

MINUTES  
CITY COMMISSION MEETING  
April 13, 2015

The City Commission met this date in regular session in the Commission Chambers. The Invocation was given by Comm. Strong 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
VBCS General Mngr	:	James Butler
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Amber Elledge (camera), Marcia Sanders (Bay Beacon), Mary Beth Wasnock, Rob Holloway, Beth Anne Woods, George Murphy, Obie O'Brien, Brandon Wilson, Richard Woelfl, Bill Smith, Diane Kelley, Mike and Bobbie Luna, Don Caverly, Diane Dietrich, Chris Lanoue, Mark Denney, Bob Webb, Jane Holtz, Sammy Williams, Frank Simpson, Wayne Justice

**Welcome** Mayor Arnold welcomed the audience 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 said Mr. Roy Petrey would not be attending the meeting this evening.

**Minutes** **APPROVAL OF MINUTES**

COMM. STRONG MADE A MOTION TO APPROVE THE MINUTES FROM THE MARCH 9, 2015 MEETING AS WRITTEN. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0..

COMM. MORGAN MADE A MOTION TO APPROVE THE MINUTES FROM THE MARCH 23, 2015 AS WRITTEN. COMM. STRONG SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

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

George Murphy, 1173 North Bayshore Drive, said he would like to bring to the Commission's attention the events that had transpired in the last 45 days. He said he lives on one of the smaller lots and only has one driveway, he has parked his truck across the street on the waterside for years. Mr. Murphy said he knows this is a violation of city ordinance but has always done this. He said the residents at 1175 North Bayshore Drive, that have been there only a few years have yelled at his sons and visitors who have parked there saying that this blocked their view. Mr. Murphy said that Mr. Nolan lives there with Marsha Case and they have been very vocal about his parking there ruining their view. He said he doesn't park on their side of the street but across from his property. Mr. Murphy said Ms. Helen Bourgeois, who walks this area fairly often, came to his house and asked if he'd seen the nails by his truck, she had picked up about forty that she had in her hand. Mr. Murphy said he went down to the truck and called the police to file a criminal mischief complaint, he believes Ms. Case did this out of spite. He had seven removed from his rear tires, three from the front and Chief Hart has several that were taken for evidence. He said it cost \$190 to replace each tire. He feels he is the victim here and wants to know where he should park? Mr. Murphy said he can't park on the city sidewalk or the road, he confirmed that after Ms. Case called the city to complain and several "No Parking" signs went up. Mr. Murphy said he is in violation if he parks by the water, on the street, can't park from bottom of hill almost to Tpier so he is in between a rock and a hard place. Chief Hart said how the signs are placed is an issue of the city, the City Administrator determined it was a park so this would fall under parks. Comm. Hamilton said after she examined area the car shouldn't be parked there due to erosion, it is a city park not a parking area. Mr. Murphy said he has put dirt there for years, it is in better shape than it was, the no parking hasn't been enforced there since 1979. Comm. Morgan said the right-of-way extends into the park, the decision made to put signs up after review of the ordinance there should be no overnight parking. He said the only time parking should be for special events not overnight, only use for special exceptions. Comm. Morgan said there are other residents in the same condition, how it affects neighbors and those neighbors complain and city has to review.

Mayor Arnold said Mr. Murphy has been parking there for 25 to 30 years, he would like for Comm. Morgan to work with Chief Hart for a solution to Mr. Murphy's situation. Chief Hart

said his officers are aware of the situation and they will look at the situation before issuing a ticket. Mayor Arnold directed Comm. Morgan and Chief Hart to work with Mr. Murphy.

Mr. Obie O'Brien, 324 Glen Avenue, said he would like the "No Parking" signs removed that go from the T Pier to Bruce Duncan's property, so that people can enjoy the view from their car. Comm. Morgan said he will take this under consideration.

Citizens'  
Concerns  
Non-  
Resident

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

There were no non-resident comments.

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

Comm. Morgan requested to add the Interlocal Agreement for TPO. Chief Hart asked if we could add the EIS system upgrade that is needed for the police department's computer system. MAYOR ARNOLD MADE A MOTION TO ADD THE OKALOOSA/WALTON TPO RESOLUTION FOR THE INTERLOCAL AGREEMENT AND THE EIS FOR THE POLICE DEPARTMENT TO THE AGENDA. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF 5 TO 0.

Added  
Agenda  
Items

**2. ACTION ITEMS – PROCLAMATION RELAY FOR LIFE**

Ms. Beth Anne Woods, event chair for Relay for Life, read the proclamation declaring April 24, 2015 to May 2, 2015 as paint the town purple week ending with the Relay for Life walk at Niceville High School beginning at 6 PM on May 1<sup>st</sup> and ending May 2<sup>nd</sup> at 6 AM. COMM. STRONG MADE A MOTION TO APPROVE THE PROCLAMATION FOR PAINT THE TOWN PURPLE WEEK APRIL 24 TO MAY 2, 2015. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. Marcia Sanders, also a member of the Relay for Life committee presented the Commission with a Relay for Life purple wreath for the door.

Proclamation  
Relay for Life

**3. ACTION ITEMS – Etc.**

Mayor Arnold said the ordinance regarding Plat I docks will be postponed on advice of our city attorney until the matter with Michael Harris is resolved. Comm. Morgan said we would table any action for the meeting but would still welcome any comments or questions the audience might have. MAYOR ARNOLD MADE A MOTION TO POSTPONE THE ORDINANCE FIRST READING FOR PLAT I DOCKS UNTIL MAY 2015 REGULAR COMMISSION MEETING. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Etc.  
Plat I Dock  
Ordinance

**4. ACTION ITEMS – Grasses in Classes Program**

Comm. Morgan said everyone should have received a letter in the package from James Valandingham, our Public Works Director, requesting we continue the Grasses in Classes program, working with Choctawhatchee Basin Alliance. Comm. Morgan said this is a great program for not only the school children in our area but also for our community as well. COMM. MORGAN MADE A MOTION TO CONTINUE THE GRASSES IN CLASSES PROGRAM. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Grasses in  
Classes  
Program

**5. ACTION ITEMS – TPO Resolution**

Ms. Mary Beth Wasnnock with the West Florida Regional Planning Council, also with Walton County TPO would like to submit the Resolution 04-04-13-15. She said this resolution will come before all local governments to revise and update the TPO, this is generally done after the census due to population numbers. Mayor Arnold feels Valparaiso and Niceville are short changed because we only have one member each. Ms. Wasnnock said this agreement is mainly a formality, doesn't change anything. Mayor Arnold read Resolution No. 04-04-13-15, a resolution authorizing the execution of the interlocal agreement for creation of the Okaloosa Walton Transportation Planning Organization. Ms. Wasnnock said that Comm. Morgan has been our designee and that he works really hard and does a good job for the city, he takes his role very seriously. COMM. STRONG MADE A MOTION TO APPROVE RESOLUTION NO. 04-04-13-15 AS SUBMITTED. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. Mayor Arnold said the only problem he had was that he felt instead of just census the traffic flow should be considered as well. VOTE OF 5 TO 0 UNANIMOUS VOTE OF THE COMMISSION TO APPROVE. MAYOR ARNOLD MADE A MOTION TO RECOMMEND COMM. MORGAN CONTINUE AS DESIGNEE FOR THE CITY WITH THE TPO. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF COMMISSION 5 TO 0.

TPO  
Resolution

**6. ACTION ITEMS – EIS FOR POLICE DEPARTMENT**

Chief Hart said that Mrs. Johnson had emailed the Commission with all of the particulars, in the previous budget he made mention of a hardware update, they have been operating on Windows XP and the hardware and software are having a hard time keeping up. Chief Hart said he thought with the new hardware in place it would run the current software but it is not working so well. He said the software has been rewritten, the company is willing to do a new system upgrade and will install the software and train employees and we would only have to pay for housing and transportation of the trainers. He said the estimate is \$31,860 with 30% due at the time contract is signed, after which \$22,302 is due upon completion and we will have

EIS FOR  
Police Dept.

a new system instead of an upgrade. Chief Hart said if we went out to purchase new software then install it would be in the neighborhood of \$60,000 to \$75,000. He said we do not have the available funds, the money would have to come out of reserves. **MAYOR ARNOLD MADE A MOTION TO PROCEED WITH THE PURCHASE OF THE NEW EIS SOFTWARE AND WILL AMEND BUDGET LATER IN THE YEAR. COMM. MORGAN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

Removal  
Of City  
Assets

**1. OLD BUSINESS – Removal of City Assets from Inventory**  
Comm. Morgan said he didn't have anything for this meeting.

Cable  
Study

**2. OLD BUSINESS – Cable Study**

Mayor Arnold complimented the study that Mr. Butler, Mr. Webb and Comm. Strong completed in regards to the cable department, it was an excellent job. Comm. Strong said working on a five year plan on the budget that is still in process, will put five year budget together and supply an executive summary. Mayor Arnold said we can still stay competitive. Comm. Hamilton said that is right now and that is great but we need a five year plan, a business model. She said if we aren't capable of putting together a five year model then we need to hire someone who can. Mayor Arnold said that would be up to Comm. Strong because cable is his department.

Ordinance  
No. 658  
Amend  
Fire-  
Fighters &  
Police  
Officers  
Ret  
Plan

**3. OLD BUSINESS – Ordinance No. 658 Amending Firefighters and Police Officers Ret Plan**

Mayor Arnold said that we had advertised and has the proof of publication as of April 3, 2015. Mayor Arnold said this ordinance is in regard to all fulltime fire and police department employees. Chief Hart said as discussed in the previous meeting, this is basically house cleaning, puts us in line with how we have been running things, does not affect anyone in the plan. **COMM. BROWNING MADE A MOTION TO APPROVE ORDINANCE NO. 658, AN ORDINANCE AMENDING THE RETIREMENT PLAN AND TRUST FOR THE FIREFIGHTERS AND POLICE OFFIERS OF THE CITY OF VALPARAISO, PROVIDING FOR CONFLICTING ORDINANCES, AND PROVIDING AN EFFECTIVE DATE. COMM. STRONG SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

Plat I  
Docks

**4. OLD BUSINESS – Plat I Docks**

Ms. Chris Lanoue, 1277 Bayshore Drive, said she shares a dock with Ms. Diane Dietrich at 1275 Bayshore Drive and they have been trying to get a permit to repair their dock for two years. She said her parents and neighbors had dock built in the 80's, permitted by the City and carried the required insurance. They had an environmental impact study done at the recommendation of Mr. Scott, they want to repair the dock. She said the dock belongs not to them but to the people of Valparaiso and they would like to repair it so that it could be enjoyed. Mayor Arnold said he had a letter prepared in response to their email.

Mr. Obie O'Brien, 324 Glen Avenue, said he reviewed the sign-in sheet from the workshop and there was a narrow portion of city residents there. He said the city ordered a moratorium on docks in Ordinance No. 361, which was approved in October 1991, motion to approve by Comm. Strong and 2<sup>nd</sup> by Comm. Niefert by unanimous vote. Mr. O'Brien said to resolve the problem with the docks on city owned property is to prohibit any docks from being built. Mr. O'Brien said he feels this property is part of the heritage and birth right of Valparaiso and it is important to preserve this land as close to the natural state as possible, for everyone to enjoy not just a select few. Mayor Arnold feels Mr. O'Brien's remarks are a bit premature. Comm. Morgan said he would like to work with property owners to find some solutions for everyone.

Jane Holtz, 1188 Bayshore Drive, said she has owned up to five properties along Bayshore Drive, she loves the area and feels Comm. Morgan has a futuristic view of what could become if residents are allowed to construct docks. She believes docks will improve the aesthetics and give the community more to enjoy.

Mayor Arnold said he appreciates everyone's comments and hopefully by the May meeting we will be ready to have the first reading of the ordinance.

TPO/DOT

**1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT**

Comm. Morgan said we had covered that earlier this evening. They also have a meeting this Thursday.

Stormwater

**2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater**

Mr. Scott said all the rain just started give it a couple of days. Comm. Strong asked if we had an update on the situation in Plat VI Indian Shores. Comm. Morgan said it was his impression the work would be starting within a matter of weeks. Mayor Arnold said we would be in touch with Mr. Petrey and have him update everyone.

Legal  
Activities

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

Mr. Dykes said Mr. Bowman wanted the Commission to know that they have filed an appeal on the Willingham case. He said Dr. Harris's suit was coming up for a hearing in May things may or may not be resolved.

4. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Median Beautification Update** Median Beautification Update  
 Comm. Morgan said we had requested a variance from DOT so that North and South ends of town would look the same but he had been informed the request was denied because of the speed limits being different on each end of town. He said the planting is on schedule to begin.
5. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission** Planning Comm.  
 Mr. Scott said that the third Tuesday of this month the Planning Commission will have a meeting, they have a variance for review and a lot of other matters to discuss.
6. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Update** Visioning Comm.  
 Mayor Arnold said there wasn't a member in attendance this evening.
7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – BP Restore Act Projects Update** BP Restore Act Projects  
 Mr. Scott said he has submitted his report to Comm. Strong for review, there is plenty of time for review.
8. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report** Community Liaison Report  
 Comm. Hamilton didn't have anything to add this evening, other than she wanted to make sure everyone heard about the brain fuse program, it is an online program that provides help with homework, whether it be a grade school child up to college courses She said it wasn't just for education but also help on a resume, it is a wonderful resource. She said we are lucky to be a part of the Okaloosa County Co-op. Mayor Arnold said we are blessed to have our library, they are a very dynamic group.
9. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Increase Activity on the North South Runway** Runway Traffic Increase  
 Mayor Arnold said he met with the Commander of the test wing, Commander of the 33<sup>rd</sup>, a man from Civil Engineering and public relations officer regarding the contract for East West runway. He said because they are having to close that the East West runway they will be using the North South runway, more often. He said they will try to minimize the noise as much as possible, the construction causing the East West to close will be complete in approximately 90 days.
10. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Okaloosa League of Cities Quarterly Meeting April 23th at 6 PM** OK League Of Cities Quarterly Meeting  
 Mayor Arnold said the city is hosting the Okaloosa League of Cities Quarterly meeting at the Boathouse Restaurant and to have RSVP's into Mrs. Johnson as quickly as possible.
11. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Airport will be conducting a Triennial Full Scale Exercise in Lincoln Park May 6** Exercise in Lincoln Park May 6  
 Chief Norris said that he and Chief Hart are working with Eglin AFB Chief and the Security Police squadron for the exercise on May 6<sup>th</sup> which will simulate a plane crash landing. Chief Hart said this exercise would cause inconveniences to the residents, especially those in Plat I due to the activities in Lincoln Park and the area surrounding that area. Comm. Morgan said on the 27<sup>th</sup> of April they will doing a run through of the exercise so there will be limited park access on that day also. Chief Norris said that he would speak with Mr. Shipley about posting all of the exercise information on the city's website.
12. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Etc.** Etc.  
 Comm. Hamilton said she received several calls about an accident on John Sims Parkway at the dog groomers, she said that Chief Hart and his staff responded beautifully and deserved big props. Mayor Arnold said he would also like to express his appreciation to Chief Hart and his officers.
- ADJOURN** Adjourn  
 There being no further business to be brought before the Commission, the meeting adjourned at 7:25 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

April 13, 2015

\*\*\*The DVD labeled April 13, 2015 contains the audio and video of this meeting and will be kept as a permanent part of these minutes.\*\*\*