

**DeFuniak Springs City Council
Regular Meeting Minutes
Council Chambers
September 27, 2021**

Mayor Campbell called the meeting to order at 5:30 p.m. followed by the invocation and Pledge of Allegiance.

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 Anthony Vallée (Seat 5). Also, present were City Manager Robert Thompson, City Attorney Clay Adkinson, Finance Director Debra Gibson, and City Clerk Maryanne Schrader.

ITEM 2 - PRESENTATION

A. Waste Management – Ronnie Bell

Ronnie Bell, Waste Management, addressed Council stating the contract for waste pick up starts October 1st. Waste Management will have flyers on every trash can to inform as many people as possible. He noted commercial rates have not increased by the city since 2006. Kaleb Morain, District Manager, came forward stating he is handling the operations side and mentioned how easy it was to work with city staff with the transition. City Manager R. Thompson said Craig Drake will be the point of contact for customer service calls. Mr. Bell added the trash pickup days will remain the same.

Earl Thompson came forward to voice concern about Waste Management not picking up extra bags. Mayor Campbell informed Mr. E. Thompson that the city will continue to pick up debris.

Marie Hinson came forward voicing concern about wind opening the lid when it is supposed to be closed and Mr. Bell explained the rules that apply to the overflow.

B. Main Street DeFuniak Springs, Inc. agreement renewal – Executive Director Chelsea Blaich

Executive Director Chelsea Blaich briefed the Council of the various activities that Main Street has hosted in the past year and have brought more money into the downtown area. The foot traffic has encouraged owners to hire more staff and increase store hours. She went over the collaborative efforts and partnerships she has forged the past year. She mentioned Main Street has fifty-nine businesses with seven new businesses that have moved in the downtown area in the past year. She added that Main Street has raised over \$44,000 with the majority going toward Special Events. She introduced several business owners that are present this evening.

Councilmember R. McKnight stated he could not discern the footprint that Main Street has chosen in the contract stating Council had agreed on a downtown business map several years ago and asked about the whereabouts. He said we can change the city historic district boundaries

easily but not the federal district. One of the components of an evaluation would be the defined target area. Chelsea Blauch replied that the Main Street district lines are from south 5th to south 10th Street, south of Highway 90 and north of Baldwin as focus areas are determined by the Florida Main Street Association.

Councilmember A. Vallée said the map by the Florida Main Street corporation would be helpful and should be attached.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to approve the renewal of the Main Street DeFuniak Springs, Inc. agreement.

City Manager Robert Thompson said there will not be a budget amendment, as the funding has been earmarked.

Councilmember K. Crystal asked about the projection for self-sufficiency, and Chelsea Blauch replied that she would prefer not to be self-sufficient as the city and county has a stake in the operations.

Councilmember T. Bierbaum said for the amount of money that the city has given, Main Street has generated a lot of money.

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

ITEM 3 - CONSENT AGENDA

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

Mayor Campbell asked if there were any additions or deletions.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the Consent Agenda, as presented.

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

- A. City Clerk Maryanne Schrader
 - 1. Minutes for approval – September 13, 2021 - Regular Meeting Minutes
 - 2. Minutes for approval – September 20, 2021 – Budget Meeting Minutes
- B. Airport Director D. Edwards – Approve funding to repair the roof on Hanger B, accept the low bidder, Robert Johnson Painting, for \$12,728

ITEM 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.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallée to approve the Regular Agenda, as presented.

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

ITEM 5. CITIZEN COMMENTS

Resident, Earl Thompson, came forward commenting on the noise levels in town that are disturbing the peace. City Attorney Clay Adkinson commented that the City Marshal is working on the noise ordinance development and hopes to have something forward in the next couple of months. He added it the ordinance must be able to be enforced.

Councilmember A. Vallée agreed with the noise levels since we do not have vehicle inspections. City Attorney Clay Adkinson said a report has to be made by a police officer who observes the disturbance. He added the ordinance must not disturb any First Amendment rights. We will need to purchase decibel meters.

Councilmember R. McKnight mentioned that people have talked to him that the noise comes from vehicles with no mufflers, Jake braking by trucks and barking dogs, as well as a rooster.

City Marshal J. Hurley said he saw problems from vehicles from neighboring counties and will contact the sheriff to enlist support.

Item 6. RESOLUTIONS

- A. Public Works Craig Drake – Request a motion to approve a Resolution of the City of DeFuniak Springs, Florida, Approving and Adopting the Statewide Mutual Aid Agreement with the Florida Division of Emergency Management, State of Florida; Providing for Conflicts, Providing for Severability; and Providing for an effective date

Public Works Craig Drake came forward about renewing the agreement and adopting the resolution adding the agreement has been in place since 2002.

Motion by Councilmember T. Bierbaum and seconded by Councilmember R. McKnight to approve a Resolution of the City of DeFuniak Springs, Florida, Approving and Adopting the Statewide Mutual Aid Agreement with the Florida Division of Emergency Management.

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

ITEM 7 - DEPARTMENT REQUESTS/REPORTS

- A. Airport Director D. Edwards/Events Coordinator Kristie Siegler – Vetting of the proposed Marvel of Flight 2022 event for October 22-23, 2022

Airport Director D. Edwards mentioned that the event has not been held in the last two years and requested vetting for October 22 – 23rd in order to be able to contact vendors.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to approve the Marvel of Flight 2022 event for October 22-23, 2022.

Kristie Siegler said she has looked at the calendar and the event time is clear. She went over the conflicts of holding the event in the spring. Council agreed the Fall was a better time. Kristie mentioned that it will also be City Government Week, so they will coordinate scheduling.

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

- B. City Manager R. Thompson – Request motion to approve the City Manager R. Thompson – Request consideration of tree removal on Circle Drive

City Manager R. Thompson said there are four trees that appear to be rotted out and appear to be a danger to the public.

City Attorney Clay Adkinson said that Councilmember K. Crystal will be recused as there is a tree in front of his property.

Councilmember K. Crystal recused himself and stated he had nothing to do with the trees being removed, as he was approached to inform him the trees were going to be removed.

Councilmember R. McKnight said the Sabal palmettos have deep roots, so the roots will need to be removed, as well.

Mayor Campbell said there are concerns with the removal of palm trees stating we are in Zone 8, so he hates to see them being taken down.

Councilmember A. Vallée asked if the city itself falls under the tree ordinance. City Attorney Clay Adkinson said the city is not immune from following our own rules, but the removal is on a health and safety issue. Councilmember A. Vallée requested the trees be replaced. He said DOT has offered to give the city at least five trees to replace the trees removed from the median, so we should contact them to replace them. City Attorney Clay Adkinson added the city allowed the trees, as they are in the city right-of-way.

Councilmember K. Crystal voiced concern to replace them right away, as there will be construction at this site.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallée to approve the removal of trees on Circle Drive and direct staff to contact DOT for replacement trees.

Vote: Councilmember T. Bierbaum, Aye; Councilmember R. McKnight, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

- C. City Manager R. Thompson – Request consideration of adding Juneteenth as an observed holiday on June 19th

City Manager R. Thompson stated he is requesting consideration of adding Juneteenth as an observed city holiday.

Motion by Councilmember A. Vallée and seconded by Councilmember H. Ennis to approve adding Juneteenth as an observed holiday on June 19th.

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

- D. City Manager R. Thompson – Set the Christmas holiday schedule for employees and City Council meeting date for December 27, 2021

City Manager R. Thompson stating we need to set the Christmas holiday season schedule set for the employees and set the Council meeting for December 27, 2021.

Motion by Councilmember K. Crystal and seconded by Councilmember A. Vallée to set the Christmas holiday schedule for employees and City Council meeting date for December 27, 2021.

Councilmember R. McKnight asked for clarification that the vote included not holding a Council meeting on Monday, December 27th, and City Attorney Clay Adkinson stated that was part of the motion.

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

- E. City Manager R. Thompson – Cemetery Operations Update and reject all proposals

City Manager R. Thompson said he would like to reject all proposals and maintain operations internally.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to reject all proposals.

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

City Manager Robert Thompson explained the focus was to identify the cost associated by including additional staff at \$60,000 adding we will handle the opening and closing and selling of the vaults and getting the cemetery to an operating level.

City Attorney Clay Adkinson said the city will not be the sole provider of vaults.

Councilmember R. McKnight stated it would take us nine months to break even. He mentioned some people are particular on what type of vaults they can purchase, adding he does not see the financial benefit with the proposal.

City Manager Robert Thompson said there are other price points. There will be a one-time city expense to purchase the equipment. The proposal is only factored at fifty burials per year without holiday and weekend burials.

Councilmember T. Bierbaum concurred with Councilmember McKnight that the projected revenues do not cover the additional employee. He does not know why we need to get into the opening and closing graves. He would like to see the rules in place administratively.

Councilmember K. Crystal said one of the reasons we got into looking into this is we could not determine who was doing the damage at the cemetery. Having a sole provider keeps one entity accountable.

Public Works Director C. Drake said all burial equipment will need to be purchased. He added we would need an additional employee immediately.

City Manager Robert Thompson mentioned in order to maintain the cemetery, he will need to request an additional employee. He has one individual that is maintaining the entire cemetery which is a logistical nightmare.

Councilmember A. Vallée asked about the current capability that is already at the cemetery. He said the current revenue is going backwards. He said we want the community to be proud of the cemetery.

Councilmember T. Bierbaum said we are stepping backwards, as we are not breaking even. The burial and permit fee proposal showed an increase, and he supports that, however, this proposal is not advisable.

Councilmember K. Crystal stated even if we hire someone at some point, we are still losing money at the cemetery. This is a start toward moving toward breaking even.

Discussion ensued on the fees, whether they needed to be raised and how much.

Cemetery Coordinator D. Roberts said the charges would be \$500 to \$1,000 per burial. Public Works Director C. Drake added it would depend on whether we supply the vault. He added the city would be charging for the burials.

Councilmember R. McKnight suggested returning the proposal to the city manager to obtain a vision of the whole operation of the cemetery in a revised format. He wants to know what happens when we sell a lot. He added we also do not market the cemetery as we should. This cemetery is appropriate to be designated as an official historic designation. Perpetual care is important. He added he would like to see the whole project re-worked.

City Manager Robert Thompson said he can bring a proposal back with the number of burials last year and projected income for next year.

Councilmember T. Bierbaum said if we do revenue projections, he wants to see the average of 2010 through 2018 and throw out 2019 and 2020, as it may skew the results.

- F. Planning Director Chris Wallace – Consideration of a \$5,000 financial commitment for Arbour Valley Communities to assist in a Florida Housing Finance Corporation

Planning Director Chris Wallace came forward to present the proposal from Arbour Valley Communities. He stated Council already approved a small-scale amendment for an apartment on 20th Street. The developer has applied for finances and gave several options to the Council that would assist them, such as a forgivable grant, waiver of future capacity fees, fee deferral and a reduced interest rate loan. He stated the applicant was present to provides answers regarding the application. The capacity fees would be a one-time credit to their account adding some are two bedroom and some are three-bedroom units.

Councilmember R. McKnight asked if the company had a competitive application in Freeport. Dee Brightwell, representing the applicant, replied every county is different. The letter would show the city supported their project. He said the fee waiver comes later in the process. Mr. Brightwell requested a letter of support from the city stating that the city has committed to the project, adding he will be submitting the application October 19th. He stated the project includes around ninety units.

Councilmember R. McKnight said he supports the future waiver grant or reduced interest loan as it will bring taxes to the city.

Councilmember K. Crystal asked if he would be coming back for fee waivers, however, Dee Brightwell, replied he cannot foresee the future. He does not foresee asking for a waiver of impact fees. The letter of support is more in line of whether the community has support for the project. In reply to Councilmember K. Crystal on when he will know more about financing, and D. Brightwell said the first part of 2022, he will know more.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to provide a waiver of \$5,000 that encompasses the capacity fee.

City Attorney Clay Adkinson said we will provide a letter with the terms of the pledge.

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

- G. Grant Coordinator Kara Chilcutt – Request a motion to approve the application for the Walmart Grant to purchase Fire Department promotional items

Grant Coordinator Kara Chilcutt stating the request is for \$1,754 and there is no match. It is for educating the public by purchasing promotional materials.

Motion by Councilmember A. Vallée and seconded by Councilmember H. Ennis to approve the application for the Walmart Grant to purchase Fire Department promotional items.

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

ITEM 8. POLICE

- A. Chief James Hurley – Request approval to initiate a one-time payment of \$1,000 to each Communication Officer and Support Staff of the Police Department

Chief James Hurley requested Council to approve him to offer a one-time payment to support staff mentioning that Governor DeSantis gave \$1,000 to first responders. However, we cannot do what they do without the support staff. He requested a one-time \$1,000 check for COVID relief. He added he has eight employees.

Councilmember T. Bierbaum said he watched Communications staff firsthand and said it takes a special type of person to work there.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to initiate a one-time payment of \$1,000 to each Communication Officer and Support Staff of the Police Department.

Councilmember R. McKnight asked about the fire department and whether there are employees with similar support employees, and Chief Hurley responded the employee had to be employed for one year, so some employees did not fit into the governor's definition.

Motion amended by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to include those employees that did not meet the definition.

Discussion ensued on alternative amounts as a proposal that Councilmember K. Crystal had discussed with City Manager R. Thompson on giving all the employees \$1,000 at Christmas and whether it would come out of this year's budget or next. He suggested an amount of \$500 now, for a total of \$1,500 at Christmas time.

City Manager Robert Thompson said the eight Communications employees will be in the current budget. The other essential employees will be for next year. The entire city staff will receive \$1,500, as the entire city is considered essential in respect to what we do.

Councilmember R. McKnight voiced concern of the morale of those left out.

In response to Councilmember T. Bierbaum on the source of the funding, Finance Director D. Gibson replied it comes from the \$560,000 ARPA loss revenue, which has not yet come before the Council. We can spend it on essential worker payout.

Councilmember T. Bierbaum mentioned that he wanted the ARPA money allocated to the new Public Safety Building adding Council voted for a 5% increase in the employee salaries.

Councilmember K. Crystal said he spoke to the Finance Director and City Manager before the 5% increase was voted on to discuss showing appreciation to the employees that stuck with the city through the whole period.

Mayor Campbell said regarding the ones that did not have the tenure, he suggested waiting until Christmas.

Councilmember R. McKnight said it appears we lack three votes adding this is something that we should table and think about carefully.

City Attorney Clay Adkinson clarified that with respect that the ARPA dollars are anticipated revenue, we cannot spend the money until we pass a resolution on how we spend the money. We do not have the money in hand yet and we will have to comply with the resolution, so we will have to separate the discussion. He explained we have a specific policy to follow. Second, the discussion is about the remaining funds in the current budget for the eight employees. To that point, we would have to come back with a budget amendment to go beyond the initial request.

Councilmember Crystal said to that point we should stick to Chief Hurley's initial request.

Motion amended by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to stick to the initial request for eight employees and initiate a one-time payment of \$1,000 to each Communication Officer and Support Staff of the Police Department.

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

9. CITY ATTORNEY - Nothing further.

10. LEGISLATIVE REQUESTS

A. Councilmember K. Crystal - Request guidance on the use of Fire/Police Impact Fees

Councilmember K. Crystal said he has discussed with the chief and fire chief about putting a joint building together.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to request the Council to give the city manager and legal the ability to use the impact funds up to \$200,000 to include a needs analysis before we start the planning, so we get the most out of the building in ten to twenty years.

City Attorney Clay Adkinson said a motion is needed to amend the use of remaining funds for planning for the design of the building and authorize the use of up to \$200,000 fees for FY 2021 for the design of the building.

Discussion ensued on design dedication and research being done by the city manager.

Councilmember A. Vallée supports having a plan, however, he asked that the study include an assessment of the location in terms of ingress and egress of emergency vehicles.

In response to Councilmember K. Crystal on the funding, Finance Director D. Gibson replied we have received some more funding. City Attorney Clay Adkinson said the funding could be used for up to the full amount of the remaining amount of the fiscal year.

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

B. Councilmember R. McKnight – Appointment of Geneva Lee to the Special Events Committee

Councilmember R. McKnight said his previous appointment did not meet the required attendance.

Motion by Councilmember R. McKnight and seconded by Councilmember K. Crystal to appoint Geneva Lee to the Special Events Committee.

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

Item 11. EXECUTIVE COMMENTS - Mayor Campbell had no further comments.

ITEM 12 - COUNCIL COMMENTS –

Councilmember K. Crystal said he will present a letter to the County in the morning regarding appreciation to them for tearing down the health department building. He also announced he is going to Tallahassee, as the legislative liaison, on the October 12th, to talk to the legislators on behalf of the city regarding the tasks going forward.

Councilmember T. Bierbaum thanked Stewart Duncan for hosting the disc golf tournament, adding it was successful. The Oktoberfest event will be held this weekend, and he invited everyone to participate.

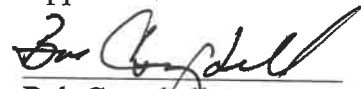
Councilmember R. McKnight said we have managed our funds appropriately the last twelve months. He mentioned staff is going to Tallahassee tomorrow, as the jury is scoring the grant for the second floor of the Chautauqua Hall of Brotherhood. We requested \$340,000 from the State. We should know our score and ranking in two to three weeks.

He added that according to the City Charter, the mayor has until the third meeting on or before November 8 to deliver a verbal and written report of the State of the City address to the Council.

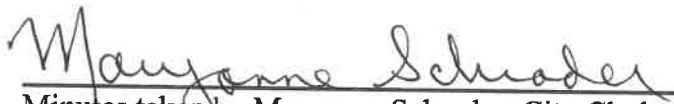
ITEM 14 - ADJOURNMENT

Mayor Campbell adjourned the meeting at 7:33 p.m.

Approved:


Bob Campbell, Mayor

ATTEST:


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

