

**DeFuniak Springs City Council
Regular Meeting Minutes
Council Chambers
October 11, 2021**

Mayor Campbell called the meeting to order at 5:05 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. AFSCME Tentative Agreement and Wage Memo of Understanding

Holly Dincman, Labor Attorney, approached Council requesting Council to ratify the Florida Police Benevolent Association Memo of Understanding that includes the 5% wage increase, which had been approved in Executive Session but not in open session.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to ratify the Florida Police Benevolent Association Memo of Understanding.

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.

Holly Dincman, Labor Attorney, explained the AFSCME tentative agreement was agreed on in Executive Session, stating she needed to bring the tentative agreement to open session for a vote. The tentative agreement includes a 5% increase in wages, and a minor change in Article 17, regarding the workweek if an employee is assigned to a ten-hour workday to be changed so they can request to be reassigned to an eight-hour workday. In Article 20, regarding where the employee was accruing comp time if the holiday fell on their normal day off, the Union wanted to revert back to eight hours of paid leave, if it fell on their regular day off. Afterward, she must go back to the table to complete the negotiations.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to ratify the prior approval of the revised tentative agreement and authorize Ms. Dincman to present to the Union.

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. Danny Glidewell – Walton County Commissioner – Letter of Support for Proposed Sports Complex

Danny Glidewell came forward to explain that the DFS Little League facilities are very old, and we have been missing out on travel ball opportunities. He went over the big dollars that we have missed. He added the County is exploring building a sports complex with ten baseball/softball fields, walking trails, and playground adding they are negotiating with a landowner to purchase the property. The County is applying for a grant and requests the Council to authorize the Mayor to write a letter of support. The County plans to make it a state-of-the-art facility. He mentioned that Panama City has built another complex based on the success of the first complex.

Motion by Councilmember H. Ennis and seconded by Councilmember T. Bierbaum to approve the Mayor providing a letter of support for the Sports Complex.

Mayor Campbell mentioned Mr. Glidewell is supportive of the Bruce Avenue connection, which would go near the complex.

Councilmember R. McKnight suggested that Mr. Glidewell meet with the hotels in order to do everything we can do to keep hotels and restaurants full. Mr. Glidewell agreed and added the County has already received a letter of support from the EDA.

Councilmember T. Bierbaum asked if we could review it expeditiously at the Planning level. City Attorney Clay Adkinson responded this situation would meet our requirement to expedite with another government entity.

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. Liberty Partners – State and Federal Appropriations Priorities

Jennifer Green and Tim Parson of Liberty Partners went over the State and Federal Appropriations Priorities. She explained they are working on a group project where the airport can be broken out into seven different projects. Some can be done parallel, and some can be combined. They believe some may be looked at for legislature or Triumph funding. She asked for approval to be creative in seeking multiple funding sources.

Discussion ensued on priorities, however, Mr. R. Thompson said they are all priorities, so he needs Liberty Partners to have latitude to move forward on funding opportunities. Jennifer Green said many of these projects will need funding other than legislative. City Attorney Clay Adkinson said the city manager could authorize it.

Councilmember R. McKnight went over the 94.7 score that was given to the Phase 3 application of the Chautauqua Hall of Brotherhood project coming in at #3 of eighty applicants. He added that one member of the Review Board praised the application placing it above all other applications. The governor did not fund the restoration or repair of historic properties last year,

so we need it placed in the budget this year. Councilmember R. McKnight added this one has been juried and ranked. Jennifer Green mentioned this may be a better year for funding regarding historical applications.

Councilmember A. Vallée asked about the benefits of ranking for terms of importance for better performance with certain programs. Jennifer Green replied that a ranking depending on the application would be a first step.

Jennifer Green stressed the expediency on this mentioning that Councilmember K. Crystal will be in Tallahassee tomorrow, and he will be able to get feedback. Jennifer Green said she has a good relationship with members, and she can ensure that Councilmember K. Crystal is connected to the individuals.

B. Peoples Home Health – Matt Norton – Letter of Support

Matt Norton came forward stating that he is the co-owner of Peoples Home Health and requested letters of support to place in their package requesting a Hospice license in District 1. He added the panhandle has been experiencing rapid growth, so the State has opened up the area for a Certificate of Need (CON). He said they are a locally owned hospice and home health facility. They will open an office in DeFuniak Springs by 2024, if they receive the license which would provide good jobs. They provide a positive experience for their customers.

Discussion ensued regarding the three sample letters Mr. Norton provided. Councilmember R. McKnight mentioned since the agency is already in Walton County and the CON is specific to adding hospice care, the letters presented do not adequately support that fact and should be worded to strongly show support of the expansion.

M. Norton responded to Councilmember K. Crystal that the company hires locally, so the nurses do not have to travel long distances.

M. Norton stated if they are approved, they will find out if they are awarded in December and will have a year to open the building.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to provide a letter of support to Peoples Health with the changes noted and authorize the Mayor to sign the letter.

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.

C. Florida City Government Week – Proclamation declaring October 18 – 24, 2021 as Florida City Government Week in the City of DeFuniak Springs

Mayor Campbell read the proclamation and declared the week of October 18-24, 2021 as Florida City Government Week.

D. Heroes Awareness Week - Proclamation declaring October 28 – November 11, 2021, as Heroes Awareness Week in recognition of First Responders and Veterans in the City of DeFuniak Springs

Mayor Campbell invited Chief Hurley and Chief Sheffield forward along with their staff and read the proclamation declaring the week of October 28 – November 11, 2021, as Heroes Awareness Week in recognition of First Responders and Veterans.

Mayor Campbell invited Robin Ford, VFW, forward and Mr. Ford stated that they will have resources for military veterans to set up booths at the amphitheater on November 6th from 10 a.m. – 2 p.m. for their businesses, and they will have resources available to assist veterans.

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 R. McKnight 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 27, 2021 - Regular Meeting Minutes
- B.** Fire - Chief Ross Sheffield – Request approval to Donate four 6000 PSI Containment Fill Cylinders to Ponce de Leon Volunteer Fire and Rescue
- C.** Finance –
 - 1. Utility Billing Supervisor Morgan Hulion – Request approval of the September 2021 Bill Ratification
 - 2. Finance Director Debra Gibson – Request approval to open Water and Sewer Capacity Fee Bank Accounts
- D.** Planning – Request approval of the Special Event Application to hold a Veterans Day Ceremony on Thursday, November 11, 2021 with street closures from 9:00 a.m. – 1:00 p.m.

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.

City Manager R. Thompson said he will add a Request for Qualifications for Continuing Professional Engineering Consultant Services and Mayor Campbell said it will be placed on the agenda as Item 9E.

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

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 5. PUBLIC HEARING/ORDINANCES

- A. **1ST Reading** – Motion to hold a Public Hearing and conduct 1st Reading of an Ordinance Annexing to the Territorial Limits, Certain Property and Redefining the Boundaries of the City of DeFuniak Springs, so as to include therein the property annexed herein regarding Bay Springs containing 72.63 acres

At 5:57 p.m., City Attorney Clay Adkinson opened the Public Hearing for the Bay Springs annexation stating the two parcels contain 72.63 acres. It is the development off of the Coy Bridges Loop intersection, which is across from Eagle's Crossing. He asked for approval to conduct a Public Hearing, hear on 1st reading, schedule the 2nd Hearing for adoption on November 8th and advertise accordingly.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to hold a Public Hearing, conduct 1st Reading, schedule a Public Hearing, and hear on 2nd Reading for adoption and advertise accordingly.

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 Attorney Clay Adkinson read an Ordinance Annexing to the Territorial Limits, Certain Property and Redefining the Boundaries of the City of DeFuniak Springs, so as to include therein the property annexed herein regarding Bay Springs containing 72.63 acres by title.

Councilmember R. McKnight noted this is a large piece of land, and City Attorney Clay Adkinson added that about five years ago Chelco was annexed in, and the last large annexation may be fifteen years ago on 331 South.

ITEM 6. RESOLUTIONS – None brought forward.

ITEM 7. REQUEST TO BE ON THE AGENDA

- A. The Longleaf Alliance – Ed O'Daniels – Permission to treat Cogon grass and approve a Memorandum of Understanding to train employees to apply treatment

Ed O'Daniels came forward and said he is the Project Manager for restoration at Tyndall AFB. His primary job is to bring assistance to both private and public landowners to get rid of the Cogon grass, as it invades the eco-system. He has received funding from the National Wildlife and Fish Commission which allows him to treat public lands. He also teaches on how to treat the cogon grass. He would like the city to become a model city for getting rid of it.

Councilmember K. Crystal asked how private citizens can get rid of it, and Mr. O'Daniels said he can meet with private citizens.

Motion by Councilmember H. Ennis and seconded by Councilmember T. Bierbaum to authorize the City Manager to negotiate a Memorandum of Understanding with Mr. O'Daniels.

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 – CITIZEN COMMENTS

Andre Miley came forward and asked the city attorney about the status of the abandonment, and City Attorney Clay Adkinson replied he has sent out a follow up request as they have one signature to obtain.

ITEM 9 - DEPARTMENT REQUESTS/REPORTS

A. Finance Director D. Gibson – Motion to approve advertising for a Request for Proposal for Financing for Facilities Needs

Finance Director D. Gibson came forward to request approval for advertising for a Request for Proposal to provide for financing for our facilities' needs. D. Gibson said the financing is for \$2.5 million adding she spoke to PFM, our financial advisors, and they will reach out to local banks, as well. D. Gibson has also spoken to Jo Linda, bond attorney, and requested Council approve that she sends the RFP out with the bond attorney and our legal reviewing it again with the changes for bank qualifying. City Attorney Clay Adkinson explained it was for the financing element, as opposed to just the financing needs, as there is a timing issue. He said Council could do the financing separately or do the bank qualifying.

Mr. Thompson requested authorization to contact the local banks.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to approve the advertising for a Request for Proposal for Financing for Facilities' Needs.

City Attorney Clay Adkinson suggested authorizing the city manager to directly contact local financial institutions.

Discussion ensued on whether to move forward with refinancing or bank qualifying.

Councilmember T. Bierbaum explained his motion was on the Chelco closing not on the refinancing of the other loans. City Manager R. Thompson requested Council to table the refinancing until he researches the benefit to the city on the refinancing of those notes. Councilmember K. Crystal requested that the finance director and city manager visit the banks together.

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. Finance Director D. Gibson – Receipt of Unanticipated Funds for the first disbursement of the American Rescue Plan Act in the amount of \$1,744,974

City Attorney Clay Adkinson referenced Resolution 2018-14, the policy for receipt of unanticipated revenue, stating staff is required to bring back to the City Council information that revenue was received, who it was from, the date received and the recommended proposal of where funds could be directed.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallée to accept the memorandum in conformity to our policies and procedures for unanticipated revenues.

He asked that the staff bring back uses at the next Council meeting.

Finance Director D. Gibson said the money has to be spent before 2024 adding we will receive \$1,744,974 more in additional funds in a second disbursement.

Finance Director D. Gibson said she believes the projects have to be unencumbered. City Attorney Clay Adkinson added the interim rule may change but the guidance received from the Florida League of Cities stresses the funds should be spent.

Councilmember K. Crystal listed the items the funds could be spent on, and City Attorney Clay Adkinson stated the funds could be applied only to extent of the capped lost revenue of \$559,833. City Attorney Clay Adkinson said every government was required to show the reduction in revenue and mentioned those eligible, in the bullet points of the Memorandum on page 2.

Councilmember R. McKnight said the total of both ARPA checks is about \$5.5 million.

Councilmember K. Crystal wants to see it used to do an analysis on the cybersecurity. Todd Bierbaum said penetration testing is usually done twice a year for about six figures.

Liberty Partners, Jennifer Green, said she encourages open dialogue with one point of contact and to go through all the proposals. She added the funds cannot be used for a reimbursement and procurement guidelines must be covered.

Councilmember T. Bierbaum would like a recommendation by the next meeting.

City Marshal James Hurley came forward stating he would like to see it go for larger projects and determine what is needed adding the police and fire department could use an updated CAD system.

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.

C. City Manager R. Thompson – Street Painting on Baldwin Avenue

City Manager R. Thompson said the mural is for branding between 7th and 8th Street on Baldwin. He will also present the branding to Main Street to get their thoughts before bringing it back to Council for action.

Councilmember T. Bierbaum preferred a combination of the two, stating the blue lines make it appear it is all handicapped parking.

Discussion ensued on how well the mural will look from above, as flight paths come over the downtown area and what colors should be used.

Public Works Director C. Drake said DOT does not govern our streets, but he will research it, and City Attorney Clay Adkinson agreed that DOT does not have direct regulation of our streets.

Councilmember A. Vallée said the mural may encourage drivers to slow down in respect to safety and pedestrians.

Councilmember A. Vallée said there has been cleanup efforts in downtown and he appreciates the efforts from Public Works.

City Manager R. Thompson stated the two end spots will be designated for veterans parking, and Police Chief Hurley said we may want to include compact and larger vehicle parking.

D. City Manager R. Thompson – Cemetery Update

City Manager R. Thompson said the next item is not for action, but he wanted to bring forward price points. Regarding a recent complaint, he communicated to a recent visitor that the cemetery is not up to par, but administration is working on a solution. He added the costs are comparable to the local area.

City Manager R. Thompson stated in thinking long term, we are obligated to cover the maintenance in perpetuity. He said the City Clerk had suggested creating a Perpetual Care Fund to ensure long term care. Mayor Campbell noted the problem will outlast all of us.

Councilmember T. Bierbaum mentioned he has family buried at Magnolia, so he sees the issues firsthand. He said the raise in costs are not a profit but reinvesting in terms of employees and maintenance.

Councilmember R. McKnight suggested a reinvestment margin instead of a profit. He mentioned some older people have set aside money for cemetery cost and voiced concern in the increase which could create angst, as the permit fee is going up sixfold. He suggested considering an incremental increase.

Councilmember K. Crystal asked about plans for expansion, and City Manager R. Thompson replied that we have been asked whether we would like to purchase a small parcel next to the cemetery that has recently come up for sale, but we do not have the funding to purchase it. Councilmember K. Crystal stated he wants to see an allocation for land purchase. He added we have inflation problems and we have not kept up with the market.

Councilmember A. Vallée said he could support an incremental raise if the end date was certain. He added the city must have enough land sales to invest in. He said a mausoleum is an option to be able to pay for funding for maintenance on grounds. He added the city has a huge problem because inflation was not addressed.

Councilmember H. Ennis agreed with the incremental costs, and Mayor Campbell suggested six months.

Resident, Dr. M. Henderson mentioned most people have insurance, so the incremental rate change was not necessary.

City Manager R. Thompson said he wants to consider generating revenue long-term and consider options.

Item 9E. RFQ for Engineering Consulting Services

City Manager R. Thompson explained he would like to advertise an RFQ for Continuing Engineering Consulting services for several engineering services, adding it is not a single entity, as we have a lot of development throughout the city.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve advertising for an RFQ for Continuing Engineering Consulting services.

Discussion ensued on whether Dewberry would need to apply, and City Attorney Clay Adkinson said Dewberry's contract is awarded in the scope of work as an open-ended term, so they are not renewed every year. He added the RFQ could be sent out to add the specification of evaluating everyone for existing services.

Dewberry, Cliff Knauer, came forward and stated this is a smart move, as when projects are awarded one firm would have to design it and the other firm would have to do the CEI.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to allow Dewberry to complete projects with any continuing contracts.

City Manager R. Thompson said it is beneficial for the city to retain Dewberry, but we need more engineers because of growing needs.

Motion amended by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to include that Dewberry does not need to reapply for their continuing existing services.

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.

10. CITY ATTORNEY – City Attorney Clay Adkinson said he had nothing further tonight.

11. LEGISLATIVE REQUESTS

A. Councilmember A. Vallée – TPO and Mobility Plan Update

Councilmember A. Vallée asked whether Council wished to consider adding Amtrak services to the list, however, he is awaiting guidance from the TPO, so he will come back to Council with more details. He added the city received full representation of the needs list. The city did well on the evaluation criteria of the three assessments and performed well in Option 3 for the people friendly evaluation process. He said the third category was the multi-modal which also benefits the County, so that will be where they will place the emphasis. The city is represented well on the cost feasible list, as well. For the needs list, we scored well. Our alternate routes were not included except for the school connectors. He stressed the public must participate to move forward, as citizen involvement is the only thing that will gain momentum. We are trying to get on the list for 2045 projects, so money should be set aside.

Mayor Campbell said Austin was impressed with the input from Councilmember A. Vallée and thanked him.

ITEM 12. EXECUTIVE COMMENTS –

A. Florida Department of Transportation Acquisition of Property for the Multi-Lane Construction and Roadway Improvements Update on Parcel 103, Conversion to a Temporary Construction Easement Proposal in the range of \$15,000 to \$18,000

Mayor Campbell said this proposal is regarding the offer from the FDOT, however, they determined the parcel is only needed temporarily and have submitted an offer for a Temporary Construction Easement which they may need at the maximum of five years for as low as \$17,000 and asked for flexibility, if the proposal comes back in the \$15,000 to \$18,000 range.

Motion by Councilmember H. Ennis and seconded by Councilmember T. Bierbaum to give flexibility to proceed in the in the range of \$15,000 to \$18,000.

Councilmember R. McKnight was concerned about the intersection being an eyesore, and Mayor Campbell added the easement will be back to raw land after it is returned to us.

Mayor Campbell mentioned he thought about clearing out the dogwood trees and placing a nice flower arrangement instead, so we can do something very impressive after completion of the project.

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. Request to extend Closing for Chelco Purchase to March 22, 2022

City Attorney Clay Adkinson said Mr. Thompson will be executing the document to unilaterally approve the extension and have exercised their right to extend the Chelco closing to March 22, 2022.

ITEM 13 - COUNCIL COMMENTS –

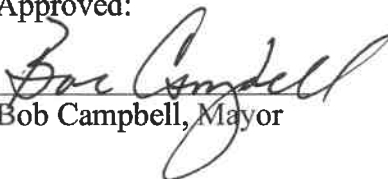
Councilmember R. McKnight asked about the State of the City report, and Mayor Campbell said he is working on it.

ITEM 14 - ADJOURNMENT

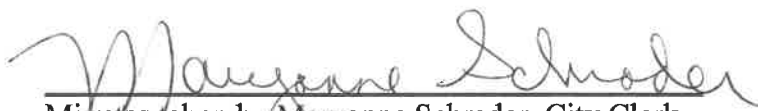
Motion by Councilmember K. Crystal and seconded by Councilmember A. Vallée to adjourn.

Mayor Campbell adjourned the meeting at 7:29 p.m.

Approved:


Bob Campbell, Mayor

ATTEST:



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

