

City of Live Oak
Regular City Council Meeting
August 11, 2020

1

The Live Oak City Council met for a Regular scheduled City Council meeting Tuesday, August 11, 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.

The floor was then opened for Public Comment:

Marlon Ivey: Concerns with water and sewer rate increase.

Janice Akins & Vanessa Stevenson: water and sewer rate increase

Mr. Rick Naeglar, CEO with Suwannee County ER: Gave Council an update on how the ER is progressing..

Anita Williams: water and sewer rate increase, Miller St. digital speed sign, assigning a COVID-19 Task Force, and reading of water meters.

Council President Stewart then proceeded to the next item on the agenda, approval of the July 14th Council meeting minutes. Councilmember Owens moved to approve the July 14th Council meeting minutes, which Councilmember Reed seconded. The motion carried unanimously.

Council President Stewart proceeded to the next item on the agenda, approval of the agenda with any additions, deletions, or changes. Councilmember Burch moved to approve the agenda as presented, which Councilmember Owens seconded. The motion carried unanimously.

Council President Stewart then turned the floor over to Mayor Davis. Mayor Davis recognized Mr. Rick Naeglar and Mr. Noah Walker with Suwannee ER, who gave an update during the Public Comment portion of the meeting.

Council President Stewart then proceeded to the next item on the agenda regarding the selection of an employment search firm for City Manager position. Council President Stewart then turned the floor over to City Manager, Mr. Ron Williams, who presented a letter of recommendation of award for an executive search firm. Mr. Williams stated that the City had received a total of four (4) responses to the RFP for the selection of an executive search firm. After reviewing all the firms, it is the recommendation of the City Manager that an award is made to S. Renee Narloch & Associates in an amount not to exceed \$18,950.00. Councilmember Owens asked for clarification on how the selection of the firms were made, at which time Mr. Williams stated that the City's Procurement Department was in charge of the RFP solicitation. After discussion concerning the process for the selection of the firm and the councils role in the selection, Council President Stewart declared a 5- minute recess.

Council President Stewart called the meeting back into order, at which time he asked Mr. Williams how the process will be handled in finding candidates for the City Manager position. Mr. Williams stated that the firm will bring forth the number of qualified applicants that the Council will determine. Council President Stewart informed the Council that if any of the Councilmembers have any certain changes or additions that feel need to be made in the City Manager's contract that they need to get in touch with Mr. Williams or Council President Stewart and not wait until the last minute of selecting an applicant. Mr.

Williams added that the Charter will outline the duties of the City Manager and the contract should be an outline of the Charter of the City. Councilmember Owens asked Mr. Williams his retirement date, so that the Council has an idea of a timeline they are working with in the search for his replacement. Mr. Williams stated that he plans to stay with the City until they have found a replacement.

Councilmember Allen moved to approve the selection of S. Renee Narloch & Associates not to exceed the amount of \$18,950.00, which Councilmember Burch seconded. The motion carried unanimously.

Council President Stewart proceeded to the next item on the agenda, regarding the Chamber of Commerce building lease. Councilmember Allen stated that he received a letter from the Chamber requesting a one (1) year extension on their lease, Councilmember Allen turned the floor over to Hillary Cannon, Executive Director for the Chamber. Ms. Cannon stated that the Chamber has been in negotiations with Mr. Williams concerning the upcoming renewal of their lease agreement, however due to COVID-19 and the economic struggles due to the pandemic they are asking the Council to grant them a 12-month extension on their lease. Councilmember Allen moved to accept the 12-month extension at the current rate, which Councilmember Owens seconded. The motion carried unanimously.

Council President Stewart then proceeded to the next item on the agenda, regarding water retention on Davis Street. Councilmember Reed proceeded with requesting if the City could somehow put in a retention pond on the East end of District 1, due to the flooding issues in that area when there is an excessive amount of rain. Councilmember Reed turned the floor over to Mr. Tim Wiggins, who stated that the flooding issues on the East side of District 1 is continuing to get worse. Council President Stewart asked that Councilmember Reed get with Mr. Williams and discuss her concerns.

Council President Stewart then proceeded to the next item on the agenda, at which time he turned the floor over to Councilmember Owens. Councilmember Owens began with, the condition of the roads in District 2 needing to be addressed, there are several pot holes. Councilmember Owens made the motion to find funding to have roads paved in District 2, which Councilmember Reed seconded. Council President Stewart asked City Clerk, to conduct a roll call vote. Councilmember Burch- No, Councilmember Reed- Yes, Councilmember Stewart- No, Councilmember Allen- No, Councilmember Owens- Yes. The motion failed.

Councilmember Owens proceeded to discuss the next item on the agenda, maintaining the retention ponds in District 2. Councilmember Owens stated that the retention ponds on Scriven and Irvin Ave., are nasty, the grass has grown up around them and they need to be mowed or some kind of weed killer sprayed around them.

Councilmember Owens proceeded to discuss the next item on the agenda, vacant property in District 2 and addressing how to go about having the property cleaned up. Council President Stewart stated that those are private property, and will have to be addressed through a Code Enforcement. As far as City owned property or pot holes filled up, Councilmember Owens will need to get with Mr. Williams and ask for service orders.

Councilmember Owens proceeded to discuss the next item on the agenda, concerning affordable housing in District 2. Council President Stewart stated that the City is working on affordable housing thru-out the city, for example there are some on Railroad, a few in Azalea Park, and the City is in the process of trying to locate a developer to come and build some affordable houses in District 1 by Hale Park.

Council President Stewart proceeded to the next item on the agenda, Employee Service Recognitions. The floor was turned over to Mr. Williams. Who recognized all the City employees that have stayed on duty and have reported to work on a daily basis during COVID-19. Mr. Williams also, wanted to recognize four (4) employees for their years of dedicated service to the City of Live Oak.

Ms. Jennifer Ratliff- Police Department has 10 years as of January 25th.

Mr. Sid Hayes- Asst. Fire Chief has 10 years as of June 17th.

Ms. Ann Turnan- Finance Accountant has 25 years as of July 24th.

Mr. Chad Croft- Fire Chief has 30 years as of August 23rd.

Mr. Williams then proceeded to the next item on the agenda, the nominations and appointments to the Citizens Advisory Task Force for CDBG projects. Mr. Williams read the names of the nominees as follows: Cynthia Robinson- District 2, Eva Fernandez- District 3, and James Tooten- District 1. Councilmember Allen moved to approve the appointment of Cynthia Robinson, Eva Fernandez, and James Tooten to the CDBG Board, which Councilmember Reed seconded. The motion carried unanimously.

Mr. Williams then proceeded with the next item on the agenda, selection of Public Works Firm with authorization for administration to begin contract negotiation in response to RFP 02-2020. Mr. Williams informed the Council that a committee of five (5) went over the proposals sent to the City for RFP 02-2020, the members of the committee were: Andy Townsend, Public Works Director City of Live Oak, Jessica Gordy, Project and Procurement Specialist City of Live Oak, George Curtis, Planning and Zoning Director City of Live Oak, Greg Bailey North Florida Specialist Lake City, and Thomas Henry, City of Lake City.

Mr. Williams stated that ESG, Inc. and Utility Partners, Inc. were the only two (2) companies to respond and after extensive review by the committee it is his recommendation that the City award the bid to Utility Partners, Inc. out of Tallahassee, Florida. Councilmember Burch moved to approve the award to Utility Partners, Inc., which Councilmember Allen seconded. Council President Stewart asked Mr. Gill to conduct a roll call: Councilmember Reed- Yes, Councilmember Owens- Yes, Councilmember Burch-Yes, Councilmember Allen-Yes and Council President Stewart- Yes. The motion carried unanimously.

Mr. Williams then proceeded with the next item on the agenda, the **FIRST** reading of Ordinance No. 1449. Mr. Williams turned the floor over to Mrs. Joanne Luther, Finance Director. Mrs. Luther proceeded with informing the Council that Florida Rural Water Association have prepared a rate study on sewer rates and have discovered that the City is coming up short with covering the loans and suggest a 6% increase over a period of three (3) years. Council President Stewart asked that the Ordinance be read into record, at which time City Clerk read the title only to Ordinance No. 1449.

ORDINANCE NO. 1449

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA, ADJUSTING UTILITY RATES REFERENCED IN CHAPTER 78, ARTICLE III, SEWERS GENERALLY, SPECIFICALLY: SECTION 78-84 TITLED “ TAPPING FEE” AND SECTION 78-86 TITLED “ SEWER SERVICE CHARGES “, AND

CHAPTER 78, ARTICLE IV GAS, SPECIFICALLY: SECTION 78-124 TITLED “ GAS RATE SCHEDULE”. OF THE CODE OF ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

Council President Stewart opened the floor for any Public Comments regarding Ordinance 1449:

Mr. Tim Wiggins came forward and ask what the Water and Sewer Tap and Impact Fees were going to be for residents with the new rates.

Mr. Maurice Perkins came forward and ask who would be charged for impact fees. Council President Stewart stated that Impact fees would only be charged for “New Construction “. Councilmember Allen stated that if there was an existing house there and you are rebuilding the house then there will be “No Impact Fee “.

Ms. Anita Williams came forward with questions concerning charging the developers Impact Fees for the project on Hwy 51.

Mr. Grady Franklin came forward as well, stating that staff is recommending the increase so to cover the cost of the loans the City has for past sewer repairs. Mr. Franklin asked if the increase is not passed where will the funding come from? Council President Stewart replied that if the City is not financially stable to pay the loans then the State would come in.

Mr. Maurice Perkins came forward again, and asked the Council why the City was paying a company extra money to run the City when the City has a Public Works Director.

Councilmember Burch moved to approve the first reading of Ordinance No. 1449, which Councilmember Stewart seconded. Council President Stewart asked Mr. Gill to conduct a Roll Call vote: Councilmember Reed- No, Councilmember Owens- No, Councilmember Burch- Yes, Council President Stewart- Yes, Councilmember Allen- Yes. The motion carried 3 to 2 votes, with Councilmember Owens and Councilmember Reed descenting.

Council President Stewart proceeded to the next item on the agenda, **Final** reading Ordinance No. 1443. Council President Stewart turned the floor over to Mr. George Curtis, Planning and Zoning Director. Council President Stewart asked Mr. Gill to read title only into the record. Council President Stewart opened the floor up for Public Comments:

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 TH ECITY 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 Allen seconded. The motion carried unanimously.

Mr. Curtis proceeded to the next item on the agenda, **Final** reading Ordinance No. 1444.

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.

Council President Stewart asked Mr. Gill to read the Ordinance title only into record, at which time the floor was opened up for Public Comments: No Comments

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

Mr. Curtis proceeded to the next item on the agenda, **Final** reading Ordinance No. 1445.

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.

Council President asked Mr. Gill to read the Ordinance title only into record, at which time the floor was opened for Public Comments: No Comments

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

Mr. Curtis proceeded to next item on the agenda, **Final** reading Ordinance No. 1446.

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.

Council President Stewart asked Mr. Gill to read the Ordinance title only into record, at which time the floor was opened for Public Comment: No Comments

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

Mr. Curtis proceeded to the next item on agenda, the **Final** reading Ordinance No. 1447.

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, 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.

Council President Stewart asked Mr. Gill to read the Ordinance title only into record, at which time the floor was opened for Public Comments: No Comments

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

Mr. Curtis then proceeded to the last item on the agenda, **Final** reading Ordinance No. 1448.

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-1) 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.

Council President Stewart asked Mr. Gill to read the Ordinance title only into record, at which time the floor was opened for Public Comments: No Comments

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

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

Councilmember Mark Stewart
City Council President

Attest:
Mr. John Gill
City Clerk