

City of Live Oak
Regular City Council Meeting
July 14, 2020

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The Live Oak City Council met Tuesday, July 14, 2020 at 5:30 p.m. in City Hall located at 101 S.E. White Ave., Live Oak, Florida 32064. The following officials were present: Mayor Frank C. Davis, Council President Councilmember Mark Stewart, Councilmember Robintina Reed, Councilmember David Burch, Councilmember Don Allen, Councilmember Lynda Brown-Owens, Attorney Fred Koberlein Jr., City Manager Ron Williams, and City Clerk John Gill.

Council President Stewart called the meeting to order.

Mr. George Curtis led the invocation, which was followed by the pledge of allegiance to the flag.

Council President Stewart then turned the floor over to Mayor Davis who introduced the first item of business related to the newly elected officials taking their oath of office. Mayor Davis administer the oath of office to the following officials; Councilmember Elect District 2 Lynda Brown-Owens, Councilmember Elect District 3 David Burch, and Councilmember Elect District 5 Don Allen.

Mayor Davis then proceeded to the next item of business concerning the nomination and election of Council President and Council Pro Tem. The floor was then opened for nominations for Council President.

Councilmember Burch nominated Councilmember Stewart for Council President; with no other nomination the vote carried unanimously.

Mayor Davis then proceeded to the next item on the agenda concerning the nomination and election of Council Pro Tem. The floor was then opened for nominations for Council Pro-Tem.

Councilmember Burch nominated Councilmember Allen for Council Pro-Tem, with no other nomination the vote carried unanimously.

Council President Stewart proceeded to the next item concerning any additions, deletions or changes to the agenda. Council President Stewart asked to move agenda item 8P (Ordinance No. 1406) to 8A on the agenda. Councilmember Burch moved to approve the agenda with the changes, which Councilmember Allen seconded. The motion carried unanimously.

The floor was then opened for Public Comment: Anita Williams spoke with regards to water run off and road signage.

Council President Stewart proceeded to the next item regarding the approval of the June 9, 2020 City Council Meeting minutes. Councilmember Burch moved to approve June 9, 2020 meeting minutes, which Councilmember Allen seconded. The motion carried unanimously.

Council President Stewart then turned the floor over to Mayor Davis. Mayor Davis presented a Proclamation in honor of Carol Westmoreland, Executive Director of The Florida Redevelopment Association, declaring October 15, 2020 to be “Carol Westmoreland Day”.

Mayor Davis then proceeded to the next item on the agenda, recommendation of appointment to the Live Oak Housing Authority with Council approval. Mayor Davis recommended that Mrs. Theresa Smith be appointed to the Live Oak Housing Authority Board. Councilmember Allen moved to approve Mrs. Smith appointment, which Councilmember Burch seconded. The motion carried unanimously.

Council President Stewart then proceeded to the next item on the agenda, nomination and election of a delegate to represent The City of Live Oak at Florida League of Cities annual meeting. Councilmember Owens volunteered to represent the City of Live Oak. Councilmember Burch moved to approve Councilmember Owens as the appointed delegate, which Councilmember Reed seconded. The motion carried unanimously.

Council President Stewart then proceeded to the next item on the agenda regarding sewer connections on Anna Street. Council President Stewart then turned the floor over to Councilmember Allen. Councilmember Allen wanted to discuss the sewer connections that will run on the west side of Anna Ave. Councilmember Allen requested that Mr. Tim Wiggins come forward and speak to the Council. Mr. Wiggins asked the Council why the City will supply the East side of Anna Ave. with sewer but will not supply the West side of Anna with sewer. Council President Stewart asked that Councilmember Allen get with Mr. Williams and discuss the City policy on the cost of running City sewer down Anna Ave. and the expense to the resident and to the City.

Council President Stewart then turned the floor over to Mr. Williams.

Mr. Williams then proceeded with the next item on the agenda, the Final reading of Ordinance No. 1406. Mr. Williams turned the floor over to Mr. George Curtis, Planning and Zoning Director. Mr. Curtis proceeded with the **FINAL** reading of Ordinance No. 1406, at which time City Clerk John Gill read Ordinance No. 1406 into the record.

ORDINANCE NO. 1406

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE ZONING DISTRICT TO **1.50 ACRES (MOL)** OF LAND ON THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 17-3**, BY THE PROPERTY OWNER(S) AND/OR THEIR AUTHORIZED REPRESENTATIVE, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN ARTICLE THREE OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR A CHANGE IN THE ASSIGNED ZONING DISTRICT **FROM AGRICULTURAL – ONE (A-1) TO COMMERCIAL-NEIGHBORHOOD (C-N)**, ON CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; PROVIDING CONDITIONS; PROVIDING AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Curtis stated that Mr. Reeves, Attorney on behalf of the Petitioners and Mr. Joyce, Attorney on behalf of the Respondents, were present and that both sides had come to an agreement concerning the zoning. The Petitioners and Respondents have agreed to the following: None of the permitted principal uses and structures which may otherwise be allowed in the Commercial-Neighborhood (C-N) Zoning District will be allowed, except for:

- 1) Professional Offices including: business, accounting, tax preparation, engineers, architects, surveyors, insurance agents, real-estate and other licensed professionals.

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- 2) Medical Offices including: medical and dental offices, clinics and laboratories, chiropractors, psychologist, counseling, therapists: physical and massage, and other licensed medical professionals.
 - 3) Veterinary Clinics, provided:
 - a) The entire business must be conducted wholly within a completely enclosed soundproofed and air-conditioned building.
 - b) Noise and odors created by activities within the building shall not be perceptible beyond the property line.
 - c) No animals shall be kept outside the building at any time.
 - 4) Farmer's or community market and/or community garden, greenhouses and plant nurseries.
- Provided that none of the above allowed uses shall involve the production or sale of Cannabis or Marijuana or related products.

Councilmember Allen moved to approve Ordinance No. 1406 with the exceptions that are listed, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Williams then proceeded with the next item on the agenda, regarding the placement of a Historical Marker at Azalea Park. Mr. Williams then asked Mr. Robert Ford to come forward and speak. Mr. Ford requested of the Council to allow for a Florida Landmark Historical Marker be placed in Azalea Park. Mr. Ford stated that Florida Memorial College Marker will be located at Azalea Park and it will be at no cost to the City or the citizens of Live Oak. Mr. Ford also stated that they would like to place a monument at Heritage Trail at E. Howard St. in honor of Harry Tyson Moore. Councilmember Burch moved to approve the monuments at Azalea Park and Heritage Trail, which Councilmember Owens seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, Council action regarding setting a proposed maximum millage rate. Mr. Williams began by saying that he would like to set the maximum millage rate for F/Y 2020-2021 at 9.2521. Mr. Williams stated that this rate would not increase but could decrease when the Council has their budget hearings. Councilmember Burch moved to approve the maximum millage rate at 9.2521. which Councilmember Owens seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, setting the date and time of the tentative budget hearings for F/Y 2020-2021. Mr. Williams turned the floor over to Ms. Joanne Luther, Finance Director. Ms. Luther requested that Council set the tentative date and time for 3rd Tuesday of September, which reschedules September Council meeting set for September 8, 2020 @ 5:30 p.m. to September 15th. Councilmember Allen moved to approve the September 15th date and time, which Councilmember Owens seconded. The motion carried unanimously.

Ms. Luther then asked that the **FINAL** Budget meeting be set for September 29, 2020 @ 5:30 p.m... Councilmember Burch moved to approve the September 29th date and time, which Councilmember Owens seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, nominations to Citizens Advisory Task Force for CDBG potential projects. Mr. Gill announced that Councilmember Allen nominated Ms. Kimberly Glasscock for the CDBG Task Force Board. Councilmember Allen moved to approve Ms.

Glasscock for the CDBG Board, which Councilmember Burch seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, Resolution No. 2020-13, a resolution ratifying the Mayor's extension of the State of Emergency from COVID-19.

RESOLUTION NO. 2020-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA RATIFYING THE MAYOR'S EXTENSION OF THE STATE OF EMERGENCY ARISING FROM THE COVID-19 PUBLIC HEALTH EMERGENCY.

Councilmember Burch moved to approve Resolution No. 2020-13, which Councilmember Allen seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, Resolution No. 2020-14, a resolution authorizing the release and satisfaction of lien recorded in official records book 2048. Mr. Williams stated that the address for this release of lien is 602 1st St.

RESOLUTION NO. 2020-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, AUTHORIZING THE EXECUTION OF A RELEASE AND SATISFACTION OF LIEN RECORDED IN THE OFFICIAL RECORDS BOOK 2048, BEGINNING AT PAGE 77, OF THE PUBLIC RECORDS OF SUWANNEE COUNTY, FLORIDA, RELATING TO A CODE ENFORCEMENT LIEN.

Councilmember Burch moved to approve Resolution No. 2020-14, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Williams then proceeded to next item on the agenda, Resolution No. 2020-15, a resolution declaring certain property owned by the City to be either surplus and sold or determined to be obsolete.

RESOLUTION NO. 2020-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA DECLARING CERTAIN PERSONAL PROPERTY OWNED BY THE CITY TO BE EITHER SURPLUS TO ITS NEEDS AND SOLD AT A PUBLICLY NOTICED SALE OR DETERMINED TO BE OBSOLETE, NON-SERVICEABLE, OR BEYOND ECONOMIC REPAIR AND AUTHORIZING THE CITY TO REMOVE SUCH SURPLUS PROPERTY WHEN SOLD OR DISPOSED OF FROM THE FIXED ASSETS OF THE CITY.

Councilmember Burch moved to approve Resolution No. 2020-15, which Councilmember Allen seconded. The motion carried unanimously.

Mr. Williams then proceeded to the next item on the agenda, Mr. Williams called Ms. Gabrielle Redfern, CRA Director of the City of Live Oak. Ms. Redfern proceeded with Resolution No. 2020-16, a request of the CRA for proposal to develop "Old Suwannee Pack" property and delegate CRA Board to negotiate and dispose of it.

RESOLUTION NO. 2020-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, APPROVING A REQUEST OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF LIVE OAK, FLORIDA, REQUESTING THAT A THIRTY DAY NOTICE BE PUBLISHED SEEKING PROPOSALS TO DEVELOP REAL PROPERTY FORMERLY KNOWN AS THE OLD SUWANNEE PACK PROPERTY AND DELEGATING TO THE CRA BOARD THE AUTHORITY TO NEGOTIATE AND DISPOSE OF SAID PROPERTY AS MAY BE DETERMINED TO BE IN THE PUBLIC INTEREST FOR USES IN ACCORDANCE WITH THE COMMUNITY REDEVELOPMENT PLAN.

Councilmember Owens moved to approve Resolution No. 2020-16, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Williams moved to the next item on the agenda, Mr. Williams turned the floor over to Mr. Curtis. Mr. Curtis then proceeded with the re-appointment of Board member Mr. Jimmy Cherry, seat #1 to the City of Live Oak Planning and Zoning Board, Local Planning Agency, Board of Adjustment and Historic Preservation Agency. Mr. Curtis explained that this is a Three-year term beginning August 2020 through August 2023. Councilmember Burch moved to re-appoint Mr. Cherry to the Board, which Councilmember Allen seconded. The motion carried unanimously.

Mr. Curtis then proceeded to the next item on the agenda, the re-appointment of Mrs. Cheryl Pruitt, seat #2 to the City of Live Oak Planning and Zoning Board, Local Planning Agency, Board of Adjustment and Historic Preservation Agency. Mr. Curtis explained that this is a Three-year term beginning August 2020 through August 2023. Councilmember Burch moved to re-appoint Mrs. Pruitt, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Curtis then proceeded to the next item on the agenda, the **First** reading of Ordinance 1443, Council President Stewart asked Mr. Gill to read the Ordinance into record.

ORDINANCE NO. 1443

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 20-1**, BY THE PROPERTY OWNERS AND/OR THEIR AUTHORIZED REPRESENTATIVE; RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, APPROVAL OF AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE CITY OF LIVE OAK, COMPREHENSIVE PLAN, UNDER THE

AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED, AND ARTICLE THREE OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LIVE OAK, FLORIDA; PROVIDING FOR A CHANGE IN THE LAND USE CLASSIFICATION **FROM RESIDENTIAL MEDIUM DENSITY TO COMMERCIAL**, OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Councilmember Burch moved to approve Ordinance No. 1443, which Councilmember Owens seconded. The motion carried unanimously.

Mr. Curtis proceeded to the next item on the agenda, **First** reading of Ordinance 1444, Council President Stewart asked Mr. Gill to read the Ordinance into record.

ORDINANCE NO. 1444

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE ZONING DISTRICT TO **0.084 ACRES** (MOL) OF LAND OF THE OFFICIAL ZONING ATLAS OF THE LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 20-1**, BY THE PROPERTY OWNERS AND/OR THEIR AUTHORIZED REPRESENTATIVE; RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, APPROVAL OF AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, UNDER THE AMENDMENT PROCEDURES IN ARTICLE THREE OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REZONING **FROM OFFICE – INSTITUTIONAL (O-I) TO COMMERCIAL – INTENSIVE (C-I)**, OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Burch moved to approve Ordinance No. 1444, which Councilmember Allen seconded. The motion carried unanimously.

Mr. Curtis then proceeded to the next item on the agenda, the **First** reading of Ordinance No. 1445, Council President Stewart asked Mr. Gill to read the Ordinance into record.

ORDINANCE NO. 1445

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 20-2**, BY THE CITY OF LIVE OAK CITY COUNCIL, ADDING, AMENDING, REORGANIZING, RENUMBERING, AND/OR STRIKING PORTIONS OF TEXT, WITHIN ARTICLE: **FOUR-ZONING REGULATIONS, SECTION 4.8, RMF-RESIDENTIAL-MULTIPLE-FAMILY**; PURSUANT TO AN APPLICATION BY

THE LIVE OAK CITY COUNCIL; PROVIDING SEVERABILITY; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Owens moved to approve Ordinance No. 1445, which Councilmember Burch seconded. The motion carried unanimously.

Mr. Curtis proceeded to the next item on the agenda, the **First** reading of Ordinance No. 1446, Council President Stewart asked Mr. Gill to read the Ordinance into record.

ORDINANCE NO. 1446

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 20-3**, BY THE PROPERTY OWNERS AND/OR THEIR AUTHORIZED REPRESENTATIVE; RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, APPROVAL OF AN AMENDMENT TO THE FUTURE LAND USE PLAN MAP OF THE CITY OF LIVE OAK COMPREHENSIVE PLAN, UNDER THE AMENDMENT PROCEDURES ESTABLISHED IN SECTIONS 163.3161 THROUGH 163.3215, FLORIDA STATUTES, AS AMENDED, AND ARTICLE THREE OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF LIVE OAK, FLORIDA; PROVIDING FOR A CHANGE IN THE LAND USE CLASSIFICATION **FROM: INDUSTRIAL TO: RESIDENTIAL HIGH DENSITY**, OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Allen moved to approve Ordinance No. 1446, which Councilmember Burch seconded. The motion carried unanimously.

Mr. Curtis then proceeded to the next item on the agenda, the **First** reading of Ordinance No. 1447, Council President Stewart asked Mr. Gill to read Ordinance No. 1447 into record.

ORDINANCE NO. 1447

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE ZONING DISTRICT TO 1.48 ACRES (MOL) OF LAND ON THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 20-3**, 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 (I) TO: RESIDENTIAL MULTIPLE-FAMILY-TWO (RMF-2)** OF 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.

Councilmember Burch moved to approve Ordinance No. 1447, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Curtis then proceeded to the last item on the agenda, the **First** reading of Ordinance No. 1448, Council President Stewart asked Mr. Gill to read Ordinance No. 1448 into record.

ORDINANCE NO. 1448

AN ORDINANCE OF THE CITY OF LIVE OAK, FLORIDA, AMENDING THE ZONING DISTRICT TO 2.00 ACRES (MOL) OF LAND ON THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, PURSUANT TO AN APPLICATION, **LDR 20-5**, BY THE PROPERTY OWNERS AND/OR THEIR AUTHORIZED REPRESENTATIVE; RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, APPROVAL OF AN AMENDMENT TO THE OFFICIAL ZONING ATLAS OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS, UNDER THE AMENDMENT PROCEDURES IN ARTICLE THREE OF THE CITY OF LIVE OAK LAND DEVELOPMENT REGULATIONS; PROVIDING FOR REZONING **FROM COUNTY COMMERCIAL-INTENSIVE (C-I) TO CITY RESIDENTIAL MULTIPLE-FAMILY -TWO (RMF-2)** OF CERTAIN LANDS WITHIN THE CORPORATE LIMITS OF THE CITY OF LIVE OAK, FLORIDA; REPEALING ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Owens moved to approve Ordinance No. 1448, which Councilmember Burch seconded. The motion carried unanimously.

Mr. Williams asked to speak at which time he notified the Council of his intent to resign as City Manager. He does not have a specific date of resignation; due to the fact he would like to work until the City can find a replacement for him.

With there being no further business, the meeting was adjourned.

Councilmember Mark Stewart
City Council President

Attest:
Mr. John Gill
City Clerk