

MINUTES
CITY COMMISSION MEETING

May 9, 2022

The City Commission met this date in regular session in the Commission Chambers. Comm. Wasdin gave the Invocation. Mayor Smith recited the Pledge of Allegiance. A quorum being present, the meeting was called to order at 6:12 PM with the following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Catherine Hamilton
	:	Christine Wasdin
	:	Edward Crosby
	:	Clark (Tom) Browning, IV
City Clerk	:	Tammy Johnson
City Administrator	:	Carl Scott
City Attorney	:	Hayward Dykes
City Engineer	:	Beth Brant
Police Chief	:	Joe Hart
Fire Chief	:	Tommy Mayville
Library Director	:	Hope Willis
Public Works Director	:	Nathan Kelley (camera)
Recorder	:	Beth Millsaps

Others in attendance: (Not inclusive) Donna Hastings, Laura Palmer, Patrick Palmer, Joyce and Bert Marthis, Micki Miller, Michael and Jackie Gilliam, Jonathan and Amanda Hicks, Mark Norris, Shayne Betts, Jack Gill, David Nichols, Bob Bachelor, Terry Emley, Tom Jackley, Daniel Irwin, Janet Fox, Bo Pharr, Rhonda Pharr, Tara Sandlin, Neal Shermer, Trish Rowe, Annie and John Cameron, Brandon Wood, Joe Cobb, Tonya Harris, Burtons, Les Chambers

Mayor Smith welcomed everyone to the meeting this evening.

APPROVAL OF MINUTES

COMM CROSBY MADE A MOTION TO APPROVE THE MINUTES FROM APRIL 11, 2022.

COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

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

Mr. Les Chambers, 114 Arrowpoint Cove, said we have not had a Planning Commission meeting in a while. He has been working some issues between the city and Eglin Air Force Base, mostly communication issues.

Mr. Daniel Irwin, 184 Chicago Avenue, said he wanted to address again the issue with a tree on Chicago Avenue across from his residence an issue with a power line. He said he had spoken with Mr. Kelley, Public Works Director, and Florida Power and Light, they sent out a contractor they said the power line is free and clear from the tree, it is up to the city if they want to take it down. Mr. Irwin said it is a huge tree. Mayor Smith asked if tree is on the city right-of way, Mr. Irwin said it is a large tree on right of way and further out. Mayor Smith said we would look into it.

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

No non-resident concerns tonight.

1. ACTION ITEMS – Added Agenda Items

Comm. Crosby said he got a call from a realtor seeing if the city would be interested in buying lot by the water tower letting the city have first notice. Mrs. Johnson said the lots are over by the cemetery. Mayor Smith asked if the realtor had a specific price in mind, we might be interested. A lady from the audience said \$85,000 each and that there are two lots. **COMM. CROSBY MADE A MOTION TO ADD THIS ITEM TO THE AGENDA. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.** Mr. Scott said the lot by the water tower is 75x75 not buildable, the other parcel is buildable, if all that property turns into residential the city should give it lots of consideration. Mr. Scott said it is just dirt so there would be a good bit of development costs. Comm. Wasdin asked if it is in the clear zone. Mr. Scott said he does not think so. Mr. Scott said he believes all of Plat III will be developed one day. Mr. Scott said the Commission would need to make the decision. Comm. Crosby said he believes this land could be useful. Mr. Scott said the asking price can be a starting point. **MAYOR SMITH MADE A MOTION TO APPROVE COMM. CROSBY TO GO FORWARD IN DISCUSSION AND PRICE AND ALSO MAKE AN APPOINTMENT WITH AN APPRAISER FOR THIS LAND TO SEE WHERE IT MIGHT LEAD. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF 5 TO 0.**

2. ACTION ITEMS – Senior Citizen Lease Agreement

Mr. Dykes said based on conversation in the workshop, he does not know if the city is ready to vote on an agreement. Comm. Browning said for the lease agreement you wrote up is that for a 501c3? Mr. Dykes said the is for anyone if the city wanted to get out of Senior Center game and have a third party handle it this would be a starting point. Mr. Browning asked if they would have to be a 501c3? Mr. Dykes said no, however if they are taking donations 501c3 is a tax benefit, that way the donor will get a benefit on the back end. Mr. Dykes said however if you shut a 501c3 that money would have to be transferred to another 501c3. He said that would get the city away from doing all of it, bring in a third party. Mr. Dykes said based on workshop discussion not sure if Commission wants to move forward. Mr. Dyke said the Commission has to decide what they want to do. Mayor Smith said the builders that donated \$10,000 each this year and the same next year my concern is they probably wanting to donate to a 501c3, or can they donate to the city with the same benefits? Mr. Dykes said he is not a tax attorney but he is sure they are getting a tax benefit. Comm. Hamilton said there is a lot to a 501c3, and she asked the audience if that is what they wanted. No one raised their hand for the 501c3, a few said that is not what they want. Mr. Neal Shermer, 391 Glendale Avenue, said he is not totally up to speed, but he has a lot of questions first is finance, he does not want city money to be managed, spent, or kept by anyone but the city. Mr. Shermer feels they will need a lot of insurances because accidents do happen. Mr. Shermer said he thinks elected official should make decision on how money is spent. Mr. Shermer said the lease needs to be fleshed out a lot more, severability a clear path to get out of the lease. Mayor Smith said in the lease it states can be severed at any time. Mr. Gill said at a meeting Mayor Smith we were considering a 501c3, and you said the City could

rent the building to us for \$1.00 a year for four (4) years so we could get on our feet, and you said the insurance liability would fall under the insurance of the city? Mr. Scott said the city insurance is like an auto policy, one policy with many umbrellas, right now the senior center is under that umbrella. Mr. Gill said they only want the building to do well, a dedicated account that the city controls, private rentals go wherever the city deems necessary. Mr. Shermer asked who could draw from that account? Mr. Gill said they could draw from it, but also the city. Mr. Gill said in 25 years when we need a new roof and it will need to be redone again, at that time the money could come out of the designated account. Mayor Smith said we all want to see it flourish. Mayor Smith said elderly services needs to come first then the community center. Mr. Gill said absolutely, that is why they submitted the memorandum of understanding, Council on Aging Monday thru Friday from 8am to 4 pm, if the museum wants to use on Wednesday night that is fine also. Mr. Shermer appreciates his efforts everyone wants the Senior/Community Center to do well but a lot of holes in the agreement, and I am not comfortable at all with the city putting money into an account that people that are not elected officials have the ability to take money out. Mayor Smith said he does not believe we would have that happen if they did not have a 501c3 and he is not opposed to Mr. Dykes meeting with or talking to Mr. Palmer and seeing what could be worked out. Mr. Dykes said we need to know what the Commission wishes are if it is to stand up that committee have it part of the City the property would remain in the City's name rely on that volunteer board if there is money to be spent that would go through the Commissioner in charge. **COMM. WASDIN MADE A MOTION TO APPROVE THE COMMUNITY CENTER BOARD, PATRICK PALMER, ALICIA ROSE, JACKIE GILLIAM. LAURA PALMER AND THE THREE ADVISORS JACK GILL, TOM JACKLEY, MARK NORRIS, THE AUTHORITY TO OPERATE FOR THREE MONTHS, DRAW UP PRICING SCHEDULES, DRAW UP RULE SET, PRACTICAL THINGS AND COME BACK WITH LESSONS LEARNED IN THAT TIME. COMM. BROWNING SECONDED THE MOTION FOR DISCUSSION.** Mr. Dykes said the committee in place, they refer to themselves as the "steering committee" any events that go on will still be the city's liability responsibility. **MAYOR SMITH WOULD LIKE TO MAKE A MOTION TO AMEND THAT IF I SEE SOMETHING ON NEXT DOOR NEIGHBOR FROM THIS STEERING COMMITTEE THAT IS DEROGATORY AGAINST THIS COMMISSION BOARD, WE WILL RECONSIDER THE THREE MONTH TRIAL. COMM. WASDIN SECONDED THE MOTION FOR DISCUSSION.** Mr. Irwin said you cannot do that it is freedom of speech; people have died under the flag for that freedom. Mr. Dykes said that would be hard to manage. Comm. Browning said there is no way to police social media. Mr. Shermer gets it, but you cannot control what people say. Mayor Smith said he would remove his amendment. Comm. Wasdin said in three month period no funds will be expended just a setup, come back in three months with lessons learned and work with the Council on Aging. Mr. Palmer said the board would not do anything without consulting the Commission, he would be happy to work with Mayor. Comm. Hamilton said she is grateful for the volunteers, and community interest is wonderful, we just need to bring it all together. Mayor Smith asked if the Council on

1 Aging is agreeable to working with this committee. Ms. Shayne Betts, Director of Walton/Okaloosa Council on
2 Aging, said it is amazing to see everyone trying to work out an issue that is overly complex. We by no means
3 want to get involved we do want to be a partner with the community on continuing to provide services. Ms. Betts
4 said the Council on Aging supports the best efforts to this community, they love to provide services. She has
5 worked with the committee and Mrs. Johnson and looks forward to continuing.

6 Mr. Gill said did anyone from the Commission volunteer to be on the committee? Mayor said Comm.
7 Browning was appointed. He then asked if we could have your questions in writing? Comm. Wasdin said setup
8 a fee schedules an activity schedule and do some trials without expending money see what can be done and
9 lessons learned. Mr. Gill said if the committee cannot use the money they made from the fundraisers, they
10 cannot pay for events. Mayor Smith said the money they have raised should be available to them for use.
11 Comm. Wasdin said that is fair just no additional city funding. Mr. Dykes said if they need money for certain
12 things come to Mrs. Johnson and the Mayor as long as within budget, Mayor said if Commission approves 90
13 day motion. **VOTE TAKEN ON THE MOTION 4 TO 1, COMM. CROSBY VOTING IN THE**
14 **NEGATIVE. MAYOR SMITH MADE A MOTION TO LET THE COMMUNITY COMMITTEE USE**
15 **THE FUNDS THEY HAVE RAISED AS LONG AS THAT IS RUN BY MRS. JOHNSON. COMM.**
16 **WASDIN SECONDED THE MOTION, WHICH PASSED BY 4 TO 1 WITH COMM. CROSBY**
17 **VOTING IN THE NEGATIVE.**

18 **3. ACTION ITEMS – Ordinance No. 714 Amend Chief Elections Officer**

19 Mayor Smith read **ORDINANCE NO. 714, AN ORDINANCE OF THE CITY COMMISSION OF**
20 **THE CITY OF VALPARAISO, FLORIDA AMENDING SECTION 2-136, CITY CLERK**
21 **DESIGNATED CHIEF ELECTIONS OFFICER; PROVIDING FOR SEVERABILITY; PROVIDING**
22 **FOR CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION AND APPROVING FOR**
23 **AN EFFECTIVE DATE.** Mayor Smith said this ordinance would allow the election process to go out of the
24 city's hand to the county. Okaloosa County Supervisor of Elections already handles a good deal of the process
25 this would put the entire election in their hands. **MAYOR SMITH MADE THE MOTION TO APPROVE**
26 **THE FIRST READING OF ORDINANCE NO. 714 AS SUBMITTED. COMM. CROSBY SECONDED**
27 **THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.** Second
28 reading for Ordinance No. 714 will be at the June meeting.

29 **4. ACTION ITEMS – Code Enforcement Contractor Agreement**

30 Mayor Smith said this contract would be to employ a contractor to act as if a code enforcer, Mr. Scott
31 just has so many hats this would be one less thing for him. Mayor Smith said this would be strictly to take
32 something off Mr. Scott. He said Mr. Scott will still handle paperwork that has to be submitted for special
33 magistrate. Mr. Dykes said like an independent contractor will have his own workers' compensation and
34 liability, as he will be an agent of the city, we need to make sure he is covered insurance wise. Mr. Dykes said

if he does not carry his own insurance we might need to pivot and make a part-time employment. **COMM. HAMILTON MADE A MOTION TO APPROVE THE CODE ENFORCEMENT CONTRACTOR AGREEMENT. COMM. BROWNING SECONDED THE MOTION.** Comm. Browning asked if he would be certified like Mr. Scott. Mr. Scott said he is not certified as a code enforcer. He said the thing is we have tons of enforcement issues, we had a great police department for back when he needed help but when only the Chief and Captain are the only bodies in the department, just not enough bodies. Mayor Smith said we still have a great Police Department. He said this person is his own contractor quite sure he carries his own insurances. Mr. Dykes said just make sure so that the city is not caught flat footed. Mayor Smith said once we have the insurance squared away then the code enforcement agreement can be put in place. **MOTION APPROVED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

1. OLD BUSINESS – Update Property Swap w/Ruckel Properties, Glendale-Valastics

Mr. Scott said nothing new. Mr. Dykes said we are still waiting on appraisal to bring back to the Commission.

2. OLD BUSINESS – New City Hall Renovation Update

Comm. Crosby said survey and measurements for elevator installation, service counters repositioning and commission meeting area setup have been completed, design results and cost are pending. He said we have also received proposals for maintenance of the outside. Comm. Crosby said that Mrs. Johnson is working with Synovus about changing the vault combinations. Comm. Crosby said proposals in progress are for fire protection system, phone, security, and internet wiring. Comm. Crosby said proposals still needed would be for public restroom modification and installation in the front left area, installation of amplifier and recording equipment, signage for the inside and out and contact moving company. Comm. Crosby said he is going to contact Eglin Federal Credit Union to see about use of the drive thru section of building.

1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT

Comm. Wasdin said work continuing College Avenue, also work on John Sims Parkway, even though not in the city, it will affect our area.

2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater

Mr. Scott said no issues reported to him.

3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Senior Citizen Update

Previously discussed.

4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report

Comm. Wasdin said nothing to add this evening.

5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update

Comm. Crosby said he did not have anything to report this evening.

6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update

1 Mr. Chambers said nothing at this time.

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

3 Comm. Hamilton said she wanted to add she had multi people praising Hope and the library, the
4 presentations she has done, she wants to thank her for her effort. Mayor Smith said kudos to Hope, he has also
5 had many people tell him how they appreciate her work. Ms. Hope Willis said she appreciates the
6 compliments, she said they have been working with outreach into the community. She said they were at
7 Saturday in the Park and letting people know that the library has a lot of things happening. Ms. Willis said
8 there is a summer reading program that the library is working with Lewis School. Mayor Smith said his
9 daughter enjoys story time and appreciates all the wonderful things about the library.

10 Comm. Browning said he would like for the Commission to consider budgeting Christmas lights into the
11 budget this year. He said we have not purchased new lights in several years and he thinks it is time to replace
12 what we have. Comm. Browning said somewhere around \$44,000 to \$49,000 thought he would put that out
13 there since we are coming into budget season. Mayor Smith agreed that is something we need to look for.

14 Comm. Browning said also that Mr. Shermer had led a great cleanup at Echo Park. Mr. Shermer said
15 there were several volunteers, one lady was an extremely hard worker, but he didn't know her name. Mr. Scott
16 said it was Ms. Jill St. George, she is a hard worker.

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

18 **COMM. BROWNING MADE A MOTION TO APPROVE THE BILLS AS OUTLINED IN THE**
19 **FINANCIALS. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED BY**
20 **UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

21 **ADJOURN**

22 There being no further business to be brought before the Commission, the meeting adjourned at 7:27
23 PM.

24
25
26 _____
27 Hubert B. Smith
28 Mayor

29
30 _____
31 Catherine Hamilton
32 Chair, VCA

33 ATTEST:

34
35 _____
36 Tammy Johnson, CMC
37 City Clerk

38 ***A recording of the May 9, 2022, Commission meeting will be kept on the City's secure file server as
39 a permanent part of these minutes.***
40