

MINUTES
CITY COMMISSION MEETING
October 13, 2014

The City Commission met this date regular session in the Commission Chambers. The Invocation was given by Comm. Hamilton 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	:	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
Library Director	:	David Weatherford
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Mike Matthews (camera), Terry Griffin, Brandon Wilson, Patrick Pertuit, Joe and Gail Cartenuto, Chris Cartenuto, Amanda and William Hoover, Brenda Franco, Marcia Sanders (Bay Beacon), Britt Walker, Maggie Thompson, Victoria Klainers, Brian Cartenuto, Alexis Goodwin, Zachary Parra, Derek Anderson, Rebecca Koelzer, Jason Cathell, Katie Kelly, Diane Kelley Smith, Bill Smith, Don Caverly, Lauren Reinlie (NW FL Daily News), Staci Berryman, Donald Collins, Jack Patel

Mayor Arnold welcomed the audience and stated he was astounded with the turn out, happy to see everyone. 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 also stated that Comm. Strong is out of town.

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

There were no resident comments.

Citizens'
Concerns
Resident

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

There were no non-resident comments.

Citizens'
Concerns
Non Resident

1. NEW ACTION ITEMS – Added Agenda Items

[COMM. BROWNING MADE A MOTION TO ADD EMERGENCY DEBRIS REMOVAL CONTRACT TO THE AGENDA FOR DISCUSSION. COMM. MORGAN SECONDED THE MOTION WHICH PASSED UNANIMOUSLY BY A VOTE OF 4 TO 0.](#)

Added
Agenda

2. NEW ACTION ITEMS – Proclamation Emerald Coast Young Marines

Mayor Arnold read a proclamation recognizing red ribbon week and the Emerald Coast Young Marines Program in support of a drug free lifestyle, drug prevention and reduction efforts. Mayor Arnold proclaimed the week of October 23-31, 2014 to be red ribbon week. [COMM. MORGAN MADE A MOTION TO ACCEPT PROCLAMATION, COMM. BROWNING SECONDED. A MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.](#) Mayor Arnold recognized Capt. Norman, Cpl. Edmond and Pvt. Dowd with the Emerald Coast Young Marines all spoke briefly to the program and in support of red ribbon week. Mayor Arnold said the city supports the activities of the Young Marines and red ribbon week and they had the population's admiration, respect and cooperation.

Proclamation
Emerald
Coast
Young
Marines

3. NEW ACTION ITEMS – Appeal Tucker Dukes

Mr. Brian Cartenuto, owner of Tucker Dukes, thanked the Commission for their time in listening to this matter. He said his restaurant started off with 45 seats in Valparaiso located in the old gas station building located on John Sims Parkway, they have since added a food truck. He said in growing the business they would like to add alcoholic beverages to the menu, he said they are a restaurant first they are not asking to turn into a club or anything other than a restaurant. He said the application was denied due to the code, because they are too close to a school and to a church, they would have to be 600' from the school, 250' from the church. Mr. Cartenuto said he reached out to the church and spoke to Mr. Jeffries who was not against the idea. He said if he is allowed a variance to be able to sell alcohol it will continue to grow the business which will in turn help the local economy being able to reach \$1.2 or \$1.3 million in sales if alcohol is available. Mr. Cartenuto said in adding alcohol they would also be able to increase their work base by hiring approximately 5 to 6 employees, at this time they employ 55 people between their Valparaiso and Niceville restaurants. He said they have stability for their work force and pay Destin wages in Valparaiso and Niceville, which provides the local community good food and service, if you would want to have a beer that would be a choice. Comm. Hamilton asked if the license they were seeking from the state was due to code limitations, Mr. Cartenuto said they are requesting a 4 COPSRX, he said we are 1700' with the outside awning we add about 1500' with the permanent cover, they have 49 seats on the inside right now which they would be keeping but adding 101 seats to the outside on patio. That is how

Appeal
Tucker
Dukes

need to renovate to bring up to code but they would not have to do that since they wouldn't be adding seats to the inside only outside, and there are three egresses to the outside so if something was to happen they would have three ways to get out in emergency. Comm. Hamilton said from this state licensing it is a little more restrictive as to hours, it says if you have an exception due to schools per se if you didn't qualify for another license it looked like you couldn't serve after 10 pm. Mr. Cartenuto said that would not be an issue because they are not open past 8pm, he said if they increased hours it would only be to 9 pm. He said most businesses that serve an alcoholic beverage with meal the average person will stay an additional 52 minutes, he said that amount of time for the restaurant would add about \$30 more so they would not be extending hours to midnight. Mr. Cartenuto said his employees have families and lives and he would not be staying open that late. Mr. Cartenuto said on their busiest day in Tallahassee during college football game day they did a \$10,000 day with approximately 40% of the sales from alcohol, he said that is as close to the 49% threshold that they have ever reached. He said they have a company policy that has been well documented over the past two years they do not promote alcohol to over drink, they do not do 2 for 1, or buckets of beer, they do have happy hours to entice people to come in but what they serve are craft beers and craft cocktails to enhance the flavor of the food, not to get people drunk at all. Mayor Arnold said the problem tonight is he doesn't think the Commission can give a variance to go against the code, the alcohol portion of the code has no provision if the Commission desires would have to rewrite the ordinance and that would require public hearings to solicit the views of all of our community members. Mr. Cartenuto said if that is the next step he would appreciate doing that if that is what has to be done but what he finds silly about that is if he literally moved from where he is to the sidewalk behind he could serve alcohol, it just doesn't make any sense, it all seems sort of cloak and dagger issue, if he moves away from church he will just move closer to the school. He said he doesn't understand but that he doesn't deal with code and law and while he respects both he just doesn't understand why a variance of something of that nature couldn't be granted. Mayor Arnold said it is the responsibility of the Commission to uphold the code. Mr. Dykes said there is a procedure to look at the issue, vote on by the Commission, a hearing so that all sides can be heard from, and ordinance change would change the whole city where as a variance would change the requirements of the property. After a short discussion, Comm. Hamilton asked what the first step would be. Mr. Dykes said if the Commission is interested in looking at an ordinance review of the distance and requirements, he would suggest that he and Mr. Scott review with a recommendation to the Commission. Mr. Dykes said can't take any action tonight but next month he would meet and advise the Commission of his findings. Mayor Arnold directed Mr. Dykes to review.

Nomination
FL Mun
Pension
Trust Fund
Board

4. NEW ACTION ITEMS – Nomination Florida Municipal Pension Trust Fund Board

Mayor Arnold said that Comm. Strong has worked with this board for years and has agreed to serve all that is needed is a formal nomination. [COMM. MORGAN MADE A MOTION TO NOMINATE COMM. HEYWARD STRONG TO SERVE ON THE FLORIDA MUNICIPAL PENSION TRUST FUND BOARD. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.](#)

5. NEW ACTION ITEMS – Resolution No. 09-10-13-14 City Facebook Page

Mayor Arnold read Resolution No. 09-10-13-14, a resolution providing for authority; develop, operate, and maintain a City of Valparaiso Facebook social media page in compliance with the public records act of Florida and the Sunshine Law of Florida; and providing for an effective date. Mayor Arnold said the Resolution states the city will develop, operate and maintain a Facebook page for the purposes of performing its municipal functions and conduct municipal government and the City's Facebook page will be to the general public. It also states in the resolution the Commission will appoint a city employee to develop, operate and maintain the City's Facebook page in accordance with Florida Law. Mayor Arnold also stated this would prohibit department heads or elected officials from posting. Comm. Morgan said that Mr. Scott could be the person to take care of this. Mr. Scott said he doesn't want it. Comm. Hamilton suggested Mr. Shipley as he runs the city's website. Mr. Dykes said first the Commission would need to take action on the resolution. Mr. Weatherford said the Mr. Shipley already runs the website and he would prefer he not be in charge of the Facebook page he has too much now but if the Commission appoints him then the time should be paid for by city hall. Mr. Scott asks what would be involved. Comm. Hamilton said she could show him, it isn't complicated or time consuming, you put on the page what you want people to know. She said she runs Facebook pages professionally it isn't difficult. Comm. Hamilton said you could simply post that we are having a meeting and the agenda, anything that you want to get out to the public. Comm. Morgan said maybe we should establish a metric for hours put into the page. Mrs. Britt Walker, 1253 Bayshore Drive, said she has done Facebook work for a nonprofit before and they had several administrators not just one person, they gave input to anyone involved. Mrs. Johnson suggests not just one administrator but several, maybe department heads. Comm. Hamilton said people will like your site but not do a lot of posting to it. Comm. Browning said we will need to have at least two people authorized in case one person is out on vacation or sick or has some other situation to attend to. Mr. Cartenuto said he hates to disagree with Comm. Hamilton but a

Resolution
No. 09-10-
13-14 Face-
book page

Facebook page can be a full time job, they have six people that run their Tucker Dukes web page. Comm. Hamilton said that is because he is marketing. Mr. Cartenuto said he can put the city in touch with the company in California that they use. Comm. Browning said that is two different points of view right there. Comm. Hamilton said she doesn't care, she is just trying to update the city. Comm. Morgan suggests adding it to the agenda next month. Mayor Arnold said the general consensus to postpone to next month and move on.

6. NEW ACTION ITEMS – Library Interlocal Agreement

Mr. Weatherford said there is no change in the agreement from last several years, we would get a little over \$45,000 from the coop. He said they are also looking to adding services of the library such is eBooks, and enhance genealogy programs. Mr. Weatherford said it is very similar to ten years ago. **COMM. HAMILTON MADE A MOTION TO SIGN THE OKALOOSA COUNTY PUBLIC LIBRARY COOPERATIVE INTERLOCAL AGREEMENT. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF 4 TO 0.**

Library
Interlocal
Agreement

7. NEW ACTION ITEMS – Resolution No. 10-10-13-14 Amend FY 2014 Budget

Mayor Arnold read Resolution No. 10-10-13-14, a resolution amending the fiscal year 2014 budget due to an increase in expenditures; authorizing revisions to be made to the monthly financial statements and providing for an effective date. This would be an increase in capital building roof repairs from \$10,000 to \$59,000 with funds to be taken from the General Fund Reserve. **COMM. HAMILTON MADE A MOTION TO PASS RESOLUTION NO. 10-10-13-14 AS READ. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

Resolution
No. 10-10-
13-14
Amend FY
2014 Budget

8. NEW ACTION ITEMS – Emergency Debris Removal

Mr. Petrey thanked the Commission for adding this item to the agenda. He said the emergency debris removal contract had been with Bamaco however they had filed for bankruptcy this year he said our options are to piggy back on the with the county who has three contractors and two secondary in a contract that will last thru September 2016 with a three year renewal or go out for bid on our own. He said he could get with the Commission and go out with a RFP for a contract or if the Commission is comfortable we can piggy back with the county. Mr. Petrey said with the RFP there will be the expense of advertising, trying to find someone less expensive which has been difficult in the past. Mayor Arnold asked if the county was ok with the city on their contract. Comm. Browning said the county is in favor of the piggy back situation. Mayor Arnold said sounds like the best idea to stay with the county. **COMM. BROWNING MADE A MOTION TO CONTINUE TO “PIGGY BACK” ON OKALOOSA COUNTY’S CONTRACT FROM EMERGENCY DEBRIS REMOVAL. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.** Mr. Scott asked if the preapproval process with FEMA approved, Mr. Petrey said yes.

Emergency
Debris
Removal

1. OLD BUSINESS – Removal of City Assets from Inventory

Comm. Morgan said he didn't have anything to review this evening.

Removal of
City Assets

2. OLD BUSINESS – Plat I Docks

Comm. Morgan said the committee he had been working with on this issue had a lot of great input and hard work to come up with a good base document for review and implement info an ordinance to move forward on this issue. The intent of this presentation is to allow the major consideration that went into this document and outline the proposed Ordinance so we can move forward with the first formal reading. Would like the board to review today is how and what conditions a dock permit would be granted in Plat I. Our current Ordinances allow for the construction and repair of docks. This Ordinance would resolve many past issues. 1st it builds on the existing Ordinances. 2nd it requires neighborhood approval. 3rd it addresses disbursement and location of docks. 4th it addresses the concerns of the possibility of visual pollution. 5th it allows for land bound owners to share designated docks. 6th clarifies and allows for the greater public use of our waterways with minimal investment from the City. A lengthy presentation followed. Mayor Arnold commended Comm. Morgan and the group he worked with for all of their work. Comm. Morgan said with the Commission's approval to move forward to compose and ordinance. Mayor Arnold said he would like to have a special workshop meeting for further exploration on November 3rd. Comm. Morgan asked Mr. Dykes if he could have a draft ordinance by then. Mr. Dykes asked if this would be a whole new section to the code, try to merge with what we currently have. Comm. Morgan said a standalone ordinance. Mr. Dykes said he would get with Comm. Morgan for further clarification and then give to Comm. Morgan for review. Mayor Arnold said we would hold a workshop on November 3rd. Comm. Morgan said if anyone had any further comments to feel free to email him.

Plat I Docks

1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT

Nothing to report this evening.

TPO/DOT

2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater

Nothing to report this evening.

Stormwater

3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Legal Activities

Mr. Dykes said he didn't have anything this evening.

Legal
Activities

4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Median Beautification Update

Mr. Petrey said we had taken this as far as it could go, he said the goal was to try and add uniformity to the city, along with meeting the goal of bold landscape requirement, not wildflowers or large items, something that was less expensive to maintain. He said the goal is becoming difficult to achieve, he said Comm. Morgan had been wonderful as had the committee that is working on this project but what the DOT is requesting is becoming unreasonable. Mr. Petrey said right now we have done the best to make the front and the back look the same but we just can't quite get there, trees aren't allowed down by Eglin like they had wanted to due to the curbing not being what they want it to be, near the bridge the trees we wanted there can't go due to safety issues. There can't be trees where there are not curbs, we could try variances or something of that nature but a lot of time would be involved he feels like we should move forward with what we have now planned for the city, not exactly what we wanted but what we could agree on. Comm. Morgan said he has strong disagreements with restrictions and safety aspects. He feels the changes strips Valparaiso of its identity, bottom line is he is highly frustrated and not pleased however we have been back in forth for 8 months on this and the agency they are using for approval has us over a barrel. Comm. Morgan said he will continue to request waivers but will go forward with what we have. [COMM. HAMILTON MADE A MOTION TO ALLOW COMM. MORGAN TO CONTINUE WITH REQUEST FOR VARIANCE TO STATE DOT ALONG WITH CONTINUING WITH PROPOSED BEAUTIFICATION PLAN. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.](#)

5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Report

No report from the Planning Commission this evening.

6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Update

Mayor Arnold said there isn't a member in attendance this evening but the report is expected mid December or January.

7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – CDBG Update

Mr. Scott said we are still in need of five middle to low income residents to comprise a committee to attend a couple of public hearings to qualify for grant opportunities. Mayor Arnold asked that we advertise for these individuals on channel 37 and on the website.

8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Employee Health Fair October 15, 2014

Mayor Arnold said we would have the annual health fair on October 15th employees would receive flu shots at no charge and their spouses could also come but would need to pay for the shot.

9. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – OCLOC Meeting October 16, 2014

Mayor Arnold said the dinner would be hosted by the City of Niceville and to get with Mrs. Johnson to confirm your attendance.

1. ADMINISTRATIVE ITEMS – Employee Bonuses

Mayor Arnold said that Mr. Valandingham had sent letters regarding bonuses for the sanitation workers but he wasn't in attendance this evening. Comm. Browning said he spoke with Mr. Valandingham by phone and he was very ill that is why he isn't in attendance this evening. Mayor Arnold said his concern was regarding the amounts that Mr. Valandingham wanted to give. Comm. Hamilton asked if they received overtime for their work if so then they were paid for the extra time and it would be double dipping to award bonuses to them. Comm. Browning said he doesn't believe they were paid overtime and that it wasn't an overtime situation in as much as Mr. Valandingham wanted to award the department for the hard work they have done over the past months due to manpower shortage. Mayor Arnold said he thought it would be best to reschedule this for next month when Mr. Valandingham could attend the meeting.

2. ADMINISTRATIVE ITEMS – Minutes

[COMM. HAMILTON MADE A MOTION THAT THE MINUTES OF SEPTEMBER 3, 2014 BE APPROVED AS WRITTEN. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A VOTE OF 4 TO 0 OF THE COMMISSION.](#)

[COMM. BROWNING MADE A MOTION THAT THE MINUTES OF SEPTEMBER 8, 2014 BE APPROVED AS WRITTEN. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A VOTE OF 4 TO 0 OF THE COMMISSION.](#)

[COMM. HAMILTON MADE A MOTION THAT THE MINUTES OF SEPTEMBER 18, 2014 BE APPROVED AS WRITTEN. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY WITH A VOTE OF 4 TO 0 OF THE COMMISSION.](#)

3. ADMINISTRATIVE ITEMS – Disbursements

Mayor Arnold said the Commissioners all had a copy of the disbursements for their review.

4. **ADMINISTRATIVE ITEMS – Etc.**

Etc.

Chief Norris said the Fire Department open house was successful, he said they had about 70 visitors and that they had been out to the area daycares and school seeing approximately 500 kids, he said they encourage the kids to tell their parents to check the fire alarms in the home. Chief Norris said that with the support of the Commission and the budget they approved we now had the latest in rescue tools, such as the spreader, cutter and ram to use on the new model vehicles with high strength steel. Mayor Arnold said he would like to recognize the Fire Department and the work that they do, he said they also provide medical and rescue assistance, and they do a great service for our and neighboring communities.

ADJOURN

Adjourn

There being no further business to be brought before the Commission, the meeting adjourned at 7:46 PM.

John B. Arnold, Jr.
Mayor

Heyward H. Strong, Jr.
Chair, VCA

ATTEST:

Tammy Johnson, CMC
City Clerk

October 13, 2014

The DVD labeled October 13, 2014 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.