

**DeFuniak Springs City Council**  
**Regular Meeting**  
**January 13, 2020**

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

Mayor Campbell called the meeting to order at 6:03 p.m. followed by the invocation and Pledge of Allegiance.

**3. PRESENTATION** - Chautauqua Building update - City Manager M. Smigielski announced that Victor Bowman would not be present to give the update.

City Manager M. Smigielski summarized the 2019 the Christmas Reflections season announcing although the season was shortened by a week and rainouts during key weekends, the Finance department reported \$53,477.51 in revenue. In comparison for 2018, the final report was \$56,135.08. Councilmember K. Crystal requested the expenditure, but it was not included in the report per City Manager M. Smigielski. He added Main Street reported the Mistletoe Market was successful. He provided the statistics and added Main Street received a USDA planning grant for \$85,000 and a grant from Restore for \$100,000 to build a comprehensive plan for the redevelopment of the downtown area. It will be a roadmap for redevelopment, and they will work with the CRA to provide the final product.

**Consent Agenda** - Mayor Campbell asked if there were any additions or deletions to the Consent Agenda, as presented. City Manager M. Smigielski announced Item B2 will be removed and placed under Administration as Item 6A.

**Motion** by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the Consent Agenda, as amended.

Councilmember R. McKnight mentioned the Memorandum of Understanding with the Marine Forces was discussed during the Workshop, and Chief Hurley addressed it in a manner that was appropriate and answered his questions.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

**4. Consent Agenda – As Approved**

**A. Clerk**

1. Minutes for approval: December 9, 2019-Regular Minutes
2. Minutes for approval: December 9, 2019-Workshop Minutes
3. Minutes for approval: December 20, 2019-Special Meeting Minutes

- B. **Administration** - Mell Smigielski, City Manager
  - 1. Requests a motion to approve the Memorandum of Understanding with the Marine Forces Special Operations Command to conduct training exercises within the City for five years
- C. **Finance** –
  - 1. Morgan Hulion, Utility Billing and Finance Supervisor, requests a motion to approve the Bill Ratification for December 2019
  - 2. Debra Gibson, Finance Director, requests a motion to rollover CD Funds to take advantage of higher interest rates
- D. **Planning** – Kelly Shultz, Planning Director
  - 1. Request approval for DeFunk Disco and City of DeFuniak Springs to hold the 2<sup>nd</sup> Annual Lake Yard Launch for the Disc Golf Tournament in the Lake Yard on March 13<sup>th</sup>-14<sup>th</sup>
  - 2. Request from Pastor Tyrone Broadus, NAACP, Tivoli High School, to conduct the Annual Black History Parade on Saturday, February 15, 2020 from 10 a.m. – noon which includes rolling roadblocks
- E. **Airport** –
  - 1. Matthew Overton, Airport Director, requests a motion to approve the project scope and budget modification for the GOR10 Airport Grant to assist in the completion of Gene Hurley Road
  - 2. Matthew Overton, Airport Director, requests a motion to approve the purchase of a used 100LL Fuel truck in the amount of \$20,000
  - 3. Matthew Overton, Airport Director, requests a motion to approve the amendment to the Public Transportation Grant Agreement of April 8, 2019 to increase funding by \$1,640,862 for the new Airport Terminal project due to the annual rate of inflation
- F. **Public Works** – Reserved
- G. **Fire** – Lt. Hall, Interim Fire Chief, requests approval to purchase the vehicle exhaust filter system from the lowest bidder Magne Grip Clean Air Concepts for \$19,900 (Budgeted item)

**5. REGULAR AGENDA**

**Additions/Deletions** to the Regular Agenda  
**Approval** of the Regular Agenda

Regular Agenda Mayor Campbell asked if there were any additions/deletions to the Regular Agenda.

**Motion** by Councilmember W. Graham and seconded by Councilmember H. Ennis to approve the Regular Agenda, amended.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
 Ayes 4, Nays 0. All ayes. Motion carried.

## 6. ADMINISTRATION

Item 6A. Mell Smigielski, City Manager displayed a map and said the red marks depict the territorial area. The city agrees that it will not provide gas service to any members in their district.

- a. Requests a motion to approve the Memorandum of Understanding with Okaloosa Gas allowing the city to proceed with installing a gas main extension that lies in part within the service area of Okaloosa Gas

**Motion** by Councilmember K. Crystal and seconded by Councilmember R. McKnight to approve the Memorandum of Understanding with Okaloosa Gas allowing the city to proceed with installing a gas main extension that lies in part within the service area of Okaloosa Gas.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

## 7. CITIZEN COMMENTS - General Comments from the audience

Sara Comander came forward on behalf of the DeFuniak Springs Business and Professional Association regarding the 4<sup>th</sup> of July. She said they need the public participation and an entity has given them \$5,000 a year but are no longer able to donate at that level. As fireworks and insurance fees have gone up, the association needs a minimum of \$15,000. She added the event includes a parade. She asked not to be charged for the use of the amphitheater and would like to bring the event back to the lake yard. She added some trees may need to be trimmed. She asked for exclusive vending rights, as well. The vendors pay them \$100 which goes to the next year's pot.

Mayor Campbell said it could be brought up at a future meeting. However, City Manager, M. Smigielski said he had the authority to approve her request, so he will take care of it.

Next, Bill Williams of Walton County EDC asked that the Mayor attend the Opportunity Zone conference in California April 23<sup>rd</sup> - 24<sup>th</sup>. He added he should also attend on the 22<sup>nd</sup> for the workshop. He requested they hold a workshop regarding the Opportunity zone with EDC. Councilmember K. Crystal supports the Mayor attending the conference. Bill Williams said it is a great opportunity for the city and county to work together. Councilmember K. Crystal added if we do not participate, we will lose hundreds of thousands of dollars. B. William said this is an investment on capital gains.

Afterward Ed Butler, citizen, came forward to speak on Item 12D, regarding recreational vehicle parking. The rules are more indicative of the bylaws of an HOA and asked that the rules be relaxed. RV's must be kept climate-controlled, so he prefers to be able to park his RV at his home. City Manager M. Smigielski said the discussion will be scheduled soon.

## 8. REQUEST TO BE ON THE AGENDA – Reserved

## 9. EXECUTIVE REQUESTS

- a. Councilmember K. Crystal requests an update on the repayment of funds from Main Street for the Visitor Center and discussion on future funding

Councilmember K. Crystal asked Mr. Work to come to the podium. After the Point of Order by Councilmember R. McKnight, Mayor Campbell asked Mr. Work to come forward to speak on behalf of Main Street. Mr. Work detailed how the non-profit organization is taking steps to ensure better recordkeeping. They now have a private and personal checking account and two members must sign the checks. The Board approved a threshold of \$1500 for approval. Main Street has instituted a conflict of interest policy. He asked the Council to give Main Street a two-month extension to be paid in three installments, as they receive the grant money. They will also meet with Mr. Hinson to ask that the City store the decorations. In response to Councilmember McKnight, City Manager M. Smigielski replied that January 15<sup>th</sup> is the due date, but with the extension, March 15<sup>th</sup> would be the new date.

In reply to Councilmember R. McKnight, Mr. Work said since the Main Street phone is not in operation, the calls will be forwarded to Mr. Evan's phone.

Councilmember K. Crystal said \$11,000 was given to Main Street to operate the Visitor's Center which included brochures, painting and furnishing of furniture. He added that they must pay the \$6,000 for incomplete work that the city paid for. He said he was hesitant to extend the deadline.

City Attorney Clay Adkinson reminded Mr. Work they are under the Sunshine Act, and the Council needs to review the books to see the exact amount owed.

Councilmember R. McKnight explained in response to the records request, each member was provided with bank statements and financial description. In the contract for the Visitor's Center, there was less than 5% of funds that were outside of the bounds of the contract. He reiterated the issue is: Whether the Council should allow Main Street an additional two months or stay silent and seek legal action if Main Street does not send in the payment in two days.

**Motion** by Councilmember R. McKnight and seconded by Councilmember H. Ennis to approve to extend the terms of the repayment of the agreement from January 15, 2020 to March 15, 2020 and authorize the manager to write a written repayment statement.

Sara Comander came forward and said she voted to give \$100,000 of taxpayer dollars to Main Street. She has been concerned on how the money was spent and applauded Mr. Work's efforts. She had an understanding that taxpayer's have a right to know how taxpayer money is spent. She asked for the records on their financials. Mr. Work gave her the statement.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

## 10. FINANCE- Reserved

**11. PUBLIC WORKS** – Stewart Duncan, Jacobs Construction - Requests a motion to approve the Mayor to enter into an agreement with J&P Construction for the installation of the new blower, moving of one blower and the removal of two non-working blowers at the Wastewater Treatment Plant

Stewart Duncan came forward and said it was budgeted and approved and went out for bid.

**Motion** by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the Mayor or City Manager to enter into an agreement.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

**12. PLANNING –**

- A. (HOLD) 2<sup>nd</sup> Reading Ordinance**, entitled “Ordinance Adopting an Amendment to the City of DeFuniak Springs Future Land Use Map; Setting forth Authority for Adoption; Providing for Findings of Fact; Providing for Severability; and Providing for an Effective Date”.

K. Schultz requested a motion to Reschedule the Public Hearing to January 27, 2020 and authorize advertisement.

**Motion** by Councilmember H. Ennis and seconded by Councilmember W. Graham to reschedule the Public Hearing to January 27, 2020 and authorize advertisement.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

- b.** Kelly Shultz, Planning Director, requests a motion to authorize the City Manager to execute the professional services agreement with ECRC for GIS Services to update the official Zoning Map and Future Land Use Map

K. Schultz said Emerald Coast Regional Council will correct errors and update the map. Councilmember R. McKnight voiced his concern about their past work but was pleased to hear the City Manager has contacted them and has been assured they will do better.

**Motion** by Councilmember K. Crystal and seconded by Councilmember H. Ennis to authorize the City Manager to execute the professional services agreement with ECRC for GIS Services to update the official Zoning Map and Future Land Use Map.

In reply to Councilmember W. Graham, K. Schultz replied the County cannot update our own maps or maintain our data or have the skills or time to do it in house.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

Next, Kelly Shultz, Planning Director, requested a motion to authorize the City Manager to execute a task order with Dewberry for Professional Engineering Plan Review.

**Motion** by Councilmember H. Ennis and seconded by Councilmember W. Graham to authorize the City Manager to execute a task order with Dewberry for Professional Engineering Plan Review.

**Vote:** Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye.  
Ayes 4, Nays 0. All ayes. Motion carried.

- c. Kelly Shultz, Planning Director, *Preliminary Draft* -Travel trailers, mobile homes and manufactured homes

K. Shultz said the amendment is mainly to ensure we do not prohibit modular homes. The easiest way to describe it is that manufactured homes are built to HUD standards and modular homes are built to industry standards, as the factories build for the most extreme conditions. We legally cannot prohibit the modular homes. City Attorney Clay Adkinson added it will come back on 2<sup>nd</sup> Reading at the next Council meeting.

Reverend Deborah Kempton-Thompson came forward and stated there is a need to revise the Land Development Code, Article 7 which states specific uses for manufactured homes. She said sales of RV's are on the rise and is a growing trend. The current ordinance is too stringent and restrictive on recreational vehicles in her opinion.

**13. POLICE** – Noise Ordinance – reserved.

**14. CITY ATTORNEY** – City Attorney, Clay Adkinson mentioned he plans to reach out to the League of Cities, regarding the legislation dealing with short term rentals. As of this evening, the League has not released the bulletin.

**15. STAFF REPORTS** – City Manager M. Smigielski mentioned the flow control valve was closed at Juniper Lake, and it caused the lake to drop six feet. He also asked the Council to set aside February 25<sup>th</sup> and March 24<sup>th</sup> for the Strategic Plan with the time to be determined.

M. Smigielski also announced that the Code Enforcement Officer and Planning Administrative Assistant have been hired and started working.

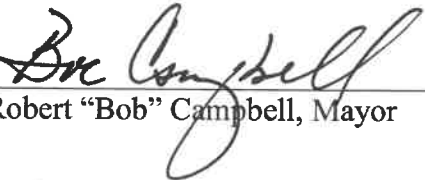
**16. COUNCIL COMMENTS** – Councilmember R. McKnight stated there are three blind spots with the city: the opportunity lost by not having a Snowbird Day recognition this year, the city does not have signage to advertise our Opportunity zone, or one depicting the city as the best


small town in Florida. He added we are losing money by not advertising the benefits of investing in the city.

**17. MAYOR COMMENTS – Reserved**

**Item 18. ADJOURNMENT**

Mayor Campbell adjourned the meeting at 7:22 p.m.

  
Robert "Bob" Campbell, Mayor

  
Maryanne Schrader, City Clerk  
*Proper notice having been duly given*

