

MINUTES
CITY COMMISSION MEETING
August 11, 2014

The City Commission met this date in 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.
	:	Kay Hamilton
	:	Joe Morgan
	:	Clark (Tom) Browning, IV
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Chief	:	Joe Hart
Fire Chief	:	Mark Norris
City Attorney	:	Hayward Dykes
City Engineer	:	Roy Petrey
General Manger VBCS:	:	James Butler
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Amber Elledge (camera), Marcia Sanders (Bay Beacon), Mary Weston, Terry Griffin, Tommy Browning, Brian and Laura Habblett, Dave Mason, Patrick Pertuit, Brandon Wilson, Wayne Justice, Lyn Knowles, Rebecca Koelzerd

Mayor Arnold welcomed everyone this evening 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 apologized for the heat this evening, our air conditioning seems to be out.

Welcome

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

Mayor Arnold said he had received a letter from Mrs. Mary Weston regarding Florida Park. Mrs. Mary Weston, 260 Florida Avenue, said she is concerned about Florida Park, it has become almost unusable. She said it is boggy and contains all types of snakes. She does know that it is a wetland but would like for something to be done to improve the park because at this time you can't use the playground equipment. She suggested maybe filling in some dirt around the playground area or to build a possible sidewalk to get to the equipment.

Citizens'
Concern
Resident

Comm. Hamilton, Parks Commissioner, said that we had had historic rains in the last few months, she said at one time we had looked into moving the playground equipment but that is cost prohibited. She said she has spoken with Mr. Valandingham but we are limited due to the area being wetlands, we already do more there than we are suppose to. She said a year ago it was fine, Mrs. Weston said it has been pretty bad for the last few years. Mrs. Weston asked about a sidewalk, Comm. Hamilton said again we are limited to what we can do both by the wetlands and the cost. She said she knew that wasn't what Mrs. Weston wanted to hear but unfortunately are hands are tied.

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

There were no non resident comments.

Citizens'
Concern
Non Resident

1. NEW ACTION ITEMS – Added Agenda Items

Mrs. Johnson said the Commission had received a letter from Eric Berrill, Planning Commission Chair, regarding property located at 147 Nordberg Avenue and would like to add to agenda. COMM. BROWNING MADE A MOTION TO ADD CONDITIONAL USE OF 147 NORDBERG AVENUE TO THE AGENDA. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. Mayor Arnold said that would be added to the agenda as the last new action item.

Added
Agenda Items

2. NEW ACTION ITEMS – Resolution VCA 01-08-11-14 Rates, Channel Line up, Increase Internet Speed

Mr. Butler said that programming costs have increased, the big 10 networks included. He said all programming is set to continue going up for the next seven years, have to increase the subscribers cost in order to keep up. Comm. Hamilton asked if Cox would be going up, Mr. Butler said yes they will have some increase also, they had increased their rates last year as well in preparing for this increase. Mr. Butler said the way he had redesigned the lineup people would be able to select what they wanted and pay for that without paying for a lot of things they do not want. Comm. Strong said at budget time, which is now, we go out and look at all competitors. Mr. Butler said cable wise we don't offer the smallest package like Cox does they have a line up of only 12 channels our lowest channel offering is 64 channels for \$32.85, their closest one to that is their economy package which is \$38.99 step up from that is digital. Mr. Butler said as a technician in the field the residents that purchased digital always thought they would be receiving extra channels but with just gateway digital they do not. Comm. Hamilton said we have had so much attrition is there someone keep track as to why this has been happening. Mr. Butler said not at this time, a lot of people are doing away with conventional has

Resolution
VCA 01-08-
11-14 Rates,
Channel Line
up, Increase
Internet
Speed

seen an influx of satellites in her area. Mayor Arnold said he wanted to applaud Mr. Butler in his attempt to maximize service. Mr. Butler said he has tried to group the channels together more efficiently sports channels in a package, variety channels in a package, and so on we can't cherry pick specific channels because of programming regulations. Mayor Arnold asked once this change takes place what will the residents have to do, Mr. Butler said they don't have to do anything, if they are on basic programming now it will be the same, the digital gateway will see a slight increase but will have 14 more channels. A brief discussion followed regarding channel programming change. Comm. Morgan said after having a meeting with Mr. Butler he understands exactly what he is trying to achieve and he is full in support of that but a clearer picture needs to be presented for the residents to understand. Comm. Hamilton said there needs to be a better description. Comm. Strong said in order for the changes to occur the resolution has to be passed tonight. COMM. STRONG MADE A MOTION TO ADOPT RESOLUTION VCA 01-08-11-14 A RESOLUTION OF THE VALPARAISO CABLE AUTHORITY, TO REVISE THE EXISTING CHANNEL LINEUP, INCREASE SOME MONTHLY RATES, INCREASE INTERNET SPEEDS AND ESTABLISH NEW SERVICES AND RATES AND PROVIDE AN EFFECTIVE DATE. COMM. BROWNING SECONDED THE ORIGINAL MOTION. ORIGINAL MOTION PASSED BY A VOTE OF 5 TO 0. COMM. MORGAN MADE A MOTION FOR A FRIENDLY AMENDMENT TO DEVELOP A CLEAR AND CONSIDERABLE DESCRIPTION OF THE PACKAGES AND PROVIDE TO THE PUBLIC WITHIN 30 DAYS. COMM. BROWNING SECONDED THE MOTION AMENDMENT WHICH PASSED BY VOTE OF 5 TO 0 A UNANIMOUS VOTE OF THE COMMISSION.

Referendum
Newsletter

3. NEW ACTION ITEMS – COMMISSION APPROVAL REFERENDUM NEWSLETTER

Mayor Arnold said that he and Mr. Scott tried to prepare correspondence to go out in the newsletter for the charter change. They tried to be impartial, but Comm. Morgan asked that this be discussed. Comm. Strong said the letter doesn't represent the issue well, he had received a letter from Mr. Miller and several other residents have informed him they are not pleased with the letter. Mayor Arnold asked how Mr. Miller had gotten the information. Comm. Strong said he gave it to him. Comm. Hamilton said it is incumbent on this Commission, a majority of the Commission voted to go forward with the charter change and have it placed on the ballot to be considered by the voters, this issue is not up for argument, the city has made a statement, it's passed it has passed. She said the letter publicize what we the changes would be so that the citizens could make informed decision, the Mayor worked very hard on getting this together. Comm. Strong said he did not vote for anything like this to go out to the citizens. Comm. Hamilton said well is it inaccurate? Comm. Strong said it is not accurate. Mr. Dykes said in this situation expending public money to support the vote one way or another the city needed to be mindful. Mayor Arnold said the Commission is obligated to give the citizens some background, he did not mean to be controversial. Comm. Strong said that the letter is not factual, it is misleading. Mayor Arnold said they tried to show both sides, he asked if the Commission would like to look at all newsletters in the future. Comm. Morgan said that wouldn't be necessary but when there is a controversial issue it should be reviewed before something is sent out to residents. He said it is supposed to be an unbiased report but that is not the way it reads. Mayor Arnold asked if Comm. Morgan has another letter he would like to provide. Comm. Morgan said no he did not, the public was promised workshops on this issue that were not done, newspaper articles using taxpayers money that only show one side are not appropriate. Mayor Arnold doesn't believe the newsletter is one sided. Comm. Browning disagrees, he said he had received several calls with questions already and the letter had gone out yet. Comm. Hamilton said all of this sounded like sour grapes to her, the referendum had been placed on the ballot by the Commission for the voters to vote on, it was decided by a majority vote, and this is a positive step forward. Comm. Browning said the voters need clearer representation of what they are voting on, the letter does not do that at all. Comm. Hamilton said that is because you are against the referendum.

Mr. Brandon Wilson, 1267 Bayshore Drive, said he participated on a rewrite of the charter several years ago and it had been turned down by the Commission so he felt he had a little bit of history on this subject. He said by putting the referendum out for a vote it's a positive step, it might be helpful to provide a document for the resident as to what the changes will be if passed.

Comm. Hamilton said the letter is not biased it just explains what we have and what we would have if the referendum passes. COMM. MORGAN MADE A MOTION TO REMOVE THE LETTER FROM THE NEWSLETTER IN ITS CURRENT FORM. COMM. BROWNING SECONDED THE MOTION. Comm. Hamilton wanted to know what was wrong with the letter.

Mr. Terry Griffin, 253 Grandview, said on the Valparaiso.org website there is a copy of the referendum there and there is also a red line copy of the charter showing every change, voters can make their decision from that document. He said he has researched a lot on this matter and the letter is skewed and the city should not publish it. MOTION ON THE FLOOR FOR VOTE TO WITHDRAW THE LETTER ON THE REFERENDUM FROM THE CITY

NEWSLETTER, MOTION PASSED BY VOTE OF 3 TO 2, WITH COMM. HAMILTON AND MAYOR ARNOLD VOTING IN THE NEGATIVE.

COMM. STRONG MADE A MOTION TO REMOVE THE REFERENDUM FROM THE BALLOT AT THIS TIME. COMM. BROWNING SECONDED THE MOTION. Comm. Hamilton asked if that could be done. Mr. Dykes said with the ballot language already approved by Ordinance it would need an Ordinance to remove. Comm. Morgan said he spoke with Paul Lux, Supervisor of Elections, there is no way to physical remove it from the ballot but the results would not be recorded. Mayor Arnold said it was put on the ballot by Ordinance by vote it would have to have an Ordinance to remove. Comm. Morgan said he would like to do a roll call of the Commission, who is in favor of the change. Mayor Arnold said that would not be proper, Comm. Hamilton agrees with Mayor. Comm. Morgan asked again who was in favor. Mayor Arnold told him he was out of order. Mr. Dykes said he didn't know if it is possible to be removed by resolution he would research didn't know if it would be lawful or proper. Comm. Hamilton said put it to the voters. Mayor Arnold said it passed by ordinance it would have to be removed by ordinance. Comm. Hamilton said it is not right for the voters not to get to vote on it. COMM. MORGAN AMENDED MOTION CONTIGENT UPON REMOVING THE REFERENDUM FROM THE BALLOT BY RESOLUTION TO INVESTIGATE TO SEE IF THERE ARE POSSIBILITIES FOR CLEAR AND LEGAL REMOVAL. Comm. Hamilton said it is disgusting to take away from voters. Mayor Arnold said that personal feelings need to be put aside to support the action going forward in the future if not it would be to the detriment of the city. Comm. Morgan said roll calls are allowed. Mayor Arnold said it would not be proper, Commission approved to have this on the ballot now it is just playing politics.

4. NEW ACTION ITEMS – 147 Nordberg Avenue

Conditional
Use 147
Nordberg Ave

Mayor Arnold read the letter from Mr. Berrill, Planning Commission Chairman, approving the conditional use of the property located at 147 Nordberg Avenue. Mr. Scott said property is C1 right now the RV Solutions business will have a dual purpose to maintain and repair RVs and also to store the RVs on the property. Mr. Scott said Mr. Habblett presented the idea to the Planning Commission for approval of conditional use of the property, and they passed the motion. COMM. STRONG MADE A MOTION TO APPROVE CONDITIONAL USE OF PROPERTY LOCATED AT 147 NORDBERG FOR RV STORAGE AND MINOR REPAIR. COMM. BROWNING SECONDED THE MOTION AND ADD THAT THE BUSINESS MUST FOLLOW THE CONDITIONS SET FORTH BY THE PLANNING COMMISSION, ONLY 20 RVS OR BOATS ON LOT AT ONE TIME, NOT TO EXCEED THE 20. Comm. Morgan said Planning Commission approved unanimously with only positive comments from the neighbors in attendance. Chief Hart said the 20 means RVs or boats, any combination regardless no more than 20. The Commission agreed. MOTION PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

1. OLD BUSINESS – City Hall Roof Update

City Hall
Roof Update

Mr. Petrey said that the work has been completed, at this point we are waiting on a third party inspection which should be done this week. Mayor Arnold said it looks good.

2. OLD BUSINESS – Removal of City Assets from Inventory

Removal
Assets from
Inventory

Comm. Morgan said he is working with the auditor to get report completed. Mayor Arnold said a couple of comments in the present report it has items that are no longer necessary be given as a donation. Comm. Morgan said that is standard practice with the government assets give to another government. Mayor Arnold said at no cost, we usually sell our items over the internet using a couple of different clearing houses so is he suggesting we forgo that money and just give away. Comm. Hamilton requested that instead of just being given the report on the night the Commission will be voting that it would be helpful if they could receive the report in adequate time to be able to properly review the material. Mayor Arnold also suggested department heads have the authority to get rid of any items up to \$5,000 anything else would need Commission approval. Comm. Morgan said would that be depreciated cost or original cost. Mayor Arnold asks if he is saying that department heads be allowed to delete items from inventory. Comm. Morgan said not with capital items, all items within system should be scheduled for replacement. Mayor Arnold said he did not want department heads deleting from inventory, he asked when we would have a final draft. Comm. Morgan said he is working with the auditor and will have to Commission as soon as possible.

3. OLD BUSINESS – Plat I Docks

Plat I Docks

Comm. Morgan said he is working with Mr. Scott on maps as far as how to establish riparian lines, develop scale maps. He said they are working on the method to establish the extension of the lot lines, thought they could use extension of lot lines but that doesn't work. Mayor Arnold said extending the lot lines would work if everyone was perpendicular to water, they are not.

1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT

TPO/DOT

Comm. Morgan said he didn't have anything new at this time.

2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater

Stormwater

Mr. Scott said nothing new to report. Comm. Morgan said that Mr. Petrey had been working with Eglin AFB to get basic approval to improve the situation in Indian Shores. He said looking to start the work in October to extend the swell to put a berm up against the subdivision

quality. Comm. Morgan also said he and Mr. Petrey are looking into grants to address the situation located in the Okaloosa Spencer area.

Legal
Activities

3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Legal Activities

Mr. Dykes said the city should be receiving a check from Rose, Sundstrom & Bentley for \$60,000 in the malpractice claim. He said in regards to the Willingham case it is set for trial for October 6th however there is a new cause action being reviewed. Mr. Dykes said at this time there is no new action on the right-of-way lawsuit.

Median
Beauti-
fication

4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Median Beautification Update

Comm. Morgan said a new proposal have been submitted about two weeks ago with additional input. He said the end game would be to have the Eglin AFB entrance and the Valparaiso entrance look similar with a mirrored flow and consistent. Mayor Arnold asked if in some of the concrete islands if the concrete could be removed and greenery put in. Comm. Morgan said he would take a look at this.

Planning
Comm.

5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Report

Mayor Arnold said we do not have a representative from the Planning Commission with us this evening.

Visioning
Comm.

6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Update

Mayor Arnold said he would be joining their meeting this Thursday, believes the Committee is on track to have report towards the end of this year.

CDBG
Update

7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – CDBG Update

Mayor Arnold said included in the packet this evening was the letter saying the project had not been approved, it list the order in which cities were approved and should someone drop out the city will move up. Mr. Scott said where we lose points is that the city is not a low to moderate income area.

Budget
Workshop

8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Budget Workshop

Mayor Arnold said we will have a budget workshop August 18th at 6 PM to look at all funds and most likely have one more workshop after that to come up with a proposed budget.

Election on
Refer-
endum

9. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Election on Referendum August 26, 2014

Mayor Arnold said he would like to remind everyone of the election to be held on Tuesday August 26th, the city's referendum is on the ballot, please vote.

Minutes

1. ADMINISTRATIVE ITEMS – Minutes

COMM. STRONG MADE A MOTION TO APPROVE THE MINUTES FROM JULY 14, 2014 AS WRITTEN. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

COMM. STRONG MADE A MOTION TO APPROVE THE MINUTES FROM JULY 21, 2014 AS WRITTEN. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Disburse-
ments

2. ADMINISTRATIVE ITEMS – Disbursements Made

Mayor Arnold said the financials were not ready until this evening and just wanted to verify things are on course. Mrs. Johnson said everything looks good.

Adjourn

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 7:15 PM.

John B. Arnold, Jr.
Mayor

Heyward H. Strong, Jr.
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

August 11, 2014

The DVD labeled August 11, 2014 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.

