

MINUTES
CITY COMMISSION MEETING

January 9, 2012

The City Commission met this date in regular session in the Commission Chambers. The Invocation was given by Mayor Arnold, 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. |
| | : | Neal Shermer |
| City Clerk | : | Tammy Johnson |
| City Administrator | : | Carl Scott |
| Police Chief | : | Joe Hart |
| Fire Chief | : | Mark Norris |
| City Attorney | : | Doug Wyckoff |
| City Engineer | : | Roy Petrey |
| Recorder | : | Lois Davis |

Others in attendance: (Not inclusive) James Butler, Marion Cassell, Fonzie Winkler, Clark Browning, Terry Griffin, John Miller, Don Caverly, Joseph Pascarella, Don Dudas, Joe Morgan, Ed Scofield

Mayor welcomed the audience and stated that any comments or information to the Commission were welcome. He asked that anyone who wanted to address the Commission should raise his/her hand to be recognized and should make their comments from the podium.

The Mayor stated that Comm. Miller was absent because he is in the Manor receiving physical therapy and Comm. Kelley will be absent unless a school activity she is attending is completed before the Commission meeting is over.

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

Ms. Marion Cassell stated that she received a pamphlet from the City "At Home in Paradise" and she asked why couldn't Valparaiso look like and be paradise. She stated that the City of Niceville is "Nice Ville" and it always looks nice. Ms. Cassell stated that Valparaiso does not have anything in the medians and reiterated that the City does not make the City look like paradise. She stated that her second item of concern was the City ordinances, mainly concerning code enforcement, i.e., the condition of some of the properties on Lincoln Avenue. Ms. Cassell stated that some of the houses look very bad and need to be cleaned up. Chief Hart stated that he and the City Administrator had been out checking these properties and further stated that the code has certain steps that must be completed. He stated that some of the properties have been given notice and they are on the second step after the fifteen day notice. Chief Hart stated that he and Mr. Scott look at this continuously. Mayor Arnold stated that Mr. Scott has sent out many letters on code violations, and added that they have made significant improvement and have come a long way in a year.

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

Mr. Caverly inquired about where and what time the question and answer session would be held for the candidates. Mayor Arnold stated that they will have a taped candidate forum on January 19th, but there will not be questions and answers from the floor. He stated that the candidate forum would be aired from January 23rd thru January 30th. Mayor Arnold stated that any questions may be emailed or put in an envelope and sent to City Hall. He stated that there would be general questions, not questions for particular candidates. Mayor Arnold stated that Ms. Terri Fedonczak would be the moderator. Mr. Caverly stated that he thinks it is sort of strange that they don't want the citizens asking questions. In response to Mr. Pascarella concerning whether citizens could attend, Mayor Arnold stated yes. Comm. Shermer stated that he personally has no problem at all with taking questions from the audience. Comm. Shermer stated that he was not consulted with the format. He stated that elections fall under the Mayor's area of responsibility, and this is why it was done. Mr. Pascarella invited all the candidates to attend the next TEA Party meeting. Mayor Arnold stated that the candidates will be allowed to give a two or three minute recap at the end of the forum. He stated that he is also concerned about the City's liability in this, but also stated that it is important to see who is running for office.

2. CITIZENS' CONCERNS (non-agenda items) - Non-resident

There were no non-resident comments.

3. NEW AGENDA ITEMS - Added Agenda Items

There were no new items to add to the agenda.

4. NEW AGENDA ITEMS - Indian Shores Streets

In response to the Indian Shores streets, Mayor Arnold stated that the City had communication from the Homeowners Association and they had asked Mr. Petrey to survey the area and report to the Commission tonight. Mr. Petrey found that there was old material left and some charred remains. He stated that the subdivision was constructed some twenty years ago by Ruckel Properties. Mr. Petrey stated that in the most recent years there has been a significant amount of subsidence in front of 106 on Arrowpoint Cove. When you look at Arrowpoint Cove, there were three depressed areas. He stated he found one in the cul-de-sac that was patched

Welcome
by
Mayor

Attendance

Citizens'
Concerns
Resident

Citizens'
Concerns
Resident

Citizens'
Concerns
Non-
resident

Added
Agenda
Items

Indian
Shores
Streets

sometime previously. Mr. Petrey stated that they did soil borings and that organic material has decayed. He stated that in the area of the culdesac where the repair was made, it is very, very loose and further stated that he is not sure what caused all this. Mr. Petrey stated that it might be where some large trees were removed. He stated that the streets are under the City's responsibility to maintain. Mr. Petrey stated that Construction Service Company of Florida, constructed the streets, and that they feel some responsibility for this. He stated that he had given the Commission a quotation from Construction Service Company of Florida, which includes some items at no charge. Construction Service Company of Florida will do the overall management of project. Mr. Petrey stated that need to overlay the entire street. He stated that Construction Service Company of Florida has offered to do the street for no mark up, and they have given a price of just over \$21,000; however, they do not know what they will find when they get in there. Mr. Petrey stated that they might find that they need more money, so he has put a 20% contingent in the quote, which would be a little over \$25,000. He stated that in Comm. Miller's absence, he has not talked to anyone, but he would suggest going ahead and do this. Mr. Petrey stated that he does not feel that anyone else would do it for less, and that it would be the least cost to remedy. He stated that they have about \$5,000 left from the bond proceeds, \$25,000 in Street Reserves, \$20,000 for street repairs in the 2012 Budget, and \$30,000 for maintenance. Mayor Arnold asked Mr. Petrey to talk this over with Comm. Miller and make their decision.

Mr. Wyckoff felt that the City would have to go out for competitive bidding on the project, but the Mayor Arnold stated that they can sole source this. Comm. Strong stated that the total of the project must be less than \$25,000. Mr. Petrey stated that the do not need to go into the project with blinders. Mr. Wyckoff stated that if someone wants to challenge this, they have listened to what the Commission said. He recommended that the Commission not do this, indicating that Mr. Petrey is the City Engineer and that he has given a total of \$25,782. Comm. Shermer stated that the City will research this with Comm. Miller before they do anything, and then discuss with the City Attorney.

In response to Mr. Caverly's inquiry concerning whether the area on Choctaw that is subsiding was included in this project, Mr. Petrey stated that it is not.

3. NEW AGENDA ITEMS - Interlocal Mutual Aid Agreement for Law Enforcement Services at Airport

Mayor Arnold stated that the Commission has had a month to review this agreement. He stated that there was a legal dissertation and that the Air Force has authority to do this. Mayor Arnold stated that it was sent out to various police departments and the Sheriff Department. He stated that he understands that legal counsel advised the Sheriff Department that the Air Force cannot do this. The Mayor stated that he understands that they need the agreement by February and have scheduled a couple of tutorials the later part of this month. He recommended that they approve the local agreement as proposed with the caveat that the County approves. COMM. STRONG MADE A MOTION THAT THEY ENTER INTO THE INTERLOCAL MUTUAL AID AGREEMENT FOR LAW ENFORCEMENT SERVICES AT THE AIRPORT. MAYOR ARNOLD SECONDED THE MOTION. In response to Comm. Shermer's inquiry concerning whether this is the way the City needs to go on this, Chief Hart stated that the County Commission gave Mr. Donovan the authority to do this. Chief Hart stated that it would be Valparaiso officers, along with other officer from various cities. He stated that it would be highly representative to our community, and that with the caveat that the Mayor put on the motion, it becomes a mute point with the us. Chief Hart stated that the City will be reimbursed for the officer expense. THE VOTE WAS HELD ON THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION.

Interlocal
Mutual
Aid
Agreement
For
Law
Enforcement
Services
at
Airport

4. NEW AGENDA ITMES - Award Engineering Contract USDA Grant

Mr. Scott stated that it was felt that it was felt that Polyengineering was best qualified. COMM. STRONG MADE A MOTION TO AWARD THE ENGINEERING CONTRACT USDA GRANT TO POLYENGINEERING. MAYOR ARNOLD SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION.

Award
Engineering
Contract
USDA
Grant

5. NEW AGENDA ITEMS - Standard Operating Policies

In connection with the Standard Operating Policies, hiring and purchasing are already part of the City operation. COMM. STRONG MADE A MOTION TO ADOPT THE CITY OF VALPARAISO STANDARD OPERATING PROCEDURES DATED JANUARY 4, 2012. MAYOR ARNOLD SECONDED THE MOTION. Mr. Wyckoff stated that the asset disposal policy was something that he originally developed After further discussion, Mr. Wyckoff will rewrite the Asset Disposal Policy and it will be available for the regular Commission meeting in February. Mr. Wyckoff stated that the appendix only deals with counties and special districts, it does not deal with municipalities.

Standard
Operating
Policies

6. NEW AGENDA ITEMS - Resolution No. 01-01-09-12 Appoint Planning Commission Members

Mayor Arnold read Resolution No. 01-01-09-12 a resolution appointing volunteers to the City's Planning Commission and providing an effective date. COMM. SHERMER MADE A MOTION TO ADOPT RESOLUTION NO. 01-01-09-12 APPOINTING MR CLARK "TOM" BROWNING AND MR. JOHN MILLER TO THE PLANNING COMMISSION. COMM.

Resolution
No.
01-01-09-12
Appoint
Planning
Commission
Members

STRONG SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION. THE TERMS OF MR. BROWNING AND MILLER WILL EXPIRE ON SEPTEMBER 30, 2014.

3. OLD BUSINESS - Sidewalk Update

The addition of sidewalk for the East side of Ferndell was allotted \$2500 for engineering, \$2500 for CEI and \$18,000 for construction. The sidewalk project should be completed about the end of January. In response to the Mayor's inquiry, Mr. Petrey stated that the yellow portions at the end of sidewalks are installed to accommodate the visually impaired.

4. OLD BUSINESS - School Charter Study Status

Comm. Shermer reported that meetings are continuing between the School Board and Academica, and more meetings will continue to be held.

5. OLD BUSINESS - Interlocal Agreement Public School Facility Planning

Mayor Arnold stated that the Commission needs to decide what to do about the Interlocal Agreement Public School Facility Planning. Cinco Bayou has pulled out, and Comm. Strong asked why Valparaiso has to be a party to withdraw. Comm. Strong and Comm. Shermer stated that they did not want to withdraw. Mr. Wyckoff stated that the government and legislature pretty much did away with State mandate. He stated that Valparaiso has two schools and that the facilities that are there have adequate infrastructure to support, so concurrency is not really an issue. Comm. Shermer stated that for many years the Interlocal Agreement was followed loosely or lightly but they have been more stringent in the last couple of years about following the agreement. He stated that he thinks that they want to maintain a part in it. Comm. Shermer stated that it forces the School Board to relay information to the City, and that for now they need to stay in the Interlocal Agreement. The consensus was to table this item.

2. OLD BUSINESS - Stormwater

There were no new issues.

3. REPORTS / CORRESPONDENCE / ANNOUNCEMENTS

Mr. Wyckoff reported that a notice to dismiss has been filed in the Willingham lawsuit. He stated that a transcript of the last two depositions in the Bradley case has been received and he is reviewing them.

5. REPORTS / CORRESPONDENCE / ANNOUNCEMENTS - Okaloosa League of Cities Meeting Laurel Hill January 17, 2011

Mayor Arnold stated that Laurel Hill would be hosting the quarterly meeting, which will be held on January 17, 2012. He asked that those interested in attending should contact Mrs. Johnson.

7. REPORTS / CORRESPONDENCE / ANNOUNCEMENTS - Letters of Appreciation

Mayor Arnold stated that the City had received letters of appreciation from the Valparaiso Garden Club for providing a monthly meeting place and the Heritage Museum for the contribution of \$500 toward the Yule of Yesteryear Holiday Celebration.

8. REPORTS / CORRESPONDENCE / ANNOUNCEMENTS - Etc. - Jan. 31st Election

Mayor Arnold reminded everyone that the republican primary and the election of two Commission seats (now held by Comm. Miller and Comm. Shermer) will be held on January 31st.

1. ADMINISTRATIVE ITEMS - Minutes

COMM. STRONG MADE A MOTION THAT THE MINUTES OF DECEMBER 12, 2011 BE APPROVED AS WRITTEN. COMM. SHERMER SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION.

COMM. SHERMER MADE A MOTION THAT THE MINUTES OF DECEMBER 20, 2011 BE APPROVED AS WRITTEN. COMM. STRONG SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION.

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. SHERMER SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 3 - 0 VOTE OF THE COMMISSION.

3. ADMINISTRATIVE ITEMS - Etc. Sidewalks

In response to Ms. Cassell's inquiry concerning sidewalks, Comm. Shermer explained that the sidewalks on the South side of Tom's Bayou Bridge near Lewis School were connected to a federal grant and was for safety around the school. He stated that applying for a sidewalk grant is a lengthy process.

3. ADMINISTRATIVE ITEMS - Etc. - Fire House - Second Floor

Chief Norris stated that they are waiting for doors to be installed and that they are almost complete with the project. In response to Ms. Cassell's inquiry, Chief Norris stated that the City Commission had taken care of the expenses.

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 6:50 PM.

Sidewalk Update

School Charter Study Status

Interlocal Agreement Public School Facility Planning

Stormwater

Legal Activities

Okaloosa League Of Cities Quarterly Meeting

Letters Of Appreciation

Republican Primary And City Election (Two Commission Seats)

Minutes 12 December 2011

Minutes 20 December 2011

Bills Payable

Fire House Second Floor

Adjourn

John B. Arnold, Jr.
Mayor

Thomas G. Miller
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

January 9, 2012

The DVD labeled January 12, 2012 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.