CITY OF CHIPLEY
REGULAR COUNCIL MEETING
MINUTES

October 11, 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
Mr. Scott Thompson – Police Lieutenant
Honorable Colby Peel – County Judge
Mrs. Patrice Tanner, Asst. City Administrator/City Clerk
Mrs. Michelle Jordan, City Attorney

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. Swearing in of Karen Rustin, Brett Butler and Ellis Reed. Mrs. Karen Rustin, Mr. Brett Butler and Mr. Ellis Reed were sworn into office by Judge Peel. Judge Peel thanked the Council for allowing him to be a part of this, and stated that it has always been a pleasure dealing with the City of Chipley.

D. Appointment of Mayor.

A motion was made by Mr. Reed and seconded by Mrs. Rustin to appoint Mr. Kennedy as Mayor. The motion passed unanimously.

E. Appointment of Mayor Pro-Tem.

A motion was made by Mr. Sasser and seconded by Mrs. Rustin to appoint Mr. Butler as Mayor Pro-Tem. The motion passed unanimously.

F. Appointment of Council Liaisons. Mayor Kennedy read the following council liaison appointments:

Administration – Lee Dell Kennedy
Recreation – Brett Butler
Public Works and Water Utilities – Lee Dell Kennedy
Industrial Park – Karen Rustin
Cemetery – Karen Rustin
Planning & Zoning – John Sasser
Code Enforcement – John Sasser
CRA – Ellis Reed
Police – Brett Butler
Fire – Ellis Reed
Historic Merchants of Chipley – Ellis Reed
Tourist Development Council (TDC) – Lee Dell Kennedy

G. Approval of Agenda. The agenda was presented for approval. Mayor Kennedy added Item #5 – CRA Alleyway Project, Item #6 – Mott MacDonald Task Order No. 3, and Item #7 – New Vizh-Uhn, Inc. – Martin Luther King Jr. Parade.

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

H. Presentation and Approval of Minutes.
1. August 4, 2016 – Regular Council Workshop
2. September 8, 2016 – Budget Workshop
3. September 8, 2016 – Regular Council Workshop

4. September 13, 2016 - Public Hearing Tentative Millage & Budget Adoption
5. September 13, 2016 – Regular Council Meeting
6. September 27, 2016 – Public Hearing Final Millage & Budget Adoption

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

I. Agenda Items.

1. **Approval of Ordinance NO. 938 (Final Reading)** – Approval of Land Use Amendment – Shane Obert. Mr. Miner explained this ordinance, if approved, will establish a land use change of 761 Main Street from low density residential to neighborhood commercial. Discussion ensued. Mayor Kennedy closed the regular meeting and opened the public hearing at 6:12 p.m. Mr. Miner read Ordinance No. 938 by title:

   AN ORDINANCE OF THE CITY OF CHIPLEY, FLORIDA, AMENDING ITS ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR FUTURE LAND USE CHANGE OF A PARCEL OF PROPERTY LOCATED AT 761 MAIN STREET, FROM LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL; PROVIDING FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR A SMALL SCALE AMENDMENT TO THE ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR THE FILING WITH THE CLERK OF CIRCUIT COURT AND THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AND DECLARING AN EFFECTIVE DATE.

   No comments.

   Mayor Kennedy closed the public hearing and opened the regular meeting at 6:14 p.m.

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

2. **Approval of Special Event Application** – Jingle Bell Run 5K – Northwest Florida Community Hospital. Mr. Miner explained Ms. Poison has presented a Special Event Application requesting approval to hold a 5K run sponsored by the Northwest Florida Community Hospital on December 3, 2016 from 8:00 a.m. to 10:00 a.m. The purpose of this event is to raise funds for Relay for Life. Discussion ensued.

   A motion was made by Mr. Sasser and seconded by Mr. Reed to approve the Special Event Application. The motion passed unanimously.

3. **Approval of Special Event Application** – Relay for Life – American Cancer Society, Inc. Mr. Miner explained Ms. Jones has presented a Special Event Application requesting approval to hold a fundraising event for the American Cancer Society at Pals Park on Friday, May 5, 2017 from 5:00 p.m. to 11:00 p.m. The purpose of this event is to celebrate our survivors and remember those we have lost to cancer. Discussion ensued.

   A motion was made by Mrs. Rustin and seconded by Mr. Reed to approve the Special Event Application. The motion passed unanimously.

4. **CATF Members.** Mr. Miner explained the City is required to update out CATF Committee for the upcoming CDBG Project. The committee must consist of 3 – 5 city residents with 51% meeting the minimum threshold for CDBG. The following have applied and are interested in being on the committee: Sommer Cason, Luther Farmer, Taylor Russ, Murnice Woodham and Brittany Yeager. Discussion ensued.

   A motion was made by Mr. Reed and seconded by Mrs. Rustin to approve the Citizen Advisory Task Force Committee Members as Summer Cason, Luther Farmer, Taylor Russ, Murnice Woodham and Brittany Yeager. The motion passed unanimously.

5. **CRA Alleyway Project.** Mr. Ted Everett was present to discuss the CRA Alleyway Project. Mr. Everett explained that Poly Engineering has presented a Phase I and Phase II for the Alleyway Project. The project will be over a period of two to three years. The Option No. 1 is a Concrete Drive with Brick Banding. It will include demolition, grading, installation of curb, utilities, surface material and concept plans for a total cost of $54,820.50. The Option No. 2 is Brick or Concrete Pavers. It will include demolition,

grading, installation of curb, utilities, surface material and concept plans for a total cost of $47,927.40. Mr. Everett explained that the CRA Board voted to use Phase I - Option No. 1 – Concrete Drive with Brick Banding, and is requesting the Council to approve moving forward with this Option. Discussion ensued.

A motion was made by Mr. Reed and seconded by Mrs. Rustin to approve Phase I - Option No. 1 for the CRA Alleyway Project. The motion passed unanimously.

6. **Mott MacDonald Task Order No. 3** – Mr. Bill Perry with Mott MacDonald was present. Mr. Perry explained they are 90% complete on all the plans for the I-10 utilities extension project. We have the elevated water storage tank design and we recently completed and sent a draft of the abandonment of both the City Well and Blackburn Well plans to FDEP. We have prepared permits for FDOT for working in the right-of-way coming up through the Highway 77 corridor area and permits for FDEP for facilities construction which is your water tower and water well site. Our objective is getting the project advertised for bid hopefully by the end of the year. This task order number three is due to the fact that the City was successful in winning several grants. The last of which was a grant to be able to abandon your City Well and Blackburn Well. In abandoning those two wells, one of them is a 600 gallon per minute well and the other is a 400 gallon per minute well; and we are now installing a minimum of a 1,200 gallon per minute well. We will be testing for a 1,500 gallon per minute well and if it tests out we will have an added option to select that size well if you choose. In so doing this task order number three includes the fees associated with doing the design of the initial $1.3 million worth of grant work on the project. We held off submitting this because we were dealing with the test well site and trying to nail down exactly where we were going to put that water well. Mr. Sasser asked about the estimated timeline for the abandonment of the two wells downtown. Mr. Miner explained the schedules completion for the project is December 2017. This includes the total project and that's putting in new utility water lines, the lift station, all associated line work and the new water well site being constructed. That also includes the abandonment of the two water wells also. Mr. Sasser asked if it includes the sewer extension. Mr. Miner said yes it does. Mr. Ellis asked if it is near Peel Road. Mr. Miner said no, it is south of Gilbert Road. Discussion ensued.

Mr. Perry gave an update on the wastewater project. Mr. Perry explained we are doing the evaluation on the facilities plan for expanding the effluent disposal capabilities. We are going through an exercise looking at all your different reuse options. One of those options is low rate land application. We have been talking with FDOT about some opportunities and FDEP about using highway I-10 right-of-way with very positive indications on their part. We are in the process of setting up meetings with them to further explore that option. We have been looking at industrial reuse. There are a number of different options and alternatives that we are going through in order to find the best option. We are targeting coming to you in the January time frame with recommendations, looking at what your options are and moving forward. No further discussion ensued.

A motion was made by Mr. Sasser and seconded by Mr. Reed to approve the Mott MacDonald Task Order No. 3. The motion passed unanimously.

7. **New Vizh-Uhn, Inc.** – Martin Luther King Jr. Parade. Mr. Miner explained Ms. Andrews is requesting approval for the Martin Luther King Jr. Parade, to be held on January 16, 2017 from 10:00 a.m. to 11:30 a.m. Discussion ensued.

A motion was made by Mr. Butler and seconded by Mr. Reed to approve the Martin Luther King Jr. Parade. The motion passed unanimously.

Other Matters:

Mrs. Jordan presented a draft truck parking ordinance. The Council is going to submit comments for attorney review, and then the ordinance will be brought back to Council next month. Discussion ensued.

Mrs. Jordan explained the truck route is a separate issue and suggestion was made to hold a special workshop to discuss the possible truck routes and work on the ordinance. Discussion ensued.

Mrs. Jordan gave an update on the Mongoven Building. Mrs. Jordan explained she ordered title work after the council directed her to do so, back in late spring and she discovered from the title work that the original court order back in 2008, the original order had been recorded but there had not been a certified copy of that court order recorded in the public records. That is required in order for there to be a lien against the real property. I had code enforcement get a copy of that certified order and recorded that,

but the statute governing municipal liens requires that we wait three months after the certified copy is recorded before we can proceed with the foreclosure. I have updated the title work. There are no junior liens after us, but now we are last in line. Right now we are looking at some other options to acquire the property other than foreclosure because foreclosure will not get us good title. Possibly the purchase of tax certifications and application for tax deed is the best way to go because that will ensure that all the other liens are dealt with within the tax deed. Mrs. Rustin asked if we have a cost for that. Mrs. Jordan explained last time we estimated there was about $10,000.00 in back taxes; but the taxes will have to be paid regardless. No further discussion ensued.

The meeting adjourned at 6:32 p.m.

City of Chipley

Lee Dell Kennedy, Mayor

Attest:

Patrice A. Tanner
Assistant City Administrator/City Clerk

OATH OF OFFICE

I, **Brett Butler**, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of CITY COUNCIL MEMBER on which I am now about to enter. So help me God.

W Brett Butler
Brett Butler

Subscribed to before me this 11th day of October, 2016.

Honorable Colby Peel
County Judge

OATH OF OFFICE

I, **Ellis Reed**, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of CITY COUNCIL MEMBER on which I am now about to enter. So help me God.

Ellis Reed

Subscribed to before me this 11th day of October, 2016.

Honorable Colby Peel
County Judge

OATH OF OFFICE

I, **Karen Rustin**, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of CITY COUNCIL MEMBER on which I am now about to enter. So help me God.

Karen Rustin

Subscribed to before me this 11th day of October, 2016.

Honorable Colby Peel
County Judge