

DeFuniak Springs City Council

Regular Meeting

February 23, 2009

The DeFuniak Springs City Council met in Regular Session at 6:00 PM with the following members present: Mayor C. Harold Carpenter; Mayor Pro-Tem James Huffman; City Council Members: Don Harrison, James Coffield, Wayne Graham, Henry Ennis; City Manager Kim Kirby, City Attorney Clayton Adkinson, Finance Director Sara Bowers, and Deputy Clerk Vanessa Mitchell.

CALL TO ORDER: Mayor Carpenter called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE: Don Harrison gave the invocation and the Pledge of Allegiance was recited.

MINUTES:

(A) *February 9, 2009 – Regular Meeting:* There were none.

Motion made by James Huffman to accept as presented, second by Henry Ennis, motion carried 5-0.

(B) *February 10, 2009 – Workshop:* There were none.

Motion made by Wayne Graham to accept as presented, second by James Huffman, motion carried 5-0.

PLANNING AND ZONING DIRECTOR, GREG SCOVILLE:

(A) *2008-cp-03 Capital Improvements Element:* Greg Scoville requested a public hearing tonight, adoption, and authorization to transmit to the Department of Community Affairs. Mr. Scoville reviewed the packet information with the Council. He explained that DCA will prepare an ORC report and give the City an opportunity to respond and modify as needed. Mr. Harrison asked if, after the comments, the comp plan would come back before the Council. Mr. Scoville said yes. Mayor Carpenter announced this was a public hearing and called for anyone to speak for or against to come forward. There were no comments.

Motion made by James Huffman to adopt Ordinance #774 and authorize transmittal to DCA, second by Henry Ennis, motion carried 5-0.
Greg Scoville read by title.

REQUEST TO BE PLACED ON THE AGENDA:

(A) *Discuss the "Take Stock in the Clock" Initiative, Terry Dawkins and Ken Little:* Mr. Terry Dawkins introduced Mr. Ken Little and Ms. Cathy Mosley from the Walton County Heritage Association. He said their association is taking on the First National Bank Clock project. Mr. Dawkins explained the clock is in a state of disrepair and they would like to sell stock certificates that allow them to help restore the clock. He said he was not asking for money but wanted to let the Council know because it is owned by the City. Mr. Dawkins explained the stock certificates would be good for 1-2 years and they hoped to have enough money within that time for the restoration, and if they did not the money would be returned to the participants (stock holders). A PowerPoint presentation followed. Don Harrison said he thought it was great that an organization could take on a project like this and that so many things could be done that are good. He said City taxpayer dollars just can't do it all, and this was one of those projects the Council decided not to use taxpayer dollars on. Mr. Ken Little said they would like to get as many people involved as possible. Mr. Harrison asked what their plans were for the PowerPoint presentation. Mr. Little said they planned to use it for Civic

groups, and they would use the same presentation at the County Commission meeting tomorrow because the other half of the clock sits in their vault. Mayor Carpenter called for a consensus to give their permission and allow the (Walton County Heritage Association) to move forward. Mr. Dawkins expanded on the CD presentations and their hopes of reaching more of the community through them.

Consensus of the Council to give their permission and allow the Walton County Heritage Association to move forward with their efforts to raise funds to restore the First National Bank Clock.

(B) Request Rental Fee for the Chautauqua Building be Waived for the Walton High School Air Force Junior ROTC Military Ball, Lt. Col Alan Gardner: Cadet Kodi Sniezko announced the Walton County High School ROTC were having their Military Ball on March 24 at the Chautauqua Building and requested waiving the rental fees or to help reduce the cost. Mayor Carpenter said we've called many times on these individuals and I know we are losing money on these buildings but he'd like to give his support. Ms. Kirby said she did not have any information tonight to present to the Council regarding the losses of the facilities. She said they are looking at several options to bring back to the Council. She added she thought ROTC did a tremendous job for us too. Don Harrison said they have done a good job for us and I know we have recently waived fees for other charities, which is different than what the ROTC group is asking for. He went on that the Council has turned down waiving fees for cheerleaders and the high school prom. Mr. Harrison stated that he is not opposed to this but that we may need a policy in place. He said every time we do this we are setting a precedent and it would be a good thing to separate this because we are constantly waiving fees for groups and there are a bunch of groups that are worthwhile, we need to consider a precedent. Ms. Kirby said they are presently working on that. Mr. Huffman said on a previous occasion the Junior class asked for a waiver and Council waived half the fees, and in light of what's been brought up, we need to take into consideration what these young people have done for us, every Veteran's Day they show up and help.

Motion made by James Huffman to approve the request, second by James Coffield, motion carried 5-0.

Mr. Huffman thanked the young man for his poise and the leadership skills, it was impressive to have young people stand before them and do what he just did.

(C) Request Approval for Grant Recipients, Bob Jones, CDBG: Mr. Bob Jones brought four additional applicants to be sure there is not a conflict of interest and none of the applicants are related to the Council. He said if there is not a conflict, these applications will be prepared to go to bid. Mr. Jones gave an update on the progress thus far. Mr. Jones said he anticipates being able to do 20 houses. Mayor Carpenter commented that is great news for the City of DeFuniak Springs. Mayor Carpenter called for anyone who may be kin to the applicants to come forward. There were none. James Huffman said this programs is tremendous for our community and he has gone by and chatted with the residents after their houses are built. Mr. Huffman said they cannot describe the feeling you get when they are so very proud of what they received. He thanked Mr. Jones and said he has done a great job with it. Don Harrison commented that when you think of low income housing, you think of big new buildings at the edge of town, but these are houses in the City and rebuilding them is really helping the whole community.

ASSISTANT CITY MANAGER, BILL HOLLOWAY:

(A) Request Authorization to Purchase Land for Well #10: Bill Holloway gave an update on the well site and requested authorization to proceed with the purchase of the property at Peck Cawthon Road for the proposed well #10 and elevated

storage tank #3. He said the City Attorney has researched and approved clearance of the title for the property. Mr. Holloway said after the borings, it has been recommended that a conventional foundation cannot be used and that the proposed water tank should be supported by a deep pile foundation system, costing between \$60,000-\$100,000. He said he felt the property was an ideal location to help enhance our existing system, prepare us for new growth, help with availability for new customers or developments and also help with water pressures in the existing system. He requested permission to purchase the property. Don Harrison asked if needed to include closing costs. Clayton Adkinson advised the council to make the motion to approve the purchase between 165,000 and 170,000. Mr. Adkinson discussed taking in the road during the acquisition to ensure our maintenance of the road. Don Harrison asked Charles Peters if the closing date would coincide with the application for RD. Mr. Peters said the City would purchase the property now and RD would reimburse the costs. Discussion followed on funding use for the purchase.

Motion made by Don Harrison to approve the purchase of the land south of I-10 identified by Bill Holloway up to \$170,000 and that includes the closing costs, second by Wayne Graham.

James Huffman asked about deciding how the tank will look. Ms. Kirby said they can decide that during the design phase. Mr. Huffman said its not a regular tank, we want people to remember our City. Mr. Peters commented that he wasn't sure if we had ascertained that you can see the tank through the trees.

Motion carried 5-0.

CITY MANAGER, KIM KIRBY:

(A) *Renew Fire Agreement with North American Family Institute (NAFI):* Kim Kirby advised this is a renewal request with the North American Family Institute. She said we have had this for several years and the Fire Department has had only one call out this year. Ms. Kirby said we are looking for approval to continue that service to them. She said this also helps them with their insurance.

Motion made by Wayne Graham to approve the request with North American Family Institute, second by Don Harrison, motion carried 5-0.

(B) *Approve Amendments to the Sick Leave Policy:*

1. *Sick Leave Donation:* Ms. Kirby said there were several housekeeping items on the sick leave policy. She went over the suggested changes to the sick leave donation.

Motion made by Don Harrison to approve the amendment to the sick leave donation, second by James Huffman, motion carried 5-0.

2. *Payment for Accrued Sick Leave:* Ms. Kirby said this was an amendment to offer a pay out to an employee for sick leave as a one time option. Don Harrison said he thought that was a good thing, Mr. Huffman asked for clarification that (a rehired employee) could still use sick leave while working. Ms. Kirby said yes.

Motion made by James Huffman to accept the addition, second by Don Harrison, motion carried 5-0.

3. *Use of Sick Leave:* Ms. Kirby advised the Council the last amendment was to change the sick leave increments to quarter hours. Ms. Bowers confirmed that the payroll system could handle the quarter hours. Mr. Huffman said it seemed like more problems. Ms. Bowers said it was the same as annual leave now. Don Harrison asked if we have talked about all

of these (amendments) to the union. Ms. Kirby said after their approval she will present to them with the changes.

Motion made by James Huffman to approve, second by Henry Ennis, motion carried 5-0.

(C) *Approve Smoke Free Workplace Policy*: Kim Kirby asked for approval of the policy to be in accordance with the Florida Clean Air Act that doesn't allow smoking in any public buildings or vehicles. Mr. Huffman asked if there had to be a designated smoking area outdoors. Ms. Kirby said there were butt gatherers outside but not a designated place. Mr. Ennis commented that it bothers people to walk through all the smoking on the way in a door. Don Harrison asked if this would prevent employees from smoking in City Vehicles, including police and fire departments. Ms. Kirby said it would be a City wide policy. Mr. Graham asked if we were including chewing tobacco. Ms. Kirby said yes, and read a portion of the policy that confirmed that.

Motion made by James Huffman to accept the policy in reference to tobacco use in City buildings (and vehicles), second by Henry Ennis, motion carried 5-0.

(D) *Approve Work Order #3, Landscaping, PMA*: Kim Kirby requested approval of Work Order #5 with PMA to landscape 5 medians on Hwy 90 and a portion of Hwy 331 median from Hwy 90 to the railroad tracks. She said we are required to establish the wildflower beds, but it doesn't have to be the whole median. Ms. Kirby pointed out we are taking on the inspection work and that we have the amount in the budget. Don Harrison asked what the timeframe was for the actual construction to begin. Ms. Kirby said there was a proposed timetable attached and that she hoped to accelerate the time estimates where possible.

Motion made by Henry Ennis to approve Work Order #3 with PMA, second by James Huffman, motion carried 5-0.

FINANCE DIRECTOR, SARA BOWERS:

(A) *Present Annual Audit Report, Tipton, Marler, Garner, & Chastain*: Sara Bowers introduced Curtis Chastain to present their 2008 audit report. Mr. Chastain went over the audit report. He also went over the recommendations for improvement regarding purchase orders. Ms. Kirby said the Council should have already received a memo sent out from her office. She explained that most of the items cited are related to the memo she had sent out, but told the council there was no purchase of inappropriate items.

Motion made by Don Harrison to accept the audit report from Tipton, Marler, Gardner, and Chastain for the year 2008, second by James Huffman, motion carried 5-0.

(B) *Expenditure and Revenue Reports*: Ms. Bowers advised the Council this was the expenditures and revenues for their information. There were no questions.

(C) *Bills*: Sara Bowers requested a motion to pay all bills in order.

Motion made by Henry Ennis to pay all bills in order, second by Wayne Graham, motion carried 5-0.

CITIZENS COMMENTS: There were none.

CITY MANAGER'S REPORT: Kim Kirby passed out an invitation from Chris Mitchell to attend the ribbon cutting ceremony at Morrison Springs. She announced they were gearing up for the Everyday Excellence in DeFuniak quality training. She said everyone has worked very hard for the kick off the week of March 16th. Ms. Kirby advised the Council they would be bringing back the animal ordinance soon and if there were any comments before then to let her know. She also mentioned she had met with Art Dees and he gave an update on forming a committee for the sign ordinance revisions.

She said she thought it was a very well represented group and they were meeting in March. She said they will take the comments to staff, draft an ordinance and have another workshop in April of May. Ms. Kirby also announced Michelle Schack has been working on a project with her Leadership Walton class called Project Princess. She said their goal is to collect prom dresses that they will give to the High School girls for free for their proms, and Ms. Schack has collected very nice dresses.

COUNCIL COMMENTS AND COMMITTEE REPORTS:

James Coffield – none

Don Harrison – he attended the NWFLOC meeting in Panama City and got a tour of the new Bay County airport. He said they are in the middle of construction and anticipate opening in May 2010. Mr. Harrison then discussed lobbying March 10, 11, and 12. He said the NWFLOC has people lobbying every week. He also had a sample resolution from the FLOC about building citizenship in the community, going back to the basics and covering things such as putting civics back in the schools. Mr. Harrison said he'd like to suggest getting approval from our Council to give the resolution to our staff to bring something back. Ms. Kirby said she has the sample resolution from the FLOC.

Consensus of the Council given to staff to work on drafting a resolution.

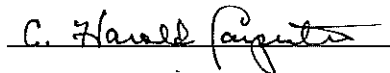
James Huffman – commended Ms. Bowers for the outstanding job they do with our financial affairs. He said he appreciates it.

Henry Ennis – thinks they did a good job. He said he also attended a labyrinth presentation and it was interesting. He said at least he knows what it looks like. He also announced the Okaloosa Transportation meeting was canceled.

Wayne Graham – commended the superior audit and gave congratulations to all.

There being no further business, Mayor C. Harold Carpenter adjourned the meeting.

ADOPTED this 9th day of March, 2009



C. Harold Carpenter, Mayor

ATTEST:



Vanessa Mitchell, Deputy Clerk