

MINUTES  
CITY COMMISSION MEETING  
November 10, 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             |
| City Clerk             | : | Tammy Johnson          |
| City Administrator     | : | Carl Scott             |
| Police Chief           | : | Joe Hart               |
| Fire Chief             | : | Mark Norris            |
| Library Director       | : | David Weatherford      |
| Public Works Director: | : | James Valandingham     |
| City Attorney          | : | Hayward Dykes          |
| City Engineer          | : | Roy Petrey             |
| Recorder               | : | Beth Millsaps          |

Others in attendance: (Not inclusive) Mike Matthews (camera), Mike Luna, Doug Fannon, Derek Hoffnung, Katie Cholcher, Armano Izzo, Joe Cartenuto, Don Caverly, Brian Cartenuto

Mayor Arnold welcomed the audience and stated that the Commission was interested in hearing their thoughts and welcomed all comments. He asked that anyone wanting to make any comments should raise his/her hand to be recognized and use the microphone at the podium to address the Commission.

Comm. Browning is unable to attend this evening's meeting.

Attendance  
Citizens'  
Concerns  
Resident

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

There were no resident comments.

Citizens'  
Concerns  
Non –  
Resident

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

There are no non-resident comments.

Health Ins.  
Waiting  
period

**1. NEW ACTION ITEMS – Added Agenda Items**

There are no added agenda items from any Commissioner this evening.

**2. NEW ACTION ITEMS – Health Insurance Waiting Period**

Mrs. Johnson said we had received information from the Florida League of Cities that in accordance with the Affordable Care Act new employees waiting period cannot exceed 90 days. The Commission needs to decide what they want the waiting period to be. **COMM. HAMILTON MADE A MOTION TO LEAVE THE WAITING PERIOD FOR HEALTH INSURANCE AT 90 DAYS. COMM. MORGAN SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

Public  
Transit  
Service

**3. NEW ACTION ITEMS – Public Transit Service**

Comm. Morgan said the money is running out for the public transit system, the county is looking into taking responsibility for it but would look for cost sharing. He said at this time we have no board members, he feels if we are going to be asked to pay we should have a voice in the group, seats at the table. Comm. Morgan said the draft documents are being refined, no decision has to be made yet but he wanted to inform the Commission. Mayor Arnold made note that we don't have a stop within our city, Comm. Morgan said according to the people who have routes the ridership is terrible. Comm. Strong said last spring the Okaloosa County League of Cities executive board looked into the routes established and was concerned at the board regarding no control and some cities having no service.

Ordinance  
No. 656  
Conditional  
Use

**4. NEW ACTION ITEMS – Ordinance No. 656 Conditional Use (Alcohol License)**

Mayor Arnold said in talking with Mr. Dykes who had previously discussed with Mr. Scott the most beneficial conclusion would be to implement a conditional use procedure not just for Tucker Dukes but for any business within the city limits. Mr. Dykes said after discussion that anything we do must address the state statutory problem. A restaurant with 51 % food sales wishing to sell alcohol does have a state provision to allow a local government to basically shrink the distance 500' distance requirement. The best remedy is variance requesting conditional use. Comm. Hamilton said by getting a conditional use variance it would make ordinance a little more flexible. Mr. Dykes said can't give a pass on concessions on code. A conditional use would give the city the ability to craft specific requirements for a business such as seating capacity and allowing us to say alcohol cannot start till 4 pm and must stop by a certain time. Comm. Morgan said for a business district issue to have any teeth within a conditional use, he suggests recommendations be made now at the first reading. In reference to the COP4 license requested by Tucker Dukes, Comm. Morgan said it is a moot point. Tucker Dukes doesn't meet square footage requirements, or restrooms or fire or parking. Comm. Morgan said what Tucker Dukes has done is bring to light an issue which needs to get addressed

for all businesses. Mr. Joe Cartenuto, Tucker Dukes, said the reason they were requesting 4COP was to get exemptions. They are not looking to run a bar but a restaurant with craft beer and wine, will be closing around 8pm or 9pm and they are not open on Sunday. He said the 2COP is perfect for beer/wine. He does not understand what this has to do with business code as seating doesn't matter and he believes there are no distance requirements from churches and schools. Comm. Strong suggested public hearings. Mayor Arnold said we are not to that point yet and we need to establish criteria for conditional use. Mayor Arnold asked the question if it would be transferable. Mr. Scott said under 114-73 all conditional use is spelled out so there is no need to rewrite. Mr. Scott said we can talk about Tucker Dukes forever, but 4COPSRX license is all we have an application for. Mr. Cartenuto stated he didn't know he could have a 2COP license. Mr. Scott said a development order has to be submitted trying to change something at business so that the technical review committee can review. Mr. Brian Cartenuto said Mr. Scott has never asked for that in the past. Mr. Scott said it is the rules of development order which led to a rather heated discussion. Mayor Arnold asked Mr. Scott to put together the information needed from Tucker Dukes to submit a 2COP and/or a 4COP license and for a development order.

Mr. Doug Fannon, said he is very confused and asked if it is possible to approve liquor license within 600' of school or church. Mayor Arnold said we can't do anything contrary to ordinance. Mr. Fannon said he is against any change that would allow for alcohol within the city. He said the City of Niceville had this same issue a couple of months ago regarding selling alcohol within the specific distance of schools and churches and they turned it down. Mr. Fannon said he is against relaxing any part of the ordinance because once something is relaxed it will not go back to being restrictive.

**5. NEW ACTION ITEMS – Resolution 11-11-10-14 Florida Municipal Investment Trust**

Resolution No.  
11-11-10-14  
Florida  
Municipal  
Investment  
Trust

Mayor Arnold read Resolution 11-11-10-14 a resolution authorizing City of Valparaiso (herein referred to as this "governmental unit") to join with other local governmental units as a participant in the Florida Municipal Investment Trust for the purpose of purchasing shares of beneficial interest in the trust. Comm. Strong answering Mayor Arnold's question said bond portfolios, investment portfolios are not FDIC insured. Comm. Strong said we would take a little money from reserve funds and put into a high quality growth investment trust. He said we would be able to withdraw twice a month if needed. Comm. Strong feels we should give Mrs. Johnson approval to work with the Florida League of Cities Investment Trust to pick the best portfolio and invest certain money. Mrs. Johnson said a company we did business with went public and gave shares to the city the price is approximately \$126,500 from shares in Principal Financial. It is my recommendation that we diversify this money. Comm. Strong suggests taking that money and money from reserve to have \$300,000 to invest. Comm. Hamilton thinks it is a great idea, she said she actually has talent in this area she traded stocks on Wall Street and would like to be involved with this but would like more information before anything is decided, she has 20 years of experience and would like to give the Commission a professional opinion. Comm. Strong said we could invite a representative from the league to answer questions. Mrs. Johnson said until that time should we leave the money where it is and Mayor Arnold said yes.

**6. NEW ACTION ITEMS – BP Restore Act, Protecting the Bayou and Reclaimed Water**

BP Restore  
Act

Comm. Hamilton said through her position with the Chamber of Commerce she knows the county wants to take the large funds received from BP and simplify, based on the amount of money the county receives. She said we need to look at what kind of projects we have that would meet certain criteria such as environmental or more jobs for the community. Comm. Hamilton said we need a grant to upgrade the sewer system and with sewer in proximity to the bayou that would be something that would be looked on with favor. She said we need to decide what area we have that would benefit the most. Comm. Strong said the executive board with the Okaloosa League is set to make recommendations. Comm. Hamilton said county already has a lot of information they are just looking to finalize how much money we will receive. Mayor Arnold asked what our projects are. Comm. Hamilton said that is what we need to decide, very interested in sewer system. Comm. Strong said we are waiting on final instructions. Comm. Morgan asked if someone could come to the Commission next month to present a briefing on the criteria. Comm. Strong said he and city staff met with Commissioner Parisot and you have the package he briefed us on and according to the schedule looks like instructions would be out by January for projects that would fit. Comm. Strong asked if Mr. Scott would set up a briefing with Mr. Sal Nodjomain, an ORAC consultant to come to a workshop for the Commission.

**1. OLD BUSINESS – Removal of City Assets from Inventory**

Comm. Morgan said he didn't have any further information this evening.

Removal of  
City Assets

**2. OLD BUSINESS – Plat I Docks**

Comm.. Morgan said he is still working on the issues with Mr. Dykes.

Plat I Docks

**3. OLD BUSINESS – Resolution No. 09-10-13-14 City Facebook Page**

Comm. Hamilton said that because the Commission had been so timid to act she had talked to the City of Niceville about the Facebook page. She spoke with Mr. Corbin at the City of Niceville they have three pages and haven't had any problem with them. Mr. Scott said in

Resolution No.  
09-10-13-14  
Facebook  
Page

talking with his daughter Stacey she is in a graduate program that requires her to do a community service project for a municipality and doing the city Facebook page would qualify for her degree in mass communications and social media. She could train him on how to run the Facebook page. Comm. Strong said that sounds like a good idea to him. Mayor Arnold said on section 2 we would need to remove city employee as the administrator. Comm. Morgan said it would be best to leave general appointment to city representatives, leave in plural sense. **COMM. STRONG MADE A MOTION TO PASS RESOLUTION NO. 09-10-13-14 A RESOLUTION OF THE CITY PROVIDING FOR AUTHORITY; DEVELOP, OPERATE AND MAINTAIN A CITY OF VALPARAISO FACE BOOK SOCIAL MEDIA PAGE IN COMPLIANCE WITH THE PUBLIC RECORDS ACT OF FLORIDA AND THE SUNSHINE LAW OF FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE. COMM. HAMILTON SECONDED THE MOTION.** Comm. Morgan said he had no problem as designed but he felt we needed supporting policies. **VOTE OF 4 TO 0 OF COMMISSION TO APPROVE.**

- TPO/DOT**  
**1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT**  
Comm. Morgan said they will have a meeting on December 4<sup>th</sup>.
- Stormwater**  
**2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater**  
Mr. Scott said nothing new.
- Legal Activities**  
**3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Legal Activities**  
Mr. Dykes said we need to schedule an executive session for Mr. Bruce Bowman to attend for the Commission to provide direction on the Willingham matter. He said there are some procedural issues that Mr. Bowman requests some guidance on. There will be an executive meeting at 6 pm next Monday November 17<sup>th</sup> at 6pm following a Commission workshop. Mr. Dykes said he would not be here since Mr. Bowman would be.
- Median Beautification Update**  
**4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Median Beautification Update**  
Comm. Morgan said today plans were submitted to have extension approved. Mr. Petrey said the next step would be to advertise to go out for bid, similar documents from the city hall roof bid, he didn't know if perhaps Mr. Dykes would like to review. He said they were the same documents that had been used since Mr. Wyckoff was the attorney. Mr. Dykes said he would be happy to review but the documents were pretty standard and most likely nothing has changed.
- Planning Comm.**  
**5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Report**  
Mr. Scott said they have not met in a couple of months but there is a variance meeting scheduled for December.
- Visioning Comm.**  
**6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Update**  
Mayor Arnold recognized Mr. Hoffnung, who is the presiding chair, who had nothing to add this evening.
- CDBG Update**  
**7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – CDBG Update**  
Mr. Scott said he had no news. Mr. Valandingham said he spoke with Mittauer and Associates and they said we are next on the funding list, the funds would be opened for this year around the middle of next month.
- Etc. Veteran's Day Ceremony**  
**8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.**  
Mayor Arnold said there would be the annual ceremony at Doolittle Park for Veteran's Day on November 11<sup>th</sup>. He also the Northwest Florida League of Cities dinner would be held in DeFuniak Springs on December 4<sup>th</sup> and asked that all Commissioners wishing to attend would notify Mrs. Johnson.
- Employee Bonuses**  
**1. ADMINISTRATIVE ITEMS –Employee Bonuses**  
Mayor Arnold said this issue was delayed from last month because Comm. Hamilton had some questions and Mr. Valandingham was unable to attend meeting due to being ill. Mr. Valandingham said he is recommending the sanitation employees for bonuses, during the summer the employees worked quite efficiently due to being shorthanded and they were not compensated for that work. Comm. Hamilton said that was her question, she assumed they worked overtime and were paid for it. Mr. Valandingham said no as a group of seven they did the work with no more than 4 hours overtime. Comm. Strong said he had received a lot of positive comments regarding our sanitation workers. Mr. Valandingham said this is his way of attempting to award the crew for their hard work and loyalty. **COMM. STRONG MADE A MOTION TO APPROVE THE BONUSES FOR THE SANITATION WORKERS AS REQUESTED BY MR. VALANDINGHAM FOR A TOTAL OF \$5,750. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.** Mr. Valandingham said he will be able to fund the bonuses from money that was rolled over from last fiscal year.

Comm. Morgan said he would like to also request from the Commission approval for our volunteer fire fighters to receive a \$20 gift card at the annual Christmas party for their work throughout the year. He said at one time the volunteer pay exceed the budgeted amount so the volunteers accepted a cut in the pay \$5 a call for several months to be able to get the budget back

on track, he would like to be able to recognize them and their efforts. Mayor Arnold said he felt this discussion might be better timed for the December regular meeting, Chief Norris said their annual Christmas party is scheduled for December 6<sup>th</sup> which would be before the regular December Commission meeting and in the past the gift cards were given at the party. **COMM. MORGAN MADE A MOTION TO APPROVE \$20 GIFT CARDS TO BE GIVEN TO ALL VOLUNTEER FIRE FIGHTERS AT THE ANNUAL FIRE DEPARTMENT CHRISTMAS PARTY. MAYOR ARNOLD SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

2. **ADMINISTRATIVE ITEMS – Minutes**

Minutes

**COMM. MORGAN MADE A MOTION TO APPROVE THE MINUTES AS SUBMITTED FROM OCTOBER 13, 2014. COMM. MORGAN SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

3. **ADMINISTRATIVE ITEMS – Disbursements**

Disbursements

Mayor Arnold said there is a copy of disbursements in the Commissioners folder for review.

**ADJOURN**

Adjourn

There being no further business to be brought before the Commission, the meeting adjourned at 7:30 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

November 10, 2014

\*\*\*The DVD labeled November 10, 2014 contains the audio and video of this meeting and will be kept as permanent part of these minutes.\*\*\*