

MINUTES
CITY COMMISSION MEETING
July 13, 2015

The City Commission met this date 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
	:	Clark (Tom) Browning, IV
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Captain	:	James Hawkins
Fire Chief	:	Mark Norris
City Attorney	:	Hayward Dykes
City Engineer	:	Roy Petrey
Public Works Director:	:	James Valandingham
VBCS Manager	:	James Butler
Recorder	:	Beth Millsaps

Others in attendance (Not inclusive) Amber Elledge (camera), Marcia Sanders (Bay Beacon), Thomas G. Miller, Thomas K. Miller, Tim Tierney, Marcena Bohler, David Bohler, Marion Cassell, Rob Holloway, Matt Zinkle, Obie O'Brien, Chris Wasdin, Linda Holloway, George Murphy

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 welcomed Capt. James Hawkins who is filling in for Chief Hart this evening.

APPROVAL OF MINUTES

COMM. STRONG MADE A MOTION TO APPROVE THE MINUTES FROM JUNE 8, 2015 WITH A CORRECTION TO BE MADE ON PAGE 4, LINE 132 TO CHANGE "SINCE" TO "THRU". COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

COMM. STRONG MADE A MOTION TO APPROVE THE MINUTES FROM JUNE 15, 2015 AS SUBMITTED. COMM HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

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

Tim Tierney, 402 Lincoln Avenue, asked how he could get a copy of the July minutes. Mrs. Johnson said he could call her at city hall and she could have them ready for him. Mr. Tierney asked why they weren't published on the website, why we choose not to publish them? Mrs. Johnson said she had been remiss in getting those up on the website and apologized for the inconvenience.

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

There were no non-resident comments.

1. ACTION ITEMS – Added Agenda Items

Mr. Thomas G. Miller, 202 Hickory Lane, said that during his time with the Commission they always tried to be proactive instead of reactive. He said he didn't believe it was the Commission's responsibility to provide converter boxes to residents because that equipment could be very expensive. Mr. Miller believes Comm. Strong needs to have unbiased experience and said that maybe Mr. Bennett could consult to recommend a more effective way to run the cable department. Comm. Hamilton thanked Mr. Miller for his comments and said that she had suggested a couple of months ago that we use an outside consulting firm to look into the viability of the cable system. Comm. Strong said he has consulted outside talent, formed a committee of citizen's to help guide the cable department in the right direction with Mr. Bennett being a member of that committee.

Mr. Butler, General Manager of VBCS, said the city has purchased a large amount of the converter boxes to ready itself for this switch over, which has to happen. He said they would have enough for every household to have one box for their main television, the resident will be responsible for the box if it breaks it will be their responsibility we will not supporting the box. Mr. Butler said once everyone has their one box, then we will be selling the extras for people who have extra analog TVs.

Mr. Butler said in moving toward all digital channels we will be able to add more programming. Mayor Arnold said with televisions that aren't digital ready residents will need a box that the city will provide at no cost. Mrs. Johnson said that it would be one box per resident. Mr. Miller asked how much the boxes will be, Mr. Butler said they were purchased at \$19 they

Minutes

Citizens'
Concerns
Resident

Citizens'
Concerns
Non
Resident
Added
Agenda

would be more expensive to repair than purchase that is why the city isn't going to service the boxes.

Mayor Arnold said he knew that several people were in attendance with concerns over email and internet issues. Mr. Butler said up to 98% of the email and internet problems have been corrected, still working on tablets, I pads, and phones.

Mr. Bob Olive, 113 Arrowpoint Cove, said he was concerned that he calls the cable department to get service and no one answers, he may or may not get a call back when the technicians come out they do a fantastic job and sometimes he has called the technicians directly just to talk to someone. He feels even if we have to hire an extra person to answer the phones that is something we should do. Mr. Butler said he was not aware until just recently the extent in which the phones were not being answered, he has now assigned a program to the phones where if the main number is not answered it will then be forward to the techs in the field if they are unavailable then he will be the final destination for the calls. He said the customer service rep was letting the calls go to voice mail because she was trying to return the calls in the order she received them and was just getting further and further behind. Mayor Arnold said maybe it is time to look at other PR activities, the other ladies who are answering the phones in city hall don't have the answers for the cable issues. Mayor Arnold said in 1970 when the cable company was established part of the reason was because the company that was doing the work in town was not providing proper customer service, we need to take a look at our customer service area and provide the answers the residents and business owners need.

Mr. Tim Tierney, 402 Lincoln Avenue, asked when we knew we would need boxes for TVs that were not digital ready. Mr. Butler said a long time ago, months. Mr. Tierney said we don't have a PR problem we have a communication problem with the communication department. He received a letter in the mail saying his non digital TV would not work as of the 23rd of July, why is this information just now being told to the public. Mr. Tierney said the department needed to better communicate what lies ahead and answering their calls, whether that means working split shifts, or working late whatever needs to be done to get the information out there.

Ms. Amber Elledge, Customer Service Representative for VBCS, introduced herself and apologized for the missed calls. She said she has missed calls because she has had people coming into the office and emails and others who need her assistance, she is doing her best to get back to everyone in the order their calls were received. Ms. Elledge said she has stayed late on several occasions and is trying to stay on top of things, she appreciates everyone's response and input and greatly appreciates their business.

Ms. Wendy Greene, 184 Chicago Avenue, thinks we should get out of the cable business. She said that her mother has phone service as well and it has been out up to four days.

Ms. Linda Holloway, 156 Edge Avenue, said she would just like to have her email working. She said she has followed directions and haven't been able to get into her email. Several other residents made remarks.

Mr. George Murphy, 1173 Bayshore Drive, said that he is very proud of Mr. Butler and his crew and appreciates all that they have done and continue to do.

Comm. Strong said starting next Tuesday at 5 PM he and Mr. Butler will be holding Town Hall meetings in the Commission Chambers to meet with the residents and respond to all of the needs of the community. Comm. Strong said they will hold those two meetings and as many more as needed to help keep the community informed.

Comm. Hamilton said she has received many calls in regards to the problems with internet, she feels we have a great group of people working but the reality is people have had to use their phones as hot spots if technically savvy and that cost money. She feels we need to give a rebate or credit to our businesses and residents who have lost money.

Comm. Strong said they are focused on getting everything up and working 100 % after all updates are complete we plan to look at the impact of what has occurred. He reminds everyone that we didn't cancel emails, Google did and valp.net is back but we will look at what it has cost our residents, but we need to get everything working first.

Mr. James Valandingam has received the Department of Corrections contract for the new fiscal year and asked that approval for said contract be added to the agenda. COMM. MORGAN MADE A MOTION TO ADD THE DOC CONTRACT TO AGENDA. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISISON 5 TO 0. Mayor Arnold said contract discussion will be added to agenda after utility services at city parks under after action items.

2. ACTION ITEMS – “No Parking” signs George Murphy

Mr. Tom Murphy, son of Mr. George Murphy, said his parents have lived at their residence 1173 N. Bayshore Drive for over 30 years. Four months ago “No Parking” signs were put up across the street from their home. They now have nowhere for visitors and family to park. He said Mr. Murphy has talked to the Mayor and also Chief Hart wanting to know how they came to be there if they could be taken down wanting a solution to the situation. One solution that was given was the sidewalk would be removed that was discussed in April and now it is July and the sidewalk is still there. Mr. Murphy said his father is a man of principal he doesn't want to park where there are “No Parking” signs and it is against the law to park on a sidewalk. When will the sidewalk be removed? Comm. Morgan said the sidewalk is on schedule he and Chief

Hart had discussed with Mr. Murphy that they would not ticket his vehicle, almost all of Valparaiso allows for temporary parking, where the “No Parking” signs are there is an exception for temporary parking, no ticket will be given. He said our police department is working with our residents but the signs will remain. Mr. Murphy said the neighbor yelled about his parking there, nails were thrown out and destroyed his tires, we all know where they came from and then all of a sudden there were signs of no parking, how did that happen. Comm. Morgan said the signs were complaint driven by neighbor came up as an item before the Commission, the signs will probably stay there but at the same time the Commission has the ability to work with the resident for a more reasonable situation.

Mr. Obie O’Brien, 324 Glen Avenue, said when this first came up Mr. Murphy specifically asked that the signs be removed, the city has done without those signs for years and he walks that way often and has not seen anything that looked like a parking problem. He said we need to keep that area friendly and beautiful, he asked that the Commission please remove the signs.

Mrs. Linda Holloway, 156 Edge Avenue, said she agrees with Mr. O’Brien, she walks that way everyday and so many signs mess up the view of the area and are unnecessary.

Mr. Georgy Murphy said he presented his case on April 13th and was told to get with Comm. Morgan to work something out, he hoped they would hurry and work something out as another birthday is fast approaching. He said the signs were put up arbitrarily and should be removed. Mayor Arnold said that Mr. Murphy would not be ticketed for parking on the sidewalk area.

3. ACTION ITEMS – Backyard Chickens

Ms. Elizabeth Brubaker, 385 Jasmine Avenue, appreciates this time to speak to the Commission, Okaloosa County has updated their code to allow for chickens and she is asking that Valparaiso look at their ordinance to allow chickens and fowls. She said that a few chickens would provide fresh eggs, be allowed as pets and help with insect control. Mayor Arnold said the county is looking at half acre, Ms. Brubaker said in six months Okaloosa County is looking at going to less than acre to less than quarter acre. Comm. Morgan said Okaloosa County’s ordinance would provide guidance for our city commission. He said as long as you don’t have a rooster, chickens are good pets, clean pets. Ms. Brubaker said she will work with Comm. Morgan and help with research. Mayor Arnold said Ms. Brubaker can work with Comm. Morgan and they can present something to the Commission at an upcoming meeting.

Backyard
Chickens

4. ACTION ITEMS – Facebook Page

Ms. Brubaker said she is a Facebook fan and thinks it would be a good idea to dedicate someone to it, someone who has time to put the information out there. She said it would be a good way to list events and things happening within the city, we have one but no one uses it. Mayor Arnold said we don’t have the funds for it. Comm. Hamilton said she agrees it is a great communication tool and she has tried to promote it. Comm. Hamilton said we have already looked into this, she can’t run it, thought we had a solution and recommendation for Mr. Scott’s daughter to run it. Mr. Scott said he is not doing it, his daughter begs for content and he tells her to call the library. Comm. Morgan said this idea has the same issue as the web page just being able to get stuff posted there. Mayor Arnold said we need a dynamic individual to post the information there. Ms. Brubaker said it should be given to someone as a job responsibility, social media is where it is at. Mayor Arnold asked Ms. Brubaker to get with Comm. Hamilton. Mrs. Johnson said she believes each department needs to be able to post their own information. Mr. Tierney said Facebook is great but we need other communication tools for those who are not interested in Facebook like Mr. Scott.

Facebook
Page

ACTION ITEMS – FLOC Voting Delegate

Mayor Arnold said for the 89th annual FLOC meeting he recommends Comm. Strong as the voting delegate, he has worked with these folks for years and does a good job. MAYOR ARNOLD MADE A MOTION TO APPOINT COMM. STRONG AS OUR VOTING DELEGATE TO THE 89TH ANNUAL FLOC CONFERENCE. COMM. BROWNING SECONDED THE MOTION WHICH PASSED BY UNANIMOUS VOTE 5 TO 0.

FLOC
Voting
Delegate

5. ACTION ITEMS – Utility Services at City Parks

Mr. Valandingham said he has submitted a memo to the Commission, he has researched with surrounding cities, at this time the city isolates the electrical and water service from public use, however we have had several requests to provide the services and people are willing to pay a fee to do so. Mayor Arnold asked if we were looking at a flat fee. Mr. Valandingham said Ft. Walton Beach charges \$10 an outlet and \$30 for water. He is not suggesting pavilion rentals but isolate circuits, free standing outlets and water spickets. Comm. Morgan said the cost is so nominal why did we discontinue this in the first place? Mr. Valandingham said partial for vandalism reasons and also hit or miss on the water readings. Comm. Morgan said even if \$300 a month, time services provided to people he would rather see that provided at no fee. Comm. Hamilton said a problem is circuits being overloaded and blown, that is a reason other parks don’t do it. Mr. Valandingham said in his opinion if it is done he thinks it should be rented and renting is a way we can recoup some of what we are giving away. Mrs. Johnson said we would have resident’s from different cities not just Valparaiso residents, people looking for children’s birthday parties would like to know they have power or water for bouncy houses and slides. Comm. Morgan said he thought it was a cool idea and would support it. Mayor Arnold asked if

Utility
Services
at Parks

Comm. Hamilton would work with Mr. Valandingham about a proposal. Mr. Dykes said if we do allow we need to make sure to be added as an additional insurer, have them show proof on a declaration page that we have been added.

DOC
Contract

6. ACTION ITEMS – Etc. Department of Corrections (DOC) Contract

Mr. Valandingham said he has received the contract from the DOC and it must be signed and returned by August 8. He said the contract is just as last year no price increase and would be divided amongst the same departments. COMM. HAMILTON MADE A MOTION THAT WE MOVE FORWARD WITH THIS CONTRACT. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0. Mr. Valandingham said contract renewal actually begins January 6, 2016.

Ordinance
No. 665
Dog
Boarding

1. OLD BUSINESS – Ordinance No. 665 Dog Boarding

Mayor Arnold said we have proof of publication from Northwest Florida Daily News. He said this ordinance would allow for overnight boarding in C1 district. Mayor Arnold said his concern is it list application by animal care and control division, which we do not have. Mr. Scott said we could change animal care and control to building official/city administrator. Mr. Dykes said we are not able to add a new designation we need to remove any mention of Section 14-45 from this Ordinance we will charge this designation under miscellaneous as we are doing now. Comm. Morgan said the police department would still be in charge of animal control. Mr. Scott said in charge of things on the street such as bites, barking dogs and such not licensing. COMM. MORGAN MADE A MOTION TO APPROVE ORDINANCE NO. 665 AMENDING THE CODE OF ORDINANCES 114-111 AND CREATING SECTION 14-49 ESTABLISHING DEFINITIONS, STANDARD OF CARE AND LICENSING REQUIREMENTS FOR DOG BOARDING FACILITIES, KENNELS, BREEDERS, PET STORES AND DOGGIE DAYCARES. PROVIDING FOR (1) FINDINGS, (2) REPEAL OF CONFLICTING ORDINANCES, (3) SEVERABILITY AND (4) AN EFFECTIVE DATE. COMM. HAMILTON SECOND THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Ordinance
No. 666
Land Use
Change
R2 to C2
College
Blvd.

2. OLD BUSINESS – Ordinance No. 666 Land Use Change R2 to C2 College Blvd.

Mayor Arnold said we have proof of publication from Northwest Florida Daily News from July 3, 2015 for ordinances number 666 and 667. He asked if anyone had any questions or comments. Mr. Matt Zinkle, from Gustin, Cothorn and Tucker, was here to answer if anyone has any questions or comments on either this ordinance or ordinance no. 667 Rezoning Change from R2 to C2 College Blvd. There were no questions or comments. COMM. BROWNING MADE A MOTION TO APPROVE ORDINANCE NO. 666 AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR PURPOSE; PROVIDING FOR LAND USE CHANGE TO 1.79 ACRES OF LAND MOL; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE. COMM. STRONG SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Ordinance
No. 667
Rezoning
Change
R2 to C2
College
Blvd.

3. OLD BUSINESS – Ordinance No. 667 Rezoning Change R2 to C2 College Blvd.

COMM. BROWNING MADE A MOTION TO APPROVE ORDINANCE NO. 667 AMENDING ITS ZONING MAP; PROVIDING FOR A PURPOSE; PROVIDING FOR A ZONING CHANGE TO 1.79 ACRES MOL OF LAND FROM R-2, MULTI FAMILY RESIDENTIAL TO C2, UNLIMITED COMMERCIAL DISTRICT; PROVIDING FOR ZONING MAP AMENDMENT, AND PROVIDING FOR AN EFFECTIVE DATE. COMM. STRONG SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Develop-
ment
Order
Girls
Power
Station

4. OLD BUSINESS – Development Order Girls Power Station

Mr. Scott said the Commission has to approve a development order for Mrs. Fedonczak to be able to build the girls power station on the land that was rezoned in the previous ordinances. He said the first step was to have the Technical Review Committee (TRC), which he is a member of along with all the department heads and the City Engineer, they reviewed the civil plan and they made six recommendations and in the package you have the responses from the engineer. Mr. Scott said after the TRC, the order went before the Planning Commission where they reviewed the civil plans and they voted for it to go to the commission for your approval. Mr. Scott said that the Girls Power station will be a volleyball training facility that will also provide a physical fitness place for ladies only. COMM. STRONG MADE A MOTION TO APPROVE THE DEVELOPMENT ORDER FOR THE GIRLS POWER STATION. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

Resolution
No. 07-06-
08-15

5. OLD BUSINESS – Resolution NO. 07-06-08-15

Mayor Arnold said that Mr. Scott's appointment ended as of last month, we have a resolution to appoint a new member this evening. Mayor stated we have Mr. Dykes legal opinion and the judge's decision. Mayor Arnold said we have been fortunate to have Comm. Strong and Mr. Scott serve on the board. Mr. Charles Reid, 257 Georgia Avenue, said he has previously served on the gas board for the city and gladly offers himself to be appointed to the board again. Comm. Strong if we are not going to court to correct the judgment he believes we should appoint Mayor Arnold. Mayor Arnold said he does not wish to serve on the gas board, his plate is full. Comm. Strong had asked for a review of the judge's decision at the last meeting

because of that judge's decision we can not appoint Comm. Strong without risk of litigation. Comm. Morgan asked if a resident can serve? Mr. Dykes said in his interpretation a citizen of the city can be appointed. He said the gas board doesn't care who you assign, if you wish to appeal the judgment it will be costly because the time to appeal has long since passed. Comm. Hamilton said she isn't for anything that would cause any more legal fees. Mr. Dykes said he talked to Anchors, attorney for Okaloosa Gas, they would accept whomever the Commission appointed if there was litigation he feels they would take the hands off approach. Mr. Dykes said Mayor Arnold or Mr. Scott would not violate the order. MAYOR ARNOLD MADE A MOTION TO REAPPOINT MR. CARL SCOTT TO THE OKALOOSA GAS BOARD FOR FOUR YEARS, the path of least resistance. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY A VOTE OF 4 TO 1 WITH COMM. STRONG VOTING IN THE NEGATIVE.

1. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT** TPO/DOT
Comm. Morgan said that on July 16th they have a public meeting for approval of the five year plan, a copy will be at city hall for review after the meeting.
2. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater** Stormwater
Mr. Scott said there isn't anything to discuss as of yet.
3. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Legal Activities** Legal Activities
Mr. Dykes said he has nothing to report this evening.
4. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Median Beautification Update** Median Beautification Update
Mr. Petrey said that the Department of Transportation inspected and we are in full compliance. He said there is retainage that we will be given once due diligence is done. Comm. Morgan said the grass remaining around the side we will improve those areas with sod, hydro seeding, hay and mulch.
5. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Report** Planning Comm.
Mr. Scott said nothing to report, other than the approval of development order.
6. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Visioning Committee Update** Visioning Commi.
Mayor Arnold said minutes are the in Commissioner's package.
7. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report** Community Liaison
Comm. Hamilton said she didn't have anything for this evening.
8. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Cable Update** Cable Update
Mayor Arnold said we have already discussed this evening.
9. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Disbursements** Disbursements
Mayor Arnold said the financials are in the Commissioner's package.
10. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Budget Workshop Monday July 20th 6 PM** Budget Workshop
Mayor Arnold said the next week we will pare down the numbers previously submitted by the department heads.
11. **REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Okaloosa League of Cities Meeting Thursday, July 23rd** OLOC meeting
Mayor Arnold said League of Cities will have their meeting Thursday evening the 23rd of July at Ft. Walton Beach Yacht Club held by Cinco Bayou, he asked that members let Ms. Johnson know their plans by July 16.

ADJOURN

There being no further business to be brought before the Commission, the meeting adjourned at 8:05 PM.

John B. Arnold, Jr.
Mayor

Heyward H. Strong, Jr.
Chair, VCA

Tammy Johnson, CMC
City Clerk

July 13, 2015

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