

MINUTES
CITY COMMISSION MEETING
MAY 13, 2013

The City Commission met this date regular session in the Commission Chambers. The Invocation was given by Comm. Morgan 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
Interim Police Chief	:	David Bruckelmeyer
Fire Chief	:	Mark Norris
City Attorney	:	Hayward Dykes
City Engineer	:	Roy Petrey
Public Works Director	:	James Valandingham
Library Director	:	David Weatherford
Recorder	:	Beth Millsaps

Others In Attendance: (Not Inclusive) James Butler (camera), Mike Griffin (Bay Beacon), Fred Hess, Lyn Knowles, Kathy Baker, Gregory Lang, Larry McCain, Eve Glenn, Lori Glenn, Rich Glenn, Rory Cassidy, Terry Griffin, Bob Webb, Karen Mann, Dana Matthews, Steve Griner, Jason Rosenbleeth

Mayor Arnold welcomed the audience and asked if anyone wishes to make a comment to raise their right hand, they would be recognized and come to the podium to speak.

Welcome by Mayor

1. CITIZEN'S CONCERNS (non-agenda items) – Resident

Citizen Concerns Resident

Bob Webb, 106 Choctaw Cove, reporting on the noise committee meeting from May 9, 2013. Mr. Webb said that there would be a full report at City Hall in each Commissioner's box but that he planned to hit the highlights this evening. He said there are 23 planes now at Eglin. He said 1 A model, which is Air Force, had arrived last week and 1 A model was due today on the 13th, he said both of these and those to come will be Block 2 configuration which is more advanced than are presently here. He said by end of the year Eglin may have 41 planes. He said in June of 2014 approximately 15 F35's will be leaving for Yuma, Arizona for the Marines. He said there would be approximately 65 pilots trained this year with the goal being 100 each year. He said with the new Block 2 planes it will take four months to train and there would be double the flights both by Air Force and Marines. They are flying as much as possible at this time so that is why the increase air pattern noise, he said where they are now is believed to be the max at this time. Mr. Webb said they are flying in the morning for the majority of time, they cannot fly in weather or clouds not for 12 to 18 months, that is the reason they can't fly pattern work at Choctaw Field because they cannot fly through clouds to get there. He said the Duke Field airfield lighting construction will be complete by the end of May and the airfield will be open in July, some touch and goes or pattern work maybe done there but Eglin would not commit fully to that. He said that Runaway 19 would be receiving lighting improvements beginning in November of this year that should last about six months. He said that would have the North South runway shut down completely so that would eliminate air noise for that time. Mr. Webb said that noise complaints from November 2012 to December 2012 there were 18 complaints all from Valparaiso all about the F35's and low flying aircraft. He said from January 2013 to May 2013 there were 54 complaints of which 33 were from Valparaiso directed at F 35s. The Air Force reply to the noise complaints were normal flight operations. He said that the point they tried to make with Eglin was that this was not ordinary flight noise, the aircraft is significantly louder, and problems we had not had in the past. The updated supplemental EIS should be out sometime this month, there would be a public hearing. The Air Force plans for the new ROD to be out by February 2014 if everything goes according to plan. Mr. Webb said that Colonel Contratto, one of the Vice Chairs of the committee, had received instructions that this would be the last meeting of the noise committee, the conditions of the settlement had been met and exceeded by a year and thanked everyone for their participation. Mr. Webb said he then went around and asked for comments and everyone with the exception of himself and Mr. Bachelor had positive comments. He said the way the committee was setup there really wasn't any room for positive change so doing away with the committee was not a great loss. Mr. Webb said they are looking now at other venues to work with smaller groups and they are already talking to Public Affairs at Eglin. He said they are looking more at across the desk questions and answers that can be conducted with perhaps the Commander of the 33rd or other higher level Air Force

personnel or maybe engaging with the Air Training Commander, head of the EIS, the environmental group at the Pentagon. He said the focus would be positive action to reduce the noise. Mayor Arnold thanked Mr. Webb for his work.

1. CITIZEN CONCERNS (non agenda items) – Resident

Larry McCain, 114 Edge Avenue, he lives adjacent to Glen Argyle Park, loves being there and watching the wild life and walking around within the park. He said he hates to bother the Commission with this problem but would like something done and thinks it is a pretty easy fix. He said that Public Works comes out to mow and when they do they use the heavy mower, and it sogs it down every time it is cut. He said feels that this City gives the residents more for their buck than any other place he has ever lived, but every time this mowing occurs holes are made. Mr. McCain submitted pictures of what he has described. Mr. Valandingham said that he will talk to the parks supervisor about the situation in the morning, that they are not to use the heavy mower there but to utilize the hand held line trimmers and he will see that is what happens in the future. He also said that we are in the process of hiring summer hires that will be with us for about ten to fourteen weeks to help out.

2. CITIZEN CONCERNS (non agenda items) – Non Resident

Mr. Carl Scott said that our city along with the City of Niceville had announced as part of the VIVA 500, celebration of Florida being 500 years old, we would hold an essay contest for sixth, seventh and eighth grades to write a paper about what Florida will be like in 2113, the winner would receive an Ipad. Mr. Scott said the competition was open to any student that lived or resides in either Niceville or Valparaiso. He said we had with us the winner, Ms. Eve R. Glenn and introduced her. Ms. Glenn is a seventh grader at Ruckel Middle School. Ms. Glenn came to the podium and her essay is titled “Florida in the twenty second century, what life will be like in 2113”. Ms. Glenn read her essay for the Commission. Mr. Scott said another one of Ms. Glenn’s honors is that her picture along with her essay would be placed in the time capsule that will be buried at the end of this year. Mayor Arnold said he was completely astounded by the level of understanding technology Ms. Glenn possesses and that she is a very astute young lady, a young visionary.

1. NEW AGENDA ITEMS – Added Agenda Items

Mayor Arnold asked if there were any new to added to the agenda, there aren’t any this evening so we will precede with the schedule agenda.

2. NEW AGENDA ITEMS – Award CDBG Services

Mayor Arnold said we have Ms. Cathy Baker from Jordan and Associates and Mr. Gregory Lang from Mittauer Consulting Engineers. COMM. STRONG MADE THE MOTION TO AWARD ENGINEERING ACTIONS TO MITTAUER CONSULTING ENGINEERS & PLANNING ACTIONS TO JORDAN AND ASSOCIATES IN RESPONSE TO THE RFQ FOR CDBG, MOTIONED SECONDED BY COMM. MORGAN WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. Mr. Lang said they are ready to get in touch with the City and get to work.

3. NEW AGENDA ITEMS - Gas Tax Extension

Mayor Arnold said everyone had a copy of the proposed gas tax extension, which is existing now and carrying us until the end of the calendar year 2014. Mayor Arnold said this has nothing to do with the county’s question or proposal to raise the gas tax from 1 cent to 5 cents per gallon. Mayor Arnold said as the agreement exists now the city receives 2.9762% of gas tax collected, which is approximately \$160 to \$165 thousand a year. COMM. MORGAN MADE MOTION TO ACCEPTED THE INTERLOCAL AGREEMENT TO EXTENT THE EXISTING 6 CENT OPTION LOCAL GAS TAX PROGRAM UNTIL END OF CALENDAR YEAR 2014, he suggests that down the road we do look at the impact additional gas taxes and discuss the impact. He said as everyone is aware the streets department and TPO are all looking for source of income, it is limited amount. Comm. Morgan said he would rather it be a gas to use tax versus tolls which is another option being discussed at the street level. He said he feels we need to come up with ideas, this is one of the options that has come about for the future. MOTION SECONDED BY COMM. STRONG, Comm. Strong said the original agreement came about in the mid 90’s, all of the cities got together with the Okaloosa League of Cities and they negotiated with the county a 60 40 split this agreement. He said it was split up by population amongst the nine cities. Mayor Arnold said this is a result of our efforts to try to eliminate dual taxation at the time. Mayor Arnold said the people of the cities were paying county taxes but not receiving any benefit in their city for the money spent, this was the counties suggestion to help with that problem. MOTION WAS PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Mayor Arnold said sometime along the line we need to talk about the correspondence from the county asking our position on the increase of gas tax, whether we are in favor of it or part of it or none at all. He asked if everyone would write down their thoughts and give them to either himself or Mr. Scott, they will come up with a proposed answer that will be discussed at the June meeting.

Citizen
Concerns
Resident

Citizen
Concerns
Non
Resident

Added
Agenda

CDBG
Services
Award

Gas
Tax
Exemption

4. NEWAGENDA ITEMS – Solid Waste Disposal Renewal Agreement

Mayor Arnold said this agreement would be for an additional ten years and asked Mr. Valandingham to review because he is concerned with the price increases.

Mr. Valandingham said the prices seemed absorbent on the surface however the City of Ft. Walton Beach's contract with the same service expires one year ahead of ours, they put out a RFP and only had two responses, the current company Republic Services doing business as Allied Waste, Mr. Rory Cassedy is here to represent this company. Mr. Valandingham said of the two respondents Allied Waste for a ten year term or Waste Management for a four year term, and they could only supply a four year term because that is the time left on their lease with the current transfer station. Mr. Valandingham said seeing as they were the only two options to look at the options were limited, Mr. Cassedy has presented two options one a lower rate to begin with but based on the consumer price index, that is a little risky having researched that option with other cities and Comm. Hamilton, there is the possibility of large increases or a potential reduction. Mr. Valandingham said we felt the best option is the proposal with a standard rate for the next five years although there is a seventy percent increase in tipping fees as reflected by their proposal under the current contract they were not covering their current expenses so needed to increase. Mayor Arnold asked if Comm. Hamilton had a recommendation, she said she thought we should move forward with this, it is the only viable option. COMM. HAMILTON MADE MOTION TO AMEND EXISTING SOLID WASTE TRANSFER AND DISPOSABLE AGREEMENT WITH ALLIED SERVICES, LLC FOR AN ADDITIONAL TEN YEARS AS DESCRIBED BY THEIR AMENDMENT, COMM. STRONG SECONDED MOTION. Comm. Morgan asked how their increases were calculated over the yearly amounts. Mr. Rory Cassedy said the original contract was for ten years fixed just like this one first rates were fixed and then an increase every year for the next five years, just with the CPI from ten years ago and add to that it is a higher rate than we proposed to the City of Ft. Walton Beach than we worked out for the City of Valparaiso. Mr. Cassedy said to use the rate with CPI would be a lower rate than a guaranteed rate but because of the exposure with price increases the City felt advantageous for a guaranteed rate for 5 years and then set rate for five years after that. Comm. Morgan said that approximates to about 2% a year, Mr. Cassedy agreed. Comm. Morgan verified that Mr. Valandingham had made sure that the seventeen percent increase is covered for the next ten years. MOTION PASSED BY UNANIMOUS VOTE OF COMMISSION 5 TO 0.

5. NEW AGENDA ITEMS – Ordinance No. 638- 642 Vacation of Right-of-way

Mayor Arnold said this will be the first reading of Ordinances 638 to 642 with the seconded and final reading set for the regular Commission on June 10, 2013. Mayor Arnold read Ordinance No. 638, an ordinance of the City of Valparaiso granting the request of CAJTDM, LLC to vacate a portion of Bayshore Drive and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) an effective date. Mayor Arnold said this is the area off Bayshore Drive in front of Compass Rose to the gully. Mayor Arnold said his only concern is to make sure we have the necessary easements for our water and sewer lines. Mr. Dana Matthews, the legal representative for all of the property owners, he said his comments were general to all the properties. He said AJTM LLC is the owner of the Compass Ross property, CATD LLC owns two of the lots, the other two belonging to Mr. Rosenbleeth and Comm. Hamilton. Mr. Matthews said Code of Ordinances 139-2 establishes the criteria for vacation of right of way, he then read the requirements, all are positions of fact that have to be met before right of way vacation can be acquired. Mr. Matthews said since 2002 he has represented several residents across the bayou, Comm. Billingsley and also Mr. Roberts they have had primarily the same issues, he has also represented seven other homeowners. He said there is no road or street not since the land was platted in 1919. He has used Gustin, Tucker to survey the area for the meets and bounds. He said the city had 25 foot setback line for roads, if you could provide a road it would be cost prohibited to do so, there are only ten property owners on this plat that abut the property, five of which Mr. Matthews is representing for this vacation of right of way. Mr. Matthews said in his opinion since there has never been a mention of a road in the capital improvement program, never intend to be maintained by the city, there is a sewer and water main, all clients have indicated that they will create an easement that Mr. Dykes will look at so that the city will always be protected of their easement. Mr. Matthews said the comprehensive plan has several provisions to protect the wetlands and other natural land environments. He said the easements would not be detrimental to the city, in fact the ad valorem tax base will increase because properties will be water front and taxed as such. Mr. Matthews said there is an area that butts Bayshore Drive and Spencer Drive, they are not seeking vacation of Spencer, he did say that if these vacations were approved the five other property owners will most likely seek vacations. Mr. Matthews provides aerial views of the property, shows right of way is a wooded area. Also submitted survey from Gustin & Cothorn, green area with proposed easement for water and sewer lines that would be approved by Mr. Valandingham. Mr. Allen Tucker from Gustin, Cothorn and Tucker, came to the podium to review his survey work. He

said basically the property lines were extended to the water's edge, he said public works had flagged all the utility lines, with the sewer lines we would need more depth in the right of way but water should be fine. Mayor Arnold asked if the lines were actually located, Mr. Tucker said yes that the public works department was very helpful in locating utilities. Mr. Tucker said the corner of lot 13 block 2 where Spence and Bayshore come together no clear line of where that comes together so he drew a line from the point of intersection to the other right of way line to Spencer Place, he said his reasoning of what was to guarantee public access down to the point of ownership so owners would be able to access lots. There are two or three lots that are subdivision lots that have access from Highland so that isn't an issue, but some lots above that and that is there main access. Mr. Tucker said also showed the shoreline protection zone with the 5' offset, and 25' setback per the Code, the acreages are also shown on there. Comm. Strong said when he became Commission he was told that Spencer went all the way to the water and then Bayshore butted against that. Mr. Tucker said that is not clear, that you can split the baby anyway you want but there is no clear division. Mr. Matthews said that Mr. O'Brien has an issue of cutting off his access down Spencer Drive, Comm. Strong said we have a sewer line there. Discussion followed. Mr. Dykes said that things needed to be discussed so that everyone could hear. Mr. Tucker said the discussion was where does Spencer Place end and Bayshore begin. He took the point of intersection and used some discretion on where to draw that line. Mr. Matthews said before the next meeting they would plot the adjacent landowners on where to draw the lines. Comm. Morgan said it is very important as to where Bayshore ends, we could vacate Spencer at one point and we would need to be confident not to injure any other party. Mr. Matthews said they would submit a revised survey. Mr. Petrey said that for stormwater down Spencer Place the city has placed grass and other items to stop water from running off and he didn't know what was happening there. Comm. Hamilton said it all erodes, she said Mr. O'Brien was upset and the city put in rye grass but that didn't work very well. Mr. Petrey said water comes off Glen and around the corner, so is there an easement needed to address that stormwater, otherwise it is turned loose on to the property owner. Comm. Hamilton said it has always been the property owners problem, at one time there was grass but isn't anymore. Mr. Matthews said the last document is a permit the city gave to Compass Rose to build an oyster bar in the right of way that happened recently. Mr. Matthews said the two lots have unified property that have access to two lots on Glen, also Mr. Rosenbleeth's property and going back to 1964 his access to Glen Avenue is through a recorded easement, CJTAM there is a 15' easement on map from 1964, Comm. Hamilton is also on Glen Avenue. Mr. Matthews said the reports have been submitted by the TRC (Technical Review Committee) and he wasn't going to go over all that but that all three members have recommended the vacation of the Right of Way. Mr. Matthews said he talked to Mr. Dykes and Mr. Dykes had a question, the two lots that are under unified title right now, lot 20 and lot 4 block 2, these are two different lots that could be sold separately, two issues need to be addressed in the draft ordinances, no provision about easements, the easements need to be documented, and there should be some restriction language that an owner with two lots cannot sell one to land lock the other so that the city would have no liability in that. Mr. Matthews said he would be back at the next meeting if anyone has any questions they would be glad to work with getting the answers to any questions. Mr. Terry Griffin, 253 Grandview Avenue, said in regards to Spencer Avenue the line drawn should logically go straight down to the water, if not you are giving away property, on the survey the road terminates straight down. Mr. Griffin said logically it would follow a westerly line and make a triangle, he said he had property like this and it is a triangle, the line is followed, if not you are giving property way. Mr. Tucker said there are several ways to do this, he said in looking at survey law, there should be equitable access down, there are two lots that are recorded lots, he used that criteria for striking that line, you can do a bisect or perpendicular and that is what he chose for the end of the water line.

6. NEW AGENDA ITEMS – Ordinance No. 643 Licensing

Mayor Arnold said this is the first reading of the Ordinance with the final being June 10, 2012. Mayor Arnold read an ordinance of the City of Valparaiso amending Chapter 14, Article II of the Valparaiso Code of Ordinances to require licensing, registration and business tax for all businesses and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) an effective date. Mrs. Johnson said that this ordinance would be lowering revenue for the city and was told by Mr. Ken Small with the Florida League of Cities according to the Florida State statutes once these fees are lowered we can never raise them. Mr. Scott said he has a contrary opinion to what Mrs. Johnson does, he feels that a contractor whether located inside or outside of the city should pay the same fee, if the fees have to be reduced than that is what we have to do. He said he doesn't feel it is fair for Mr. Knowles, a contractor within the city, to pay \$100 and Mr. Griner, a contractor outside the city to pay \$25. He said that is what is being adjusted right here and if it can't be raised then so be it. Mr. Scott said he also thinks that we need to look at signage in Ordinance 643 is the signage, right now it costs more to get sign permit than it does to build a \$10,000 accessory structure. He would like to remove signs out of

there and put in its on section. Comm. Morgan said he would also like to say that these are not licenses but a tax. He said this is a small tax revenue, because the actually licensing is already done by the county. He feels we are penalizing the business by this and that it is an administrative burden.

7. NEWAGENDA ITEMS – Ordinance No. 644 Contractor Fees

Ordinance
No. 644
Contractor
Fees

Mayor Arnold read Ordinance No. 644 an Ordinance of the City of Valparaiso, Florida providing that the Code of Ordinances, City of Valparaiso, be amended by revising Article II, Chapter 14; requiring all contractors to register with the city and pay the listed annual registration fee; providing for severability; providing for repeal; and providing an effective date. Mayor Arnold said this is the first reading, second to be held at our June meeting. Mr. Scott said the Ordinance is basically taking certain contractors that do not have the correct name and giving them a real name.

8. NEWAGENDA ITEMS – Ordinance No. 645 Park Rules

Ordinance
No. 645
Park Rules

Mayor Arnold read Ordinance No. 645 an Ordinance of the City of Valparaiso amending Part II, Chapter 58 of the Valparaiso Code of Ordinances to establish park hours and usage requirements and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) an effective date. Mr. Scott answering Comm. Morgan’s question said the change is basically moving all the park rules from resolution to Ordinance to make them enforceable. Ordinance are more enforceable than resolutions, also this will allow the city to close the boat docks down for the 4th of July for safety reasons. Comm. Morgan said he just wanted to make sure that everyone understood that the rules would remain basically the same but we can’t force under resolution so we are moving to Ordinance with no material change.

9. NEW AGENDA ITEMS – Water Tank Painting

Water
Tank
Painting

Comm. Strong said we are getting ready to paint the water tank and we would like to make some changes to the logo. Mr. Valandingham stated currently we have two tanks being painted, the one at the cemetery would be painted on the inside and we are painting the outside and the inside of the one on Adams Avenue. He said currently they are painted silver metallic and would prefer going to a chrome blue, and adding a picture something within the budget. Mr. Valandingham answering the Mayor’s question said they are negotiating the cost the current lettering is free of charge. They just thought a picture might be more aesthetically pleasing but if it raises the cost too much then it won’t be done, he would really like the color change of the tank. There is a discussion amongst the Commission about the logo and what the slogan and possible picture should be. Mr. Valandingham answering Comm. Strong’s question a decision could be made at the next Commission meeting. Comm. Strong said that the chrome blue would be fine. Comm. Kelley feels we need to be consistent, as the “Home of Eglin AFB” but if we put a picture of an F35 on there are we being hypocritical. Comm. Hamilton said she thought the Vision Committee should look into what logo and slogan to use. Mayor Arnold said the Vision Committee is having a hard time forming and conducting meetings.

10. NEW AGENDA ITEMS – Boat Dock Application

Boat Dock
Applica-
tion

Mayor Arnold said the Compass Rose has submitted an application for a dock by the Oyster Bar through the proper channels the dock would be approximately 97’ long, 5’ wide that will be able to dock nine vessels. Mayor Arnold said any comments must be submitted by the 31st of May. Comm. Hamilton said she is looking forward to the father/son fishing tournament. Comm. Morgan said he had real reservations about a 90’ dock, after the original proposal was dock for a couple of boats, which was proposed for the encroachment, this will interfere with skiers and wake boarders. Comm. Hamilton said it will not be a conflict the DEP would not approve. Comm. Morgan said this is way beyond a couple of boats. Comm. Hamilton said we were asked for an encroachment for the oyster bar. Comm. Morgan said and the dock was mentioned and this goes beyond anything that was discussed. Comm. Hamilton said it was mentioned but not on behalf of the oyster bar. Mr. Terry Griffin, 253 Grandview Avenue, on the encroachment agreement it states there is no ownership rights, the signer would not represent himself as owner of property. Mr. Dykes said yes he has no permanent rights on the city property. Mr. Griffin said you have to have ownership of the property to apply for this permit. Mr. Griffin says the DEP says you have to have ownership, he said he called to Corp of Engineers in Panama City who referred him to the COE in Pensacola any dock that is adjacent to Florida DOT property and extends into an area adjacent to a boat lane it has to be approved by the Corp of Civil Engineers not by the DEP. Mr. Griffin said he asked that the Corp of Engineers and DEP to do an extensive review, so that DOT and the residents on the Bayou are notified. He is concerned that 100 foot dock be that close to the bridge, he said he has skied through that bridge all his life. Comm. Hamilton said you are not supposed to ski through it. Mr. Griffin said there is no law that says you have to go slow through the bridge, unless there is a no wake zone. He said anything over a 6 slip boat dock is a commercial dock. Comm. Hamilton said what is the harm; she is just trying to understand. Mr. Griffin said it will be too close to a navigation channel and that becomes a hazard when you have a structure so close to the boat lane, that is a hazard. Comm. Hamilton said would it be the DEP or the city that will tell him.

Mr. Griffin said it would be the Corp of Engineers. Mr. Griffin said he has contacted them and they are going to review the application, he is hopeful for a resolution. He would like to know we are not in harm's way. Comm. Morgan said as a boater and skier and that a 90' is way too big of a dock, and he feels the Commission has been taken advantage of. Mayor Arnold said that with a boat lane so close to the dock the dock would not be usable, the city might have to consider a no wake zone and he doesn't feel the Commission is in favor of that. Mr. Griffin said if damage occurs to a boat due to the wake zone the City will be liable for damage and he doesn't want for the City and taxpayers to be responsible for that.

Sidewalk Update Plat I

1. OLD BUSINESS – Sidewalk Update Plat I

Mr. Valandingham said that project has been completed as designed by the Engineer and approved by the Commission.

Charter Review

2. OLD BUSINESS – Charter Review

Mayor Arnold said he has taken a stab at writing something, proposed a charter workshop for next Monday, June 20th at 6 PM.

TPO/DOT

1. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – TPO/DOT

Comm. Morgan said he might be taking on an issue between now and the next meeting regarding road closure for a June 8th event for Rerun for Wee Ones. Mayor Arnold said he recommended she use the parking behind her building and next door at Totten & Totten's and we put some slow signs up. Mayor Arnold said work on Tom's Bayou Bridge should be about six months before completed. Comm. Morgan said 27 pilings had to be repaired, more than expected so they are putting rebar and sleeves along the damaged pilings.

Storm-water

2. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Stormwater

Mr. Scott said there is nothing to report.

Legal Activities

3. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Legal Activities

Mr. Dykes said just a few updates, finalized the paperwork on the Roberts case, Judge Brown signed the revised order and the Willingham case has been taken off the trial docket so we are waiting on a ruling. He said in federal court it is a big thing for a case to be removed from a trial docket which means a decision might be made.

Planning Comm.

4. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Planning Commission

Mayor Arnold stated there is not a representative from the Planning Commission in the meeting this evening.

City Park Update

5. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – City Park Update

Mr. Valandingham said that T J Brooks Park is complete, the fence is up and the donated playground equipment from the school has been placed. He said he will have to reseed on the corner of Echo and Lincoln because the seeding didn't take. He said they only have two people on the park staff, one is on reserve duty and so they have one full time person and one part time person so they are looking forward to the summer hires. He said Mr. Petrey is working on a contract to remediate and should have something tomorrow.

Mr. Scott said Mr. Petrey has also worked very hard on the Lincoln Park project and we should receive \$355,000 grant and DEP has given the acknowledgement to repair the front section of the boat ramp.

Median Beautification Update

6. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Median Beautification Update

Mr. Scott said Pam Minor has been calling and said if we don't submit something by Friday the money would be given away. Mr. Petrey said Mr. Davis is working on South side of Tom's Bayou, Mr. Petrey said we had been given verbal from the Water Management District that they will give us a temporary permit for surface water withdrawal from creek at Doolittle Park.

Vision Comm.

7. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Visioning Committee Update

Mayor Arnold said we are still trying to confirm the last member for the committee and the chair has stepped down. Comm. Strong asked if anyone could be recommended tonight. Mayor Arnold said we were following a list. Comm. Strong said he thought Dr. Harris should be on committee, with all that he has done for the city we should make him an honorary member. Mrs. Johnson said there have been other interested in the committee as well.

Budget Wkshop

8. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Budget Workshops

Mayor Arnold said June 3rd at 6 PM for capital improvements. Comm. Strong will be out of town.

Employee Step Increases

1. ADMINISTRATIVE ITEMS – Employee Step Increases

Mayor Arnold said we have recommendation for step increases for two employees from cable. Comm. Strong said we have to keep our people and this is what it would take to do that and he has this within the cable budget. Mayor Arnold said his concern is what will it do for the employees in the other departments, how we justify raises for some and not others. Comm. Strong said he didn't know what to say other than if we didn't do this we would lose these technicians, it is an enterprise fund and doesn't cost the general fund anything. He said one

person is leaving and we have one to replace her, we have a couple of members who are sick at this time and we can't afford to lose the other two members of the team. COMM. STRONG MADE THE MOTION TO APPROVE STEP INCREASES FOR MR. BUTLER AND MR. RAY, COMM. MORGAN SECONDED for discussion. Comm. Hamilton said as it being run as an enterprise fund that Comm. Strong should be able to make these decisions on specific people need raises outside of the normal raise, a judgment call by the supervisor, that is her only point of reference. Mayor Arnold said he is confident that Chief Bruckelmeyer and Mr. Valandingham can write similar letters for their employees and if you give raise to some and not the others what does that do to moral, it will cause a problem in other parts of the city. Mayor said regardless of enterprise or general fund doesn't matter if they money is there or not we have to manage the funds. Comm. Morgan said he doesn't know the difference from one step to another. Mrs. Johnson said it is four percent increase from one step to the other. Mrs. Johnson said in the handbook the Mayor is in charge of all raises within the city. Mrs. Johnson also said on September 24, 2012 budget meeting when the ordinance for the budget was made she said then to make clear a two percent COLA increase to be given to all employees with no other wage increases for this year and it was confirmed with no further discussion. Mrs. Johnson said she has an employee that has been with us for over 90 days and she has not received an increase. Comm. Morgan said it was agreed that we would have no other raises for this physical year, we are coming upon that time now and we need to look at the pay scale and look at what we are paying everyone. Comm. Hamilton said the question has already been answered if the Mayor is over salary why the discussion. Mayor Arnold said it was on the agenda because he felt like the Commission should look at it because he is not in favor of it himself but if the others want to say yes then he is fine with it. Comm. Kelley said with an increase money is there any increase responsibilities. Comm. Strong said that yes one has further training and the other had worked with us before and we hired him in at a lot lower wage and would hate to lose either of them. Mayor Arnold we could consider in our budget workshops. Comm. Morgan rescinded his second, motion dies.

2. ADMINISTRATIVE ITEMS – Minutes

COMM. STRONG MADE A MOTION THAT THE MINUTES OF APRIL 1, 2013 BE APPROVED AS WRITTEN, COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes
1 April 13

COMM. HAMILTON MADE A MOTION THAT THE MINUTES OF APRIL 8, 2013 BE APPROVED AS WRITTEN, COMM. KELLEY SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes
8 April 13

COMM. STRONG MADE A MOTION THAT THE MINUTES OF APRIL 22, 2013 BE APPROVED AS WRITTEN, COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A 5 – 0 VOTE OF THE COMMISSION.

Minutes
22 April 13

3. ADMINISTRATIVE ITEMS – Bills Payable

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

Bills
Payable

4. ADMINISTRATIVE ITEMS – Etc.

Mayor Arnold said we would have a charter review meeting next Monday on May 20 at 6PM and our first budget workshop for capital improvements would be June 3 at 6 PM.

Etc.

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 8:00 PM.

Adjourn

John B. Arnold, Jr.
Mayor

Heyward H. Strong, Jr.
VCA, Chair

ATTEST:

Tammy Johnson, CMC
City Clerk

May 13, 2013

The DVD labeled May 13, 2013 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.