

MINUTES  
CITY COMMISSION MEETING

January 13, 2014

The City Commission met this date in regular session in the Commission Chambers. The Invocation was given by Mayor Arnold 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
	:	Joe Morgan
Deputy City Clerk	:	Della Rhodes
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: Michael Matthews (camera), Mike Griffith (Bay Beacon), Kellen Lindsey, Lindsey Denmark, Ronald Vanzant, Greg Lang, Clark (Tom) Browning IV, Don Caverly, Terry Griffin

Welcome  
from the  
Mayor

Mayor Arnold welcomed the audience and stated that the Commission was interested in hearing their thoughts and welcomed any comments. He asked that anyone waiting to make any comments should raise his/her right hand to be recognized and use the microphone at the podium to address the Commission. He mentioned that the weather this evening had diminished our crowd. Mayor Arnold welcomed Mrs. Della Rhodes, who is sitting in this evening for Mrs. Johnson who is on emergency leave. And also noted that Comm. Hamilton is on emergency leave this evening also.

Added  
Agenda  
items

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

No member of the Commission had any items to add to the agenda.

**2. NEW AGENDA ITEMS – 2<sup>ND</sup> Public Hearing FFY 2013 Small Community Development Block Grant**

2<sup>nd</sup> Public  
Hearing  
CDBG

Mayor Arnold recognized the members of Jordan and Associates, Lindsey Denmark and Ronald Vanzant and from Mittauer and Associates, Kellen Lindsey and Greg Lane. Mayor Arnold said we have the proof of publication from the Northwest Florida Daily News regarding the public hearing this evening. Mayor Arnold read the public hearing, regarding the \$700,000 Community Development Block Grant (CDBG). Ronald Vanzant said the seconded public hearing is intended to give the public and Commission the opportunity to ask any questions regarding the final grant application. The grant is being applied for under the neighborhood category for a total of \$700,000. \$600,400 in construction costs, \$43,600 engineering costs and \$56,000 administration cost for upgrades on lift station numbers 8 and 10. Opening the floor for any citizen comments. Comm. Morgan asked we verify the city's cost for this grant proposal, funds being requested are \$700,00 but it is not a lot of out of pocket for the city.

Mayor Arnold said our next agenda item will be a proposed contact with Mittauer and Associates for the engineering costs. Greg Lang, from Mittauer, said the way the city is putting out its application putting its engineering costs out front which in the grant is called readiness to proceed the city will be credited with an extra 100 points in their application, which makes the city more competitive. He said another benefit to the city is that the money that is spent for engineering will not come out of the grant, so that the grant will have more money for construction. He said there is more needs in the lift station than this grant will provide for but that will be discussed later. Mr. Lang said that Valparaiso has a problem of an aging system which is not a unique problem in Florida but problems that need to be resolved. He said they spent the day with the public works staff and that they were extremely knowledgeable and a pleasure to work with. Chief Hart asked where exactly the lift stations were located for public knowledge, he said he believed lift station 8 is Glen Argyle and lift station 10 is the Purcell property. Comm. Strong said that lift station 8 is Lincoln Park and 10 the Purcell property.

Kellen Lindsey, Mittauer and Associates, said when they went out with Mr. Valandingham and Mr. Kelley, lift station 8 is Glen Argyle and lift station 10 is the Purcell property, that on a list of priority from Mr. Valandingham and Mr. Kelley those were the number 1 and number 3 priorities. Comm. Morgan asked about number 2 priority. Mr. Lindsey said number 9 was seconded on the list but due to its location with the high income housing it would not qualify under the CDBG requirements. Mayor Arnold said we do not have any public comments this evening. Mr. Vanzant from Jordan & Assoc. said that the finalized draft application would be available at the city clerk's desk.

Engineer-  
ing Service  
Agreement  
CDBG

**3. NEW AGENDA ITEMS – Engineering Service Agreement Readiness to Proceed Approval CDBG**

Greg Lang and Kellen Lindsey with Mittauer and Associates came to the podium. Mr. Lang said when the CDBG project is conceptualized the engineer fee is not something we provide, the federal government and state government regulate those fees. He said the major

component in providing your engineering up front is the points that you receive toward the application process, this step provides 100 points in the application, this is the single largest thing that can be done to give yourself those points in the application process. Mr. Lang said this work has to be done before March 14, 2014 that is why they are here this evening.

Comm. Strong \$45,200 to go to engineer services. Mr. Lang said this does not come out of the grant, it does come from the city but the city is not penalized they would still receive the \$700,000 in the grant. Mayor Arnold asked if the funds are available. Comm. Strong said the funds are in the regional reserve for the this project we just have to go the league and notify them on how the funds will be used. Mr. Lindsey said the \$43,200 comes out of the grant toward construction administration services and resident observation services, where someone would come out and inspect what has been done, make sure that the contractor is doing what is necessary but the contractor is the actual one who is liable. Mr. Lang said that the CDBG grant can pay for the grant engineering and the grant administration. Comm. Morgan said we are paying up front in order to have points toward the grant, Mr. Lang agreed. Mr. Lang said we would be paying for the design but the construction services are paid for from the grant money. COMM. STRONG MADE A MOTION TO PAY APPROXIMATELY \$61,000 FROM RESERVE FUNDS ON A BOND ISSUE TO SIGN THE ENGINEERING SERVICE AGREEMENT WITH MITTAUER AND ASSOCIATES. Comm. Morgan said the \$61,000 upfront those will be reimbursable costs in the grant, Mr. Lang said you would get the full \$700,000 minus administrative costs in grant funds it would not be reimbursed. Comm. Morgan said so we are paying \$61,000 to get \$700,000. Mr. Lang said the permits that will be applied for with this project will be good for five years for design. Mayor Arnold said this also helps the state know we are serious, not shopping. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY 4 TO 0 UNANIMOUS VOTE OF THE COMMISSION.

Lindsey Denmark, Jordan and Associates, said the last item they would like to discuss that isn't on the agenda this evening, is another form of readiness to proceed that can help the city obtain additional points like with the engineering is pledge points, pledging additional money toward the project to increase the points on the application. Ms. Denmark said the draft application that they will leave on file with the clerk's office tonight, only pledges \$25,000 which affords the city 5 points on the base of the application. She said for every \$25,000 pledged is 5 points, it goes up to \$125,000 for 25 points. She said it doesn't have to be voted on tonight but it needs to be voted on soon, she believes the city will need to pledge some leverage to be competitive in this cycle. Comm. Morgan asked for a recommendation. Mr. Vanzant has the city's draft application score at 623 and the last funded application in the 2012 cycle was 655, and in 2011, 2010 and 2009. He said the 2012 was the most competitive and they believe that 2013 will be just as competitive. Mr. Vanzant said as a government scoring under 650 there is a chance that the city could receive the grant just a small chance with lower score. Comm. Morgan said so in other words we need to pledge \$125,000 for the 25 points. Mr. Vanzant said he believes it would be advantageous, but if we are not able to pledge \$125,000 to expand the scope of the project, it may not be advantageous to do. Mr. Lang said there is a rule change that he had asked Mr. Vanzant about with the Department of Economic Opportunities has been working on that won't take effect this cycle but the next one, that could be beneficial to the city. Mr. Vanzant said it could if the city was going to stay outside of the 2013 cycle, he said the department had put together some draft language making some changes to the Florida Statutes that did not get approved in the last session, they wanted to update the Florida rule and change the application. He said if they were to do that to get the full 25 points the city would not have to pledge \$125,000 but \$25,000 due to smaller city, smaller amount unfortunately that wasn't approved in this cycle so the application process will be approved under the 2009 rule, the close of this cycle is March 2014. Mr. Vanzant said with the close of this cycle they will start back up the rule revision process, the 2014 might be under the new rule where \$25,000 pledge could equal to 25 points, at this point they don't know anything for sure. Mr. Vanzant said the 2014 cycle dates have not been announced, they are expected to open toward the end of next year. Mr. Lang said they are not recommending the city delay the application but there will be a change in the rule, for the same amount of points it will be a lot less money so if we are not successful this round we could try again. He said he recommends that the city pledge what they can, if it is not successful this cycle, the new rule should be a benefit. Mayor Arnold asked what this money would get for the city. Mr. Vanzant said it would change the scope of the project, right now we are considering lift stations 8 and 10, with this pledge money we would be able to consider two additional lift stations. Mr. Vanzant said that according to the surveys that they have completed lift stations 8, 10, 11 and 12 are all eligible. Comm. Strong said he would get the numbers together to see what could be afforded for the next meeting. Mayor Arnold ask that we delay any decision on this matter this evening and review it on the 22<sup>nd</sup> of January.

**4. NEW AGENDA ITEMS – Resolution No. 01-01-13-14 TPO Reapportionment Plan**

Comm. Morgan said previously every 10 years after the census the TPO goes through a reapportion process of its members, what came out of the discussion, based on data and participation in the meetings and the growth in the East in Freeport area, growth in Crestview and decline in Ft. Walton Beach area, the portions changed. Okaloosa County had 5 votes, now

Resolution No.  
01-01-13-14  
TPO  
Reapportion-  
ment Plan

they have 4, Ft. Walton Beach had 3 now has 2. Also Crestview had 2 now they have 3 and Freeport has been added with a vote, this gives smaller cities more of a voice. Comm. Morgan said the TPO asked in accordance with the new numbers we make a resolution affirming the decision made on their part. Mayor Arnold read Resolution 01-01-13-14. COMM. MORGAN MADE A MOTION TO ADOPT RESOLUTION 01-01-13-14, A RESOLUTION OF THE CITY COMMISSION OF VALPARAISO APPROVING THE OKALOOSA WALTON TRANSPORTATION PLANNING ORGANIZATION VOTING MEMBERSHIP REAPPORTIONMENT PLAN FOR THE FT. WALTON BEACH – NAVARRE – WRIGHT URBANIZED AREA. COMM. STRONG SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Board  
Reappoint-  
ment NV  
Regional  
Sewer  
Board

**5. NEW AGENDA ITEMS – Board Reappointment NV Regional Sewer Board**  
Comm. Strong said he recommended changing Mayor Arnold’s term to expire 2014 instead of 2015 like Mr. Patrick Strong’s. Mayor Arnold said he didn’t recommend the changes. Comm. Strong said that way it would be a new appointment every year instead of every two. Mayor Arnold said why not every two years for both appointments, leave as it is, they have been serving without appointment for a year or two. COMM. STRONG MADE A MOTION TO APPROVED RESOLUTION NO. 02-01-13-14, A RESOLUTION REAPPOINTING VOLUNTEERS TO THE NICEVILLE VALPARAISO REGIONAL SEWER BOARD AND PROVIDING FOR AN EFFECTIVE DATE. Members John B. Arnold, Jr. and Patrick Strong whose terms will expire on December 31, 2015. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Resolution  
No. 03-01-  
13-14  
Board  
Appoint-  
ment  
Pension  
Fund

**6. NEW AGENDA ITEMS – Resolution No. 03-01-13-14 Board Appointment Pension Trust Fund**  
Mayor Arnold read Resolution No. 03-01-13-14, a resolution reappointing and appointing volunteers to the board of trustees for the retirement plan and trust for the firefighters and police officers and providing an effective date. Members whose terms expire on December 31, 2015 are Joseph Hart, Burt Bennett, Jim Hawkins, Mark Norris and Tammy Johnson. Mayor Arnold said this would be the first time appointment for Mr. Hawkins. Chief Hart said the way that chapters 175 and 185 of the Board of Trustees is set up with the police and fire departments and city residents, it dictates who is to serve, he said the only new member would be Mr. Hawkins who is replacing Capt. Bruckelmeyer following his retirement. COMM. STRONG MADE A MOTION TO PASS RESOLUTION NO. 03-01-13-14 AS READ, COMM. MORGAN SECONDED THE MOTION. Comm. Morgan asked if a retiree of the city could serve, Mayor Arnold said yes Mr. Bennett is serving as a resident of Valparaiso. RESOLUTION PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

Fire  
Depart-  
ment  
Expendi-  
ture  
Approval

**7. NEW AGENDA ITEMS – Fire Department Expenditure Approval**  
Comm. Morgan said he had this put on the agenda for need of public disclosure for pay and reimbursement of personnel, this is not an issue that needs budget approval, no amending of the budget needs to be done. Comm. Morgan said that Chief Norris during the December holiday time frame recognized each of our volunteers with a \$20 gift card from Wal-Mart, for a total of \$360, to recognize their dedication and service, it was within the budget, a small expenditure, however for full public disclosure he wanted to make that clear. Mayor Arnold said it should be “ratified”. Comm. Morgan said he didn’t feel it was necessary but would MAKE A MOTION TO RATIFY THE \$360 EXPENDITURE. MAYOR ARNOLD SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION BY VOTE OF 4 TO 0.

City Hall  
Roof  
Update

**1. OLD BUSINESS – City Hall Roof Update**  
Mr. Petrey said in a brief synopsis from senior staff architect James Clark, he said they have been asked to look over a roof overlay, code requires a 150mph wind load, he said due to that we would need extensive steel and footings costing around \$300 to \$400 thousand which would raise some eyebrows to spend that. He said there are still some solutions out there and he has brought in a consultant to see if we are a candidate for a single ply reroof, the results of that are we are. We are in contact with manufactures representative to do a pull test on the existing roof sometime this week. If this works then Mr. Petrey will come back to the Commission with the cost and timing of the project, if this fails we will have to look into something else. He said single ply roof is about \$100,000 but ask that the Commission take that with a grain of salt, due to water damage and such to the walls. This would be a single membrane type roof.

TPO/DOT

**1. REPORTS/CORRESPONDENCE/ANNOUCEMENTS –TPO/DOT**  
Comm. Morgan said we have previously covered this with the resolution earlier this evening.

Storm-  
water

**2. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Stormwater**  
Mr. Scott said there is old project from about six months ago with Mr. Bob Bachelor. Mr. Bachelor had reached out to Mr. Scott this week and they are working on that now. Comm. Morgan asked if Mr. Scott would address for the record the letter that was sent to the Compass Rose regarding stormwater. Mr. Scott said a letter was sent to the Compass Rose regarding possible infiltration into the bayou, giving the owner 15 days to respond as to what type of actions he would take to remediate, and hasn’t heard anything as of yet.

**3. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Legal Activities**

Mr. Dykes said there have been some questions as to the location for the depositions regarding the vacation of Right-of-Way, it is his understanding that Mr. Bowman is working to resolve those issues. Mayor Arnold said that Mrs. Johnson said the sight of the depositions had changed and that was why he brought that up to Mr. Dykes. Mr. Dykes said they are asking the depositions be done in Destin, while Mr. Bowman is trying to have the depositions done here at city hall, the issue you have is that there isn't a rule that you have to make it most convenient for the person being deposed but normally judges are receptive to that and most people are. Mr. Dykes said the malpractice claim and the federal claim there have not been any new developments. Mr. Dykes said with the federal court you are left to the whims of the federal court judge to do whatever when they decide.

Legal Activities

**4. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – City Park Update**

Comm. Kelley said she has tried for a month to get with Ms. Marion Cassell and Ms. Bea Shirley to present them with plaques before her term expires and she said because of health of both ladies they have just asked that she take them to lunch. She will try to get with them in the next week or two.

City Park Update

**5. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Median Beautification Report**

Comm. Morgan said nothing new to report since our last meeting.

Median Beautification

**6. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Planning Commission**

Mr. Browning, chair of the Planning Commission, said there wasn't anything new to report that hasn't been covered previously in this meeting.

Planning Comm.

**7. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Visioning Committee Update**

Mr. Scott said he has received an email and believes the Committee is ready to send out a survey soon.

Visioning Comm.

**8. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Special Meeting January 22, 2014**

Mayor Arnold said we will have a special meeting on January 22 at 6pm for the primary reason of rezoning for the Tom Thumb property.

Special Meeting

**9. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Okaloosa League of Cities Meeting**

Mayor Arnold said the Okaloosa League of Cities would be having a dinner meeting hosted by the City of Ft. Walton at the Two Trees restaurant on January 23, he asked that everyone let Mrs. Johnson or Mrs. Rhodes if they would be going by January 15<sup>th</sup>.

OK League of Cities

**10. REPORTS/CORRESPONDENCE/ANNOUCEMENTS – Election Results**

Mayor Arnold said that he and Comm. Strong had been reelected to their positions and would have the pleasure of working with Mr. Clark Tom Browning IV, our current Planning Commission Chair who was elected and will take his seat in mid March 2014. Mayor Arnold said Mr. Browning will be the third generation to serve on the Commission, he had served with Mr. Browning's father and grandfather and looked forward to working with him.

Election Results

**1. ADMINISTRATIVE ITEMS – Master Code Professional**

Mayor Arnold announced that Mr. Scott was now a master code professional as certified by the state, the highest level of code professional that the certification code has to offer. The MCP has become the gold standard in demonstrating proficiency building and fire safety. Mayor Arnold said to earn the MCP is a significant personal achievement based on extensive objective and written examinations, credits from course certification covering inspector, commercial mechanical inspector, commercial plumbing inspector, building plans examiner, accessibility plans examiner, certified building official. He said remaining credits are selected from elective such as fire inspector, commercial energy inspector, electrical plans inspector, property, maintenance and housing inspector. Mayor Arnold said the MCP is an arduous ten year process that Mr. Scott has completed in less than four years and he is a credit and significant asset to the city who brings a wealth of information, experience and capability to the city. Mayor Arnold said he would like to congratulate Mr. Scott on that and because of his professionalism and all that he has done for the city he would like to recommend a 5% salary increase, Mayor Arnold said aside from being our administrative officer he also handles all of our code enforcement, building applicants and inspections, prior to Mr. Scott taking the position we previously paid the City of Niceville to use their building inspector, because we no longer have to do that we have saved a lot of money. MAYOR ARNOLD MADE A MOTION TO INCREASE MR. CARL SCOTT'S SALARY BY 5%, COMM. STRONG SECONDED THE MOTION. Comm. Morgan said it is a tribute for sure what Mr. Scott has done but in functionality he has been doing our inspections for several years, his obtaining the MCP is like a master's degree but we don't give an employee a raise for achieving that, we take it into consideration for the next budget cycle. Mayor Arnold said we gave Tony Shipley a raise when he got his master's degree, Comm. Morgan said he thought that was during the budget process, Mayor Arnold said no it was not. Comm. Morgan said he doesn't feel it is appropriate to change Mr. Scott's salary at this time, he is also being paid for work he does with the City of Niceville. Mayor Arnold said we are only

Master Code Professional

talking about \$3,000 a year, Comm. Morgan said he understood. MAYOR ARNOLD CALLED FOR A VOTE OF THE MOTION, WHICH PASSED 3 TO 1, WITH COMM. MORGAN VOTING IN THE NEGATIVE.

Minutes  
9 Dec.  
2013

**2. ADMINISTRATIVE ITEMS – Minutes**

COMM. STRONG MADE A MOTION THAT THE MINUTES OF DECEMBER 9, 2013 BE APPROVED AS WRITTEN. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION WITH A 4 TO 0 VOTE.

Bills  
Payable

**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). COMM. MORGAN SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY BY VOTE OF 4 TO 0.

**ADJOURN**

Adjourn There being no further business to be brought before the Commission, the meeting adjourned at 7:01 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

January 13, 2014

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