

DeFuniak Springs City Council
Regular Meeting
November 23, 2015

The following members were present: Mayor Bob Campbell, Mayor Pro-Tem Henry D Ennis, Sr., Councilman Ron Kelley, Councilwoman Janie Griffith, Councilman Mac Carpenter, City Attorney Clayton Adkinson, City Manager Sara Bowers, Finance Director Joe Brown and City Clerk Loretta Laird. Councilman Kermit Wright was absent from the meeting

Mayor Campbell called the meeting to order at 6 p.m. with Councilman Ron Kelley providing the invocation and the Pledge of Allegiance was recited.

Mayor Campbell noted the following addition to the agenda under "Meeting minutes" as item 3b titled "Walton High School Braves 2015 football team presentation". Mayor Campbell further deleted agenda items 10a, 10b, and 12c.

Meeting minutes

November 9, 2015 regular meeting minutes

The November 9, 2015, regular meeting minutes were presented for approval.

Councilman Carpenter made a motion to approve the minutes as presented, seconded by Councilwoman Griffith. Motion carried 4-0.

Walton High School Braves 2015 football team presentation

Mayor Campbell presented certificates to the Walton High School Braves 2015 football team and coaches for a perfect regular season of 10-0. Photo opportunities were taken from the press and citizens.

Citizen Comments

No citizen comments were made.

Request to be on agenda

Setback regulations in residential districts – Donel Davidson

Donel Davidson was not in attendance, therefore the item was removed from the agenda.

Councilman Kermit Wright

Annual Employee Christmas Luncheon

City Manager Sara Bowers requested authorization to close city offices on December 15, 2015, from 11:30 a.m. to 2 p.m. for the Employee Christmas luncheon to be held at the Community Center with a budget amount of \$1,000 for the luncheon. Bowers further inquired about city committee volunteers being invited to the luncheon.

Councilman Kelley made a motion to close city offices on December 15, 2015, from 11:30 a.m. to 2 p.m. for the annual employee Christmas luncheon being held at the Community Center and authorized a budget amount of \$1,000 for the luncheon with city committee volunteers being invited, seconded by Councilman Carpenter. Motion carried 4-0.

Councilman Henry Ennis

Sign Committee Appointee

Councilman Ennis requested his agenda item be postponed to a future meeting.

Fire Chief Charles Burney

Fire Chief Charles Burney presented an interlocal mutual aid fire service agreement between the city's fire department and Argyle Volunteer Fire Department, with the agreement being withdrawn at any time with a thirty day written notice from either party.

Councilman Carpenter made a motion to approve the mutual aid fire service agreement with the Argyle Volunteer Fire Department, seconded by Councilman Ennis. Motion carried 4-0.

Planning Director Kelly Schultz

2015-VAR-02 James Wesley

Planning Director Kelly Schultz presented a variance request from James Wesley, located at 170 North 7th Street in DeFuniak Springs. Schultz discussed the different variance requests Wesley is seeking for his single family residential dwelling, specifically: 1) the lot size that does not meet the minimum dimensional requirements of the R-2 zoning district; 2) the lot also lacks city street frontage, and 3) no paved parking for Wesley's single family dwelling.

Schultz stated the property is located within an r-2 zoning and medium density residential land use district with a size of 0.066 acres or under 2,900 sq. ft. Schultz further discussed the property fronts an alleyway and the fact that the structure was converted from an accessory building to a residential dwelling in the early 1990's with no building permits being obtained nor city permission to make a non-conforming lot.

Schultz stated the minimum size of a parcel within an r-2 zoning district is 6,000 sq. ft. with the existing structure exceeding the maximum density. Schultz discussed emergency and sanitation services having access to the structure and the structure having utility services of potable water, sanitary sewer and electrical. Discussion occurred relating to the past history of the lot split during a divorce agreement between Wesley and his former wife and the sanitation department not utilizing the alleyway for safety concerns.

Councilman carpenter discussed the property not fronting a public street but an alleyway, and the accessory structure being converted to a residential dwelling not being a hardship to the applicant. Carpenter discussed the hardship was created by the current property owner, with the property not being homestead exempted and the precedence the council would be making for future request.

Councilman Kelley discussed the structure being illegal and if approved, the council would have no way to defend the decision.

Councilwoman Griffith stated she agreed with Councilmen Kelley and Carpenter and **made a motion to deny the variance request, seconded by Councilman Kelley. Motion carried 4-0.**

James Wesley was present at the meeting and discussed the structure being habituated in 1947 by Delton Paul. Wesley stated when the property was split in 1992 by a surveying company he believed all legal aspects were complete until a few months ago. Wesley stated he has paid property taxes and utility bills since 1992 and indicated he is currently residing in the structure at this time.

Randy Jarvis inquired to the remedy if the variance is not approved. Carpenter stated Wesley would do the same thing he has done since 1992. Jarvis stated there are numerous properties with the same situation. Carpenter stated mistakes need to be corrected and have the city move forward. Jarvis recommended having site plans approved prior to a building permit being issued with Councilman Carpenter indicating the city's planning department determines if all city code requirements are met prior to a building permit being issued by Walton County.

Wesley inquired about making improvements to the alleyway. Carpenter stated Wesley would need the council's permission prior to any improvements being made to the alleyway. Wesley stated the alleyway is in rough shape at this time.

Assistant City Manager Tilman Mears

Purchase Request

This item was removed from the agenda.

Work Schedule

This item was removed from the agenda.

City Manager Sara Bowers

Competitive Florida Project Coordinator

City Manager Sara Bowers presented two quotes for the Competitive Florida Project Coordinator position. The quotes were received from Robert McKnight and Kevin W. Crystal. Councilman Kelley stated he reviewed both quotes and recommended to award the project coordinator position to Robert McKnight since he was familiar with the grant requirements and needs. Discussion occurred relating to having the two quotes provided versus a Request for Proposals since the quotes were less than \$20,000.

Councilman Kelley made a motion to award the Competitive Florida Grant project coordinator position to Robert McKnight for a total compensation cost of \$11,900, seconded by Councilman Carpenter. Motion carried 4-0.

Professional Airport Consulting Services

City Manager Sara Bowers presented an agreement with Avcon relating to professional airport consulting services. Bowers stated a negotiating committee comprised of the airport

advisory committee chairman, city department directors, airport services supervisor, and her met with Avcon representatives on November 10, 2015, and recommend to approve the contract for the city's airport needs. Councilwoman Griffith inquired to the termination policy. Bowers stated a 30-day written notice requesting termination is provided in the contract.

Councilwoman Griffith made a motion to approve the agreement with Avcon for professional airport consulting services for the DeFuniak Springs Municipal Airport, seconded by Councilman Kelley. Motion carried 4-0.

North 20th Street stormwater improvement award recommendation

City Manager Sara Bower presented a bid award for the North 20th street stormwater improvement project. The bid amount was for \$35,879 from Gum Creek Farms, using local option gas tax funds for this project.

Councilman Carpenter made a motion to award the North 20th Street stormwater improvement project to Gum Creek Farms in the amount of \$35,879 with funds from the local option gas tax, seconded by Councilman Ennis. Motion carried 4-0.

December 28, 2015, regular council meeting cancellation request

City Manager Sara Bowers requested if the council wished to cancel the regular scheduled meeting on December 28, 2015.

Councilman Kelley made a motion to cancel the regularly scheduled meeting for December 28, 2015, seconded by Councilman Ennis. Motion carried 4-0.

Finance Director Joe Brown

Request approval to pay bills

Finance Director Joe Brown requested the council's permission to pay all the bills that are in order.

Councilwoman Griffith made a motion to pay all bills that are in order, seconded by Councilman Ennis. Motion carried 4-0.

Bill Ratification Request

Finance Director Joe Brown requested the ratification of the bills that have been paid since the previous council meeting.

Councilwoman Griffith made a motion to ratify all bills that have been paid since the previous council meeting, seconded by Councilman Carpenter. Motion carried 4-0.

MJ Altman Company Debt Collection Services Renewal Contract

This item was removed from the agenda.

Public Works Reports

Assistant City Manager Tilman Mears was not in attendance, therefore, the report was not discussed.

City Manager Report

City Manager Sara Bowers discussed the Christmas Reflections lighting event will be held on Friday, November 25, 2015, at 5 p.m.

Councilman Carpenter inquired to the current status of the 2014 audit. Bowers stated she has not received the preliminary audit from the auditors but they have started working on the 2015 audit. Bowers stated she will contact the auditing firm tomorrow for an update.

Councilwoman Griffith inquired about the road and bridge tax interlocal agreement. Bowers stated the agreement should be on the BCC agenda for the second meeting in December 2015.

Council Comments

Councilman Kelley

Councilman Kelley thanked City Manager Bowers for the memorandum presented relating to the road and bridge tax interlocal agreement.

Councilwoman Griffith

Councilwoman Griffith asked Finance Director Joe Brown how the new employee is working and requested Leslie be in attendance at the next regular meeting.

Councilwoman Griffith inquired about the goals and objectives for City Manager Bowers' evaluation based on the fact that previous evaluations on her did not have any set goals and objectives. Councilwoman Griffith went on to state how is the council going to know whether she is meeting the council's goals and objectives if none are provided. Councilman Kelley stated he does not remember any formal directives or goals set for Bowers beyond having the Institute of Senior Professionals report. Councilman Carpenter stated the council has to look at how the entire city is functioning.

Griffith thanked staff for their work efforts and wished everyone a happy and safe Thanksgiving holiday.

Councilman Ennis

Councilman Ennis wished everyone a Happy Thanksgiving holiday.

Councilman Carpenter

Councilman Carpenter thanked everyone a Happy Thanksgiving holiday season and stated he will be providing a written evaluation for Bowers.

Cathy Mosley

Special Events Committee member Cathy Mosley reminded everyone of Movie Night at 7:30 p.m., Christmas Reflections lighting event at 5 p.m., and Hometown Christmas on Saturday, November 28, 2015, from 9 a.m. to 4 p.m. at the Walton County Fairgrounds.

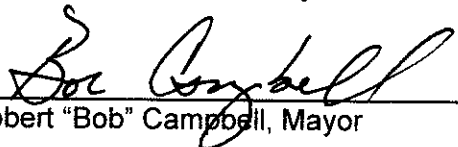
Councilwoman Griffith inquired to the status of the city police officer who was bitten by a dog. Police Chief Mark Weeks stated the officer came to work today and the dog currently being held in a ten-day quarantine.

Mayor Campbell

Mayor Campbell further discussed the current land use and zoning map discrepancies within the city limits and having individual property owners make the small scale or large scale amendment requests when they desire a change. During the October 13, 2014, regular meeting Councilman Kelley had requested staff to contact property owners along the U.S. Hwy. 331 South commercial corridor relating to the land use and zoning discrepancies with a city-sponsored amendment application. Councilman Carpenter stated the property owner is the one that benefits when a land use or zoning change is made and unless the council makes a legislative finding that there is a public purpose in paying for that change, the council will need to be prepared to pay for all amendment applications. Carpenter further stated there is a cost and the cost is more significant than just what the city charges. The benefits of a land use or zoning change, especially going from residential to commercial, is a significant change in value to the property owner and the city needs to be very careful that there is a public purpose if the city is to pay for the land use change. There will come a time when the council will decide that there is enough public purpose for the city to make application whether it by an area or a transportation corridor, but a legislature finding has to be present that the change is for a public purpose before the city should undertake the process of amending the future land use or zoning of any property. Consensus of the council was to have individual property owners make application for any amendment at this time.

There being no further business, Mayor Campbell adjourned the meeting at 7:04 p.m.

ADOPTED on this 14th day of December, 2015.



Robert "Bob" Campbell, Mayor

ATTEST:



Loretta A. Laird, City Clerk