

MINUTES
CITY COMMISSION MEETING
April 12, 2021

The City Commission met this date in regular session in the Commission Chambers. Mayor Smith gave the Invocation. Mayor Smith recited the Pledge of Allegiance. A quorum being present, the meeting was called to order at 6:00 PM with the following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Catherine Hamilton
	:	Christine Wasdin
	:	Edward Crosby
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
Police Chief	:	Joe Hart
City Attorney	:	Hayward Dykes
City Engineer	:	Beth Brant
Fire Chief	:	Tommy Mayville
VBCS General Manager	:	James Butler
Public Works Director	:	Nathan Kelley (camera)
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Cecilia Haught, Bruce Haught, Daniel Irwin, Chris Nixon, Dustin Merritt, Roy Sutton, Donna Hasting, Charlotte Bachelor, Bonnie McGregor, Natalie Schulte, David Nichols, Tonya Harris, Les Chambers, Clark (Tom) Browning, IV, Terry Griffin

APPROVAL OF MINUTES

COMM. CROSBY MADE A MOTION TO APPROVE THE MINUTES FROM MARCH 8, 2021, AS SUBMITTED. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

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

Mr. Daniel Irwin, 184 Chicago Avenue, said he would like to address the Commission regarding speeding concerns in his area. He said he had spoken to Comm. Wasdin about his safety concerns for Chicago Avenue and the surrounding areas. Mr. Irwin said he knew she spoke with Chief Hart and they had put up a traffic camera and had caught about 30 or so people speeding through the neighborhood. He said this is a huge safety concern, there are no sidewalks and with the increase of families in the area something needs to be done. Mr. Irwin had a petition signed by 62 fellow residents requesting the city investigate a safety calming program. He said each person has written their concern of the area. Mr. Irwin asked if his area even qualified for street signs because there aren't any at this time. Mayor Smith said he had received a letter from a resident on Chicago Avenue, addressing this issue. He said Valparaiso has a lot of new residents and he is against speed bumps due to the damage they can cause vehicles. Chief Hart said he and Comm. Wasdin had discussed this issue, the speed

1 limit is 25 mph by Florida Statute when speed limit sign is not posted. Chief Hart said by Florida
2 Statute the police department can't cite anyone going two to four mph over the limit. Chief Hart said
3 while the camera was in the area out of about 1,200 vehicles there were 37 that were going over 30
4 mph. He said they ran the camera for several weeks, at varying times of day. Chief Hart said his
5 understanding was that Comm. Wasdin had ordered speed bumps but the problem with the speed
6 bumps and the roads is that the roads are old. He said there are no curbs or sidewalk, people will go
7 around the speed bumps, going into the easement that residents see as their yards. Chief Hart said even
8 with speed tables this can cause water to flow differently, he said Niceville has tried calming traffic
9 and had some success, he will do whatever he can to make it work. Chief Hart said this is the first that
10 he has heard that so many residents in the area are concerned, if you do something on Chicago then
11 traffic will spill onto other streets. He said a lot of thought needs to be put into this before any final
12 decisions are made. Comm. Hamilton asked if any of this traffic could be because of the bridge work?
13 Chief Hart said it is possible that some of it could be bridge related. Mayor Smith said we need to look
14 into forming a committee to look at what can be done. He said he and Comm. Wasdin wouldn't both
15 be on the committee due to Sunshine regulations, but she could work with the police chief, fire chief,
16 public works director and the engineer to see what can be done. Mayor Smith said when those tables
17 are put down, they are there, because if they have to be removed for any reason, they will take a good
18 chunk of the road with them. Comm. Hamilton asked what is a speed table? Mr. Irwin said speed
19 tables are what they have on Cadillac Avenue. Chief Hart said those were put in place by the City of
20 Niceville, they are basically speed bumps that have been elongated. Chief Mayville said in Niceville
21 they have worked on calming traffic patterns, he said the emergency response times would go up to
22 four to six minutes and in that time someone could die. Chief Mayville said Niceville also has a group
23 of citizens that work with the police department, fire department, Mayor, City Council, public works
24 director, he said this issue involves everyone. Chief Mayville said with speed tables it doesn't just
25 change the traffic pattern it changes the water flow so we need to work on what is best for the
26 community. Mayor Smith said he appreciates the citizens' concerns and understands the issue. He
27 said when we compare ourselves to Niceville, the City of Valparaiso's budget, total budget, is about
28 the size of Niceville's Park department budget. Mayor Smith said the Commission hasn't raised taxes,
29 we have remained the same, he asked that Comm. Wasdin form a committee to look at traffic
30 throughout the city because Chicago isn't the only street with an issue. Mayor Smith asked that the
31 citizens try and bear with us, we will do the best we can. Mayor Smith said he would like to recognize
32 Mr. Les Chambers this evening, he does a lot for our city in the background, and he appreciates all his
33 efforts.

1 **2. CITIZENS' CONCERNS (Non-Agenda Items) Non-Resident**

2 Adam Huland, 102 Nathey Avenue in Niceville said he recently purchased a hot dog cart, he
3 said the requirements to run the cart in Niceville is a one-page sheet and \$40, in Valparaiso it is a nine-
4 page document, asking all sorts of personnel information along with a background check and a \$260
5 fee, do we just not want vendors in Valparaiso? Mayor Smith suggested he speak with Mr. Scott. Mr.
6 Adam said he had spoken to Carl, that is where the nine-page document came from. Mayor Smith said
7 something like this would have to be changed in the ordinance, and that isn't happening this evening.
8 He said if the Commission decides to change the ordinance, that would be written by Mr. Scott, under
9 his purview. Mrs. Johnson advised those in attendance this evening if they would like to address the
10 Commission for a longer time period, they are welcome to be on the agenda she just needs to have
11 their information by the Wednesday before the Monday meeting. She said that way the Commission
12 can be more prepared for what is being asked.

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

14 There are no items to add to the agenda this evening.

15 **2. ACTION ITEMS – Approve Plat Raiders Landing Phase 1B**

16 Mayor Smith said there is a copy of this information in the Commissioners packet. He said he
17 would need to sign off, as would the Planning Commission. Mrs. Brant said this is the first she has
18 heard of this, same with Mr. Kelley. Mr. Scott said this whole thing is a formality, the retaining walls
19 have been put up, everything has been done, Mr. Byrne separated Raiders Trail into two phases, we've
20 already approved the subdivision, he doesn't think there is anything to discuss. Mrs. Brant said she
21 doesn't know anything about it, water and sewer, infrastructure? Mr. Scott said this is the same
22 design, platting for the lots. He said all of this was done in the beginning, permits written everything
23 ready to go. Mayor Smith said he doesn't have a problem signing. Mr. Dykes said with the plat
24 review process, this was all approved in the first phase. Mr. Dykes said he would be curious as to why
25 it would need to be reviewed again. **COMM. HAMILTON MADE A MOTION TO GRANT**
26 **MAYOR SMITH TO SIGN OFF ON RAIDERS LANDING PHASE 1B ON THE CONDITION**
27 **THAT THE PLANNING COMMISSION SIGNS OFF ON IT TOMORROW NIGHT AT**
28 **THEIR MEETING. COMM. CROSBY SECONDED THE MOTION.** Chief Hart asked if this
29 was all 89 homes? Mr. Scott said yes this would be it, no more dirt. Chief Hart said he can see where
30 they are making a road will there be anything added there? Mayor Smith said not that we have been
31 made aware of. Mr. Scott said if they want to do anything else, it would be a total restart back to the
32 TRC. Mr. Roy Sutton said they have sold 25 homes already, doesn't know why Mr. Byrne has it in
33 two plats, Raiders Landing is Raiders Landing and that is all there will be there, he thanked the

Commission. **MOTION APPROVED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.** Mayor Smith will sign on Thursday, as long as the Planning Commission agrees and signs off on Tuesday night at their meeting.

3. ACTION ITEMS – Special Exception 296 S. Bayshore

Mr. Scott said on the 6th of this month the Planning Commission met and approved the fence for 296 S Bayshore as a special exception. He said the Planning Commission discussed the issue and the Haught's were present for that meeting and are here this evening. Mr. Tom Browning, chair of the Planning Commission, said the Commission approved the fence with the condition that the owner's sign an easement letter that should the fence have to be removed for any reason the homeowner will pay for that to be done. Mr. Scott said this is an easement area, so the residents have agreed to sign an encroachment letter to remove the fence at their expense if any issues, he said this isn't setting a precedent. Mr. Scott said it is definitely in an easement area and the Haught's are aware. Mayor Smith said less than five months ago we approve an exception for a fence on John Sims Parkway.

COMM. HAMILTON MADE A MOTION TO APPROVE THE SPECIAL EXCEPTION FOR 296 S BAYSHORE DRIVE TO PLACE A FENCE IN THE EASEMENT AREA AS LONG AS THEY SIGN AN ENCROACHMENT LETTER TO BE ON FILE AT CITY HALL. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.

4. ACTION ITEMS – Fire Department ISO Rating

Mayor Smith said he would like to thank Chief Mayville and his staff for working so hard, they have brought our ISO from about an eight or so down to a two. Chief Mayville said the ISO, Insurance Services Office, it regulates the fire services. He said it has taken about two years to get to where we are today. Chief Mayville said when he was approached about coming into Valparaiso, Niceville was at a three. He said a two is excellent one is superior, he said we missed being a one by eight points. Chief Mayville said he wants the citizens of Valparaiso and Niceville to know that these departments are constantly working together. He said 24 of the guys are also EMTs, we have state of the art equipment and wants to thank everyone who helps in the community. Chief Mayville said he will be speaking tomorrow night at the City of Niceville's council meeting. Mayor Smith said he wants to thank Chief Mayville, our response times when he came over were 12 to 15 minutes if we showed up at all now, we are at 1-to-3-minute arrival times. He said they have worked their fannies off to get these things accomplished. Mayor Smith said Valparaiso was close to losing their fire department and Chief Mayville along with the efforts of Mrs. Johnson, Comm. Wasdin, Comm. Denney, and others have gotten us to this point.

1 **5. ACTION ITEMS – Care Act Funds**

2 Mrs. Johnson said we have received \$530,476.07 in total CARES Fund. Comm. Wasdin asked
3 if there was an expiration date on this fund, Mrs. Johnson said no the CARES Fund money was for
4 funds already spent. Mrs. Johnson said the city should receive around \$2.3 million from the American
5 Rescue Plan and guidance on how these funds can be spent should come out in the May and I believe
6 we will have until December 2024 to spend. Mayor Smith asked if any of the money could get used
7 toward the speed tables that we discussed earlier, Mrs. Johnson said the CARES act money could be
8 used for that situation. On the half cent sales tax Mrs. Johnson said we had received \$550,359 by
9 September 30, 2019, another \$511,425.60 received by September 30, 2020, from that income we paid
10 for capital lift station upgrade \$461,633.00 and \$65,000 in bond payment for fiscal year 2020. She
11 said we had budgeted expenses for fiscal year 2021 capital lift station upgrade \$350,000, capital
12 generators \$75,000, capital ground penetrating radar \$20,000 and budgeted receiving \$423,500 for
13 fiscal year 2021 leaving a budgeted ending balance of \$513,651.60. Comm. Wasdin said thanks for
14 bringing those numbers in.

15 **6. ACTION ITEMS – Resolution No. VCA 01-04-12-21 New Advanced WIFI Support**

16 Mayor Smith read Resolution No. VCA 01-04-12-21, a resolution of the Valparaiso Cable
17 Authority, to establish new service, new rates and provide an effective date. **COMM. HAMILTON**
18 **MADE A MOTION TO APPROVE RESOLUTION NO. VCA 01-04-12-21 AS READ. COMM.**
19 **CROSBY SECONDED THE MOTION.** Comm. Wasdin asked is this for the City of for the
20 residents? Mr. Butler said it is for the residents of the city. **MOTION PASSED BY UNANIMOUS**
21 **VOTE OF THE COMMISSION 4 TO 0.**

22 **7. ACTION ITEMS – Street Paving**

23 Comm. Wasdin said our Charter states when a street is paved the property owners on that street
24 are levied a tax including grading, curbing or other improvement of any streets. No one wants to be
25 taxed and we have these other funding sources that Ms. Johnson just talked about. She asked Mr.
26 Dykes if it would be possible for the city to use other funds to pay and waive the property owner's
27 portion. Comm. Wasdin asked if we could amend the ordinance. Mayor Smith ask Mr. Dykes if
28 change could be made via ordinance to our Charter? Mr. Dykes said the copy of his email exchange
29 with Comm. Wasdin was included in the Commission package. He said a good number of things in
30 the city charter have been resolved by state statutes. Mr. Dykes said to amend the charter it would
31 have to be through referendum however after his research he believes that if the Commission wishes to
32 put this in an ordinance form, it can be done that way, Florida State statutes states it can be done.
33 Mayor Smith said that is what he had read also but wanted it discussed in a meeting so that would be

on the record. Mayor Smith said he appreciates Comm. Wasdin's work on this issue, thinks this is a good move going forward. Mr. Dykes said he also wanted to bring it to the Commission tonight for approval to carry on with the work. He said some other things in the charter to address, asked if we would want to address one at a time or an overall review. **MAYOR SMITH MADE A MOTION TO APPROVE MR. DYKES TO MOVE FORWARD WITH PUTTING THE STREET PAVING INTO ORDINANCE FORM AND ALSO AUTHORIZE HIM TO LOOK AT OTHER ITEMS IN THE CHARTER TO REVIEW. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

1. OLD BUSINESS – Tom's Bayou Bridge Utilities Update

Comm. Hamilton said anyone driving the bridge lately has seen the updates.

2. OLD BUSINESS – Property Foreclosure Update

Mr. Dykes said the last meeting the daughter was here and after finding out what was owed on the property, she decided it would be too expensive to try and hold onto the property. He said she has signed the deed in lieu of foreclosure and has also had her brother sign a deed in lieu, once the Commission approves, we will get those recorded. Mr. Dykes said with those signatures the city is two thirds owner of the property, with Ms. Oney being the only one that hasn't signed. He said her part would still have to be foreclosed on, he is going to do another title search just under 90 days, seek the foreclosure. Mr. Dykes said the daughter has requested the city reimburse her for the \$700 that was spent on the dumpster, he recommends that we wait on that until the foreclosure is complete. Mr. Dykes said the city has been able to save some money with the deed in lieu of foreclosure. **MAYOR SMITH MADE A MOTION TO RECORD THE DEED OF LIEU OF FORECLOSURE FOR THOSE TWO OWNERS, AND RELEASES SIGNED BY HIM. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

3. OLD BUSINESS – Security Cameras Cares Act Funds

Mr. Butler said he was asked at the last meeting to provide the numbers for each department, so he has provided the Commission with a rough breakdown. Comm. Wasdin asked if we were ready to use the funds to upgrade the security cameras now, Mr. Butler said yes, he doesn't know specific amounts for review because each department needs to decide. **COMM. WASDIN MADE A MOTION TO APPROVE THE UPDATE OF CAMERAS USING THE CARE ACT FUNDING, WITH THE DEPARTMENT HEADS MAKING THEIR OWN DECISIONS ON HOW THEY WANT TO FUND. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

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

2 Comm. Wasdin said nothing to report this evening.

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

4 Mr. Scott said there was an issue off Okaloosa Avenue with stormwater discharge, during one
5 of the last big rain events it dropped three trees and one on the house that is there. He said he
6 contracted Kodiak Tree Service to remove the trees, he said he pointed out this issue in 2019 and that
7 the Commission needed to take these situations more seriously.

8 **3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Inmate Work Squad**

9 Mr. Kelley said he received word from the Department of Corrections prisons that they were
10 pulling inmates statewide due to staffing issues at the prisons. Mr. Kelley said so that put the city
11 down “8 employees”, according to the letter they are going to look at the situation again in June to
12 reevaluate. Mr. Kelley said while he had looked hiring a new employee but didn’t want to go that
13 route if we could get the DOC squad back. Mr. Kelley said he already has three vacancies that he can’t
14 fill, trying to find someone to work manual labor at this time is just about impossible. Mr. Kelley said
15 he wanted the Commission to be aware of the situation because things like grass cutting are going to be
16 slow. Mayor Smith said he met with the warden and they are also having a hiring issue and that is why
17 they are pulling the work squad guards back to work in the prisons.

18 **4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report**

19 Comm. Wasdin said Saturday in the Park will be April 24th in old Valp, by the Heritage
20 Museum, there will be vendors and activities and invite all that can to attend.

21 **5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update**

22 Comm. Denney is out to of town this evening.

23 **6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update**

24 Mr. Browning, chair of the Planning Commission, said they met last Tuesday for two
25 variances, one for the Haughts and one other. They will also meet again tomorrow night for three
26 additional variances. Mr. Browning said he planning to come to last month’s regular meeting but was
27 in close contact with a co-worker who tested positive for CO-VID 19, so he had to quarantine. He said
28 in the Planning Commission’s meeting they had discussed trying to make Valparaiso more attractive,
29 offer tax deferments or breaks or free internet, come up with some sort of business seeking committee
30 to look at things on a case-by-case basis. Comm. Wasdin said with the expanding of the commercial
31 corridor that is not a bad plan. Mr. Dykes said the Economic Development has some state status for
32 local governments to use to target businesses. A brief discussion followed.

33 **7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Department Updates**

1 Comm. Hamilton said that Mrs. Willis, interim library director, had a power point to share
2 about the library but with the meeting running longer than expected she would present next regular
3 meeting. Mr. Scott said Okaloosa Gas is expanding, a lot of interest in the Synovus building and a lot
4 of homes going up in the city. Mr. Scott to piggyback on the fire departments good ISO rating, right
5 now the building department has a class three for residential and commercial I believe next time our
6 department comes around that we will be a class two because of the ISO rating of the fire department
7 and that would be good for everyone.

8 Mr. Chambers, liaison with Eglin Air Force Base, said the land swap situation is on the
9 secretary of the Air Force's office. Mayor Smith asked if we had a time frame? Mr. Chambers said he
10 was told five weeks and that time would be up next week, he will keep the Commission posted.

11 Chief Mayville said the fire department is still reporting to CO-VID 19, maybe two to three
12 calls in Valparaiso, five to seven in Niceville, he advises everyone to stay vigilant. He said that was a
13 boat fire at the marina earlier today that was responded to and taken care of.

14 **8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS - Disbursements**

15 **COMM. HAMILTON MADE A MOTION TO PAY THE BILLS AS OUTLINED IN**
16 **THE MONTHLY FINANCIALS. COMM. CROSBY SECONDED THE MOTION, WHICH**
17 **PASSED BY UNANIMOUS VOTE OF THE COMMISSION 4 TO 0.**

18 **ADJOURN**

19 There being no further business to be brought before the Commission, the meeting adjourned at
20 7:31 PM.

21
22
23 _____
24 Hubert B. Smith
25 Mayor

26
27 _____
28 Catherine Hamilton
29 Chair, VCA

30 ATTEST:

31
32 _____
33 Tammy Johnson, CMC
34 City Clerk

35 ***A recording of the April 12, 2021, Commission meeting will be kept on the City's secure
36 file server as a permanent part of these minutes.***
37