

MINUTES  
CITY COMMISSION MEETING

September 10, 2012

The City Commission met this date regular session in the Commission Chambers. The Invocation was given by Comm. Strong 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
	:	Joe Morgan
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Chief	:	Joe Hart
Fire Chief	:	Mark Norris
City Attorney	:	Hayward Dykes
City Engineer	:	Roy Petrey
Library Director	:	David Weatherford
Public Works Director	:	James Valandingham
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Joan Morse (camera), Tony Shipley, Bryan Campbell, Joseph Sikes, Gerald Sullivan, Officer J. Kevin Maloney, Clark (Tom) Browning, Don Caverly, Terry Griffin, Lynwood Knowles, Mike Griffith (Bay Beacon)

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 to be recognized and use the microphone at the podium to address the Commission. Mayor Arnold mentioned Comm. Hamilton is not present tonight; she is currently out of the country.

Resident  
concerns

1. CITIZENS' CONCERNS (non agenda items) – Resident

Mr. Don Caverly has a question regarding the JLUS study, asking if that was still floating around and still a concern. Mayor Arnold said that it was an effort to protect Eglin and that the City let Eglin know they did not agree with the study and we would not implement its recommendations and that the recommendations were not arrived at in a fair fashion. Mr. Caverly questioned the recent article in the paper regarding another study; Mayor Arnold said that was a little different in that it was a small area study with similar recommendations. Mayor Arnold said it was an attempt for the federal government to look to someone else to take responsibility for taking the value away from someone else's property. Comm. Strong said in the Okaloosa Cities Executive Board Meeting today it was brought up that the County Commissioners voted not only not to accept the recommendations of that group but also to suspend their efforts as he understood it. Mr. Caverly also stated that in looking at his property taxes on the TRIM notice he noticed that the Valparaiso portion had almost doubled in the ten years that he had been here. Mayor Arnold said that we all experienced that but we had not gone up significantly in the millage rate.

Non  
Resident  
Concerns

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

There were no nonresident concerns.

1. NEW AGENDA ITEMS – Added Agenda Items

OLC  
Shadow  
Week

Comm. Strong mentioned the Okaloosa League of Cities shadowing effort, Mayor Arnold said that he could discuss it but no action would be taken this evening. Comm. Strong said he would discuss further at the meeting on September 24, 2012.

2. NEW AGENDA ITEMS – Okaloosa County Public Library Cooperative Interlocal

Ok Cty  
Library  
Coop  
Interlocal  
Agreement

Comm. Kelley said that this agreement was done yearly by every city that participates in the Coop. Our portion will go up a little bit this year. Mr. Weatherford said there is one change, he said the Coop budget is from October to September of every year and that has been a problem in the past so the new budget will be from January to December of each year. One other change is that we are a lending library, starting this year we will be getting credit for the books that we are lending out. Mayor said we needed a motion to recommend execution of the document, COMM. KELLEY MADE THE MOTION WITH A SECOND BY COMM. STRONG TO EXECUTE THE INTERLOCAL AGREEMENT OF THE OKALOOSA COUNTY LIBRARY COOPERATIVE INTERLOCAL AGREEMENT, MOTION PASSED BY UNANIMOUS VOTE OF THE COMMISSION, 4 TO 0.

3. NEW AGENDA ITEMS – Crystal Lake Townhomes Patio Dispute

Crystal Lake  
Town Home  
Dispute

Mayor Arnold asked Mr. Gerald Sullivan if he would like to speak on this matter. Mr. Sullivan came before the Commission, he said he knew this was not a court of law but he feels that what Mr. Sykes did went against the City's ordinances. Mr. Sullivan said other home owners have built patios and steps that come too close to Boggy Bayou. Mr. Sullivan said two neighbors at Crystal Cove Townhomes have built brick patios and steps which come too close to the shoreline. He says the structures violate both the Home Owner's Association rules and environmental provisions of the City's Land Development Code. Mr. Sullivan said if structures are allowed to remain it sets a precedent. Mr. Dykes said no such precedent would be set

necessarily. Mr. Dykes suggests to Mr. Sullivan take the matter up with the Home Owner's Association, if he cannot resolve the conflict that way then he suggested Mr. Sullivan contact an attorney to see what if any civil action would be available to him.

4. **NEW AGENDA ITEMS – Employee Bonuses**

Employee  
Bonuses

Mayor Arnold said he added this item, that in order to retain the high quality municipal services we need to retain crucial people in key positions and to insure that they have adequate compensation to maintain their retainability and continued excellent performance, all four of them exceed all job expectations and have for at least two years, with the exception of Ms. Ruff she has only been with us a short time. Ms. Ruff is a part time employee with the library recommended for \$500 bonus, Mr. Nathan Kelley recommended for \$1000, Mr. Tony Shipley recommended for \$1,500 and Mr. Carl Scott recommended for \$2,000. Mayor Arnold recognized Mr. Weatherford to speak on behalf of the library personnel.

Mr. Weatherford began with Ms. Emily Ruff, he said she had completed her master's degree with FSU, was in charge of the children's library program, she has a good following of people and if we were to lose her it would be a major problem for the library because she is in charge of the programs. Mr. Weatherford said that Mr. Tony Shipley had been with us for over six years now, he is his "right" hand person, in charge of all technical aspects of the library and in charge of the city website, this frees Mr. Weatherford up to be able to handle more administrative duties. Both employees are very valuable to the library with their degrees they are an asset. Mayor Arnold stated that Mr. Shipley had also completed his master's degree. Mr. Weatherford said both are outstanding employees.

Mr. Valandingham came forward to speak on Mr. Nathan Kelley's behalf. Mr. Valandingham said that Mr. Kelley has been with us for 2 ½ years, he is second in charge at public works and insures all runs smoothly when Mr. Valandingham is not there. Mr. Kelley has his CDL license which enables him to be able to drive for sanitation, streets, stormwater, etc., he is water certified so that we no longer have to contract out for those services, and he orders all supplies necessary for the departments to run effectively. Mr. Valandingham said Mr. Kelley declined being recommended for employee of the year because he feels in supervising other people he feels those people deserve the credit. Mayor Arnold said he knew Mr. Kelley was instrumental in the success of the Family Day in the Park; Mr. Valandingham said he is also in charge of the recycling program.

Mayor Arnold spoke on Mr. Scott's behalf; he said he is a super employee doing both the work of City Administrator and Building Inspector. He feels that Mr. Scott's salary is below the average in municipality comparison and feels he is deserving of a bonus, doesn't believe he has had raise since joining the city three years ago.

Mayor Arnold said the money is available for this year in general fund and utilities fund. MAYOR ARNOLD MADE A MOTION TO RECOMMEND THE FOLLOWING BONUSES \$500 FOR MS. RUFF, \$1000 FOR MR. KELLEY, \$1500 FOR MR. SHIPLEY AND \$2000 FOR MR. SCOTT. COMM. STRONG SECONDED. Comm. Morgan opened discussion as the money effects on the budget for the new year; Mayor said this would not impact the budget next year. Comm. Morgan said he feels this should be delayed until the budget meeting on the 24<sup>th</sup> of September. MOTION PASSED BY 3 TO 1 VOTE WITH COMM. MORGAN VOTING IN THE NEGATIVE.

5. **NEW AGENDA ITEMS – Resolution 10-09-10-12 Amend Budget**

Mayor Arnold read Resolution 10-09-10-12. COMM. STRONG MADE A MOTION TO ADOPT RESOLUTION 10-09-10-12 A RESOLUTION AMENDING THE FISCAL YEAR 2012 BUDGET OF THE CITY OF VALPARAISO, FLORIDA; DUE TO AN INCREASE IN EXPENDITURES; AUTHORIZING REVISIONS TO BE MADE TO THE MONTHLY FINANCIAL STATEMENTS AND PROVIDING AN EFFECTIVE DATE. MAYOR ARNOLD SECONDED THE MOTION. Comm. Morgan wanted to add that the FDOT grant budget expense was right at \$437,201 we are right there now and there maybe some other expenses that come in before the close out so that the expense may exceed the budget. MOTION PASSED WITH A 4 TO 0 UNANIMOUS VOTE OF THE COMMISSION.

Resolution No.  
10-09-10-12

6. **NEW AGENDA ITEMS – Resolution 11-09-10-12 Appoint Planning Commission Member**

Appt  
Planning Comm

Ms. Johnson said this item has been removed. Mayor Arnold said that this person withdrew her application due to job interference.

7. **NEW AGENDA ITEMS – Unified Restore Act**

Unified  
Restore Act

Mayor Arnold said we had correspondence from the City of Apalachicola asking that we join in and agree that their recommendation of the allocation of funds from the gulf disaster be allocated by their formula. Mayor said he would suggest we not get involved, we do not have a dog in this fight. Comm. Morgan asked if there was any way we could get money from this and Mayor Arnold said not that he was aware of, we had not documented any problems as the result of the oil spill. Comm. Strong said that there will be a presentation at the convention center, it is a very detailed process to complete but he feels someone from our city should attend. He said there are activities that we should do, he suggests Mr. Scott, Mayor or any Commissioner go so that they can be informed. Comm. Morgan said we should probably defer at this time, money is being distributed geographically, could benefit the city. Comm. Strong said let's not turn down just yet, Mayor said he recommends no action at this time. Mr. Dykes said Apalachicola is trying to get ahead of this situation with a plan to distribute the money that is received. Mr.

Dykes said there will be a significant amount of money coming into the area and there are looking for projects to fund to help improve the area. He said Apalachicola is saying they feel their formula is best but at this time neither Okaloosa County nor Walton County have a formula on record. Mr. Dyke said in his opinion at this time to hold off on making any decisions.

8. **NEW AGENDA ITEMS – Etc.**

Etc.

Comm. Morgan asked who vacated the position on the planning board, Mayor Arnold said that Mr. Ed Crosby, he had served a long period of time.

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

Sidewalk  
Update  
Plat I

Mr. Valandingham said things are running at status quo. Mr. Petrey had recommended some elevation and slopes in certain areas that are being looked at. Mayor Arnold asked if there was a completion date, Mr. Valandingham said was slowly progressing due to staffing and availability this project was only to take a few months and we were approaching a year. He said they would continue to work as quickly as they can.

2. **OLD BUSINESS – Valparaiso Vision Committee**

Vision  
Committee

Mayor Arnold said this is the blue ribbon committee we agreed to have at the last meeting. He said there are 15 or so names in the bowl. Mrs. Johnson said she received an email from Comm. Hamilton today asking to add two people Trisha Brunson and Kay Rasmussen to the draw, Mayor Arnold commented that neither of these are Valparaiso residents. Mrs. Johnson stated that is why Mayor Arnold has asked for those names to be removed. Comm. Morgan said that he had two names also, he said he thought from the minutes and intent that each person should submit two names for a total of ten and that would be what the candidates are drawn from. Mayor Arnold said that was not the intent, there was no limit of the names that could be submitted, that the committee would have 10 names. Comm. Strong did not submit any names. Comm. Morgan said that what he didn't want is for all the names to be submitted by one person and that we draw from a "stacked bowl". Mayor Arnold commented that there was a whole month to make nominations and they were slow in coming, he went around the city and found some people to nominate and submitted their names. After a lengthy discussion of the names and process of selecting, the Mayor said to move on, no decision made.

TPO/DOT

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

Comm. Morgan said he had nothing to report at this time.

Storm  
water

2. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater**

Mr. Scott said we had one report and it was of no consequence and it was handled internally.

3. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Legal Activities**

Legal  
Activities

Mr. Dykes said there had been a motion filed on the Bradley case to establish attorney fees and cost, he said we have filed the motion to appeal and it has been filed with Tallahassee, once everything has been transmitted we can begin working on the brief. This motion has not been set once we have a hearing scheduled the Commission will be updated at that time. Mr. Dykes said he had not received an update from Mr. Bowman regarding the Willingham case, his understanding is that it is continuing forward. Mr. Dykes said there wasn't anything to update in regarding to the contract negotiations, that since the offer had been rescinded he has had no contact with Mr. Wyckoff.

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

Planning  
Comm.

Mr. Browning said there wasn't anything to report, other than Mr. Crosby's resigning that was mentioned earlier.

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

Park  
update

Comm. Kelley said that the signage had been ordered for T J Brooks park and that the parking area had been laid. She said that it looks really nice. Mr. Scott said at the request of Comm. Kelley he had written a letter to the school board inquiring about the release of the playground equipment to the city for T J Brooks park, hoping to have answer by this week.

6. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Final Budget Hearing**

Final  
budget  
hearing

Mayor Arnold said our final budget hearing will be on the 24<sup>th</sup> of September at 6 PM. Ad Valorem to be determined at that time.

7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.**

Proclama-  
tion Job  
Shadowing

Comm. Strong mentioned the Okaloosa County Executive Board has a proclamation for the municipal job shadowing week, he said any Commissioner, Mayor or department head could participate. The deadline is October 1<sup>st</sup> to sign up and he hopes that we will participate. He said there will be more information at the 24<sup>th</sup> September meeting.

7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.**

Fire Dept.  
Open House

Chief Norris said that on the 6<sup>th</sup> of October there will be an open house at the fire station from 9 am to 3 pm, there will be refreshments also, this event leads up to fire prevention week which will be October 7<sup>th</sup> thru 13<sup>th</sup>.

7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.**

NV little  
League

Comm. Kelley mentioned that she and Mr. Scott met with representatives from the Niceville Valparaiso Little League today to work out any issue that we have and feels it will work out for the best for all of us. Mayor Arnold said we were concerned regarding the little league park the usage of the lights and water, they were becoming large expenditures.

1. ADMINISTRATIVE ITEMS – Minutes

COMM. STRONG MADE A MOTION THAT THE MINUTES OF AUGUST 2, 2012 BE APPROVED AS WRITTEN. COMM. KELLEY SECONDED THE MOTION, WHICH PASSED BY A UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Minutes  
2 Aug 2012

COMM. STRONG MADE A MOTION THAT THE MINUTES OF AUGUST 13, 2012 BE APPROVED AS WRITTEN, MAYOR ARNOLD SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Minutes  
13 August  
2012

COMM. MORGAN MADE A MOTION THAT THE MINUTES OF AUGUST 20, 2012 BE APPROVED AS WRITTEN, MAYOR ARNOLD SECONDED THE MOTION, WHICH PASSED BY A UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Minutes  
20 August  
2012

2. ADMINISTRATIVE ITEMS – Bills Payable

COMM. STRONG MADE A MOTION TO PAY THE REGULAR BILLS AND VCA BILLS AS OUTLINED IN THE FINANCIAL STATEMENT(S). COMM. KELLEY SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY BY THE COMMISSION WITH A VOTE OF 4 TO 0.

Bills  
Payable

3. ADMINISTRATIVE ITEMS – ETC.

Comm. Strong said that he would be meeting with the Florida League of Cities regarding Finance Taxation and Personnel Policy Board one of the hot items will be business taxes. He said a list had been compiled of all the cities and how much money business tax has brought in. He is going to recommend that this translated to Ad Valorem tax. So we can see how much Ad Valorem has to be raised to meet that loss. He said there would be another meeting in November and work on the lobbying efforts for next year.

FLOC  
Meeting

Mr. Scott said that the Comprehensive Plan amendment had been accepted by Ray Eubanks at the State.

Comp  
Plan  
Amend

Comm. Morgan said he would have on the agenda for the next meeting participating in a File for Life program, it is a program for the elderly that cities, fire departments or police departments can sponsor so that the people can have signs to display on the refrigerator, doors or window to notify others of their critical information.

File for  
Life  
program

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 7:24 PM.

Adjourn

\_\_\_\_\_  
John B. Arnold, Jr.  
Mayor

\_\_\_\_\_  
Heyward H. Strong  
Chair, VCA

ATTEST:

\_\_\_\_\_  
Tammy Johnson, CMC  
City Clerk

September 10, 2012

\*\*\*The DVD labeled September 10, 2012 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.\*\*\*