

**DeFuniak Springs City Council
Regular Meeting Minutes
Community Center
October 26, 2020**

Mayor Campbell called the meeting to order at 9:00 a.m. followed by the invocation and Pledge of Allegiance by Councilmember W. Graham.

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 Clayton Adkinson, City Attorney; Mell Smigielski, City Manager; Deputy City Manager Carisse LeJeune; Debra Gibson, Finance Director; and Cynthia Permenter, Deputy City Clerk.

3. CONSENT AGENDA

Additions/Deletions to the 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: Mayor Pro-Tem R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember W. Graham, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

Additions/Deletions to the Consent Agenda

Approval of the Consent Agenda

A. Clerk

1. Minutes for approval: October 12, 2020 -Regular Minutes

B. Administration – Reserved

C. Finance – Reserved

D. Planning – Planning Director Kelly Schultz – Approval of the Special Event Permit application from the DFS Woman’s Club for the Annual Christmas Parade on Saturday, December 12th from 10:30 a.m. – 3 p.m. and requesting that Circle Drive be closed

4. REGULAR AGENDA

Additions/Deletions to the Regular Agenda

Approval of the Regular Agenda

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

City Manager M. Smigielski announced that Item 5B will be only a discussion point and Item 5D will be moved to the staff report area.

Councilmember W. Graham requested a discussion on opening/closing during the winter months with the coronavirus issue.

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to approve the Regular Agenda, as amended.

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

5. ADMINISTRATION –

- A. City Manager Mell Smigielski – Motion to adopt on 2nd Reading, An Ordinance Adopting a Capital Improvements Schedule pursuant to the Community Planning Act of 2011, 2011-139, Laws of Florida, F.S. 163.3177 3. (b), Providing for Repeal of Conflicting Provisions, providing for a Short Title, Providing for Findings, Providing for Severability, and Providing for an Effective Date

Motion by Councilmember R. McKnight and seconded by Councilmember W. Graham to approve an Ordinance Adopting a Capital Improvements Schedule.

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

City Manager Mell Smigielski read Ordinance 911 by title, An Ordinance Adopting a Capital Improvements Schedule pursuant to the Community Planning Act of 2011, 2011-139, Laws of Florida, F.S. 163.3177 3. (b), Providing for Repeal of Conflicting Provisions, providing for a Short Title, Providing for Findings, Providing for Severability, and Providing for an Effective Date.

C. City Manager Mell Smigielski requests a motion to review the City Properties Bid results and transfer the proceeds to the CRA

City Manager M. Smigielski went over the bid results stating that six of the seven listed properties received bids.

Councilmember K. Crystal recused himself from the vote, as he had placed bids on the properties.

Motion by Councilmember W. Graham and seconded by Councilmember R. McKnight to award the property to the highest bidder on each property.

Vote: Mayor Pro-Tem R. McKnight, Aye; Councilmember T. Bierbaum, Aye; Councilmember H. Ennis, Aye; Councilmember W. Graham, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

- E. City Manager Mell Smigielski requests to a motion to award the bid for the Fire and Police Impact Fee Study - RFP #20-02-CD

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to accept the lowest bidder, Raftelis, in the amount of \$19,455.

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

- F. Deputy City Manager Carisse LeJeune request a motion to approve the informational flyer and Chautauqua Hall of Brotherhood Holiday Capital Campaign

Deputy City Manager Carisse LeJeune asked Council to consider the presented informational flyer. She mentioned Christmas Reflections and the CHOB Foundation Festival of Trees begins November 27th through December 6th.

In response to Councilmember R. McKnight, C. LeJeune will check on the State price for the 54-inch refrigerator. Chris Mitchell has access to the state contract and other discounts, however. The catering is for the kitchen only, as there is no cooking on site permitted.

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to approve the informational flyer.

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

- G. Deputy City Manager Carisse LeJeune requests a motion to approve a resolution and the 2020-2021 Agreement between the City of DeFuniak Springs and Main Street DeFuniak Springs

Deputy City Manager Carisse LeJeune asked Council to approve the resolution and agreement (approved by the city attorney) at an annual rate of \$33,333. She added that Chelsea Blaich has the approval from the Main Street Board of Directors.

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to approve the resolution and the 2020-2021 Agreement between the City of DeFuniak Springs and Main Street DeFuniak Springs.

Councilmember K. Crystal asked C. Blaich if the city would need to budget the expense for FY21/22, and C. Blaich responded that it needed to be in the budget.

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

6. CITIZEN COMMENTS

A. General Comments from the audience

Citizen Susan Bakalo came forward and mentioned the lack of professionalism of the City Manager at the last Council meeting regarding her request to purchase or park on city property. She mentioned she never received a phone call that her item was being placed on the agenda.

City Manager M. Smigielski apologized for the oversight, as he was out of the office for several days and had left a message on her voicemail that morning.

Citizen Dan Cosson came forward to discuss blight on outstanding projects on Highway 331, Walton Road and Orange Avenue and what can be done to keep areas from becoming blighted.

Discussion ensued on reasons that projects fail and problems associated with the blight.

Mr. D. Cosson also asked about when the Chautauqua Hall of Brotherhood building would be opened.

7. REQUEST TO BE ON THE AGENDA

A. Donald Graham – Requests Council consider purchasing property for a future park on the east side of DeFuniak Springs

Mr. D. Graham said he was a resident of the area. He mentioned the historic area at Tivioli School and asked that the Council consider purchasing property to creating a park in East DeFuniak Springs. He mentioned letters that he received in support of a park on the east side.

Mr. Laird who lives on Graham Street, also came forward requesting restaurants and parks on the east side. He asked that a long-term resident, Mr. L. Campbell, be placed on a plaque when the park is built.

Mayor Campbell suggested Elissa from Dewberry could look into applying for a grant.

Stephanie Hawkins, resident of the area for about thirty years mentioned speed bumps to slow traffic.

Harry Womak, resident of the area, mentioned safety issues and animal control.

Councilmember K. Crystal agreed with the comments and suggested some benefits regarding annexing the east side properties into the city.

Council suggested Mr. Graham take his idea to the City Beautification and Tree Board.

Motion by Councilmember T. Bierbaum to recess for five minutes.

The Council recessed at 10:17 a.m. and resumed the meeting at 10:28 a.m.

8. EXECUTIVE REQUESTS –

A. Councilmember Wayne Graham

Councilmember W. Graham voiced concern about the rising cases of coronavirus. He suggested putting something in place to ensure the safety of staff and residents.

Mayor Campbell said that Chris Mitchell will place some cautionary statements on the website as well as social distancing tips.

Councilmember R. McKnight agreed and voiced concern about the surge of COVID and flu cases and noted the majority of people attending were not wearing masks.

Councilmember W. Graham suggested resuming Zoom meetings. However, City Manager M. Smigielski said government cannot meet by Zoom after November 1st per the Governor.

Motion by Councilmember W. Graham and seconded by Councilmember R. McKnight to have access to masks at the doorway of every meeting.

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

B. FINANCE – Reserved

C. PUBLIC WORKS –

A. Public Works Director Craig Drake request a motion to approve the execution of the Waste Management Contract

Public Works Director Craig Drake went over the bid process and discussed the cost analysis for commercial and residential garbage pickup. He suggested acceptance of Option 1 for the Knuckle Boom only with commercial and residential.

Discussion ensued on who negotiated the contract and how much feedback was given from legal.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to table the discussion and direct staff to schedule a workshop.

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

11. PLANNING – Staff requests continuation of Items 11A & 11B to the next Regular City Council meeting on November 9, 2020

City Manager M. Smigielski stated that there are some corridor issues with Eglin Air Force Base that will need to be addressed.

- A. Planning Director Kelly Schultz – Continuation to November 9, 2020, An Ordinance Adopting the Amendment of Section 1, Future Land Use Element, of the DeFuniak Springs, Florida Comprehensive Plan, Providing for Adoption, Providing for Severability and Providing an Effective Date
- B. Planning Director Kelly Schultz – Continuation to November 9, 2020, an Ordinance Adopting a Large-Scale Land Use Map Amendment of the City of DeFuniak Springs Comprehensive Plan; Changing the Land Use Classifications; Repealing All Ordinances in Conflict Herewith; Providing for Severability and Conflicts Providing for Codification; and Providing for an Effective Date

Motion by Councilmember W. Graham and seconded by Councilmember T. Bierbaum to continue Items 11A and 11B to the City Council meeting on November 9, 2020.

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

- C. Planning Director Kelly Schultz – Mayor Campbell to open a Public Meeting and after the Public Hearing is closed, Motion for 2nd Reading for the approval of an Ordinance amending Ordinance 909, Providing for the Amendment of the City’s Code of ordinances by Amending Chapter 11 “Code Enforcement”, Article I “Enforcement”, Section 11-2 “Complaints” to Replace that Section in its Entirety with a Revised Section 11-2 “Complaints”; providing for Repeal of Conflicting Provisions, Motions, Resolutions, and Ordinances; Severability; and for an Effective Date

Motion by Councilmember R. McKnight and seconded by Councilmember T. Bierbaum to approve on 2nd Reading an Ordinance amending Ordinance 909, Providing for the Amendment of the City’s Code of ordinances by Amending Chapter 11 “Code Enforcement”, Article I “Enforcement”, Section 11-2 “Complaints” to Replace that Section in its Entirety with a Revised Section 11-2 “Complaints”; providing for Repeal of Conflicting Provisions, Motions, Resolutions, and Ordinances; Severability; and for an Effective Date.

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

City Manager M. Smigielski read Ordinance 912 by title.

D. POLICE –

- A. Chief James Hurley, Jr.– Motion to approve the job description for the Police Administrative Support Specialist

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the job description for the Police Administrative Support Specialist with the change of updating DeFuniak Springs instead of Melbourne.

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

13. CITY ATTORNEY – No comments.

14. STAFF REPORTS

Item 5B. City Manager Mell Smigielski requests review on the policy for small-scale funding.

City Manager M. Smigielski asked if we should change what we are doing for the budget.

Councilmember T. Bierbaum suggested capping the amount for organizations at \$5,000.

Discussion ensued on streamlining the approach, requiring quarterly, annually or monthly reports and proper filing and insurance requirements at time of event.

A clause should be included stating the funds will be used for purposes identified in the document and the report must be submitted before release of funds.

Item 5D. City Manager Mell Smigielski requests discussion and further direction on the City Facility Rental Fees

City Manager M. Smigielski went over the resolution draft for facility rental fees.

Discussion ensued on whether the rentals for the second floor should be divided. The gazebo is also included in the Hall of Brotherhood first floor rental to avoid a conflict.

Discussion ensued on changing the reference regarding alcohol in the resolution, if alcohol is allowed. Councilmember R. McKnight mentioned adding the language “allowed and requested by the renter” to clear the language.

Motion by K. Crystal and seconded by R. McKnight to amend the draft resolution to collect a \$500 security deposit and have a city attendant present, at a rate to be determined.

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

Discussion ensued on clarification that an ordinance was changed that alcohol could only be served on city property through Special Event approval.

15. COUNCIL COMMENTS

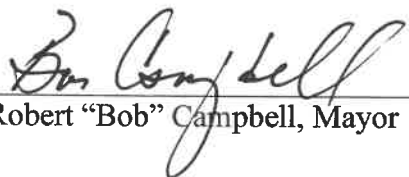
Councilmember K. Crystal thanked the police department and their assistance with family matters regarding his father's health.

Councilmember R. McKnight announced that the County HazMat will be collecting materials at the fairgrounds this Saturday from 8 a.m. – noon.


16. MAYOR COMMENTS

17. ADJOURNMENT

Mayor Campbell adjourned the meeting at 12:13 p.m.


Robert "Bob" Campbell, Mayor


Notes taken by Cynthia Permenter, Deputy City Clerk


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

