

MINUTES  
CITY COMMISSION MEETING  
May 27, 2014

The City Commission met this date in a special session in the Commission Chambers. A quorum being present, the meeting was called to order at 6 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
Recorder	:	Beth Millsaps

Others in Attendance: (Not Inclusive) Marcia Anne Sanders (Bay Beacon), Peggy Griffin, Terry Griffin, Mr. and Mrs. Thomas Miller, Gaye A. Baltz, Matt Zinke

Mayor Arnold said there would be a couple of ordinances that would be acted upon tonight. He stated that both ordinances had been advertised on May 17, 2014 and he read the public hearing announcement and stated this would be the final readings of Ordinance No. 653 and Ordinance No. 654.

**1. Ordinance No. 653 Development Order Amended**

Mayor Arnold read Ordinance no. 653 an ordinance of the City of Valparaiso amending Chapter 94, Article VI, Division 2, Section 94-166 Landscape Check List of the Valparaiso Code of Ordinances and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) an effective date. Mayor Arnold said it basically states that with any type construction takes that were taken down would be replanted asked if there were any questions.

Ord. No.  
653  
Develop-  
ment  
Order

Matt Zinke with Gustin, Cothorn and Tucker said he was attending the meeting on behalf of Valparaiso Realty. He said Valparaiso Realty is in negotiations with a car dealership and one of the requirements of the dealership is for no canopy trees but will meet all the requirements of green space. Mayor Arnold said he felt this had been previously discussed in another meeting.

Terry Griffin, 253 Grandview Avenue, said he is against taking down trees and against buying trees, it is taking away from the beauty that is Valparaiso. Comm. Strong said they are not our trees, he is under the impression that this business will be similar to the way Wal-Mart and Publix look. Comm. Morgan said he had talked to a few people and there are concerns for giving away the green spaces and having Valparaiso look like all the other cities. After a brief discussion, **COMM. MORGAN MADE A MOTION TO MAKE A FRIENDLY AMENDMENT TO APPROVE ORDINANCE NO. 653 BUT TO STRIKE NUMBER 9 FROM NUMBER 45.** Comm. Strong asked Mr. Zinke if that was satisfactory. Mr. Zinke replied no. **COMM. HAMILTON MADE A MOTION TO PASS ORDINANCE NO. 653 AS WRITTEN. COMM. STRONG SECONDED THE MOTION.** Comm. Morgan feels strongly that we should have a buffer zone along the right of way so that highway 190 doesn't look like a parking lot. Comm. Strong said he had dealt with Valparaiso Realty many times over the past 35 years or so, Mr. Byrne has worked hard to get this program together and he believes Mr. Byrne will do the right thing by the city. Mrs. Johnson asked if an offsite location had already been approved? Mayor Arnold said that would be later. **MOTION VOTED TO APPROVE 4 TO 1 WITH COMM. MORGAN VOTING IN THE NEGATIVE.**

**2. Ordinance No. 654 Granting Vacation of ROW Wolverine Avenue**

Mayor Arnold read Ordinance No. 654, an ordinance granting the request of Valparaiso Realty to vacate a portion of Wolverine Avenue and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) an effective date. Mayor Arnold said this will be the second and final reading of the ordinance and asked if anyone had any comments. There were no comments from the audience or the Commission. **COMM. STRONG MADE A MOTION TO ADOPT ORDINANCE NO. 654 AS WRITTEN. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

Ord. No.  
654 Grant  
Vacation  
ROW  
Wolverine  
Avenue

**3. Traffic Signal Maintenance Agreement**

Comm. Morgan said requesting Commission approval to sign agreement with DOT for signal maintenance. He said this is a continuous maintenance agreement that he and Mr. Valandingham have reviewed and there are no problems. **COMM. MORGAN MADE A MOTION TO APPROVE TRAFFIC SIGNAL MAINTENANCE AGREEMENT. COMM. STRONG SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE 5 TO 0.**

Traffic  
Signal  
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**4. Request Hiring an Additional Employee for Utilities**

Comm. Strong said that Mr. Valandingham submitted this request for an additional employee because we can not keep up with the work load in the department. He said that the mandates and laws had caught up to us, valve exercises that have to be done have not and we have received a deficiency from the DEP the last four inspections. Comm. Strong said that he, Mr. Valandingham and Mrs. Johnson have reviewed the budget numbers and this year \$8,000 is available to fund this position for the remainder of this year and with a savings in this year's budget we can carry forward funding for this position through the next budget year so there will be no increase due to salaries until 2016. Answering Comm. Morgan question, Comm. Strong said yes 2014 will be covered and 2015 covered, by bringing forth money. **COMM. STRONG MADE A MOTION TO APPROVE HIRING ONE**

Request  
Employee  
Utilities

**UTILITIES MECHANIC IN THE UTILITIES DIVISION, WHICH IS A GRADE 8 STEP 4 POSITION.** Comm. Hamilton asked if this was for the water meters, Comm. Strong said this is for the cutoff valves in the city. Mayor Arnold confirmed we had received letters from DEP regarding this matter. Comm. Strong said the state had been reasonable but the time has come that we need to hire someone to cover this. **COMM. BROWNING SECONDED THE MOTION.** Mrs. Johnson verified the position would be a grade 8 step 4 position, which was agreed. **COMMISSION VOTED 5 TO 0 UNANIMOUS VOTE TO HIRE A UTILITIES MECHANIC FOR PUBLIC WORKS GRADE 8 STEP 4.**

Cancel  
Water  
Tank  
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Agree-  
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**5. Cancel Current Water Tank Maintenance Agreement**

Comm. Strong said this is the second issue for utilities it has been previously discussed several times and he recommends canceling our current elevated water tank maintenance contracts. He said this was put on the agenda for this evening because it must be done within 120 day window and by the June meeting it would be too late to act. He also recommends allowing Mr. Valandingham to work with Polyengineering to facilitate the rehabilitation of tank # 3 and establish maintenance agreements for all three elevated storage tanks. Comm. Strong said the performance by Utility Service Company has not been satisfactory in some time, the company has been put on notice before and that is why he is recommending cancelling the contract within 120 days. Mayor Arnold asked if there would be any monetary cost to cancel. Comm. Strong said no not as long as it is done within the 120 day window. **COMM. STRONG MADE A MOTION TO CANCEL THE CONTRACT WITH UTILITY SERVICE COMPANY. COMM. BROWNING SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY VOTE OF 5 TO 0.** Comm. Strong said we would also work with Polyengineering to get RFP or RFQ for rehab of storage tank and look for the cheapest approach for the city.

Median  
Beauti-  
fication  
Agree-  
ment  
Phase II

**6. Median Beautification Agreement Phase II**

**COMM. MORGAN MADE A MOTION THAT I BE APPROVED OR THE MAYOR AS REQUIRED BY THIS DOCUMENT TO SIGN SAID AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION FOR MEDIAN BEAUTIFICATION PROJECT PHASE II. COMM. HAMILTON SECONDED THE MOTION.** Ms. Gaye Baltz, 271 S. Bayshore, said she had heard that the DOT did not approve all of the design that was submitted. Comm. Morgan said we have had some significant design disapprovals. Brad and I will be getting together and so far we had to bow to them to continue the process to move forward. I will be sending out an email to the Median Beautification Committee asking them back for some further discussion. The design portion that was significantly affected was from Eglin gate to Tom's Bayou Bridge. He said we had been working to have mirror images from Valparaiso city limits to Eglin's East gate but we are being restricted on types of shrubs on that one side. Mrs. Miller, 202 Hickory, asked why we were landscaping around the Tom's Bayou Bridge when that was due to be completely overhauled. Comm. Morgan said the overhaul of the bridge will not affect the medians. Mrs. Johnson said on the agreement signature page it says City Council not Commission and it also says by Resolution Number but we did not have a resolution prepared. Comm. Morgan said he had reviewed that with the DOT and as long as we have minutes that the document was approved by the Commission in a public meeting then we will be fine without a resolution. **COMMISSION VOTED UNANIMOUSLY IN FAVOR OF THE MOTION BY 5 TO 0.**

Adjourn

**Adjourn**

With there being no further business before the Commission, meeting adjourned at 6:41 PM.

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John B. Arnold, Jr.  
Mayor

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Heyward H. Strong, Jr.  
Chair, VCA

ATTEST:

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Tammy Johnson, CMC  
City Clerk

May 27, 2014

\*\*\*The DVD labeled May 27, 2014 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.\*\*\*