Live Oak City Council met Tuesday, January 12, 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 Ernest Sellers, 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 December 8th regular council meeting minutes, and the December 15th recessed council meeting minutes.

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

At this time, Councilman Mixon requested that the Council refer to agenda item number eight regarding the City Council. Under this heading, the first topic for discussion was the approval to retain Mr. Fred Koberlein as City Attorney. Mr. Koberlein had another obligation to attend therefore Council needed to move the agenda item to the front of the meeting. Mr. Koberlein addressed the Council that per the request of City Manager Jan Parkhurst, he had moved his effective date up to January 13, 2016 due to pressing matters. This effective date would be pending upon Council's approval.

Councilman Thomas moved to approve retaining Mr. Fred Koberlein as city attorney. Councilman Yulee seconded the motion. The motion carried unanimously.

Councilman Mixon proceeded to agenda item number five and turned the floor over to City Clerk John Gill. Mr. Gill then introduced Mr. Lee Harvard with B. W. Helvenston and Son's insurance company who was present to address the City Council on the city's insurance with the Florida Municipal Insurance Trust (FMIT). Mr. Harvard presented the Council with a check for the 2013/2014 return premium from the FMIT in the amount \$16,472.

Councilman Mixon then turned the floor over to Mayor Nobles who presented for approval, the proposed City of Live Oak 2016 Holiday Schedule. Councilman Davis moved to approve the 2016 Holiday Schedule as presented, which Councilman Yulee seconded. The motion carried unanimously.

Councilman Mixon then turned the floor over to Ms. Parkhurst. Ms. Parkhurst recommended that the first item, regarding a presentation from the Florida Gas Utility, be moved to a workshop due to the length of the presentation. The consensus was for the item to be moved to a workshop.

Ms. Parkhurst proceeded with her next item regarding a presentation by Rebecca White and Joe Lovelace with the Florida Department of Transportation pertaining to the resurfacing project on State Road 51.

Ms. Parkhurst proceeded with her next item pertaining to awarding the bid for RFP-01-2016 Grant Writing Services. The staff recommendation was for Fred Fox Enterprises Incorporated.

Councilman Grantham moved to award RFP-01-2016 Grant Writing Services to the Fred Fox Enterprises Incorporated. Councilman Thomas seconded the motion. The motion carried unanimously.

Ms. Parkhurst proceeded to her next item regarding the approval of streets designated for mailings. At which time, Mr. Roy Hutchinson presented the Council a recommended priority list (See handout on file). Councilman Thomas questioned why a portion of Horne St. was not included within the list. It was explained that this particular portion was private property and that it would require certification through the City Clerk's department in order to be designated as a city maintained right-of-way.

It was determined that this portion of Horne had been maintained for over 30 years and to proceed with having it certified as a city maintained street. Mr. Hutchinson then discussed that if this were the case the portion of Horne would be added, but Council would need to bear in mind that something else would have to come off the list, possibly a portion of Lisle Street.

It was then questioned on whether the County would be providing services and establishing the base for the roadways listed. Mr. Hutchinson discussed that in conversation with the County the only approved roadways to receive assistance in building a base were for Anna and Eva. Mr. Hutchinson continued stating that the County had built up the roadway 2 ½ ft. but no drainage impact studies were conducted. Mr. Hutchinson then noted his concern for sufficient drainage if these roadways were paved with millings.

Mr. Sellers echoed the concerns for drainage on Anna and that should the paving interrupt the natural flow of water or drainage then it would result in a liability to the city.

It was requested that Mr. Lucas (City Engineer from Eutaw Utilities) speak to the matter. Mr. Lucas discussed that the paving of Anna would have to be offset by building a swell. The cost estimates for doing so were available in the last CDBG grant proposal, but he did not have this information with him tonight.

Mr. Sellers then discussed that the issue with implementing the swell would be in obtaining the title to the property for a right-of-way in which to place the swell.

Mr. Lucas then discussed that previously a land swap had been proposed in which the city would trade property with the mobile home/trailer park owner in order to obtain the land necessary for building the swell. Councilman Mixon agreed to contact the owner of the trailer park and begin the process towards negotiating. Councilman Mixon would then direct the trailer park owner to contact the City Manager in negotiating the land swap.

The consensus was to postpone the paving of Anna and Eva until the issue was resolved. Councilman Mixon then called for a motion identifying the priority in which the proposed roads would be paved.

At which time, Councilman Thomas discussed that he would like the following streets to be made priority. Councilman Thomas began with the three listed portions of Horne St., the listed portion of Center St., and concluded with adding Lafayette Street to the listing.

To which, Councilman Mixon added that following Lafayette Street being paved, he would like to pick back up with the listed portions of Park Street.

Mr. Roy Hutchinson then addressed the Council discussing that the contractor could stretch out the millings by implementing a 2-inch thickness in the paved roadway. In doing so, the portions of Lisle Avenue may then be paved, provided there were enough millings.

Councilman Thomas then moved to approve the three portions of Horne Street, the listed portion of Center St., Lafayette Street, and the listed portions of Park Street. Councilman Yulee seconded the motion. The motion carried unanimously.

It was discussed, that the process would begin with an invitation to negotiate being put out for bid. The bidding process would extend 30 days, and that a projected selection date would fall within March. At this point, the weather would be optimal to begin paving the roadways with millings.

Ms. Parkhurst then presented for discussion the matter of a request for reuse water to be supplied to the Suwanee County Country Club. Mr. Jimmy Prevatt identified himself as appearing before the Council as a citizen and the President of the Suwanee County Country Club. Mr. Prevatt then outlined the history of the executed agreement with the city to provide reuse water to the Suwanee County Country Club (see handout provided by Mr. Prevatt).

Mr. Prevatt then addressed concerns that the city had not proceeded with executing the Memorandum of Agreement for Cost Share Assistance with the Suwanee River Water Management District, which would allow the project to move forward. In addition, Mr. Prevatt addressed concerns that the city had overextended itself and would no longer be able to provide reuse/reclaimed water to the country club. Mr. Prevatt cited section 11.2 of the agreement with the city, which discussed the exclusive rights of the City and Customer.

11.2

The customer recognizes that the City has a prior contractual obligation to deliver 200,000 gallons per day of reuse water to the Florida Department of Corrections as well as a 450,000 gallon per day commitment to Camp Weed and the City hereby agrees that it will not contract or otherwise agree with any person or entity other than the aforementioned Customers for the disposal, delivery or application of Reclaimed Water, which would interfere with or prevent the delivery of Reclaimed Water to the Customer in the quantities set forth in paragraph 3.1 above.

It was then discussed that the City was not currently providing reuse water to the Department of Corrections (DOC) but would be doing so eventually. The City has a remaining three years contracted with the DOC to provide the 200,000 gallons per day of reuse water. It was identified that in addition to the DOC, the city has obligated 450,000 gallons per day of reuse water to Camp Weed, 90,000 gallons per day to the Department of Parks & Recreation, as well as a commitment to the spray field (which had been leased to an individual for the hay from the property). It was discussed that with the commitments in place, the city had maximized the annual 778,000 to 780,000 gallons of annual reclaimed water produced by the water plant.

Mr. Lucas then identified the two issues as being first what the City was contractually committed to provide and second being could the City physically provide the committed needs.

Mr. Sellers then clarified that there was no contractual obligation to produce water for the spray field. Mr. Roy Hutchinson then asserted that the state permitting with the Department of Environmental Protection (DEP) would need to be amended in order to allow for the diversion of reuse/reclaimed water.

Mr. Sellers then inquired if there were a contract between the City and Parks & Recreation. Mr. Greg Scott Suwanee County Parks & Recreation Director stated that there was not, that the Parks & Recreation Department purchases the reclaimed water utilized on their soccer field.

Mr. Sellers then discussed that the city was obligated to the Suwanee County Country Club, and would be obligated to produce reuse to the previously contracted groups first (prior to producing it to Parks & Recreation or the spray field).

Mr. Prevatt then addressed the Council that in the event the City was temporarily unable to provide reuse to the country club, the country club had retained their wells and would simply switch a lever in order to return to utilizing their well systems.

Mr. Roy Hutchinson then addressed the Council that he believed an amendment would still need to be made to the state permit with the DEP and would verify this information.

The question was then raised as to who would maintain the booster equipment (necessary for obtaining the water pressure needed to operate the country clubs irrigation system). It was identified that the City would be responsible for the maintenance of the booster equipment.

Mr. Sellers then discussed that currently the Suwanee River Water Management District had provided for the funding of the project, and should the City lose the funding, it would still be contractually obligated to provide reuse services to the country club and would then absorb the cost for implementing the reuse lines.

The Council consensus was for this matter to be added to the recessed city council meeting agenda.

Ms. Parkhurst introduced her final item regarding the selection criteria for city manager. Ms. Parkhurst's recommendation was that Council expand the requirements sought for city manager applicants. Ms. Parkhurst also discussed the need for the applicant to have knowledge of all city departments.

Councilman Davis discussed expanding the criteria to accept applications from other states, on shortening the required years of experience, as well as accepting applications from individuals with managerial/supervisory experience in local government.

Councilman Davis then moved to expand the criteria to include applicants from any state, with at least 3-5 years of experience, and to accept applications from anyone with city manager, assistant manager, or other management/supervisory local government experience. Councilman Grantham seconded the motion. The motion carried unanimously.

It was then discussed that the Clerk's Department would modify the advertising listed on the city website, and to not modify the generic ad previously used. No additional advertising was approved.

Councilman Mixon then recessed the meeting for a break, following this, the meeting was called to order and Councilman Mixon turned the floor over to Development Manager George Curtis.

Mr. Curtis presented his first item concerning the nomination of a candidate and appointment to the Live Oak Planning and Zoning Board seat #4. The item was tabled to go before council at the recessed city council meeting.

Mr. Curtis presented his next item regarding the **final** reading of Ordinance 1384, an ordinance vacating a portion of Dillon Street NW.

ORIDINACE NO. 1384

AN ORDINANCE RELATING TO PUBLIC RIGHTS-OF-WAY, MAKING FINDINGS AND VACATING A PORTION OF DILLON STREET NW - CERTAIN UNIMPROVED PLATTED STREET RIGHTS-OF-WAY WITHIN THE CITY OF LIVE OAK, LYING WEST OF BROOME AVENUE NW, SOUTH OF WINDERWEEDLE STREET NW, AND NORTH OF SPRUCE STREET NW, PROVIDING FOR CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE

Councilman Yulee moved to approve Ordinance No. 1384, which Councilman Thomas seconded. The motion carried unanimously.

Mr. Curtis presented his following item the **first** reading of Ordinance 1385.

ORIDINANCE NO. 1385

AN ORDINANCE VOLUNTAIRLY ANNEXING CERTAIN REAL PROPERTY INTO THE CITY LIMITS OF LIVE OAK, FLORIDA, AND REDEFINING THE BOUNDARY LINES OF THE MUNICIPALITY TO INCLUDE SAID PROPERTY, PROVIDING FOR SEVERABILITY, CONFLICT AND PROVIDING FOR AN EFFECTIVE DATE

Councilman Yulee moved to approve Ordinance No.1385, which Councilman Thomas seconded.

At this time, Councilman Grantham recused himself from voting, noting the potential for conflict of interest due to him having business dealings with the owner. No Form 8B was submitted, Councilman Mixon advised Councilman Grantham to complete the Form 8b, by which he stated he would do.

The motion carried unanimously.

Mr. Curtis presented his next item regarding consideration to accept or deny bids submitted on city surplus real property located at 917 Broome Ave. NW.

Mr. Charles Brown was noted for having the highest bid at \$1500.

Councilman Yulee moved to approve the highest bid, which Councilman Thomas seconded. The motion carried unanimously.

Mr. Curtis proceeded to his last item, which was a request for a recess council meeting to be held on Tuesday, January 26 in order to consider the final reading of Ordinance No. 1385, voluntary annexation. The consensus was to add this agenda item to the January 26 recessed council meeting to be held at 4:00 p.m.

Councilman Mixon then proceeded to the matters of the City Council and presented for discussion the item of holding city council meetings twice a month. The Council consensus was to add meetings as needed.

Council Mixon then turned the floor over to Councilman Davis for his item regarding Ordinance 1302, relating to the parking of commercial vehicles within the City of Live Oak (within residentially zoned areas). It was determined, that at this time the matter had been resolved. No one from the public appeared to discuss the matter. No further action was taken.

Councilman Mixon then told Ms. Cassandra Cason that the matter she had come to discuss would be placed on the workshop agenda for Council discussion.

With no other agenda items to discuss, the meeting was adjourned.

Councilman Mixon
City Council President

Attest:

Mr. John Gill
City Clerk