

**CITY OF CHIPLEY
REGULAR COUNCIL MEETING
MINUTES**

April 12, 2016

6:00 p.m.

Attendees:

Mr. Lee Dell Kennedy, Mayor
Mrs. Karen Rustin, Council Member
Mr. John Sasser, Council Member

Mr. Brett Butler, Mayor Pro-Tem
Mr. Ellis Reed, Council Member

Others Present Were:

Mr. Dan Miner, City Administrator
Mrs. Michelle Jordan, City Attorney

Mrs. Patrice Tanner, Asst. City Administrator/City Clerk

The data reflected in these proceedings constitute an extrapolation of information elicited from notes, observations, recording tapes, photographs, and/or videotapes. Comments reflected herein are sometimes paraphrased, condensed, and/or have been edited to reflect essential subject matter addressed during the meeting. Parties interested in receiving a verbatim account of the proceedings are responsible for coordinating with the City Administrator and providing their own representative and equipment pursuant to Chapters 119 and 283, Florida Statutes.

- A. **Call to Order.** The meeting was called to order by Mayor Kennedy at 6:00 p.m.
- B. **Prayer and Pledge.** Prayer was given by Mr. Reed and Mr. Butler led the pledge to the American Flag.
- C. **Approval of Agenda.** The agenda was presented for approval. Mayor Kennedy deleted Item No. 9 – Ted Everett – Strategic Planning and added Item No. 9 – Approval of Special Event Application – First Baptist Church; Item No. 10 – Approval of Special Event Application – New Vizh-uhn, Inc.; and Item No. 10 – Royce Douglas.

A motion was made by Mrs. Rustin and seconded by Mr. Butler to approve the agenda with the deletion and additions. The motion passed unanimously.

- D. **Presentation and Approval of Minutes.**
1. February 4, 2016 – Regular Council Workshop
 2. March 8, 2016 – Regular Council Meeting
 3. March 24, 2016 – Special Council Meeting

A motion was made by Mr. Reed and seconded by Mr. Sasser to approve the minutes as presented. The motion passed unanimously.

E. **Agenda Items.**

1. **Approval of Resolution No. 16-13 – Amtrak.** Mr. Miner explained this resolution, if approved, will support restoration of passenger rail service between New Orleans, Louisiana and Orlando, Florida. Discussion ensued.

A motion was made by Mr. Butler and seconded by Mrs. Rustin to approve Resolution No. 16-13. The motion passed unanimously.

2. **Approval of Special Event Application – American Cancer Society Relay for Life.** Mr. Miner explained Ms. Lisa Jones has presented a Special Event Application requesting approval to hold a fundraising event for the American Cancer Society at Pal's Park on Saturday, May, 14, 2016 from 10:00 a.m. – 10:00 p.m. The purpose of this event is where teams from the community come together for a 12 hour event to celebrate our survivors and remember those we lost to cancer. Discussion ensued.

A motion was made by Mr. Reed and seconded by Mr. Butler to approve the Special Event Application for American Cancer Society Relay for Life. The motion passed unanimously.

3. **Approval of Hatch Mott MacDonald Florida, LLC Work Order – FDEP Sprayfield Project – Phase I.** Mr. Miner explained this is a Work Order Agreement between the City of Chipley and Hatch Mott MacDonald Florida, LLC for professional engineering services in the amount of \$134,215.00. Discussion ensued.

A motion was made by Mr. Sasser and seconded by Mr. Butler to approve Hatch

Mott MacDonald, Florida LLC Work Order for FDEP Sprayfield Project – Phase I in the amount of \$134,215.00. The motion passed unanimously.

4. **Approval of FDOT Utility Work by Highway Contractor Agreement – SR 77 from South of I-10 to 5th Street.** Mr. Miner explained this agreement is between the State of Florida Department of Transportation and the City of Chipley for a project that requires minor modifications to the Facilities in the amount of \$11,150.00. Discussion ensued.

A motion was made by Mrs. Rustin and seconded by Mr. Butler to approve the FDOT Utility Work by Highway Contractor Agreement in the amount of \$11,150.00. The motion passed unanimously.

5. **Approval of 4th of July Fireworks Quote – Sky Lighters of Florida.** Mr. Miner explained we received two (2) quotes for the 4th of July Firework show and the lowest quote is from Sky Lighters of Florida in the amount of \$9,500.00 for a 20 minute fireworks show. He explained the Ministerial Association is going to wait and do something maybe next year. The City is holding the State Tournament for baseball this year so we have that going on the day of the fireworks, and if we had both it may cause too much of an overflow. Discussion ensued.

A motion was made by Mr. Butler and seconded by Mrs. Rustin to approve the Sky Lighters of Florida quote for the 4th of July fireworks show in the amount of \$9,500.00. The motion passed unanimously.

6. **Approval of Recreation Committee Members – Steven Daniel and Alicia Bringer.** Mr. Miner explained the Recreation Committee has suggested that Steven Daniel and Alicia Bringer be appointed to the Recreation Committee.

A motion was made by Mr. Reed and seconded by Mrs. Rustin to approve the appointment of Steven Daniel and Alicia Bringer to the Recreation Committee. The motion passed unanimously.

7. **Approval of Waste Water Treatment Plant Painting Quotes – RCM Interiors.** Mr. Miner explained the Water Utilities Department received three (3) quotes for facility painting and the lowest quote is from RCM Interiors in the amount of \$18,000.00. Discussion ensued.

A motion was made by Mr. Sasser and seconded by Mrs. Rustin to approve the Waste Water Treatment Plant Painting quote by RCM Interiors in the amount of \$18,000.00. The motion was passed unanimously.

8. **West Florida Regional Planning Council Grant Opportunities – Austin Mount, Executive Director.**

A. **FDEO Community Planning Technical Assistance Grant.** Mr. Miner explained CRA is trying to revitalize the downtown area so I would like to see us apply for this grant to help supplement the CRA and what they are trying to accomplish. Mrs. Rustin explained she gave Amy Wiwi a copy of the paperwork and she was going to get with Ted Everett and the City to see if we were able to do that. Mr. Butler asked how we could raise our score. Mr. Miner explained West Florida Regional Planning Council will write the grant so they would be more familiar with what is required to score higher. I don't believe the CRA Board has a long range vision in place such as a twenty year plan as to how that district wants to redevelop. Mr. Reed stated the CRA has a good program. Mayor Kennedy explained any help we can get for the CRA and downtown will help. Discussion ensued.

A motion was made by Mr. Sasser and seconded by Mr. Butler for West Florida Regional Planning Council to write a grant for the CRA Plan with an amount not to exceed \$40,000.00. The motion passed unanimously.

B. **FDEO Competitive Florida Partnership Grant.** No discussion.

9. **Approval of Special Event Application – First Baptist Church.** Mr. Miner explained the First Baptist Church has presented a Special Event Application requesting approval to hold a movie night at Shivers Park on May 20, 2016 from 6:00 p.m. – 9:00 p.m. The purpose of this event is to offer a free movie night for families in the community. Discussion ensued.

A motion was made by Mr. Butler and seconded by Mrs. Rustin to approve the Special Event Application for First Baptist Church. The motion passed unanimously.

10. **Approval of Special Event Application** – New Vizh-uhn, Inc. Mr. Miner explained Ms. Tracy Andrews has presented a Special Event Application requesting approval to hold an outdoor festival at Gilmore Park sponsored by New Vizh-uhn, Inc. on May 21, 2016 from 10:00 a.m. – 4:00 p.m. The purpose of this event is to provide a community event that is educational and fun, that provides food and entertainment and is open to the public.

A motion was made by Mrs. Rustin and seconded by Mr. Butler to approve the Special Event Application for New Vizh-uhn, Inc. The motion passed unanimously.

11. **Royce Douglas** – 714 Orange Street. Ms. Douglas explained she has been on Orange Street since 1977. There is an ongoing problem with noise and truck noise and it seems nothing is being done about it. I've been trying to deal with it but I have had it, we cannot back down.

Mrs. Rustin explained we have been working on this issue. Mr. Miner asked if he is still parking on the right-of-way. Ms. Douglas stated he has been parking on the right-of-way on the weekends. Mr. Miner explained we are giving him the opportunity to comply and it sounds like he is not doing that from what you are saying. If we write an ordinance it will pertain to the entire city except for zoned districts. Mrs. Jordan explained she is not comfortable with the truck ordinance at this time from the research she has done they are not holding up well in court. Mrs. Rustin stated he is doing it on the weekends when we are closed. Mr. Miner stated we can put up "No Parking" signs in the right-of-way which will give law enforcement the right to write tickets. Mrs. Rustin stated one person holding the neighborhood hostage is not fair to the community. Mrs. Jordan explained we will have to enforce that city wide and has a concern with placing signs specifically to this issue. Mr. Butler questioned if we could tailor an ordinance to a certain kind of vehicle. Mrs. Jordan explained she is not comfortable with the truck ordinance at this time from the research she has done they just are not holding up well in court. Mr. Miner explained we will listen to the concern that he is tearing up the roadway and city infrastructure. We explained to him that the parking on the right-of-way had to cease and asked him to be respectful of his neighbors and try to limit the noise. Mayor Kennedy stated he should be fined if he keeps tearing up the road. We requested him make a smooth transition between the roadway and his driveway. He explained he would pour a concrete drive to make a smooth transition. We have hauled dirt over there just to keep it from further deteriorating. Mr. Miner explained he has said he will comply but he has not so far. It has to go through the code process. Mayor Kennedy explained we have him 20 days to comply. Mr. Miner explained the code process has to be followed. A first letter is sent out, then a second letter, third notice and then fines. Mr. Miner explained we cannot prevent him from parking how the code is currently written. The only way we can prevent this is to write an ordinance that prevents overnight semi-truck parking in residential areas.

Tracy Andrews – 802 Orange Street. Ms. Andrews stated she knows it is not an easy fix. She understands where the Council stands and is sure the Attorney has done her research on the subject. She explained she understands we never like to add new ordinances, but times are changing and if it is going to be for the benefit of the City as a whole then isn't it the right thing to do. There was an incident near Roulhac and when there is a residential area there is always the possibility of something bad happening. We need to look into the future when there could be the possibility of more issues on residential streets. I live at the opposite end of Orange Street and I have even noticed the truck early in the morning. We do appreciate your service.

Mrs. Jordan stated we need to get the process started through Code Enforcement. Mr. Miner stated he would have it started tomorrow. Mrs. Rustin stated to ask the guy to comply and fine him if necessary. Mr. Butler suggested start with Code Enforcement since he is damaging city property. Mr. Reed stated we need to follow the Code Enforcement process. Mrs. Jordan asked the Council if she needs to look into developing a stricter ordinance. Mrs. Rustin explained it needs to be enforced for residential areas and if we don't start somewhere then it is going to get worse. Mr. Butler agreed and stated that we will deal with all the ups and downs that go with it. Mr. Sasser agreed that we proceed with the Code Enforcement process and have Mrs. Jordan do the research for a new ordinance.

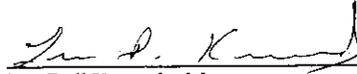
Floyd Harper – 716 Orange Street. Mr. Harper asked what the "No Trucks" signs actually mean. Mr. Miner explained it is a deterrent only. Mr. Harper stated nothing was done because it was a nuisance to the residents, but there is action taken when he is tearing up the roads. Mr. Butler explained that the Council just gave the City Attorney the direction to do an ordinance to address that. Mayor Kennedy explained we are going to work on an ordinance. Discussion ensued.

Other Business:

Michelle Jordan explained she has been the City Attorney for five years now and thanked the Council for allowing her to work with them. Discussion ensued.

The meeting adjourned at 6:55 p.m.

City of Chipley



Lee Dell Kennedy, Mayor

Attest:



Patrice A. Tanner
Assistant City Administrator/City Clerk