

**CITY OF CHIPLEY
REGULAR COUNCIL MEETING
MINUTES**

September 13, 2016

6:00 p.m.

Attendees:

Mr. Lee Dell Kennedy, Mayor	Mr. Brett Butler Mayor Pro-Tem
Mrs. Karen Rustin, Council Member	Mr. Ellis Reed, Council Member
Mr. John Sasser, Council Member	

Others Present Were:

Mr. Dan Miner, City Administrator	Mrs. Patrice Tanner, Asst. City Administrator/City Clerk
Ms. Elizabeth Peskin, City Attorney (Partner)	

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 6:03 p.m.
- B. **Prayer and Pledge.** Prayer and Pledge were done during prior meeting.
- C. **Approval of Agenda.** The agenda was presented for approval. Mayor Kennedy added Item No. 12 – Renee Crews and Item No. 13 – John Rogers.

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

- D. **Presentation and Approval of Minutes.** No minutes presented for approval.

E. **Agenda Items.**

1. **Approval of Resolution No. 16-19 – Loan from General Fund to Gas Fund.** Mr. Miner explained this resolution, if approved, will approve a loan in the amount of \$55,000.00 from the general fund to the gas fund for the purchase of commercial and residential gas meters/registers. Discussion ensued.

A motion was made by Mr. Reed and seconded by Mrs. Rustin to approve Resolution No. 16-19. The motion passed unanimously.

2. **Approval of Resolution No. 16-20 – Amendment to FDOT Traffic Signal Maintenance and Compensation Agreement.** Mr. Miner explained some changes to the agreement are as follows: decreased inspection requirement to 50% of signals every year (previous agreement was 100%), simplified language for penalties and retainage, added a clause to remove liability from both the City and the FDOT in the event of an Act of God and added a requirement for the City to provide an annual report of its traffic signal maintenance log. Discussion ensued.

A motion was made by Mr. Sasser and seconded by Mr. Butler to approve Resolution No. 16-20. The motion passed unanimously.

3. **Approval of Planning & Zoning Recommendation:**

A. **Request for Land Use (Zoning) Change – 761 Main Street – Shane Obert.** Mr. Miner explained Mr. Obert has requested a zoning change for 761 Main Street from low density residential to neighborhood commercial. On August 25, 2016 the Planning & Zoning Commission approved the request for zoning change for Mr. Obert at 761 Main Street. Discussion ensued.

A motion was made by Mr. Reed and seconded by Mr. Butler to approve the request for land use (zoning) change for 761 Main Street. The motion passed unanimously.

4. **Approval of Ordinance No. 938 (First Reading) – Approval of Land Use Amendment – Shane Obert.** Mr. Miner read the ordinance by title. Mr. Miner explained this ordinance, if approved will establish a land use change of 761 Main Street from low

A motion was made by Mr. Sasser and seconded by Mrs. Rustin to approve the first reading of Ordinance No. 938. The motion passed unanimously.

5. **Florida Department of Economic Opportunity (FDEO) CDBG Grant Opportunities** – Fred Fox Enterprises. Mr. Miner explained David Fox was at the meeting Thursday night to present the option of applying for a CDBG grant. He explained council approval is needed to move forward. Discussion ensued.

A motion was made by Mrs. Rustin and seconded by Mr. Butler to approve to proceed with applying for the CDBG grant through Fred Fox Enterprises. The motion passed unanimously.

6. **Approval of Special Event Application** – New Vizh-uhn, Inc. Mr. Miner explained Ms. Andrews presented a Special Event Application requesting approval to hold a softball tournament sponsored by New Vizh-uhn, Inc. at Pals Park on October 1, 2016 – October 2, 2016 from 8:00 a.m. – 1:00 p.m. The purpose of this event is to raise funds to support the 2017 Martin Luther King festivities in Chipley. Discussion ensued.

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

7. **Approval of Special Event Application** – Sherri Biddle – Trunk-or-Treat. Mr. Miner explained Ms. Biddle has presented a Special Event Application requesting approval to hold the Annual Trunk-or-Treat at Pals Park sponsored by the Merchants of Historic Chipley on Saturday, October 29, 2016 from 4:30 p.m. – 6:00 p.m. The purpose of this event is to provide a safe and enjoyable time for children to participate in a “trick-or-treat” event. Discussion ensued.

A motion was made by Mrs. Rustin and seconded by Mr. Reed to approve the special event application for the Annual Trunk-or-Treat. The motion passed unanimously.

8. **Approval of Special Event Application** – Chipley High School – Homecoming Parade. Mr. Miner explained Mr. Webb has presented a Special Event Application requesting approval to hold the Chipley High School Homecoming Parade on October 21, 2016 from 12:30 p.m. – 2:00 p.m. Discussion ensued.

A motion was made by Mr. Reed and seconded by Mr. Butler to approve the special event application for the Chipley High School Homecoming Parade. The motion passed unanimously.

9. **Washington County Library Expansion Request** – Renae Rountree. Mrs. Rountree explained she is requesting permission to pursue expansion of the current library property. We are under restrictive covenant on the property because we accepted state funding for it. We also have a memorandum of understanding between the County and City of Chipley that at such a time that the USDA Rural Development loan was paid off the City will give the property to the County. Unfortunately we cannot wait until the forty year loan is paid off. The state currently has been funding public library construction grants for the last three years and we would qualify for a half a million dollars with no match requirement. The county would handle all of the paperwork. Mr. Butler asked about her plans on the expansion. Mrs. Rountree explained she is looking at two options. She explained they will expand going westward 2600 square feet on the west side of the building adding a few more parking spaces; or the county is currently in negotiation to buy the piece of property next door west of the library that is currently for sale. Mr. Butler asked if they are looking for a separate structure. Mrs. Rountree explained yes, they are looking for a 4800 square foot community center addition. We would use it for programming space. Mr. Butler asked what if you do not get the property next door. Mrs. Rountree explained we would add 2,600 square feet on our current piece of property. This is all contingent on us being ranked by the Division of Library Information Services as being in the top four, and then it goes to the State Legislature for approval in March. Mrs. Rustin asked if this is contingent on them getting the grant. Mrs. Rountree said yes it is contingent on getting the grant. We are just in exploratory mode. Mrs. Cain stated she remembers the property next door had flooding problems. Mrs. Rountree explained they are aware of those past issues and they will be addressed. Discussion ensued.

A motion was made by Mrs. Rustin and seconded by Mr. Butler for authorization to pursue the Washington County Library Expansion. The motion passed unanimously.

10. **Truck Ordinance** – Discussion. Mrs. Peskin explained Michelle is currently working on the truck ordinance and will have an update at the next meeting. Mayor Kennedy explained we discussed last Thursday about drawing up an ordinance. Mr. Miner explained there are a few issues that may require more than one ordinance. One is the truck traffic and the other is big trucks in residential use zoned areas. Mrs. Peskin explained it is not an easy issue and Michelle has put in a lot of time looking at this; the issue is people are entitled to have the vehicles they want and do the job they want. She is looking at ordinances at other places to get some ideas on what is possible and what is not. Ms. Andrews asked if we are still going to check what Karen had addressed Thursday night in reference to a designated truck route. Mrs. Rustin stated yes. Discussion ensued.
11. **Bobby Padgett** – Mr. Padgett explained that he appreciates the time the council has allowed him to bring up an old sore from two years ago. I have found out that the statute of limitations has gone out for the golf course property. Back in 2005 the City purchased the golf course from my family trust that included free golf for me and my family and I was told that the golf course will be up and running in a year. The City never did, in fact I don't believe the City's intention was to ever open the golf course. The City sold the golf course to Mr. Vines in Lynn Haven, Florida. Mr. Vines explained he does not have any intentions for the property, he owns it and the statute of limitations has expired. Do you owe me anything through the agreement or do you simply sit behind the protection of the legal system? I think the City should be held accountable. Mrs. Rustin stated she has been with the City for some time now and she does not feel that anyone set out to deceive your family. Mr. Kennedy stated we do not have all the facts at this time so we cannot rule on this tonight. Discussion ensued.
12. **Renee Crews** – 653 7th Street. Mrs. Crews explained she has lived at 653 7th Street for eighteen or more years. We have never had flooding like we have this last year. We are right behind Piggly Wiggly that has a holding pond and there is a drainage ditch on the side of the property. This is where the water is supposed to drain down which is adjacent to Mr. Harrell's property. We have had flooding to our property three times this year. The City has brought sand bags. She suggested when we know it's going to be bad weather, maybe beforehand they can dig the ditch that is supposed to be a drainage area and the water can go there. The water from the holding pond is coming into our house. Mr. Miner explained he will check to see if the City owns the ditch and if do, we can get in there and clean it out. If not, we can look into getting easements. Mrs. Crews explained she is willing to work with anyone to get it cleaned out to where we won't have the problem again when we have severe weather. Mr. Reed explained before we do anything we have to have an easement. Discussion ensued.
13. **John Rogers** – Mr. Rogers explained he wanted to talk about the sprayfield project. I do live in an area that is heavily farmed and all the fields are irrigated. I go by eight or nine of those irrigators, some are football field length. I took a picture of one of the irrigators (attached photo). It sprays water out and the water is soaked in the ground and it does not run off. You guys have a flat area. I think it is something you may want to look at. I do have photos. I had an aerial survey at the July 12th meeting and I talked about Gene Prough's lake. He explained back in 2010 it was a clear, pretty lake. Since the Davidson Sprayfield started being used the lake looks worse from 2012 up to 2016 (attached photos). The lake is really bad. The City wants to put in a sprayfield next to my wife's property we are concerned about a pollution problem. We want to do everything we can to not have that same problem. Mrs. Rustin asked if the pictures are of a standard farm irrigation system. Mr. Rogers stated yes. Also, at the July 12th meeting I had some photographs that Mr. David Morris had taken and given to me that showed a lot of his problems he is having with the sprayfield. I gave them to you Mayor and they are not in the minutes of that meeting, so they must have been lost. I would like to resubmit the photos again tonight and have Mr. David Morris identify the photos (attached photos). Mr. David Morris stated that these are the photos of discharge that comes across my back yard, from the City of Chipley Davidson effluent sprayfield point south. These photographs are the replacement of the photos that were misplaced by the council on July 12th. The topography of the ground is pretty clear. I'm not an engineer and I cannot speak to where the water is going. I can speak from what I have seen and where it's coming from. Hopefully these will find their way into official records. Mayor Kennedy stated to give all photos to Mrs. Tanner. Mr. Morris explained he will be presenting video of footage later. Discussion ensued.

Other Business:

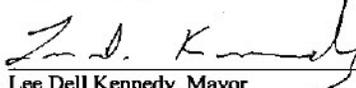
Mr. Miner explained the West Florida Regional Planning Council is offering a four hour required ethics training course presented by Florida League of Cities on September 29th from 12:00 p.m. to 4:00 p.m. in Fort Walton and they are also having their annual dinner at 6:00 p.m. that same day if anyone is interested. Discussion ensued.

Ms. McCall explained on the recent boil water notices I've been told those need to be provided to the press, they've only been going out to door knockers. When I was here, we emailed it out. I understand the last one that happened the press was not notified, it was a residential property. We need to look into that. Mr. Miner explained that is the procedure that is set up. Mrs. Tanner explained we continue to update that commercial email list every month. Discussion ensued.

Ms. Barbara James explained it looks good around the Mongoven Building where they cleaned up. Discussion ensued.

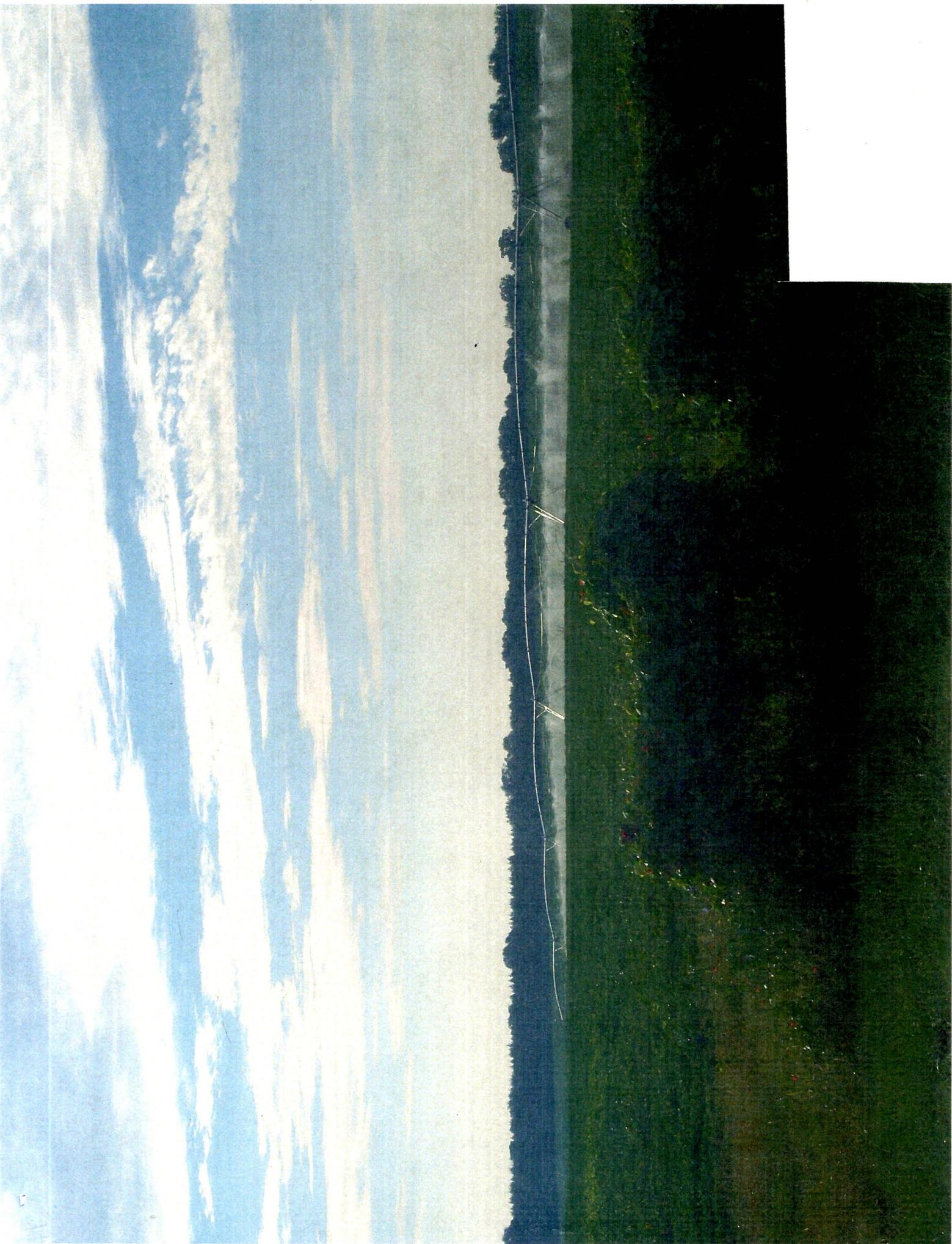
The meeting adjourned at 6:48 p.m.

City of Chipley

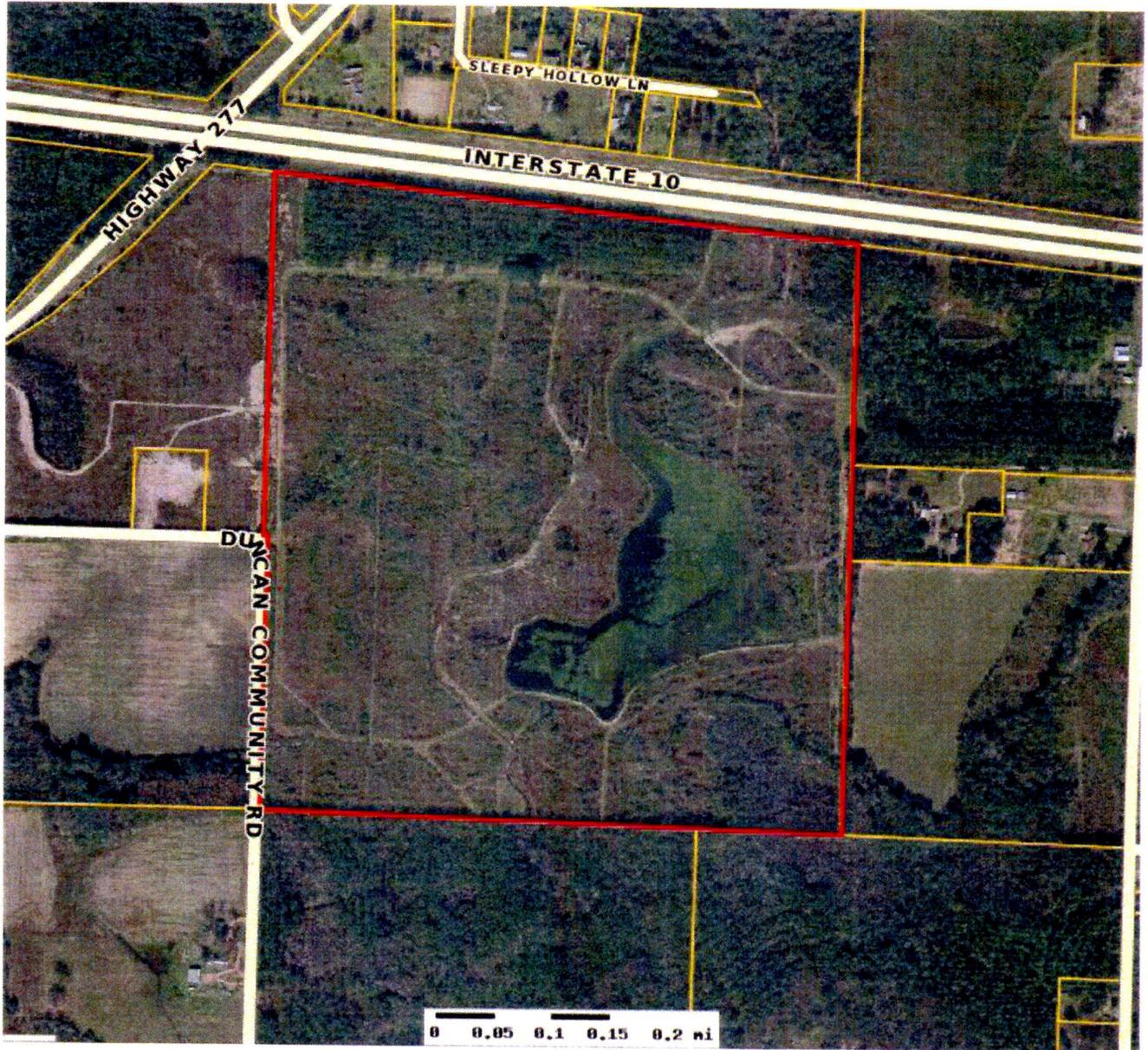

Lee Dell Kennedy, Mayor

Attest:


Patrice A. Tanner
Assistant City Administrator/City Clerk



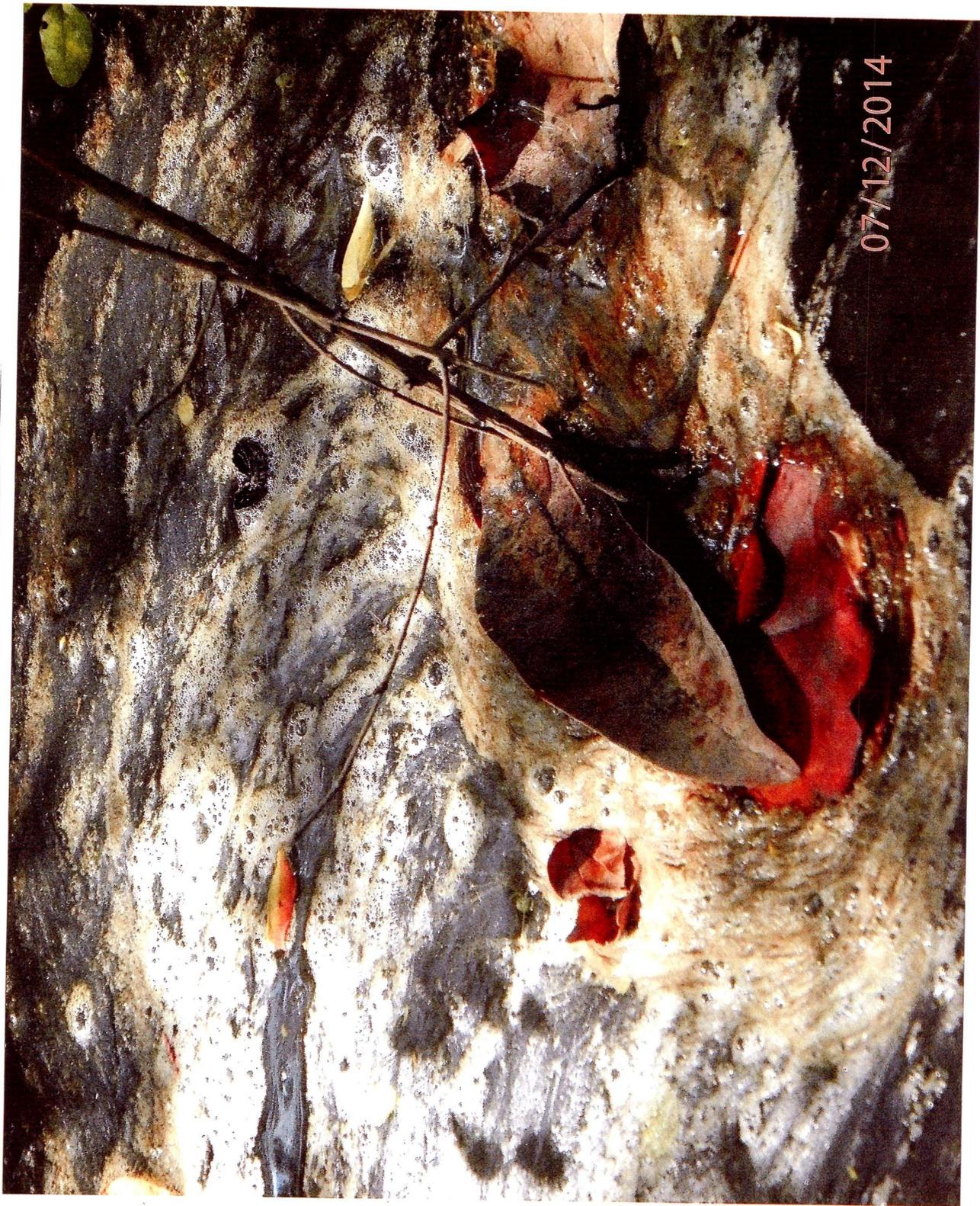
year 2016



Washington County Property Appraiser			
Parcel: 00000000-00-2361-0008 Acres: 180			
Name:	PROUGH GENE A & PRISCILLA	Land Value	0
Site:	DUNCAN COMMUNITY RD	Building Value	0
Sale:	90,100 on 03-1988 Reason=Q Qual=Y	Misc Value	0
Mail:	1151 BUDDY RD CHIPLEY, FL 32428	Just Value	216,000
		Assessed Value	30,882
		Exempt Value	0
		Taxable Value	30,882



The Washington County Property Appraiser's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. PLEASE NOTE THAT THE PROPERTY APPRAISER MAPS ARE FOR ASSESSMENT PURPOSES ONLY NEITHER WASHINGTON COUNTY NOR ITS EMPLOYEES ASSUME RESPONSIBILITY FOR ERRORS OR OMISSIONS —THIS IS NOT A SURVEY—
Date printed: 09/12/16 : 12:36:08















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