

**DeFuniak Springs City Council  
Workshop  
January 13, 2020**

The following members were present: Mayor Bob Campbell, Mayor Pro-Tem Robert McKnight (Seat 2); Councilmember Kevin Crystal (Seat 3); Councilmember Henry D. Ennis (Seat 4), and Councilmember Wayne Graham (Seat 5). Councilmember Todd Bierbaum, 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 workshop to order at 5:02 p.m. and turned it over to City Manager M. Smigielski.

City Manager M. Smigielski went over the Consent agenda. He said Mr. Bowman will give an update on the renovation, and he will add the Christmas Reflections update. Councilmember R. McKnight asked about the Marines request stating it did not give enough information. He wanted clarification on the interaction with the businesses. The Council agreed to move it to the regular agenda. City Attorney Clay Adkinson said he approved it to form, so will defer the request to Chief Hurley.

The next item on the agenda, was the Gas District Memorandum of Understanding. City Manager M. Smigielski said they did not like the red-lined comment addition, and they are not happy with the fact that we did not define the boundaries. He added the map is accurate and Okaloosa Gas District has already marked the demarcation with a marker. City Attorney Clay Adkinson said it was a good resolution of the dispute, as it is good for both parties.

In the bill ratification section, Councilmember R. McKnight asked about the 44 employees receiving payments of \$140, and a public works employee stated they were for work boots.

Chief Hurley arrived at 5:16 and answered the Marine Memorandum of Understanding has been done in the past. The Marines plan to work on reconnaissance and procedures. In reply to Councilmember R. McKnight, they look for smaller communities, and we have helped them with their mission. Mayor Campbell said they have done partnerships in the past. Chief Hurley said this is more of a surveillance type activity. He added it is beneficial for our officers. In response to W. Graham, Chief Hurley said he will reach out to them for clarification. Councilmember R. McKnight said he is comfortable with leaving it on the Consent Agenda.

City Manager Smigielski asked about the regular agenda. In response to citizen Rudy Sangl, certain events do not have to go through the Special Events Committee, as it is not in their purview.

Scott Jernigan of Jacobs came forward and stated they bid the blower project, and the low bidder from J & P has provided the contracts. He replied the project will replace one and move two of the blowers, in response to Councilmember R. McKnight.

City Manager Smigielski stating the 2<sup>nd</sup> reading is on hold at the request of the Planning Department.

Councilmember R. McKnight asked about the GIS services. He voiced his concern the company botched the historical survey and created delay. Mayor Campbell said he and the city manager has met with them, and they have been made aware they need to prove themselves.

Councilmember K. Crystal asked about scope of the project, and K. Schultz replied that the city is responsible for maintaining our city data. We do not have the manpower, and this is a specialized field. The engineers will visit us initially and then will perform the work remotely. This is an on-going project, and we will bring it back for approval annually. She added consultative services is in the budget in reply to Councilmember K. Crystal. She said technical assistance and comprehensive plan amendments are also in the budget.

Councilmember R. McKnight asked about items C & D regarding the Dewberry task order and asked if we have a written agreement with them. City Manager M. Smigielski said they are the engineer of record. City Attorney Clay Adkinson stated if we have an on-going continuous project it is not necessary to go out for bid, but if the project exceeds a certain threshold, we will have to go out for bid.

Regarding Item D, Councilmember R. McKnight asked about the manufactured homes strike through and whether what we are doing is going to be consistent with Florida law. City Attorney Clay Adkinson stated it will be a substantial step, but we need to make clear that we can no longer prohibit them. In reply to Councilmember McKnight, K. Schultz stated that our number one priority is dealing with the modular issue.

Next, City Manager M. Smigielski requested the Council approve that he and the City Clerk go over the Policy and Procedures manual and bring it back to the Council.

Regarding the Policy and Procedures, Mayor Campbell asked about #6, Robert Rules of Order, and whether we should just use them as a guide. City Attorney Clay Adkinson responded that when the city adopts a parliamentary procedure, you are bound to use them. If you do not have a specific form, your chair has more flexibility to govern the issues. He added the provision is that for meetings of the Council, action can be taken, but the point of a workshop is to allow flexibility. Any deviation could cause an action to be challenged. He cautioned that the Council have some form of governance.

Discussion ensued on 7.6 and the effect of a failure to not vote going to the positive vote. City Attorney Clay Adkinson replied the Council is required to vote on every issue. Silence is not accepted. Under Robert Rules, a silent vote can be deemed either way.

Councilmember R. McKnight asked about 7.9, referring to the statement, a motion cannot be tabled indefinitely. City Attorney Clay Adkinson responded the difference between continuance and tabling is when a motion is tabled, it is laid on the table until the next session of the legislative body. If it is not brought up by the next session, it can be defeated. For the city, if the motion is not brought up by the next meeting, it is defeated.

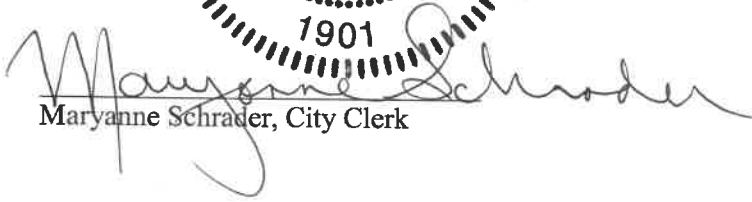
Councilmember R. McKnight asked about Section 7.3.1, sequence of activities of the Council. He is concerned about the citizens comments coming too late in the meeting, as they should be able to bring up something before the Council acts. City Attorney Clay Adkinson responded that when the previous Council adopted it, it allowed three stages of public input. The initial stage was before the Consent Agenda and comments that are requiring for a Public Hearing. He added that elsewhere everybody can speak. The Council added the public comments at the end as no action is taken on the issues, so they are general about non-agenda items. It is crucial to decide when and at what level public comment can be made. We can adopt rules on which to govern it.

Mayor Campbell added the public cannot take anything off the agenda. City Attorney Clay Adkinson added the Council decides whether a comment needs discussion.

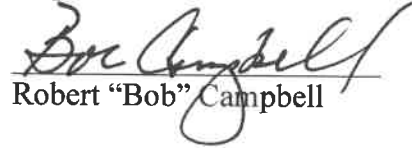
Mayor Campbell adjourned the meeting at 5:58 p.m.



Attest:

  
Maryanne Schrader, City Clerk

Approved:

  
Robert "Bob" Campbell