

City of Live Oak  
Recessed City Council Meeting  
January 26, 2016

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The Live Oak City Council met Tuesday, January 26, for a recessed city council meeting at 4:00 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 Koberlien, and City Clerk John Gill.

Council President Keith Mixon called the meeting to order and presented the first item for discussion, regarding the **final** reading of Ordinance 1385, an ordinance voluntarily annexing certain real property into the city limits of Live Oak, Florida and redefining the boundary lines of the municipality to include said property.

**Annexation; ORDINANCE No. 1385 - FINAL Reading**  
AN ORDINANCE VOLUNTARILY 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

There was no public comment regarding Ordinance 1385. Councilman Yulee moved to approve Ordinance 1385, which Councilman Grantham seconded. The motion carried unanimously.

Councilman Mixon proceeded to the next agenda item regarding nominations for vacant seat #4 for the Planning and Zoning Board. Councilman Grantham did not have a nomination to provide, and the item regarding a nomination was to be placed on the February regular City Council meeting agenda.

Councilman Mixon presented the following item regarding the approval of the Memorandum of Agreement for Cost Share Assistance with the Suwannee River Water Management District as related to providing reclaimed water to the Suwannee County Country Club. Councilman Mixon discussed that according to the Public Works Director, Roy Hutchinson, the city would need to go back to the Department of Environmental Protection in order to obtain the permitting required to provide reuse water to the country club.

Councilman Thomas moved to accept the agreement and to get with the city engineer in moving forward, Councilman Yulee seconded the motion. The motion carried unanimously.

Councilman Mixon presented the final agenda item regarding the contract for services with Mr. Fred Koberlien. Councilman Mixon turned the floor over to Mayor Nobles who addressed concerns in which he had with the contract. Mayor Nobles began with noting that there was no provision for emergency called/special called meeting attendance or charges. Mr. Koberlein discussed that the contract reflected what the charter provided and what past historical activities were as shown with Mr. Sellers. Mr. Copeland then addressed his availability and that were he or his assistant, available they would honor the hourly rate of \$175.00. In the event an unscheduled meeting arises (during which Mr. Koberlien should have a prior obligation, and the city were not first on the calendar), the charge would be \$350 an hour retail. In addition, the city would also receive a retainer discount and a high volume discount as they had with Mr. Sellers.

The Council consensus was that this matter was resolved and did not require additional verbiage in the contract.

Mayor Nobles proceeded to his second item, which dealt with litigation (with court proceedings being held outside of the County). Mr. Koberlein clarified that this related to the event that the City of Live Oak and Koberlein Law Office entered litigation against one another. Continuing, Mr. Koberlein stated that were the

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case held in Suwannee or Columbia County the judges would recuse themselves. Mr. Koberlien then stated he would be happy to change this to reflect Suwannee County.

The public comments portion of the meeting was then opened, and Marion Gross (of 10309 108<sup>th</sup> Place, Live Oak) addressed Council regarding replacement of a modular home/trailer on her property. Mr. Curtis discussed that Ms. Gross could replace the home but would have to meet the current housing standards/code, or she could wait until the language had changed within the code. In waiting, it would then be easier for her to replace her trailer.

Mr. Curtis discussed that the change in the language would be a four to six month process, and that the city was currently two months into this process.

Councilman Thomas inquired why not allow an exception and allow Ms. Gross to proceed with moving in a trailer that would meet the new language requirements. Mr. Curtis explained that the Building Official, Roy Rogers, would have to issue the permit for the trailer to be moved onto the property. Mr. Rogers is unable to issue the permit if it does not meet the language for housing standards.

Ms. Cassandra Cason (822 7<sup>th</sup> Street SW, Live Oak) then addressed Council regarding drainage off of 7<sup>th</sup> Street and Walker Avenue. It was discussed that funding was not available to proceed with this project.

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

Councilman Mixon  
City Council President

Attest:

Mr. John Gill  
City Clerk