

DeFuniak Springs City Council
Regular Meeting Minutes
Council Chambers
July 26, 2021

Mayor Pro-Tempore Todd Bierbaum called the meeting to order at 5:00 p.m. followed by the invocation and Pledge of Allegiance led by Councilmember K. Crystal.

Mayor Pro-Tempore Todd Bierbaum called the roll. The following members were present: Mayor Pro-Tempore Todd Bierbaum (Seat 1); Councilmember K. Crystal (Seat 3); and Councilmember Henry D. Ennis (Seat 4). Also, present were City Manager Robert Thompson, City Attorney Clay Adkinson, Finance Director Debra Gibson, and City Clerk Maryanne Schrader. Mayor Bob Campbell, Councilmember Robert McKnight (Seat 2), and Councilmember Anthony Vallée (Seat 5) were excused.

ITEM 2 - CONSENT AGENDA

Additions/Deletions to the Consent Agenda
Approval of the Consent Agenda

Mayor Pro-Tempore T. Bierbaum asked if there were any additions or deletions.

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

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

- A.** City Clerk Maryanne Schrader
 - 1. Minutes for approval – July 12, 2021 - Regular Meeting Minutes
 - 2. Minutes for approval – June 14, 2021 – Joint Special Meeting Minutes
- B.** Administration –
 - 1. Grant Coordinator Kara Chilcutt – Request motion to approve the revised FY22 Small Matching Grant Contract to Complete the Library Architectural Assessment
 - 2. Grant Coordinator Kara Chilcutt – Request motion to approve the Firehouse Subs Foundation Grant application to purchase AEDs for Police Department for the State Contract quote of \$17,400 – No City match required
 - 3. City Manager Robert Thompson – Request motion to approve the mayor to execute the Countywide Interlocal Fuel Agreement which allows all signatories to utilize fuel resources in case of problematic fuel supply emergencies
- C.** Planning –
 - 1. Code Enforcement Officer Chris Strawn – Request motion to approve the Special Event Permit request from the Boys & Girls Clubs of the Emerald Coast, Inc. Epic Bakery Competition to include street closures on Baldwin Avenue from South 7th Street to 8th Street and a parade on October 10, 2021

ITEM 3 - REGULAR AGENDA

**Additions/Deletions to the Regular Agenda
Approval of the Regular Agenda**

Mayor Pro-Tempore T. Bierbaum asked if there were any additions/deletions to the Regular Agenda.

City Manager R. Thompson requested that Council add the authorization of opening a bank account for the American Rescue Plan Act funding.

Mayor Pro-Tempore T. Bierbaum stated the authorization will be placed under 8D.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the Regular Agenda, as amended.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

ITEM 4 - PRESENTATION AND/OR SPECIAL REPORTS – None requested.

ITEM 5 - PUBLIC HEARING/ORDINANCES

A. **1ST Reading** – None scheduled.

B. **2nd Reading** - Motion to conduct a Public Hearing and approve on 2nd Reading, An Ordinance adopting a Zoning Map Amendment of 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 on the east side of Highway 331 South, just south of Orange Avenue)

City Attorney Clay Adkinson asked if anyone was present for the Public Hearing, and he swore in Planning Director Chris Wallace.

Planning Director C. Wallace provided a review of the Ordinance stating the original request was for a zoning change to C-2, and the amended request is before the Council for a C-1 rezoning on the property on Highway 331 South.

Motion by Councilmember K. Crystal and Councilmember H. Ennis to hold a Public Hearing and approve the Ordinance on 2nd Reading.

Mayor Pro-Tempore T. Bierbaum asked for public comment and hearing none, closed the Public Hearing at 5:05 p.m.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

Planning Director C. Wallace read Ordinance 928 by title, Ordinance adopting a Zoning Map Amendment of 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 on the east side of Highway 331 South, just south of Orange Avenue).

ITEM 6 - RESOLUTIONS

1. City Manager R. Thompson – Request a motion to approve a Resolution Relating to Facility Rental Fees and Revised City Facility Application for Use

City Manager R. Thompson requested a motion to approve a Resolution Relating to Facility Rental Fees and the revised City Facility Application and fee schedule.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the Resolution Relating to Facility Rental Fees and revised City Facility Application.

Mayor Pro-Tempore T. Bierbaum went over the resolution and rates and proposed splitting the rates down the middle as the public has told him that \$400 or \$500 dollars is a better price to rent the Chautauqua Hall of Brotherhood all day. He believes that a damage deposit would handle repair to the floor and stated the staff should not be in the business of tearing down the chairs.

Councilmember H. Ennis stated he had numerous reservations and removed his second and recommended that we have a full Council to discuss in depth.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to substitute his motion to continue until we have a full Council.

City Manager R. Thompson said we have a plethora of applications and stated we have a wedding the first August and asked for guidance on what to charge the applicants.

Cynthia Permenter came forward and stated the rate before was \$160 for a full day. She added Councilmember McKnight had sent information suggesting the fee should be 20% to 30% lower than what was recommended. She said the people for the August 7th wedding are in full agreement to set up the chairs. She mentioned that Charlie over facilities has said if we allow the people to do provide the cleanup, the floors will be damaged.

Councilmember K. Crystal asked about the sprinkler emergency, and City Manager R. Thompson said we are negotiating with the insurance company on whether we can replace the floors. City Manager R. Thompson said the intent is to protect the historical building. He believes we will do better if we take care of the floors ourselves.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the temporary rates and that we cut the rates in half temporarily with the rates in the proposed resolution until we can come back to full Council.

Cynthia Permenter said she has the wedding on August 7th and three more applicants for November. Councilmember K. Crystal said the city will set it up for the August 7th wedding.

City Manager R. Thompson asked for clarity for the time frame the facility would be shut down for the evening. C. Permenter said the current time is midnight, however, a 10 p.m. closing may be too early and provided an example of a wedding event.

In response to Councilmember K. Crystal on when the cleanup would begin, City Manager R. Thompson said the plan is to secure the building and have the clean up the next business day.

Motion amended by Councilmember K. Crystal and seconded by Councilmember H. Ennis to close the building by 11:00 p.m. and cut the rates in half from the proposed list temporarily until we can come back to full Council.

Mayor Pro-Tempore T. Bierbaum asked for public comment.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

City Attorney Clay Adkinson advised the item will be on the next Council agenda.

ITEM 7 - CITIZEN COMMENTS – General Comments from the Audience – No one came forward.

ITEM 8 - DEPARTMENT REPORTS

- A. Dewberry/Engineering Report – No report.
- B. Finance Director D. Gibson -Request a motion to set and approve the tentative millage rate on September 7, 2021

Finance Director D. Gibson said each year the Council is required to set the tentative millage rate. She said the current millage rate is 5% with the rate on the proposed tax sheet for what the taxes would be at 5.5 to 6% and advised Council the rate could be set higher and can come down but cannot be raised later.

City Attorney Clay Adkinson advised that the re-advertisement if Council made it higher would be expensive.

Motion by Councilmember K. Crystal to set and approve the tentative millage rate at 10 mills. He said that would give us the maximum ability to go down. Mayor Pro-Tempore T. Bierbaum announced the motion died for a lack of a second.

Motion by Councilmember K. Crystal to set and approve the tentative millage rate at 9 mills. Mayor Pro-Tempore T. Bierbaum announced the motion died for a lack of a second.

Motion by Councilmember H. Ennis to set the rate for 4 mills.

City Attorney Clay Adkinson mentioned the rate was set at 5 mills last year with the rollback rate adjustment.

Motion by Councilmember H. Ennis to set the rate for 5 mills. Mayor Pro-Tempore T. Bierbaum announced the motion died for a lack of a second.

In response to City Attorney Clay Adkinson on what the mill was approved for last year, Finance Director D. Gibson said the final rate was approved at 5 mills. City Attorney Clay Adkinson said it could be set at 5.5 mills on the condition that the budget is based on 5 mills. The purpose of the advertisement would be a ½ mill increase but the purpose of the balanced budget would be no increase. It would be no greater increase than what was done last year.

Motion by Councilmember H. Ennis and seconded by Councilmember K. Crystal to set the rate at 5.5 mills and on the condition that the budget is based on 5 mills.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; and Councilmember H. Ennis, Nay. Ayes 2, Nays 1. Motion carried.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to set the first budget hearing for September 7th at 5:05 p.m. at City Hall Chambers.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

C. City Manager R. Thompson – Request approval to adopt the Attendance Policy for Boards and Committees

City Manager R. Thompson requested a motion to adopt the Attendance Policy for Boards and Committee members attendance.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to adopt the Attendance Policy for Boards and Committees with the excused absences defined.

City Attorney Clay Adkinson suggested just having an attendance policy and do away with the excused absence justification.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis rescinded his motion and amended it to adopt the Attendance Policy for Boards and Committees with no distinction between excused or unexcused absences.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; and Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

D. Authority to open an account for ARPA Funds

City Manager R. Thompson requested authority for Finance Director D. Gibson to open an account for the American Rescue Plan Act funds.

Motion by Councilmember H. Ennis and seconded by Councilmember K. Crystal to open the account.

Finance Director D. Gibson asked that \$10 be taken out of the general fund and placed into the ARPA fund to open the account and then return it back into the general fund.

Motion amended by Councilmember H. Ennis and seconded by Councilmember K. Crystal to authorize the Finance Director to open a bank account for ARPA funds and allow the transfer of \$10 to open the account and then return the \$10 back to the general fund.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; and Councilmember H. Ennis, Aye. Ayes 3, Nays 0. All ayes. Motion carried.

ITEM 10 - LEGISLATIVE REQUESTS - No further comments.

ITEM 11 - CITY ATTORNEY – No further comments.

ITEM 12 - COUNCIL COMMENTS - No further comments.

ITEM 13 - EXECUTIVE COMMENTS - No further comments.

ITEM 14 - ADJOURNMENT


Mayor Campbell adjourned the meeting at 5:31 p.m.

Approved:



Mayor Pro-Tempore T. Bierbaum

ATTEST:



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

