

**DeFuniak Springs City Council**  
**Regular Meeting**  
**February 24, 2020**

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

1 and 2. Mayor Campbell called the meeting to order at 6:00 p.m. followed by the invocation and Pledge of Allegiance led by Councilmember K. Crystal.

3. **Presentation** by Victor Bowman updating the Council on the Chautauqua Hall of Brotherhood. City Manager, Mell Smigielski, provided the budget on the overhead. V. Bowman announced they are \$175,000 short of what is needed to complete the project. They are concentrating on finishing the 1<sup>st</sup> floor in order to open in September, so the objective is to have the sprinklers and the alarms in operation prior to being able to open. They received quotes for the audio/visual today, so he will send the quotes to the City Manager, as soon as he has reviewed them. He explained cabinets, countertops for the warming areas, furniture, window treatments, and service equipment are not included in the available budget. He explained the mechanical and electrical system have taken up much of the budget.

V. Bowman said they are planning for a third run for grant funding, so if they do not exceed the 1.5 million total grant, they could apply for the other grant. He also suggested asking for contributions and gave a couple of suggestions to raise the money. He suggested selling the columns at \$1500 each and added one has been sold. Along with the sale of the column, he said there could be a small disc with the contributor's name. He added the cupola could also be added to the fund raising. Once the fund is established, his firm could place \$5,000 into the fund. He is hoping to work with Chris Mitchell to help with the project.

Debate ensued on the lack of reports from Mr. Bowman. Councilmember K. Crystal explained that he asked V. Bowman if there was enough money to finish the project and was told eight months ago when the project was awarded, there was enough money. He added when the Council did a tour four months ago, he asked again if there was going to be enough money and voiced concern about a shortfall. He added the money requests get bigger each time. Every few months, there is a reason why we need more money. V. Bowman explained during those periods of time, he did not have the exact numbers. He added they have done everything possible to keep within those grants. We are trying to finish the 1<sup>st</sup> floor by September. The next grant submittal is in April.

Councilmember T. Bierbaum voiced his concern about the lack of project management. He lamented the building has been torn apart for four years and was concerned about getting cost estimates now. V. Bowman explained it is a three-phase process. Councilmember R. McKnight voiced his concern about going into deficit spending, as we approached the end of the grant year. V. Bowman explained the state grant expires in September of 2021. He explained as long as the

money is spent before the next grant review cycle is complete, we are okay. Councilmember R. McKnight said cost overruns are sometimes necessary, but he agrees the Council needs to be updated. Councilmember H. Ennis and Councilmember T. Bierbaum agreed with him. Debate ensued on who was permitted to sell the columns. Councilmember T. Bierbaum said that only the Council can authorize the selling of the columns. V. Bowman explained it was a pledge. V. Bowman said he hopes the inmates could build the cabinets, and Jim is working on that. Councilmember K. Crystal mentioned the private sector is the best way to attract money. Debate continued the cost of flooring materials. Councilmember K. Crystal said he met with Mr. Gierlinksi and Mr. Drake and was encouraged by the progress.

**4. Consent Agenda** - Mayor Campbell asked if there were any additions or deletions to the Consent Agenda.

**Motion** by Councilmember W. Graham and seconded by Councilmember H. Ennis to approve the Consent Agenda, as presented.

**Vote:** Councilmember T. Bierbaum: Aye; Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye: Councilmember W. Graham: Aye. Ayes 5, Nays 0. All ayes. Motion carried.

**Approval of the Consent Agenda**

**A. City Clerk**

1. Minutes for approval: February 10, 2020 -Regular Minutes
2. Minutes for approval: February 10, 2020-Workshop Minutes
3. Minutes for approval: February 11, 2020-Workshop Minutes

**B. Administration -**

1. City Manager Mell Smigielski requests a motion to approve the renewal of the Florida Auction Network, LLC services agreement (Fee is 5% of the auction price)

**C. Finance – Reserved**

**D. Planning –**

1. Planning Director, Kelly Schultz, requests a motion for approval for the Special Event request from Anthony Valle to conduct the Main Street Farmer's Market for 2020

**E. Airport – Reserved**

**F. Public Works – Reserved**

**G. Fire – Reserved**

**5. REGULAR AGENDA**

**Regular Agenda** Mayor Campbell asked if there were any additions/deletions to the Regular Agenda. None were noted.

**Motion** by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to approve the Regular Agenda, as presented.

**Vote:** Councilmember T. Bierbaum: Aye; Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye; Councilmember W. Graham: Aye. Ayes 5, Nays 0. All ayes. Motion carried.

## **6. ADMINISTRATION**

1. City Manager Mell Smigielski gave the FY2020 Budget Update in response to the Council's request.

City Manager Mell Smigielski explained the departments provided their first quarter budget expenditure information. He explained that 55% of the Administration's two million budget is comprised of payroll and grants and \$3,500 is allotted for overtime. He added the classification issue has been addressed and urges people to take comp time. He said the IT person will start March 9<sup>th</sup>, and the grant writer position has accepted our offer. The Deputy City Manager and fire chief interviews will start in two weeks.

The Public Works department has the biggest budget expenditures, and they are on task. The sanitary sewer department had funds allocated for a receiver, but the blower went out, so the funds were redirected to replace the blower.

In response to Councilmember K. Crystal, City Manager M. Smigielski replied that we pay for anything that is major for the Boys and Girls Club building. Mayor Campbell added they are given a lump sum, and Boys and Girls Club handle the utilities.

Councilmember R. McKnight mentioned that income from water taps and cemetery permits have increased. Regarding zero percentages, City Manager M. Smigielski explained there could be a cash flow issue.

Councilmember R. McKnight asked if the city does budget projections to indicate where the city will be at the end of the fiscal year, and City Manager M. Smigielski said it will be part of the budget process to guess-estimate what the projections are for our fund balances.

**7. CITIZEN COMMENTS** - Sara Comander came forward to speak about downtown events. She surveyed 89% of the businesses that were open when she did the survey, and most seemed to like the events but were concerned about the businesses being boxed in during the event. She added the businesses are trying to inform their customers when there are street closures. She explained the DBPA and city received grants for parking, so the left side of Baldwin Avenue has plenty of parking. She suggested letting vehicles go one-way by keeping the right lane open and keep the vendors on the left side. She added the businesses do not want parades on Baldwin Avenue and suggested Circle Drive as a better choice. S. Comander reminded everyone of the steak dinner on March 6<sup>th</sup> that they are hosting.

Harley Henderson approached the dais and commented on trees. He requested that live Oaks be replaced for the Oaks that have been removed. He was concerned about the over-trimming of the Palm trees and would like them trimmed by a professional's suggestion.

Stuart Duncan of Jacobs Construction introduced Glen Gay as a new employee and stated Kevin Brown will be starting on Wednesday.

Next, Brandon Elkins of the Matrix Outreach Center, gave their quarterly spending report. He was not aware of the reporting requirement until recently. He stated since receiving the first disbursement from the city, they have provided 542 children with Christmas gifts, provided over 300 families with rent, utilities, prescription assistance, and under the Workforce Investment Act, their program services two students a week to train for skills in the workforce, and under the Generation Next Kids program they provided 154 students with clothing, glasses and prescriptions. He said they were able to change lives in the community with the city's help.

Sharon Smith came forward and stated she lived near West DeFuniak Elementary School. She said she disagrees with the proposed housing project. She voiced her concern about low income housing and does not think the roads can handle additional traffic and about children's safety with the extra housing.

Jace Holder came forward and commented on the same proposed project. He said the roads are awful as thousands of vehicles travel the road. The housing will be next to the school and ballparks. He is concerned about the low-price housing creating crime.

Mayor Campbell said the project will be discussed at the second meeting in March.

Janice Edward came forward regarding the proposed land use change, as well. She mentioned the property is zoned as recreation. She thinks children need to get to the area and play, as the children need more structure.

City Attorney Clay Adkinson cautioned the Mayor and Council not to speak on the issue that is not duly noticed and without the applicant being present.

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

## **9. EXECUTIVE REQUESTS**

### **A. Councilmember R. McKnight – Update from Charter Review meeting**

Councilmember R. McKnight updated the Council on the last subcommittee meeting on February 19<sup>th</sup> and stated the committee decided to use the fourteen Articles from the North Port Charter template. He added the committee is reviewing the language provided by the committee led by Jack Owen, as well as new language. He stressed the subcommittee is using the language provided by the committee chaired by Mr. Owen. He announced the next meeting is March 3 beginning at 1:30 and March 24<sup>th</sup> at 6 p.m. with both meetings held at City Hall.

### **B. Councilmember R. McKnight – Discussion regarding seeking accreditation for City Departments**

Councilmember R. McKnight discussed the possibility of city departments seeking accreditation. He asked the Council to consider the value for Police, Fire, Public Works, and how it helps us to address best practices. He added it is a long-term project but requested the city should look at

opportunities to help the departments serve our city. He wants us to have the best small-town government. Councilmember T. Bierbaum voiced his support. He mentioned the Sheriff's office had done this, and he witnessed the success. Councilmember T. Bierbaum mentioned it was a long process, but we have a better Sheriff's department now.

City Manager M. Smigielski said we currently do not have the facilities to go through an accreditation process, nor do some of the departments have a way to get accredited. For example, the Finance department can receive awards for budgeting. There are individual certifications done by our employees now, as our HR Director has PHR certification, our Planning Director has the AICP the City Clerk has the Certified and Master Clerk certification, as he does, the City Manager can be credential under ICMA, and our Airport director has accreditation in his field. However, there is no overall department accreditation for those individual departments. He does not want a common perception that all departments can get accreditation.

**10. FINANCE-** Nothing brought forward.

**11. PUBLIC WORKS –** Nothing brought forward.

**12. PLANNING –** Planning Director, Kelly Schultz

- A. Planning Director, Kelly Schultz, requests a motion for approval on the Special Event request from Russel Eichorn for the Rollout Concept's Charity Cornhole Tournament scheduled for Saturday, April 25, 2020 with the street closure from 7:00 a.m. – 8:00 p.m. at South 9<sup>th</sup> Street (Between the alley and Baldwin Ave)

Planning Director, Kelly Schultz came forward regarding the street closure request between Baldwin Avenue and the alley from 7 a.m. – 8 p.m., which includes a 50-team corn roll event. They have a maximum of five vendors and a DJ. They are hiring an off-duty police officer and are donating to the Matrix Christmas event. They said they will clean out the garbage containers.

She distributed the approval from the affected businesses. In response to Councilmember K. Crystal, she said this is their second year and the backup plan is to move to the fairgrounds. Last year, they did not have the street closure, as it was moved to the fairgrounds because of the weather.

**Motion** by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the Special Event request from Russel Eichorn for the Rollout Concept's Charity Cornhole Tournament scheduled for Saturday, April 25, 2020 with the street closure from 7:00 a.m. – 8:00 p.m. at South 9<sup>th</sup> Street.

Councilmember R. McKnight said his concern has been eliminated now that the merchants affected were duly notified.

**Vote:** Councilmember T. Bierbaum: Aye; Councilmember K. Crystal: Aye, Councilmember R. McKnight: Aye, Councilmember H. Ennis: Aye; Councilmember W. Graham: nay.  
Ayes 4, Nays 1. Ayes: 4; Nays 1. Motion carried.

## **ORDINANCES ON HOLD**

- B. 2<sup>nd</sup> Reading Ordinance, (**Hold for March 24<sup>th</sup>**) **Motion** to conduct a Public Hearing and approve and adopt an 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”
  
- C. 2<sup>nd</sup> Reading Ordinance, (**Hold for March 9<sup>th</sup>**) **Motion** to conduct a Public Hearing and approve and adopt an Ordinance entitled “Ord. Amending Chapter 18, Article VII, Section 18-53, “Travel Trailers, mobile homes, and manufactured homes” (b) clarifying that modular dwellings are not subject to the regulations therein

**13. POLICE** – Nothing brought forward.

**14. CITY ATTORNEY** – Nothing brought forward.

**15. STAFF REPORTS** – City Manager M. Smigielski informed the Council that the staff is going through the Code weekly, has gone through Chapter 1, and the suggested changes have been sent to the city attorney for review. He added the intent of the review, is if it is not a major issue, we will wait until the end of the review process and adjustment the Ordinance then. However, if there is anything that the Council or public believes is missing or needs adjustments, please inform us now.

City Manager M. Smigielski announced the Strategic Planning session is scheduled tomorrow morning from 9 to noon. He added that the Council meeting on March 9<sup>th</sup> will be held at City Hall because the Courthouse is not available.

City Manager M. Smigielski said he has received requests about the census. At the County level, there is a Complete Count committee, and they are in the process of getting people out to the neighborhoods to make sure people are counted.

Councilmember R. McKnight said he is in the process of reviewing the ordinances, some are easy to understand, some are funny, some are restrictive. He suggested the Council read the entire Code book, as some are archaic and need to be fixed.

**16. COUNCIL COMMENTS** – Councilmember T. Bierbaum announced he will not be able to attend the Strategic Planning session tomorrow.

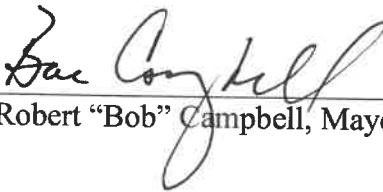
Councilmember K. Crystal said he was asked why sidewalks were not placed in certain neighborhoods, and he explained the FEMA grant money we received was allocated to fix the docks at the Lakeyard. He went on to explain that at the time we could not fix the docks, so we asked the State if the money could be used for another purpose. When it was approved, we had the sidewalks around the Lakeyard done, as it was a use it or lose it situation.


Mayor Campbell added we are working with the County for sidewalk funding on Walton Road, Bruce Avenue, Shoemaker and several streets that need addressing. We must work at initiating applications for funding to get sidewalks. Councilmember R. McKnight added the Lakeyard sidewalk was funded by FEMA that had to be used around the lake.

**17. MAYOR COMMENTS** – The manager is working behind the scenes to get grant money.

**18. ADJOURNMENT**

Mayor Campbell adjourned the meeting at 7:23 p.m.

  
Robert "Bob" Campbell, Mayor

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

