

**DeFuniak Springs City Council
Regular Meeting Minutes
County Courthouse
July 25, 2022**

Mayor Campbell called the meeting to order at 5:00 p.m. followed by the invocation and Pledge of Allegiance.

Mayor Campbell called the roll. The following members were present: Mayor Bob Campbell; Mayor Pro-Tempore Todd Bierbaum (Seat 1); Councilmember Kevin Crystal (Seat 3); Councilmember Henry D. Ennis (Seat 4); and Councilmember Anthony Vallée (Seat 5). Also, present were City Manager Robert Thompson, City Attorney Clay Adkinson, and City Clerk Koby Townsend.

Councilmember Robert McKnight (Seat 2) was excused.

ITEM 2 – PRESENTATION

A. Mayor B. Campbell – Florida Water Professionals Month Proclamation

Mayor B. Campbell read the Proclamation aloud to the City Council and public.

ITEM 3 - CONSENT AGENDA

- A. **Additions/Deletions** to the Consent Agenda
- B. **Approval** of the Consent Agenda

Mayor Campbell asked if there were any additions or deletions.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to approve the Consent Agenda, as presented.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

C. City Clerk K. Townsend

- 1. Minutes for Approval – May 19, 2022 – Special Meeting
- 2. Minutes for Approval – May 23, 2022 – Special Meeting
- 3. Minutes for Approval – May 25, 2022 – Special Meeting
- 4. Minutes for Approval – July 11, 2022 – Regular Meeting
- 5. Resolution 2022-10 – Scrivener’s Error Correction

D. Planning

- 1. Special Events Permit
 - a. Anna Cramer – Walton High School Senior Parade
 - b. Melinda Henderson – 2022 Christmas Tour of Homes

ITEM 4 - REGULAR AGENDA

A. Additions/Deletions to the Regular Agenda

B. Approval of the Regular Agenda

Mayor Campbell asked if there were any additions/deletions to the Regular Agenda.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to approve the Regular Agenda, as presented.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

C. 1 City Manager R. Thompson – DeFuniak Springs Senior Center Interlocal

City Manager R. Thompson explained the renewal of the Interlocal agreement between the city, Walton County, and the Senior Center.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to renew the Interlocal agreement.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

C. 2 City Manager R. Thompson – Amendment to Current CHELCO Post-Storm Site Agreement

City Attorney C. Adkinson explained the amendment to the CHELCO Post-Storm Site Agreement.

Mayor B. Campbell asked how this could affect potential expansion of the airport.

City Attorney C. Adkinson responded that CHELCO is aware of the city's desire to expand the airport and will be willing to work with the city in that case.

Councilmember K. Crystal asked of any land would need to be cleared to meet this amendment.

Tina Rushing, CHELCO, responded that no additional land would need to be cleared. Continued that CHELCO would cut the grass in the area of question.

Motion by Councilmember K. Crystal and seconded by Councilmember A. Vallee to approve the site agreement preferred by CHELCO.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

D. 1 City Clerk K. Townsend – Set Proposed Millage and Set 1st Public Hearing Date

City Clerk K. Townsend explained the information included in the packet.

City Attorney C. Adkinson stated that once a tentative millage rate is set it cannot be raised but can be lowered throughout the budget process. Explained that the budget process would fine tune these numbers for budgeting purposes.

Councilmember K. Crystal asked what is anticipated in the future for these funds.

City Manager R. Thompson stated that staff recommends a millage of 6.5 mills due to growth and stress on infrastructure.

City Attorney C. Adkinson explained that raising the millage rate to 6.5 mills would require a two-thirds vote to set such millage rate. Continued that it is his recommendation to set the tentative millage rate at 6.3403 as it is the maximum levy allowed under a majority vote.

Councilmember A. Vallee asked for clarification on the millage levy calculations.

Councilmember K. Crystal stated that this is the start of the and it can be adjusted to fit the city's needs.

Councilmember A. Vallee stated that he agreed and that everything cost more but is sensitive to citizens concerns.

Councilmember T. Bierbaum asserted that setting the rate tentatively at 6.3403 is good to start the budget process but would like staff to provide numbers with lower rates.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to set the Tentative Millage Rate at 6.3403.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to direct staff to prepare a budget with a 6.3403, 5.5000, and a 5.0000 millage rate at the next budget workshop.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

Motion by Councilmember K. Crystal and seconded by Councilmember H. Ennis to schedule the First Public Hearing for the tentative millage and budget on September 13, 2022, at 5:05 PM, located at the Walton County Courthouse BCC Boardroom.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallee to approve the 2022 Budget Workshop Schedule the following changes: Remove the August 2nd meeting and move all meeting to the Walton County Board of County Commissioners Boardroom.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

E. 1 Human Resources Director L. Drake – Appoint Negotiating Committee for Medical and Prescription Coverage RFP

Human Resources Director L. Drake asked for a motion to appoint a committee to negotiate the bids received for the Medical and Prescription Coverage RFP.

Motion by Councilmember K. Crystal and seconded by Councilmember A. Vallee to appoint negotiating committee for Medical and Prescription Coverage RFP.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

E. 2 Human Resources Director L. Drake – Finance Director Position Update

Human Resources Director L. Drake explained how the Finance Director Position has been advertised and presented a proposal from GovHR to help find applicants for the position.

Councilmember K. Crystal stated that the quote from GovHR seemed high for a Finance Director. Continued that he would like to interview the most recent applicant.

Motion by Councilmember K. Crystal to set an interview with Lana Dawson. No second. Motion failed.

Councilmember T. Bierbaum asked if there is any negotiation on the GovHR quote.

Human Resources Director L. Drake responded that the current quote reflects a decrease in the price. Continued that they stated that Finance Director is their hardest position to fill. Asserted that GovHR does not stop until the position is filled and the base rate is \$19,500.

Councilmember T. Bierbaum stated that it is expensive, but it is telling when the firm says that Finance Director is their toughest position to fill.

Councilmember A. Vallee asserted that the failure of hiring a bad applicant would be more expensive than the fee.

Councilmember K. Crystal asked if the city has the money to hire GovHR for this service.

City Manager R. Thompson responded that the city did have the revenue in this fiscal year to post if the city council so wishes.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to proceed with the GovHR quote and send all applications to GovHR.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Nay; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 3, Nays 1. Motion carried.

F. 1 Public Works Director C. Drake – Purchase Large Quantity of Asphalt Material for Crescent Drive Project

Public Works Director C. Drake explained the project that this asphalt would be used to complete and that this projected is budgeted for.

Councilmember K. Crystal asked if this was bided out to follow purchasing policy.

Public Works Director C. Drake responded that this is the only local vendor who provides hot asphalt, the next closest is Pensacola.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to approve the purchase of asphalt and not-to-exceed \$22,000.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

F. 2 Public Works Director C. Drake – FDEP Consent Order In-Kind Projects List

Public Works Director C. Drake provided the In-Kind projects identified by staff.

Councilmember K. Crystal stated that he would like to see the projects prioritized.

Councilmember T. Bierbaum agreed and stated that he was not in favor of projects 4 and 5. Continued by asking if the projects were to be listed in order of priority would it reflect the way they are currently labeled.

Public Works Director C. Drake responded that they would be prioritized as listed. Asserted that any project chosen would be budgeted for this upcoming fiscal year.

Councilmember K. Crystal asked if the lack of SCADA's systems within the city was the problem. Asked is SCADA is the city's responsibility or the city's vendors responsibility.

Public Works Director C. Drake responded that SCADA is the city's responsibility.

Councilmember K. Crystal asked if Councilmember A. Vallee would share why he voted Nay on the motion.

Councilmember A. Vallee explained the potential inefficiencies of conservation measures in some the identified projects.

Motion by Councilmember T. Bierbaum and seconded by Councilmember H. Ennis to approve projects listed 1, 2, and 3 to the FDEP.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Nay. Ayes 3, Nays 1. Motion carried.

G. 1 Finance Supervisor M. Hulion – City Audit Update

Finance Supervisor M. Hulion gave an update on the status of the city's 2021 financial audit.

ITEM 5. PUBLIC HEARING/ORDINANCES

- A. 1 Planning Director C. Wallace – 2nd Reading - 2022-SSA-03, Reynolds Henderson has requested a small-scale map amendment to the Future Land Use Map (FLUM) changing the designation from Low Density Residential to Medium Density Residential

Councilmember A. Vallee recused himself from voting on item 5.A.1.

City Attorney C. Adkinson swore in all individuals including staff standing and raising their right hand.

Planning Director C. Wallace explained 2022-SSA-03.

Kim Wennerberg, sworn in, expressed concern over parking at the location and how many units are expected for the project.

Planning Director C. Wallace explained the dimensions of the project outlined in the preliminary plan.

City Attorney C. Adkinson stated that the motion would have to solely address the FLUM amendment request. Continued that the comp plan would have to come back to the city council before moving forward, therefore, the city council could then express opinion on parking.

Planning Director C. Wallace read 2022-SSA-03, Ordinance 939 aloud to the city council and public.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to approve 2022-SSA-03, an amendment to the Future Land Use Map.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Recused. Ayes 3, Nays 0. All ayes. Motion carried.

A. 2 Planning Director C. Wallace – 2nd Reading - 2022-SSA-04, Michael McCormick has requested a small-scale map amendment to the Future Land Use Map (FLUM) changing the designation from Walton County Estate Residential to Medium Density Residential

Planning Director C. Wallace explained 2022-SSA-04.

Planning Director C. Wallace read 2022-SSA-03, Ordinance 940 aloud to the city council and public.

Motion by Councilmember K. Crystal and seconded by Councilmember T. Bierbaum to approve 2022-SSA-04, an amendment to the Future Land Use Map.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

ITEM 6. REQUEST TO BE ON THE AGENDA

A. Stewart Duncan, JACOBS – Bi-Monthly Report

Stewart Duncan, JACOBS, began by explaining the Bi-Monthly Report.

Councilmember T. Bierbaum asked what was the cause of the high-water alarm. Councilmember T. Bierbaum asked for clarification on the gallons per day chart.

Stewart Duncan responded that a large rain caused water to rush into the system. Responded that the significant increase in gallons per day has been due to more people using the system.

B. 1 Kim Wennerberg, City Beautification and Tree Board Chair – Tree Donation Policy

Kim Wennerberg explained the Tree Donation Policy written by the City Beautification and Tree Board.

Councilmember T. Bierbaum asked if the policy had been vetted by staff for any kind of issues.

City Manager R. Thompson responded that he has not reviewed the policy as of yet.

City Attorney C. Adkinson stated that he has not been called to review it, but it is a policy and is at the complete discretion of the city council.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallee to adopt the Tree Donation Policy.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

B. 2 Kim Wennerberg, City Beautification and Tree Board Chair – Tree Replacement Policy

Kim Wennerberg explained the Tree Replacement Policy written by the City Beautification and Tree Board.

City Manager R. Thompson stated that the 1 to 1 replacement ratio in policy does not apply to catastrophic events.

Councilmember T. Bierbaum asked if the replacements would go back in the same location or in a location better suited for the tree.

Councilmember A. Vallee stated the location would follow the direction of the Tree Donation Policy. Continued asserting the difference in replacement certain classifications of trees.

City Manager R. Thompson stated that if the replacement of trees becomes a budget concern, he would like to have the ability to bring the issue back to the city council for guidance.

Councilmember K. Crystal asserted that he liked the budgetary concerns and asked if the same species of tree would replacement the removed tree.

Kim Wennerberg responded that the policy increased the size of tree that has to be used for replacement to reduce loss.

Councilmember T. Bierbaum expressed concern with budget-based replacement, does not want the City Beautification and Tree Board to be regularly denied tree replacement because of budgetary concerns.

City Manager R. Thompson responded that the budget concern would be if the Tree Replacement budget is fully expended and then more funding is needed.

City Attorney C. Adkinson stated that he would recommend creating a line-item for Tree Replacement. Continued that the City Beautification and Tree Board should get a report each month to see action in the line item so that it can be monitored.

Motion by Councilmember A. Vallee and seconded by Councilmember T. Bierbaum to adopt the Tree Replacement Policy, and for the City Beautification and Tree Board to work with the City Manager to establish an annual budget for tree replacement, the City Beautification and Tree Board is to monitor that budget and advise the city council routinely.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

ITEM 7 – CITIZEN COMMENTS

Melinda Henderson inquired about potential meetings of one of the city’s auxiliary boards.

Councilmember T. Bierbaum stated that they would look at the end of September.

ITEM 8. CITY ATTORNEY – None at this time.

ITEM 9. LEGISLATIVE REQUESTS

A. 1 Councilmember T. Bierbaum – Blight and Trash

Councilmember T. Bierbaum began talking about blighted properties within the city and the next steps in addressing this issue. Continued that he would like to see Code Enforcement have the ability to begin the foreclosure process on properties where the fine is higher than the value of the property. Asserted that CRA could redevelop the property or work with Habitat for Humanity to either fix or rebuild for housing.

Councilmember K. Crystal asked for the time frame with the foreclosure property. Asked how properties in the city are at the point where the fine is greater than the value of the property.

City Attorney C. Adkinson stated it would take 2-4 months.

Code Enforcement Officer C. Strawn responded that there are at least 10 properties that fall under this category. Continued that the properties are located all over the city. Explained that these properties have been to the Special Magistrate.

Councilmember A. Vallee asked why this process has not already been happening, because there is already a Resolution in place for this.

Code Enforcement Officer C. Strawn responded that there is not a written process for how to begin the foreclosure process.

Councilmember T. Bierbaum stated that that he what he wanting to address, to establish a process.

Mayor B. Campbell stated that the city created the Special Magistrate position to give teeth to this initiative.

Councilmember K. Crystal asserted that he is in favor of moving forward with the foreclosures.

Councilmember T. Bierbaum stated that he wants to focus solely on non-homesteaded properties.

City Attorney C. Adkinson read Resolution 2021-11 that regards the process of Code Enforcement fines and foreclosures.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallee to have Code Enforcement send potential foreclosure properties to the City Manager and then the City Manager present those properties to the City Council and begin the process with the first 10 properties stated by Code Enforcement.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

Councilmember T. Bierbaum expressed concern with bulk trash pickup and asked for recommendation on how to address the issue within the city.

Councilmember K. Crystal asked how the city got into the bulk pick up business in the first place.

Councilmember H. Ennis gave a brief history of the city's actions to provide bulk pick up for free to city residents.

Councilmember k. Crystal suggested charging fee for bulk pick up once the load reaches a certain load weight.

Mayor B. Campbell asked how customers could be notified of a potential change to bulk pick up.

Public Works Director C. Drake stated that notices could be sent with utility billing. Explained the difficulty with bulk pick up.

Councilmember A. Vallee stated that the city decided to continue to pick up white goods when the contract with Waste Management was approved. Continued that trash cans are being placed on city rights-of-way when they should be on the owner's property.

City Attorney C. Adkinson responded that the city would have to reach out to Waste Management to inquire about their operating policy since the city no longer has a sanitation department.

Councilmember A. Vallee stated that the city council did vote back on November 8th, 2021, to adopt policy 121 that addresses these issues of blight and trash, but the process needs to be finished.

Motion by Councilmember T. Bierbaum and seconded by Councilmember K. Crystal to direct staff to bring back data and recommendations on a program for residential and commercial bulk trash pickup, to be incorporated into a budget workshop.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes 4, Nays 0. All ayes. Motion carried.

A. 2 Councilmember T. Bierbaum – County Wide Traffic Study

City Attorney C. Adkinson explained the proposed county wide traffic study from Freeport City Manager Charlie Simmons in lieu of the upcoming referenda vote for a 1 cent sales tax for infrastructure.

Motion by Councilmember T. Bierbaum and seconded by Councilmember A. Vallee to request for the Walton County Board of County Commissioners to explore a county wide traffic study.

Vote: Councilmember T. Bierbaum, Aye; Councilmember K. Crystal, Aye; Councilmember H. Ennis, Aye; Councilmember A. Vallée, Aye. Ayes , Nays 0. All ayes. Motion carried.

ITEM 10 - EXECUTIVE COMMENTS – None at this time.

ITEM 11 - COUNCIL COMMENTS

Councilmember K. Crystal stated that House Bill 597 passed in 2021 is a home tax exemption for seniors 65 years or older with \$20,000 or less annual income. Stated that he has spoke with the City Attorney and will speak with the Property Appraisers office to see how this exemption will affect the city financially.

Councilmember A. Vallee stated that the TPO has released a survey to receive feedback for projects within Walton and Okaloosa county.


Mayor B. Campbell asked for an update on the expected timeline for moving into the new city hall.

City Manager R. Thompson responded that the end of August is the expected timeline. Continued that Public Works has started to cut the grass at busy traffic areas on Fridays and wanted to say that they were doing a great job.


ITEM 12 - ADJOURNMENT

Mayor Campbell adjourned the meeting at 7:02 p.m.

Approved:


Bob Campbell, Mayor

ATTEST:


Minutes taken by Koby Townsend, City Clerk
Proper notice having been duly given

