

DeFuniak Springs City Council
Regular Meeting Minutes
Council Chambers
June 28, 2021

Mayor Campbell called the meeting to order at 5:01 p.m. followed by the invocation and Pledge of Allegiance by Councilmember Robert McKnight.

Mayor Campbell called the roll. The following members were present: Mayor Bob Campbell; Mayor Pro-Tempore Todd Bierbaum (Seat 1); Councilmember Robert McKnight (Seat 2); Councilmember Kevin Crystal (Seat 3); Councilmember Henry D. Ennis (Seat 4); and Councilmember Tony Vallée (Seat 5). Also, present were City Attorney Clay Adkinson, Finance Director Debra Gibson, and Deputy City Clerk Cindy Permenter.

CONSENT AGENDA:

Mayor Bob Campbell asked if there were any additions/deletions to the consent agenda. Councilmember Ennis asked that the June 14, 2021, minutes be moved to the regular agenda. Councilmember Crystal asked that the Utility Rate Study be moved to the regular agenda.

Motion: Councilmember Bierbaum made a motion to accept the consent agenda, as amended and was seconded by Councilmember Crystal.

Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

REGULAR AGENDA:

Discussion of the additions and deletions to the regular agenda included the City Manager Thompson requesting 8A and 5C be moved to before the presentation from the auditors. Mayor Campbell stated that Item 2A1 and Item 2C from the consent agenda would be moved to be moved to Item 8A1 and Item 8A2 on the regular agenda.

Motion: Councilmember Crystal made a motion to accept the regular agenda, as amended and was seconded by Councilmember Bierbaum.

Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

Councilmember Crystal appointed Katlyn Arnold to the Special Events Committee and Councilmember Bierbaum seconded the appointment.

Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

Councilmember Bierbaum noted that all the council appointments have not been completed. It has been requested for all Councilmembers to be prepared to complete their appointments at the July 12, 2021, City Council meeting.

City Attorney Clay Adkinson reminded the Council of the capacity fees ordinance that had the 1st reading in February 2021. Staff had requested the effective date to begin at the start of the new fiscal year, October 1, 2021, therefore; being approximately 90 days from the effective date, a motion is needed to conduct a Public Hearing for second reading and for adoption of the ordinance.

Motion: Councilmember Bierbaum made the motion to hold a Public Meeting for second reading and to adopt the Ordinance. Seconded by Councilmember Crystal. Mayor Campbell opened floor for public comments. There were no public comments.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson read the Ordinance XXX Amending the Municipal Code of the City of DeFuniak Springs, Florida to Eliminate Certain Fees and Create New Fees Entitled, “Capacity Fees”, Amending and Repealing, In Part, Ordinances Numbers 511, 618, 619, 659, 700, 701, 802, 822, 823, 863, And 864, Thereby Deleting Chapter 23, Article II, Division 1, Section 23-41 “Tap Fees” and Chapter 23, Article III, Division 5, Section 23-123 “Connection Charges”, and Repealing Ordinance Numbers 702 And 786, Thereby Replacing Chapter 23, Article V, In Its Entirety and Creating New Sections 23-171 Through 23-200 With Said Article to be Entitled “Capacity Fees”, Providing for Conflict, Providing for Severability, and Providing an Effective Date.

Kevin Boyer and Adam Nelson of Warren Averett presented a summary of the FY2020 audit. Kevin Boyer stated the audit was clean, and on-time. Adam Nelson discussed the highlights of the audit.

City Attorney Clay Adkinson asked if anyone was wishing to speak during the public hearing for a small-scale amendment will need to step forward so they can be sworn in. City Attorney Clay Adkinson administered the oath to City Planner Chris Wallace and Applicant Nolan Baker. City Planner Chris Wallace explained the request to change the land use from Medium Density Residential to Industrial.

Motion: Councilmember Crystal made a motion to approve the future land use amendment and Councilmember Ennis seconded the motion. No comments.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

Motion: City Planner Chris Wallace requested Zoning Map Amendment to the same property. The motion to approve the Zoning Map Amendment was made by Councilmember Crystal and seconded by Councilmember Bierbaum. Mayor Campbell asked for questions or comments.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson held the first reading on the future land use amendment and the Zoning Map amendment. The 2nd reading will be on the July 12, 2021, Council Meeting.

1st Reading: Small-Scale Land Use Map Amendment

An Ordinance Adopting a Small-Scale Land Use Map Amendment of the City of DeFuniak Springs Comprehensive Plan; changing the Land Use Classification; Repealing all Ordinances in Conflict herewith; providing for severability and conflicts; Providing for Codification; and providing for an effective date (Property located at 1575 N. 9th Street)

1st Reading: Small-Scale Zoning Map Amendment

An Ordinance Adopting a Zoning Map Amendment to the City of DeFuniak Springs Land Development Code; Changing the Zoning Designation; Repealing all Ordinances in Conflict herewith; providing for severability and Conflicts; Providing for Codification; and providing for an effective date (Property located at 1575 N. 9th Street)

Mayor Campbell opened the floor for Citizen Comments. There were none.

City Manager Thompson requested the Council to authorize discussions with Eglin Air Force Base regarding a potential lease of property for spray field.

Motion: Councilmember Crystal made a motion to authorize City Manager to begin discussions with Eglin Air Force Base for potential land use. Councilmember Ennis seconded the motion.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson reminded the Council that during the interim period between the departure of the prior city manager and the hiring of our current city manager the council approved temporary compensation for the administration staff at city hall during the interim. There was an increase of job duties, responsibilities and pay during the interim and it was voted on by the Council. The restoration of all employees who received additional compensation during the interim should be restored to their original responsibilities and pay.

Motion: Councilmember Bierbaum made a motion to restore all employees original job responsibilities and pay. Councilmember Ennis seconded the motion.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

City Manager Thompson requested a lien reduction of the fines and fees that have accumulated on the property of 59 Cook Avenue. By allowing the reduction, the purchaser, Juan Ramos has agreed to have the blighted property in compliance with code within 30 days or fines will start accruing at \$100.00 daily until it is in compliance with code. City Attorney Clay Adkinson stated an agreement will be signed with the purchaser and a lien release will be contingent of the loan closing and the remediation of the property. A lien release to the title company at closing

Motion: Councilmember Crystal made a motion to approve lien reduction, signed agreement with purchaser and remediation of the property within 30 days. Councilman Ennis seconded the motion. Motion was amended by Councilmember Crystal and seconded by Councilmember Ennis to reflect 60 days instead of 30 days.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Crystal, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 5, Nays 0. All ayes. Motion carried.

Councilmember Kevin Crystal left the council meeting before the presentation by Elissa Pettis of Dewberry.

Elissa Pettis of Dewberry provided a proposal for Professional Engineering Services Development Master Plan for wastewater and gas utilities. This masterplan is to identify capital improvement plan projects necessary to accommodate development growth over the next 20 years for the water, wastewater, and natural gas systems.

Motion: Councilmember Bierbaum directed staff to determine how much of this can be paid with impact fees and bring back to Council as a budget amendment. Seconded by Councilmember Ennis.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. 4 ayes. Councilmember Crystal not available. Motion carried.

Councilmember Ennis discussed the minutes of the June 14, 2021, City Council Meeting. He pointed out that on page 13 in the third paragraph, the electric motors should read boat motors.

Motion: Councilmember Ennis made a motion to correct the minutes to reflect the change. Councilmember Bierbaum seconded the motion.

Vote: Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. 4 ayes. Councilmember Crystal not available. Motion carried.

City Attorney Adkinson stated that Councilmember Crystal had asked staff questions in reference to the utility rate study. He wanted me to raise questions about the utility rate study in order for it to be reflected on the record. Is the primary purpose of doing the utility rate study needed for USDA financing and loan approval? Finance Director Debra Gibson stated "Yes, sir, it is." Attorney Adkinson asked, "It is not staff's intention to do the rate study have staff raise the rates?" Ms. Gibson answered "No, sir, it is not." If this rate study brings back a need to increase rates, that is not the purpose for this rate study? Again, Ms. Gibson answered, No. sir, it is not."

Motion: Councilmember Bierbaum made motion to approve the utility rate study. Seconded by Councilmember Ennis.


Vote: Councilmember McKnight, Aye; Councilmember Bierbaum, Aye; Councilmember Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. 4 ayes. Councilmember Crystal not available. Motion carried.

Mayor Campbell made an announcement that the September 27, 2021, Council meeting will be changed to 5:30 p.m. to accommodate the Walton County Board of Commissioners Final Budget meeting time.

Council Comments:

Councilmember Bierbaum offered his condolences to Mr. Crystal for his loss.

There being no further items to discuss, the meeting was adjourned at 6:20 p.m.



Mayor Robert (Bob) Campbell


Cynthia Permenter, Deputy Clerk

