

**DeFuniak Springs City Council**  
**Regular Meeting – Communications Media Technology**  
**June 8, 2020**

Mayor Campbell called the meeting to order remotely at 4:01 p.m. as the Zoom session host with Councilmember Kevin Crystal leading the invocation and Pledge of Allegiance.

Mayor Bob Campbell asked City Manager M. Smigielski to conduct the Roll Call by stating their name as participants in the remote Zoom session: Mayor Pro-Tem Robert McKnight (Seat 2); Councilmember Todd Bierbaum (Seat 1); Councilmember Kevin Crystal (Seat 3); Councilmember Henry D. Ennis (Seat 4), and Councilmember Wayne Graham (Seat 5). A quorum was declared present for the remote meeting utilizing Zoom as the meeting platform.

Staff present in the Chambers: Mayor Bob Campbell, Mell Smigielski, City Manager; and Maryanne Schrader, City Clerk. Citizen Mike Richards was also in attendance.

Also, in attendance remotely: Debra Gibson Finance Director; Carisse LeJeune, Deputy City Manager and Clay Adkinson, City Attorney.

### **3. CONSENT AGENDA**

#### **Additions/Deletions to the Consent Agenda**

Mayor Campbell asked if there were any additions or deletions to the Consent Agenda. None were mentioned.

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

**ROLL CALL 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. Clerk**

1. Minutes for approval: May 26, 2020 -Regular Council CMT Minutes
2. Minutes for approval: May 29, 2020 -Special Council CMT Minutes

##### **B. Administration - Reserved**

##### **C. Finance – Morgan Hulion, Motion to ratify the May 2020 Bills**

### **4. PUBLIC COMMENTS – Mayor Campbell asked for any comments regarding Regular Agenda Items.**

Mike Richards of Grace Church spoke on the regular agenda, Item 9B. His church uses the Civic Center for worship. He requested that the Civic Center be opened this Sunday, June 14<sup>th</sup> for their service. Councilmember R. McKnight advised him that Sunday, June 14<sup>th</sup> is included in motion 9B.

## 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. No comments noted.

**Motion** by Councilmember R. McKnight and seconded by Councilmember W. Graham to approve the Regular Agenda.

**ROLL CALL 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

- a. Kara Chilcutt, Grant Writer/Coordinator requests a motion to approve Addendum B to the Purchasing Policy and Procedure Manual

Kara Chilcutt, Grant Writer, went over a summary of the emergency policies addendum which implements FEMA purchasing policies that are based on what we have learned from COVID-19. The policies deal with FEMA purchasing requirements ensuring purchases are made via the Roles and Reimbursement guidelines. She said she made a few corrections to the draft under Section 2, Item B I, stating she will remove references of the role in the final draft, as the role is better suited under the Grant Coordinator role. She mentioned every place Grant Writer is mentioned, it will be replaced with Grant Coordinator.

In response to Councilmember R. McKnight's request for a definition, K. Chilcutt replied that she will add the definition of "emergency" in the final draft. Additionally, City Attorney Clay Adkinson advised that the definition should be stated as a "State of Emergency, as declared by the city". He added the policy would be contingent on a higher emergency declared by the President.

In response to Councilmember R. McKnight, K. Chilcutt added this policy will only apply to FEMA and clarified that MBI referenced in the policy should be MBE.

**Motion** by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve Addendum B to the Purchasing Policy and Procedure Manual with the updated changes and to coordinate changes with the legal department.

In response to Mayor Campbell's concern on prior application of FEMA grants without his or the Council's knowledge, City Attorney Clay Adkinson assured him the acceptance of the contract and award must come before Council. He suggested adding that the mayor and Council must have sign off language before the contract is awarded. He added the application must be accepted by the Council before we get to the bid stage.

Councilmember R. McKnight also questioned why the procurement area references disaster – not emergency, as well as the area where local vendors are not given a preference. He was also concerned that the policy included a mention for the Council not to negotiate overhead.

In response to Councilmember R. McKnight, K. Chilcutt replied that the procurement period is taken from the FEMA Code of Federal Regulations, as well as their definition of a disaster. Additionally, FEMA advises their list of vendors be used.

**ROLL CALL 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.

**7. CITIZEN COMMENTS** – Mayor Campbell asked the public if they had any general comments. No comments were noted.

**8. REQUEST TO BE ON THE AGENDA** – Nothing brought forward.

**9. EXECUTIVE REQUESTS** –

- A. Councilmember R. McKnight - Charter Review Committee update on the May 29<sup>TH</sup> meeting

Councilmember R. McKnight said the Charter Review Committee has completed the draft review and will review the clean copy on Monday, June 15<sup>th</sup> at 9:00 a.m. They will look at using clean and consistent language before presenting to Council.

- B. Councilmember R. McKnight – Motion to direct the City Manager to lift the remaining emergency restrictions on rental of city facilities, parades and special event permits and allow all city committees and Council to meet in-person, as well as CMT the week of June 15<sup>th</sup>, and to continue to encourage CDC guidelines

Councilmember R. McKnight suggested directing the city manager to begin steps to lift restrictions during the week of June 14<sup>th</sup> to give staff a chance to make necessary preparations, and allow Council to continue to use CMT, if members choose, and to continue to encourage CDC guidelines. He added if a second wave occurs, management will revisit the decision.

Discussion ensued on activating the lifting of restrictions the week of June 14<sup>th</sup>, as practical.

**Motion** by Councilmember R. McKnight and seconded by Councilmember H. Ennis to direct the City Manager to lift the remaining emergency restrictions during the week of June 14<sup>th</sup> on the rental of city facilities, parades and special event permits and allow all city committees and Council to meet in-person, as well as CMT if they choose and to continue to encourage CDC guidelines, as practical.

In response to Councilmember W. Graham, Mayor Campbell said the Courthouse is open with spacing restrictions.

City Manager M. Smigielski said the intent is to open the Visitor's Center, as well.

In response to Mayor Campbell, City Manager M. Smigielski said there may be technological issues if we try to meet simultaneously along with CMT, so we may only be able to meet in person.

City Attorney Clay Adkinson said if the Council members choose to appear in person, there is no reason to offer CMT.

Mayor Campbell asked Council if they would choose to meet in person, and it was unanimous to meet in person.

**ROLL CALL 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.

C. Councilmember R. McKnight – Observations regarding using CMT on complex issues

Councilmember R. McKnight provided his observations of using CMT during the May 26th and 29<sup>th</sup> meetings. He found the use of CMT for important decision making was problematic, as communication was not as clear, as well as the absence of a display screen or ability to use visual displays or copies. He voiced his concern of discussing a complex on and off again decision on whether to apply for a grant that impacted the staff members. He suggested the Council recognize that when a last-minute decision is made, Council should ensure the staff is supported and measures for overtime are in place. He added our actions, as a Council, impact other people on our team. He voiced concern over Council's overburden on the staff part of the team when decisions are made so close to a deadline. He added the staff did an almost impossible job in the time allotted.

**10. PUBLIC WORKS** – Reserved

**11. PLANNING** – Reserved

**12. POLICE** – Nothing brought forward.

**13. CITY ATTORNEY** – Reserved

**14. STAFF REPORTS** – City Manager M. Smigielski said he met with Public Works and Dewberry, and we will need a special public meeting the last week in June at a time to be determined for the Live Oak project.

City Manager M. Smigielski announced the Strategic Planning session is scheduled for Tuesday, June 30<sup>th</sup> from 9 a.m. through noon at the Civic Center.

City Manager M. Smigielski announced our census number is up to 45%, so we are doing better.

City Manager M. Smigielski stated our impact fees need adjusting. A proposal was received from Dewberry to provide the study in the lump sum of \$19,500. The Scope of Services include analyzing of expenses, structure, adequacy based on new growth, comparing the impact fee structures with other utilities, a report for gas, water and wastewater, as well as presenting the results to the Council in five-year projections for the impact fee study. He added the \$19,500 fee will come out of the existing impact fee. He stated we will also need to have a study done for the police and fire station.

**Motion** by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to approve the City Manager to accept the proposal from Dewberry in the lump sum of \$19,500, which will come out of the existing impact fee.

In response to Councilmember W. Graham, City Manager M. Smigielski replied Dewberry can only do studies on utilities.

**ROLL CALL 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.

City Manager M. Smigielski said Main Street had an agreement with Hilltop Productions. Main Street has paid what they owe the city and have asked if the city would take over ownership of the contract from Hilltop Productions on the downtown lighting. He will need a vote at the June 22<sup>nd</sup> meeting. He said the bulk of the cost was in the first year at \$25,000, with the second- and third-year costs covering storage, removal and transportation, at a total of \$25,000 each year. The options are to take over one year or complete the final two years at \$25,000 each or take \$15,000 to walk away from the contract.

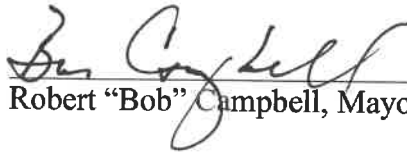
**15. COUNCIL COMMENTS** – Councilmembers R. McKnight and K. Crystal thanked the participants as the assembly was peaceful at Harbeson Field yesterday. They also thanked Chief Hurley in the execution of the plan. It was noted over 500 people participated and there was a presence of city and county and Florida Highway Patrol.

**16. MAYOR COMMENTS** – Mayor Campbell announced a water service interruption should be expected tonight on the west side of Highway 90. He added there is new construction at the college, so that is why the water will be shut down for about four hours.

Mayor Campbell also announced the July 4<sup>th</sup> parade is being postponed to Labor Day.

**17. ADJOURNMENT**

Mayor Campbell adjourned the meeting at 5:07 p.m.

  
Robert "Bob" Campbell, Mayor

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

