

**DeFuniak Springs City Council
Regular Meeting
August 12, 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); Councilman Henry D. Ennis (Seat 4); and Councilman Wayne Graham (Seat 5). Also present were Attorney Clayton Adkinson, City Attorney; Mr. Mell Smigielski, City Manager; Ms. Debra Gibson, Finance Director; and Ms. Kimberly Wilkins, Interim Clerk.

Mayor Campbell called the meeting to order at 6:00 p.m. followed by the invocation and Pledge of Allegiance led by Councilman Crystal.

CONSENT AGENDA

Additions/Deletions/Revisions to the Consent Agenda

1. Remove: Consent Item D(2)-Walton County Tax Collector request for approval to hold a gospel sing fundraising event for St. Jude's Hospital on November 9, 2019 utilizing the main room, meeting room, and kitchen of the community center-to be continued to the August 26, 2019 Regular Meeting

Motion by Councilman Graham, second by Councilman Ennis, to approve the Consent Agenda as follows with the revisions as presented. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

A. Administration

1. Settlement Agreement between Rodney Ortiz and the city
2. Interlocal Agreement between Tri-County, Walton County, and the city relating to the operation of the Senior Center
3. 2019-2020 Agreement between the Walton County Economic Development Alliance and the city

B. Clerk

1. Minutes for approval: July 16, 2019-Budget Workshop; July 18, 2019 Process Workshop; and July 22, 2019 Regular Meeting

C. Finance

1. Bill Ratification for July 2019

D. Planning

1. Haley Bell-requesting approval to host a Bridal Special Event Expo on January 11, 2020 in the main room of the community center
- ~~2. Walton County Tax Collector requesting approval to hold a gospel sing fundraising event for St. Jude's Hospital on November 9, 2019 utilizing the main room, meeting room, and kitchen of the community center~~

REGULAR AGENDA

Additions/Deletions to the Regular Agenda

1. Addition: Executive Requests 6(C)-Ms. Carrie Dockery request to allow a dumpster in front of her downtown business (Walton Café) to allow for renovation rubbish.

Motion by Councilman Bierbaum, second by Councilman McKnight, to approve the Regular Agenda with the revisions as presented. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

Mr. Jay Evans, Main Street DeFuniak Springs, presented to the council the 2019 Florida Main Street Awards won by DeFuniak Springs. Councilman Crystal commended Mr. Evans for the tireless effort that he has put into the program.

CITIZEN COMMENTS

Mr. Cliff Knauer, Dewberry Engineers, submitted a handout on the U.S. Highway 331 sewer expansion from Indian Creek Ranch Road to the Best Western lift station and discussed a job

growth package submitted by the Walton County Economic Development Alliance (WCEDA) for Triumph funding. This project would extend sewer service approximately 4 miles south of I-10. He discussed what was included in the project, the issues affecting the existing lift station, and the plan to construct a new master station. He said this would be a significant increase to the city's economic development. Councilman McKnight asked what the estimated amount the project would bring in if the full amount is provided. Mr. Knauer stated the county is matching 50 percent and the grant is 50 percent for an approximate amount of \$3.6 million. Mr. Bill Imfeld, WCEDA Executive Director, said the county is putting up \$3 million of RESTORE Act money and is requesting \$1.7 million from the Triumph Board. He felt confident the request would be awarded. Mr. Imfeld discussed the meetings to be held before the project work could begin. The pump station would be the first phase of the project. Mayor Campbell asked for a review of what would be required of the city and the claw back funds. Mr. Imfeld stated there is a requirement that 100 new quality jobs must be created within the next five year period; the money must be paid back if this provision is not met. He discussed the two pots of money which will be designated for that use: the county established TIF Corridor fund and the city's escrow account in which 10 percent of any new revenue along that corridor would be placed. Mr. Imfeld felt the claw back funds will not be needed and reported there are companies already showing interest in the area once water and sewer are in place. One of the potential companies will supply 35 of the 100 required quality jobs. Councilman McKnight asked how far down U.S. Highway 331 does the current sewer lines go. Mr. Knauer said everything currently south of I-10 goes to the pump station near Best Western. The amount of commercial growth that has occurred in that area has surpassed the current system. Councilman Bierbaum stated that broadband is an economic driver and said he is working on a dig once policy. He asked if while the trench is open if conduit for broadband could be laid for fiber optic cables. Mr. Imfeld said fiber optic cable has already been laid along the entire U.S. Highway 331 corridor and on U.S. Highway 90 between the county lines. Councilman Bierbaum asked if it was county owned fiber. Mr. Imfeld said a company owns it and allows other companies to tap into it. Residential use would require the use of Spectrum, Cox, or Mediacom. Councilman Bierbaum spoke on the need for a dig once policy and additional conduit for fiber optic expansion. Mr. Knauer agreed and said the additional conduit could be placed at the council's direction. He said he would be in contact with the Mayor and Mr. Smigielski if the funds are awarded.

Mr. Kennan Powell questioned if there was a project for sewer from U.S. Highway 331 to 2nd Street to the sewer plant and asked if the city was paying for that project. Mayor Campbell said the survey and preliminary engineering work for the grant-funded city project is currently underway. Mr. Powell asked what the remaining capacity was. Mr. Knauer stated between 50 and 60 percent. He said that the project's survey was completed, the wet land delineation was completed, and the project now in the design process. The grant is an 80/20 grant in which the state provides 80 percent of the funding and the city will provide the 20 percent through a 40-year low interest loan. Mayor Campbell said there is a possibility the spray field could be used for the waste water plant. Further discussion was held regarding the sewer project's capacity and plans.

EXECUTIVE REQUESTS

Councilman Bob McKnight, Seat 2, discussed the FY 2020 budget process and Four Priority Initiatives (1. Greater investment in employees of the City; 2. Formulate long-range plans for all city departments, and the city as a whole; 3. Heighten the civic engagement between citizens and city government; 4. Improve the city's physical appearance and infrastructure). He asked that the priorities be reviewed and any comments be submitted.

Councilman Crystal agreed with Councilman McKnight and recommended that quarterly workshops be held for a length of two hours to prioritize and plan budget and facilities for FY 2020-2021.

Motion by Councilman Crystal, second by Councilman Bierbaum, to direct staff to schedule two hour quarterly workshops to prioritize and plan budget and facilities for FY 2020-2021.

Councilman McKnight agreed that the meetings were needed, but expressed concern with holding a workshop due to the inability to make motions. Discussion was held to determine if a workshop or a special meeting would be needed.

Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

Ms. Kelly Schultz, Planning Director, presented a request on behalf of Ms. Carrie Dockery to place a dumpster outside of her downtown business (f/k/a Walton Café). Ms. Dockery has recently purchased the property and will be cleaning up the interior for a local eatery and thought the dumpster would only be needed about a week.

Motion by Councilman Bierbaum, second by Councilman McKnight, to allow Ms. Carrie Dockery to place a dumpster in front of her business.

Councilman Crystal asked that the motion be amended to allow the dumpster until the clean-up is complete.

Motion amended by Councilman Bierbaum, second amended by Councilman McKnight, to allow Ms. Carrie Dockery to place a dumpster in front of her business until clean-up is complete. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

ADMINISTRATION

Mr. Christopher Mitchell, City Grants Administrator, requested to approve the contract agreement with Florida Division of Historical Resources in the amount of \$498,500.00, with a city match in the amount of \$124,625.00, to continue the restoration of the Chautauqua Hall of Brotherhood; this contract is a separate issue than the floor plan item to be presented later in the meeting. Any changes to the contract must be approved by the Historical Commission. Councilman Bierbaum asked if the \$125,000.00 match was allocated for the cupola restoration. Mr. Mitchell stated the prior council adopted a resolution to accompany the grant application approving the \$125,000.00 as a match. Ms. Gibson said the \$100,000.00 was placed in the FY 2018-2019 budget for this grant to continue the work and this must be spent by September 30, 2019. Councilman McKnight asked what the plan was to cover the renovations that are not allowed funding by the grant. Mr. Mitchell said there is no plan. Discussion ensued on the renovation project time, mission of the grant, and addressing the funding for new items during the quarterly workshops.

Motion by Councilman McKnight, second by Councilman Ennis, to approve the contract agreement with Florida Division of Historical Resources in the amount of \$498,500.00 to continue the restoration of the Chautauqua Hall of Brotherhood with a city match of \$124,625.00. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

FINANCE

Ms. Gibson announced responses have been received for the Banking Services Request for Proposals (RFP) and asked that members be appointed to the Ranking Committee. She said the ranking committee will review the proposals and submit their recommendations to the council for approval.

Motion by Councilman Crystal, second by Councilman Ennis, to appoint the following individuals to the Ranking Committee for Banking Services RFP: City Manager, Finance Director, and Finance Supervisor. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

PUBLIC WORKS

Mr. Jim Gierlinski, Assistant Public Works Director, requested approval to proceed with the revised first floor plans of the Chautauqua Hall of Brotherhood. The increase in floor space is approximately 350-400 sq. ft. at a cost of \$37,068.00. Councilman McKnight expressed his concern regarding the recommended changes and opposed spending taxpayer money to undo recent renovations. A lengthy discussion was held on the recommended changes and the reasoning for those changes.

Dr. Melinda Henderson spoke in opposition to the changes.

Discussion continued regarding the capacity the increased floor space would provide.

Motion by Councilman Ennis, second by Councilman Crystal, to approve to proceed with the revised first floor plans of the Chautauqua Hall of Brotherhood.

Councilman McKnight voiced his opposition to the change.

Councilman Graham asked if space on one side of the floor could be removed and leaving the other side as is. Mr. Victor Bowman, floor plan architect, said that it could.

Ayes 4, Nays 1. Councilman Bierbaum Aye, Councilman McKnight Nay, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

PLANNING

Ms. Schultz presented for consideration Variance 2019-VAR-02, a variance application submitted by Ascension Espinoza and Graciela Garcia requesting approval of a 15 foot variance from the R-2 front yard set-backs to allow construction of a 406+/- square foot kitchen addition to the southern side of their home. The property is located at 227 West Orange Street and is identified by Parcel No.: 25-3N-19-19290-000-0010. The planning board recommended approval at their July 1, 2019 meeting. She gave a brief history of the home and the request. There were no objections to the advertisements and no public comment.

Motion by Councilman Bierbaum, second by Councilman Ennis, to approve Variance 2019-VAR-02. Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

Ms. Schultz requested direction regarding an ordinance to amend the city's Land Development Code (LDC) establishing rules and guidelines for the installation, use, placement, and location of mobile homes, manufactured homes, and modular homes, providing for mobile home parks, and providing for a penalty for violations. Councilman Ennis asked if RV's would be addressed in this ordinance. Ms. Schultz stated it would. She also said public comments have been received since the first reading of the ordinance and therefore a second reading has not been scheduled. Councilman McKnight said the ordinance was being amended to comply with Florida law and discussed issues needing to be addressed which are more important than RV's parked in yards. He discussed the need to increase code enforcement for compliance issues. Discussion was held regarding the compliance purposes of the ordinance. Ms. Schultz stated she was only asking for direction and has been using ordinances from other cities as templates. She briefly reviewed what changes were being considered.

Motion by Councilman Crystal, second by Councilman Ennis, to direct staff to schedule a workshop to discuss the ordinance amending the LDC establishing rules and guidelines for the installation, use, placement, and location of mobile homes, manufactured homes, and modular homes, providing for mobile home parks, and providing for a penalty for violations.

Councilman McKnight asked if delaying the ordinance would expose the city to legal issues. Attorney Adkinson said it would not. Mayor Campbell voiced the need to consider public input.

Ayes 5, Nays 0. Councilman Bierbaum Aye, Councilman McKnight Aye, Councilman Crystal Aye, Councilman Ennis Aye, Councilman Graham Aye.

Mayor Campbell announced staff would advertise the date of the workshop. Mr. Smigielski questioned if public comment should be taken at this meeting. Mayor Campbell said that it could, but more in depth discussion would be held during the workshop. He noted there were a lot of people who could not afford site built homes.

Mr. Dan Cosson spoke in favor of holding the workshop and said the ordinance needs to be more residential friendly.

Mr. Harley Henderson asked the council to consider removing the requirement to parking RV's behind enclosed areas.

Mr. Joe Dobson referenced the recent Hurricane Michael destruction and said mobile homes are necessary for those who cannot afford to rebuild following a storm.

CITY ATTORNEY REPORT

Attorney Adkinson announced that draft bylaws for the Special Events Committee and the working groups would be brought back for council consideration. Mr. Smigielski said the Special Events Committee is subject to Sunshine Laws due to their advisory role and that a liaison from that committee would be appointed to the working groups.

STAFF REPORTS

Mr. Smigielski said the decision to ask Rev. Thompson to review the city's working environment to determine if a hostile work environment existed was not followed through because that type of environment does not exist at city hall and that it would be a conflict of the settlement agreement with the former city clerk.

Mr. Smigielski announced the resignation of the code enforcement officer and said enforcement complaints would be taken at city hall until a new officer is hired.

Mr. Smigielski briefly reviewed the FDOT five year plan for Walton County and which of those projects would affect DeFuniak Springs.

COUNCIL COMMENTS

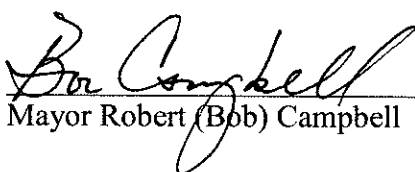
Councilman McKnight stated there had been an interesting debate regarding the Chautauqua Hall of Brotherhood first floor renovations and said he would support the majority vote.

Councilmen Ennis, Graham, Bierbaum, and Crystal had no items to present.

MAYOR COMMENTS

Mayor Campbell had no items to present.

There being no further items to discuss, the meeting was adjourned at 7:54 p.m.



Mayor Robert (Bob) Campbell



Cynthia Permenter, Deputy Clerk