MINUTES
CITY COMMISSION MEETING
November 13, 2012

The City Commission met this date regular session in the Commission Chambers. The Invocation was given by Comm. Hamilton after which the Pledge of Allegiance was recited. A quorum being present, the meeting was called to order at 6:00 PM with the following in attendance.

Mayor	:	John B. Arnold, Jr.
Commissioners	:	Heyward H. Strong, Jr.
	:	Diane Kelley
	:	Kay Hamilton
	:	Joe Morgan
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Chief	:	Joe Hart
VBCS General Mgr	:	Burt B. Bennett
Fire Chief	:	Mark Norris
City Attorney	:	Bruce Bowman
City Engineer	:	Roy Petrey
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Joan Morse (Cameraman), Mike Griffin (Bay Beacon), Joe Cobb, Clark (Tom) Browning, Bob Bachelor, Bob Webb, Bree Durham, Grant Meyer

Welcome by Mayor

Mayor Arnold welcomed the audience and stated that the Commission was interested in hearing their thoughts and welcomed any comments. He asked that anyone wanting to make any comments should raise his/her right hand and use the microphone at the podium to address the Commission.

Resident Concern

1. **CITIZENS' CONCERN (non agenda items) – Resident**

Mr. Clark (Tom) Browning, 227 S. Bayshore Drive, Chair of the Planning Commission, presented a letter to the Commission to dedicate the 4th of July Duathlon to Mrs. Lois Davis. He said that the Planning Commission would like to bring this recommendation to the Commission to honor Ms. Davis's commitment to the City of Valparaiso and for all of the work that she did each year in planning and coordinating the family day in the park and the duathon.

Non Resident Concerns

2. **CITIZENS' CONCERN (non agenda items) – Non Resident**

There were no non resident comments.

Added Agenda Items

1. **NEW AGENDA ITEMS – Added Agenda Items**

There were no added agenda items.

Noise Committee Update

2. **NEW AGENDA ITEMS – Noise Committee Update**

Mayor Arnold recognized Mr. Bob Bachelor and Mr. Bob Webb, our noise Committee representatives, they provided an update for the Commission. Mr. Bachelor stated that the updated SEIS had been delayed from 16 November to 23 November, public review could be as early as 11 December. He said at the May 10, 2012, committee meeting there had been very little flight activity, no noise to report. Mr. Bachelor said at the November 2nd meeting the noise report time was from 1 May to 2 November, there was 8 F-35 noise reports to the 498 missions flown, 18 other aircraft reports, 14 ordinance reports. Mr. Bachelor said that it is very important for anyone with a noise complaint to call Eglin and let them know there is a problem. In the coming months there will be more F-35 flying along with other aircraft and if we do not complain to the Air Force they will not acknowledge the problem. Mr. Bachelor said that the future of Eglin's F-35's will be 24 Air Force F-35's and 30 Navy F-35's each with one squadron.

Mr. Bob Webb said that the planes have not been flying the model that was released. He said they have asked the Air Force to model what you fly and fly what you model. He said they sent a letter to Ms. Ferguson; she is based at the Pentagon over installation F35 bed downs. He said that letter was sent 30 May 2012 but it went unanswered. Mr. Bridges replaced Ms. Ferguson and a letter was sent to him in mid September but again it has gone unanswered. Mr. Webb said the next letters would be to the Secretary of the Air Force and to the Secretary of Defense. Mr. Webb also said that citizens need to call if they are having a noise problem, if there aren't any calls the Air Force doesn't believe there is a noise problem. Mr. Webb said it is not unpatriotic to call the base regarding this noise problem. Mr. Webb said we are only hurting ourselves if we don't make reports, he said the Noise Committee only has 1 more meeting, there original tenure is on a two year basis.

Mayor Arnold wanted to thank Mr. Webb and Mr. Bachelor for all of their hard work. Mr. Bachelor said if the ground tracts are true to form there will be more problems and not just for Valparaiso but other areas and Ft. Walton Beach also. Comm. Strong suggested that in our billing we send out a note to the residents with the Public Affairs office phone number and

instruct the caller on the information needed to make a noise report, citizens could call the Public Affairs Office at Eglin or City Hall.

3. **NEW AGENDA ITEM – Attorney Contract** — Attorney Contract

Mr. Bruce Bowman said the Commission had been presented with a contract that we would use in a malpractice suit. He said the contract is a standard agreement, that there would be no cost to the City if recovery is not made and he would make sure that this provision was stated in the contract should the City agree to sign. Mr. Bowman said when the firm retains another attorney firm to be an expert witness, it is said that the City would be responsible for the cost if there is recovery made, he suggested that the City have in the contract that prior approval must be made before any hiring is done. COMM. MORGAN MADE THE MOTION TO HIRE THE ATTORNEY FIRM WITH THE PROVISIONS STIPULATED BY MR. BOWMAN, Mr. Bowman stated that someone would need to be authorized to add the additional provisions to the contract, COMM. HAMILTON SECONDED THE MOTION. Mayor Arnold said that he was a little concerned that we would be opening up the "pocket book" of the City with little to no control. Mr. Bowman said with this agreement the City will not be required to pay anything out of pocket, if there is no recovery then there is no payment. Mr. Bowman said also that is the reason for the provisions that any additional expenses be approved before the firm contacts experts. MOTION PASSED WITH A UNANIMOUS VOTE OF THE COMMISSION. Mayor Arnold verified that Mr. Bowman's firm would prepare necessary paperwork.

4. **NEW AGENDA ITEMS – Internet Service Update** — Internet Service Update

Comm. Strong said that both he and Mr. Bennett have received complaints regarding slow internet speed, at certain times of the day, Mr. Bennett has prepared a study and validated that study with a consultant and believes he has the fix for this problem. Mr. Bennett said it seems the problem is because our cable modem router is over loaded, we have four ports and two of those four ports are overloaded causing problems in certain parts of the City at certain times, not all residents are having a problem. Mr. Bennett said the fix for this problem would be to upgrade our router to alleviate the congestion, he has contacted CCI, the same company that did our cable system rebuild. Mr. Bennett said that this fix would take us into the future Mr. Bennett said the cost of this repair would be $50,000, that money is not presently in the budget and would need to be taken from the Cable Reserve fund. Mr. Bennett said once CCI receives a purchase order it would take up to thirty days to have everything set up. COMM. STRONG MADE THE MOTION TO WITHDRAW $50,000.00 OUT OF THE CABLE RESERVES TO PAY FOR THIS UPGRADE, MAYOR ARNOLD SECONDED THE MOTION FOR THE SAKE OF DISCUSSION. Comm. Morgan said that the problem he still has is that he has not been provided a true comparison of what we provide vs. another cable system. Comm. Hamilton said she does not believe our system is performing at the speed that is advertised, she feels we are hurting Valparaiso by not being able to keep up with technology. Mayor Arnold said that as a sole source for the equipment it must be justified or go out for bid for anything over $25,000.00, Mayor Arnold also asked if the $50,000.00 would include installation. Mr. Bennett said that the installation would be in house and with the help of our consultant from Pensacola after the equipment is received. Comm. Hamilton ask Mr. Bennett to make a report to the Commission on their level of attrition on a comparison year by year. After a lengthy discussion, MOTION PASSED WITH A 4 TO 1 VOTE OF THE COMMISSION WITH COMM. HAMILTON VOTING IN THE NEGATIVE. Comm. Strong said that he and Mr. Bennett will get together and look into the comparisons of cable service for the Commission.

1. **OLD BUSINESS – Sidewalk Update Plat I** — Sidewalk Plat I

Mrs. Johnson stated that last week the City began removing additional sidewalks in old Valparaiso.

2. **OLD BUSINESS – City Charter Review** — City Charter Review

Mayor Arnold said that the Commission had all received copies of the ISP from the college recommending some changes, he said he is not an advocate of that report or any other report but he feels this Commission needs to take a look at how things are organized, can it be changed to be better, more efficient, cost effective manner if it can let's go ahead and change the charter to reflect that. Mayor Arnold said there are all sorts of government's to look at and all should be looked into.

3. **OLD BUSINESS – Lease Renewal SBA** — Lease Renewal SBA

There is no new information regarding the lease renewal with SBA.

1. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT** — TPO/DOT

Comm. Morgan and Mr. Valandingham attended a meeting regarding the SR 123. Comm. Morgan said that Destin is looking at building a tower at the Destin airport, initially he said yes however not sure how if would effect VPS therefore I have become more reserved in my recommendations. Mayor Arnold said this has been in planning stages for many years.

2. **REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Stormwater** — Storm water

Mr. Scott said there is nothing to report.

3. **REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Legal Activities** — Legal Activities

Mr. Bowman requested an executive session regarding the Bradley case. Executive session will be held on Monday, 19 November at 6 pm. Comm. Kelley will be out of town.

Comm.

4. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission**

Mr. Browning said there will be public hearing next Tuesday regarding a rezoning request. Mayor Arnold asked that the Bay Beacon mention that we have two openings on the Planning Commission and are looking for qualified residents to be members.

City Park Update

5. **REPORTS/CORRESPONDENCE/ANNOUCEMENTS – City Park Update**

Comm. Kelley said Mr. Valandingham had emailed her regarding the parks update, she said they will be moving the donated playground equipment from the school over to the new park, this will be done in house to save money but will take some time. Comm. Kelley said that in order to complete the work at Lincoln Park with the Boating Improvement Grant we must consolidate what we were planning at Florida and Lincoln to be completed just at Lincoln, but with the 2013 Boating Improvement Grant will dedicate that to Florida Park.

Little League

6. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Little League**

Mr. Scott said the lease agreement between the City and School District, should pass through and that the Little League has already stated they would get out of their lease agreement with the School Board and enter into a lease agreement with the City.

Mr. Scott stated that the City has been awarded with $40,000 with an additional $125,000 grant from improvements to John Sims Parkway; this includes landscaping along with well digging and irrigation if needed.

Vision Committee

6. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Initial Meeting November 19th 6:00 pm**

Mayor Arnold said the first meeting was scheduled for next Monday but that will be delayed due to that fact that we have not heard back from all proposed members.

Planning Comm. Quasi Judicial

7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Quasi Judicial Rezoning Request 308 Glen Avenue**

Mr. Scott said that is a request that was applied for by the Compass Rose, they have purchased that property and would like to turn it into a parking lot, the best situation for the City is to rezone to commercial. Meeting will be held next Tuesday the 20th at 6 PM.

Christmas Parade

8. **REPORTS/CORRESPONDENCE/ANNOUCEMENTS - Community Christmas Parade December 1st**

Mayor Arnold announced the parade date and mentioned that once again the parade route will be in Niceville none will be in Valparaiso.

Fire Dept. Christmas Party

9. **REPORTS/CORRESPODENCE/ANNOUCEMENTS – Etc.**

Chief Norris would like to invite all of the Commissioners to the Fire Department Christmas Party on the 1 December at 6 PM.

1. **ADMINISTRATIVE ITEMS – Minutes**

Minutes 4 September 2012

COMM. STRONG MADE A MOTION THAT THE MINUTES OF SEPTEMBER 4, 2012 BE APPROVED AS WRITTEN. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes 3 October 2012

COMM. STRONG MADE A MOTION THAT THE MINUTES OF OCTOBER 3, 2012 BE APPROVED AS WRITTEN. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes 8 October 2012

COMM. HAMILTON MADE A MOTION THAT THE MINUTES OF OCTOBER 8, 2012 BE APPROVED AS WRITTEN. COMM. STRONG SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes 10 October 2012

COMM. STRONG MADE A MOTION THAT THE MINUTES OF OCTOBER 10, 2012 BE APPROVED AS WRITTEN. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Bills Payable

2. **ADMINISTRATIVE ITEMS – Bills Payable**

COMM. STRONG MADE THE MOTION TO PAY THE REGULAR BILLS AND VCA BILLS AS OUTLINED IN THE FINANCIAL STATEMENT(S). COMM. KELLEY SECONDED THE MOTION WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

ADJOURN

Adjourn

There being no further business to be brought before the Commission, the meeting adjourned at 7:43 PM.

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John B. Arnold, Jr.
Mayor

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Heyward H. Strong
Chair, VCA