

DeFuniak Springs City Council

Regular Meeting

April 27, 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, Henry Ennis, Wayne Graham; City Manager Kim Kirby, City Attorney Clayton Adkinson, Finance Director Sara Bowers, City Clerk Susie Campbell-Work, and Deputy Clerk Vanessa Mitchell.

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

PLEDGE OF ALLEGIANCE AND INVOCATION: Pledge of Allegiance was recited, and James Huffman gave the invocation.

MINUTES:

(A) *April 13, 2009 – Regular Meeting:* There were three corrections by Don Harrison. The first correction was on page 2, first paragraph; third sentence; where it reads “Mr. Graham said it was different from other requests.” Mr. Harrison said it should read “Mr. Graham said it was no different than any other request.” Secondly, on page two; in the second paragraph; first sentence; it reads, “Motion died for lack of motion.” Mr. Harrison said it should read, “Request died for lack of motion.” Last, page two; in the fifth paragraph; first sentence; where it stated, “Don Harrison commented that he *had* went...” Mr. Harrison wanted the grammatical error of “had” to be removed.

Motion made by Wayne Graham to approve the minutes as corrected, second by Henry Ennis, motion carried 5-0.

(B) *April 14, 2009 – Canvassing Board Meeting:* There were no corrections.

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

ELECTION BUSINESS:

(A) *Swearing in Elected Officials:*

1. Mayor C. Harold Carpenter, Judge David Green
2. City Marshal Mark Weeks, Mayor Carpenter
3. Council Seat #4 Henry D. Ennis, Council Seat #5 Wayne Graham, Mayor Carpenter
4. City Clerk Susie Campbell-Work, Mayor Carpenter

(B) *Set Time and Date for Council Meetings:* Motion made by James Huffman to leave time and date the same, second by Don Harrison, motion carried 5-0.

(C) *Appoint Planning Board Members, Councilmen Ennis and Graham:* Henry Ennis appointed Donald Truitt. Wayne Graham did not get a chance to talk with Keturiah Baldwin and needed until the next meeting to come up with a name.

Motion made by Don Harrison to approve Donald Truitt as Planning Board Member, second by James Coffield, motion carried 5-0.

(D) *Appoint Canvassing Board Alternates, Vanessa Mitchell and Wayne Graham for Election Audit on April 28, 2009:*

Motion made by James Coffield to appoint Vanessa Mitchell and Wayne Graham as alternates to the Canvassing Board, second by James Huffman, motion carried 5-0.

PLANNING AND ZONING DIRECTOR, GREG SCOVILLE

(A) Appointment of Complete Count Committee sub-committee Chairpersons:

1. Mayor C. Harold Carpenter reserved the right to name that person until a later date.
2. James Huffman requested appointment of Rev. Tyrone Broadus.
3. Don Harrison needed a few more days.
4. Henry Ennis requested appointment of Kermit Wright.
5. Wayne Graham needed a few more days as well.
6. James Coffield needed a few more days.

Motion made by Don Harrison to appoint Rev. Tyrone Broadus and Kermit Wright to the Complete Count Committee sub-committee, second by Wayne Graham, motion carried 5-0.

(B) Water Supply Work Plan Adoption Hearing of Ordinance #775: Greg Scoville stated that The Department of Community Affairs found the Water Supply Work Plan in compliance and they issued the notice that it was in compliance. Mr. Scoville asked the Council to approve Ordinance #775 adopting the Water Supply Work Plan which is an amendment to the Water Sub Element of DeFuniak Springs' Infrastructure Element and have a final reading. Mr. Scoville said Ordinance #775 repeals Ordinance #773.

Motion made by James Huffman to approve Ordinance #775 Water Supply Work Plan Adoption Resolution and have Final Reading, second by Henry Ennis, motion carried 5-0. Greg Scoville read by title.

REQUEST TO BE PLACED ON THE AGENDA

(A) Request Labyrinth to be placed in the lakeyard, Dr. Melinda Henderson: Dr.

Henderson spoke on her proposal for a labyrinth to be placed in Chipley Park. She informed the Council that many citizens support the placement of the labyrinth in Chipley Park. There were 32 letters of support and one letter of concern about the placement of the labyrinth in Chipley Park. She discussed positive reports from those whom have tried out the temporary labyrinth that was set up during the Chautauqua Assembly across from the Hall of Brotherhood. Dr. Henderson proposed the area 200 yards East of the Presbyterian Church as the most suitable site. She suggested this site because of the flat area and said it would not have to be radically changed or altered in order to install the labyrinth.

Upon conclusion of Dr. Henderson's presentation, she asked that the Council vote to proceed in securing funding for the project. Upon further discussion, Henry Ennis stated concern about the issue of flooding that has occurred more than once in the area over the years. Dr. Henderson suggested that cement could be used, thus prohibiting flooding. Don Harrison voiced that the proposal was not specific to any one area and suggested areas to the south of it as a better placement due to the endangered species of magnolia that is currently in the site that Dr. Henderson is speaking on tonight. Mr. Harrison also stated that he would be very careful, in his mind, of adding things to the lakeyard. Dr. Henderson acknowledged Mr. Harrison's concern, added that his concern was the substance of the one concern letter against the labyrinth previously mentioned, and pointed out that we have elected the Council to make decisions for us and to choose what is right for that lakeyard and what might not be a good idea. Dr. Henderson pointed out that there are not many things suitable for adult recreation at the lakeyard and further urged the Council to consider her proposal. She proposed other details regarding the labyrinth like materials and naturalistic colors.

Henry Ennis suggested other areas (outside the Lakeyard) for the placement of the labyrinth. Dr. Henderson said this site is a prime site for meditation due to the quiet setting, as opposed to the noise and commotion of the tennis court and the children's

park. She also shied away from the area near the DeFuniak Library due to the traffic and the fact that the area is already well-used. Dr. Henderson suggested spreading out the things that would be made available for the public to use.

City Manager Kim Kirby asked Dr. Henderson if this was a grant that she was looking to pursue or if this was a grant that the City would pursue. Dr. Henderson replied she wants the City to pursue the grant. Kim Kirby commented that Vanessa Mitchell needs to research this before pursuing the grant because only three FRDAP grants can be open at a time and the City already has two open. Mayor Carpenter asked if this would be 100% funded by the FRDAP grant. Mrs. Kirby said it was dependable upon funding availability and grant scoring. Dr. Henderson requested that the Council pursue funding and moving forward with it. Mayor Carpenter asked if it were to be built, who would maintain it. Dr. Henderson answered that it was on City property and they would be responsible for the maintenance and upkeep. James Huffman brought up the concern that initially it was understood this was going to be a community project, no City funding would be involved, and that the only proposal was approval of use of land. Dr. Henderson apologized for Mr. Huffman's misunderstanding and explained that her intent was for a Park's and Recreation Grant. Wayne Graham wanted the City Staff to research how feasible it would be to put it at this site. Further discussion was made about the details of the labyrinth by Dr. Henderson. James Huffman discussed needing more research. Vanessa Mitchell informed the Council on the grant process and point process.

Mr. Huffman said that he needs more information in order to make a decision. Kim Kirby asked Dr. Henderson to share her grant research with the staff to help the process proceed faster and smoother. James Huffman recommended tabling the proposal until they could get more information from planning on the design. Greg Scoville said he could accommodate the city in the preliminary steps of this project. Don Harrison said Bill Holloway needed to be involved too. Kim Kirby said another meeting between herself, Greg Scoville, and Bill Holloway, needs to take place and they will meet with Dr. Henderson, formulate their findings, and then present them to the council at a later time. City Attorney Clayton Adkinson stated no action needs to be made at this time.

No action taken by the City Council.

CITY MANAGER, KIM KIRBY:

(A) *Approve Agreement Allowing Pee Wee Football use of Municipal Facilities:* Kim Kirby introduced the agreement and stated the building, also known as the "gas barn", was located adjacent to Harbeson Field. A representative, Joy Mitchem, has already met with Mrs. Kirby on several occasions and has presented it to her group to receive approval. She informed the Council that one room on the North side was presently being used by the Pee Wee Football.

Motion made by James Huffman to approve the agreement for the use of the "old gas barn" for Pee Wee Football use, second by Wayne Graham.

Further discussion was made by Henry Ennis and Don Harrison regarding exact Location, motion carried 5-0.

(B) *Approve Addendum to Interlocal Agreement with Walton County for field maintenance facility:* This addendum will allow the County use of a portion of the building, located at Harbeson Field, commonly referred to as the "gas barn" for the purposes of a field maintenance facility.

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

(C) *Approve Interlocal Agreement with Walton County – Building Official Oversight:* Kim Kirby introduced this agreement and stated that when they had advertised for a Building Official to take over Larry Laird's position, none were Certified Building

Officials. The City selected Mr. Ed Joyner and is in the process of getting his certification and has 24 months to do so. The City needed assistance from the County to meet State requirements for building inspections, review of plans, and oversight of its building official during the term of provisional licensing from the Florida Department of Business and Professional Regulation. Don Harrison and James Huffman expressed concerns. Mr. Huffman inquired about the next steps to be taken, in regards to employment, if Mr. Joyner's application for certification is denied. Mrs. Kirby said it would be contingent on the reason of denial. Kim Kirby told the Council that we still need the assistance from the County until we hire a Certified Building Official or until the Building Official we select is certified.

Motion made by Don Harrison to adopt the Interlocal Agreement with Walton County to provide services for Field Inspector, second by James Huffman, motion carried 5-0.

(D) *Discuss Budget Payment Policy*: Kim Kirby introduced the Levelized Payment Policy for the City of DeFuniak Springs that we want to make available for our customers. This would be strictly on a voluntary basis. Mrs. Kirby commented that there would have to be personal responsibility month by month. Sara Bowers agreed that the customer will have to be aware of their bills and notice if one month has been higher than another. Mrs. Bower's informed the Council that her office would not be in charge of monitoring the bills monthly. Mr. Huffman acknowledged this policy is great in theory but when you are dealing with people in various incomes and various intellects, he was worried about hostility among clients and having the city viewed as lacking in customer service to them.

Motion made by James Huffman to authorize the City to proceed with this Levelized Payment Policy, second by Wayne Graham, motion carried 5-0.

FINANCE DIRECTOR, SARA BOWERS:

(A) *Expenditure and Revenue Reports*: Sara Bowers presented the Expenditure and Revenues Report for the first half of the fiscal year. There were no questions.

CITIZENS COMMENTS:

Harley Henderson spoke on the subject of trees. He proposed that when the City removed a tree, that they plant a tree, preferably live oaks. If the City is concerned about expenses, he suggested that the City let the public know so they might have the opportunity to purchase one in honor of someone or donate money for that tree. Mayor Carpenter said it was a good request and thanked Mr. Henderson.

CITY MANAGER'S REPORT:

City Manager Kim Kirby recommended a Natural Gas Purchasing Committee composed of the City Manager, Utility Services Supervisor, Purchasing Agent (in the absence of the Purchasing Agent having the Financial Director), the Assistant City Manager, and a representative of the elected body from the Council. Mrs. Kirby expressed the need to set up the Committee. She informed the Council that this is concerning purchasing a natural gas supply for our customers as a whole and in the end could save them money. Mrs. Kirby added that the first meeting could possibly take up to two hours and as soon as she knows who is on the committee, she would set the meetings up. The meetings would be in DeFuniak, at City Hall.

Secondly, Mrs. Kirby reminded the Council that Precision Safety would be here May 4th, to begin work on the lakeyard sidewalks. She mentioned the Firefighter Pinning Ceremony and reported it being a great ceremony and that Chief Coley was a great speaker. Also, Mrs. Kirby spoke about Michelle Schack and Chief Coley being enrolled in the Leadership Walton Class and are the top two students in the class. Mrs. Kirby also publicly commended Vanessa Mitchell on her duties as Deputy Clerk in the absence of the Elected Clerk. Last, Mrs. Kirby reminded the Council that she will be attending the American Public Works Association Conference this week. She stated that she is the Florida Sate Chapter Scholarship Chairperson and will be awarding 17

scholarships to people in the Public Works field to further their education in Public Works and Public Administration.

COUNCIL COMMENTS & COMMITTEE REPORTS:

James Coffield- Mr. Coffield said the Library Board met and the numbers keep going up in the percentage of the people using the library. He added that this quarter it had even gone up to 15%. Also, Mr. Coffield stated, at the meeting, the plans for the sidewalk around the library. He said that he visited today at the Life Enrichment Center and everything seemed to be making progress.

Don Harrison- Mr. Harrison mentioned the Fire Department and commended the Police Department in light of the recent murders and shootings and asked the public to remember them as their lives are in danger every day. He stated that they have been seeing more and more of that activity in the economic downturn we have been experiencing. Finally, he encouraged everyone to get their names in for the Florida League of Cities Summer Dinner.

James Huffman – First, Mr. Huffman thanked Vanessa Mitchell for her duties as Deputy Clerk. He commented on how he attended the Open house for the Brain Disorder House and complimented the Mayor on his job of speaking. Furthermore, Mr. Huffman voiced his concern for the out of town businesses that have been planting signs on the weekend within the city limits. Kim Kirby agreed and informed the Council that she has already met with Jason O’Daniels about this matter. Finally, Councilman Graham and Mr. Huffman attended the Boogie Hall Induction Ceremony. He stated there were over 50 people there and it was a really great ceremony. Also, Brad Drake submitted a proclamation for this ceremony.

Henry Ennis – Mr. Ennis attended the Northwest Florida Regional TPO on April 15th in Navarre, FL. Then on Monday, April 20th, he attended the West Florida Regional Planning Council in Niceville, Fl and it competed for his time at the Firefighting Pinning Ceremony. However, he stated that he did go by the Fire Department and speak with one firefighter. He also said that the Volunteer Day went really well.

Wayne Graham – Mr. Graham attended the Okaloosa-Walton Transportation Meeting in Niceville, FL at the Northwest Florida State College campus last Thursday. He asked Greg if the City would be getting money for the 331 improvement. Mr. Scoville stated that it was a complicated process for different segments of it. He said there was some money allocated, but the area in question has not been dealt with yet.

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

ADOPTED this 11th day of May, 2009

C. Harold Carpenter
C. Harold Carpenter, Mayor

ATTEST:

Elizabeth S. Campbell-Work
Elizabeth S. Campbell-Work, City Clerk