

DeFuniak Springs City Council
Workshop
October 28, 2019

The following members were present: Mayor Bob Campbell, Mayor Pro-Tem Robert McKnight (Seat 2); Councilman Todd Bierbaum (Seat 1); Councilman Kevin Crystal (Seat 3) arrived at 5:44 p.m.; Councilman Henry D. Ennis (Seat 4), and Councilman Wayne Graham (Seat 5). Also present were Clay Adkinson, City Attorney; Mell Smigielski, City Manager; Debra Gibson, Finance Director; and Maryanne Schrader, City Clerk.

Mayor Campbell called the workshop to order at 5:01 p.m.

Mayor Campbell turned it over to City Manager M. Smigielski. He stated we are going to make our workshop efficient as possible by addressing any issues during the workshop. He asked if the Council had any questions on consent agenda items.

Councilmember R. McKnight asked about Item 3 on the Consent Agenda, he said a downtown merchant indicated that Main Street did not consult his business and another merchant about a street closure. City Manager M. Smigielski responded that Mr. Evans will let the other merchants know about events, as well as, the Mistletoe Market event.

City Manager M. Smigielski went over items on the regular agenda, and said he was asked to move Item 7C go before Item 5C.

Councilmember R. McKnight asked about the new contract regarding limits to Mr. Nelson's travel. He asked if there was a cap and City Manager M. Smigielski replied there was no cap. Mr. Nelson will have to ask for permission before doing any traveling.

Councilmember R. McKnight said the agenda item from Miss Hussey states her slab is concrete, but it is marble. Mayor Campbell said especially in marble, they all have a slight crack. The Cemetery Board had discussion at the last meeting and discussed the damage. He mentioned the cemetery had a lot of trouble with trespassers. He mentioned cameras, but they are hard to keep up because of vandalism.

Councilmember T. Bierbaum agreed that it could open floodgates regarding damages. Councilmember W. Graham mentioned whether insurance could be purchased. City Attorney Clay Adkinson said we could possibly reach out to our own insurer and charge a fee to defray our cost.

Councilmember McKnight reviewed the minutes from the last meeting, and another family had also reported damages to stones. He stressed the emotional issue connected to it. He asked to see a history of damages. Councilmember H. Ennis responded there are few complaints. Mayor Campbell added he knew of only a few in the last five years or so. Mayor Campbell said a permit is required to do work now, and we have someone there when they do maintenance. Councilmember T. Bierbaum asked if there is a history that the city has agreed to pay for damages. No one had a recollection.

City Manager M. Smigielski said the ordinance states we are not responsible for damages. In this case there is no proof either way that we have done any damage.

Councilmember R. McKnight said the Cemetery Board does not have the power to pay for it. The Council must approve expenditures.

City Attorney Clay Adkinson said the Cemetery Board makes some decisions, so the appeal tonight is to overturn their decision. Councilmember H. Ennis said we should not overturn their decision.

City Manager M. Smigielski went back over the Council agenda items. He explained that Item 12A and 12B is a placeholder for the 2nd reading ordinances. City Attorney Clay Adkinson explained it is only informational.

Councilmember R. McKnight said Items 7C and 5C contradict each other. City Attorney Clay Adkinson said they are interrelated. Councilmember K. Crystal said the requests could be taken up at the same time and discussed in full.

Mayor Campbell said he would like to have 6A and 6B separated, as the citizen comments are very limited. The request to be on the agenda has a longer time frame.

There was discussion about keeping the general comments placement on the agenda. City Attorney Clay Adkinson said we have a public participation policy and the policy allows citizens to be placed on the agenda. He said when we added the request to be on the Regular Agenda, the process of the comments was at the end of the agenda. The citizens wanted to be on the agenda before the Consent Agenda. We need to conform the agenda to the policy.

Councilmember McKnight suggested that we have two types of comments – general is short at three minutes or less, and the other is an agenda request and has a specific topic. Councilmember T. Bierbaum added it is divided into action versus discussion.

Mayor Campbell said the County gives an opportunity for comments at the end of the meeting and only addresses agenda items.

Councilmember T. Bierbaum said the public forum is the third item on the TPO agenda with action and presentation items presented. Councilmember R. McKnight said public comments should be #3 before the Consent Agenda, as it would allow the citizens to get their business done first.

Mayor Campbell suggested it be a part of our workshop. City Attorney Clay Adkinson mentioned a policy was adopted by resolution possibly in the June – August 2018 time frame. He said Council could change the policy, and ensure we are following it.

Next, City Manager M. Smigielski went over the City Council Policies and Procedures starting with Chapter 3 and went over the travel updates that were made.

He said in Chapter 4, Meeting Facilities. Under 4.1 #8, a prohibition on vaping was added. Councilmember R. McKnight said we may want to add any tobacco products. City Manager M. Smigielski suggested adding a prohibition on smoking, vaping, or any tobacco use.

Under 4.3, City Manager M. Smigielski mentioned the special meeting set for Nov 1st. He requested flexibility on scheduling meeting locations. He asked about whether we should inconvenience the County by having the meeting at their location on a Friday at 5 p.m. City Attorney Clay Adkinson said the language will provide this flexibility except on specific circumstances. He said the Council would have to vote on where they will meet. Councilmember R. McKnight was concerned about the accessibility at City Hall, although as it is a short meeting, it may not be an issue.

City Manager M. Smigielski went on to regular meetings. He asked for permission to have the packets on the website by 5:00 p.m. on Thursday before each Council meeting. Councilmember T. Bierbaum said he would prefer Thursday at 5 p.m., as well.

Councilmember K. Crystal arrived at 5:44 p.m.

Mayor Campbell said it is difficult to get the packets together, but he would like to see them done by noon on Thursday. He said Friday is late. Councilmember R. McKnight supports the Thursday night time frame. He would prefer two working days to review. Councilmember T. Bierbaum also concurred.

City Manager M. Smigielski suggested that Council look at the appointment procedure for city committees. It is difficult to locate contact information of appointees, so he suggested a form be completed to apply to be on a committee.

Mayor Campbell asked for last comments and adjourned the meeting at 5:52 p.m.

Approved:


Robert "Bob" Campbell

Attest:


Maryanne Schrader, City Clerk