

**CITY OF CHIPLEY
REGULAR COUNCIL MEETING
MINUTES**

March 12, 2019

6:00 p.m.

Attendees:

Ms. Tracy Andrews, Mayor
Mr. Kevin Russell, Council Member
Mr. Tommy Sasser, Council Member

Mr. Brett Butler, Mayor Pro-Tem
Mrs. Linda Cain, Council Member

Others Present Were:

Mr. Dan Miner, City Administrator
Mr. Scott Thompson, Police Chief

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 Andrews at 6:00 p.m.
- B. Prayer and Pledge.** Prayer was given by Mr. Miner and Mr. Butler led the pledge to the American Flag.
- C. Citizens Request.**
The City of Chipley welcomes you to this meeting. This is time set aside for the Citizens of Chipley to address the City Council. This is not a question and answer period, it is not a political forum, nor is it a time for personal accusations and derogatory remarks to/or about city personnel. If you would like to address the City Council please come to the podium, state your name and address for the record and limit your comments to not more than three (3) minutes per Florida Statute 286.0114. Your participation is welcomed and appreciated.

No citizen requests. No further discussion.

- D. Approval of Agenda.** Mayor Andrews deleted #8 – Kevan Parker Presentation and added item #8 – CRA Non-Profit Grant; deleted item #12 – Richard Williams Opportunity Florida Grant Writer – Discussion and added Dan Miner Grant Writer Update; and deleted #13 – Council Meeting Time Change – Discussion and added Linda Cain. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the agenda with the additions/deletions. The motion passed unanimously.

- E. Presentation and Approval of Minutes.**
1. Special Council Meeting – Executive Session – October 4, 2018
 2. Regular Council Workshop – February 7, 2019
 3. Regular Council Meeting – February 12, 2019

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the minutes as presented. The motion passed unanimously.

F. Agenda Items.

1. **Approval of Ordinance No. 957 (First Reading)** – Amendment to Chapter 11 – Private Property Standards and Abatement of Nuisances. Mr. Miner explained the attorney drafted this ordinance at the request of the Council due to several complaints from citizens. The council requested some time changes during the review process and those changes have been made. Mr. Miner explained this ordinance does not cover boom boxes. The State law covers boom boxes in a moving car. Mr. Russell stated that falls under Freedom of Speech. Mr. Butler asked what if the car is stationary and turns on loud music. Attorney Jordan stated if it is on private property that is the kind of conduct that is governed by this ordinance. Mrs. Cain stated but if they are moving down the road we cannot do anything. Mr. Butler asked if they are parked on public property and play loud music (i.e. Sheriff's Office parking lot). Attorney Jordan stated she does not have that answer but will get that answer for the council. Mr. Butler asked if the Attorney comes back and says that is not covered will we be able to amend the ordinance before final reading. Attorney Jordan stated as long as we do not change the title of the ordinance then we are okay to approve

final reading, but if the title changes due to the changes you request then we have to go back through the entire publication process. Mayor Andrews explained she wanted to make sure we were being consistent with the time changes that were made. In some places we have specific time frames and in other places we have from sunset to sunrise. Will this pose a problem? Attorney Jordan stated she thinks the times the council set clearly relate to the types of behavior you are trying to prohibit, so she does not see a problem. Discussion ensued. Mr. Miner read Ordinance No. 957 by title:

AN ORDINANCE OF THE CITY OF CHIPLEY, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR AN ADDITION TO AND AMENDMENT TO CHAPTER 11 OF THE CITY CODE, ENTITLED "PRIVATE PROPERTY STANDARDS AND ABATEMENT OF NUISANCES"; RELATING TO PRIVATE PROPERTY STANDARDS AND NOISE CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Council Member Sasser and seconded by Council Member Russell to approve Ordinance No. 957 on first reading. The motion passed unanimously.

2. **Approval of Resolution No. 19-20 – Water Utilities Water Department Vehicle Loan.** Mr. Miner explained we received three (3) quotes and Capital City Bank was the lowest with an interest rate of 3.55% with no closing costs. Mr. Miner explained this vehicle does not replace the Department Head vehicle which was totaled in an accident. We will have to look into that at a later date. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Sasser to approve Resolution No. 19-20. The motion passed unanimously.

3. **Approval of Resolution No. 19-21 – FY 18/19 Budget Amendment.** Mr. Miner explained this resolution approves a budget amendment with an increase in the annual budget by \$1,090,422. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve Resolution No. 19-21. The motion passed unanimously.

4. **Approval of Resolution No. 19-22 – Support of House Bill 0191.** Mr. Miner explained this resolution certifies our support for House Bill 0191 which is the Northwest Florida Rural Inland Affected Counties Recovery Fund. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Russell to approve Resolution No. 19-22. The motion passed unanimously.

5. **Approval of Resolution No. 19-23 – FDOT Municipal SCOP Application Submission – 3rd Street/Church Avenue.** Mr. Miner explained this application for grant funding consists of resurfacing Church Avenue from North 2nd Street and reconstructing 3rd Street from Church Avenue to Watts Avenue. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve Resolution No. 19-23. The motion passed unanimously.

6. **Approval of Resolution No. 19-24 – FDOT Municipal SCOP Application Submission – 7th Street.** Mr. Miner explained this application for grant funding consists of roadway improvements to 7th Street from South Boulevard to South Railroad Avenue. No further discussion.

A motion was made by Council Member Sasser and seconded by Council Member Russell to approve Resolution No. 19-24. The motion passed unanimously.

7. **Approval of Bid No. 19-02 Chipley Water Line Repair – Prime Utilities, Inc.** Mr. Miner explained this bid is to repair the water main that ruptured during the hurricane. It is located in the area near Kentucky Fried Chicken and is a direct result of us losing our water system during the storm. This approval will award this project to the lowest and only bidder Prime Utilities, Inc. in the amount of \$63,017.50, which is option number 1 of the bid. This project is reimbursable by FEMA. Mr. Miner explained in error he told the council at the workshop last week it was in the amount of \$49,435.68 which was for option number 2. The approval we will need is for option number 1 because this is the preferred option by FDOT. Discussion ensued.

A motion was made by Council Member Butler and seconded by Council Member Russell to approve the award of Bid No. 19-02 Chipley Water Line Repair to Prime Utilities, Inc. in the amount of \$63,017.50. The motion passed unanimously.

8. **CRA Non-Profit Grant.** Mayor Andrews explained that Mr. Everett gave us an overview of the non-profit grant at the workshop. Mr. Everett explained he sent this grant to Attorney Jordan at the request of the Council and received it back with her approval. Mrs. Cain asked if it goes along the lines of the other grants we have approved in the past. Mr. Everett stated it is the same type of grant with different parameters and a different structure. He explained the CRA Board worked with Carole Westmoreland with the Florida Redevelopment Agency and other grants from agencies that have already been offering this type of non-profit grant. He explained that we will make sure they are registered with the State and we are utilizing taxpayer's money so we want to make sure they are financially whole. Mr. Russell asked if there is a limit on how long the non-profit has to be in existence before they can qualify for these funds because you see non-profits pop up and then close after one year. Mr. Butler stated the grant has eligibility requirements that state the non-profit has to be in good standing with the State of Florida, so that should help to weed out the overnighters. Mr. Sasser explained good standing with the State is well and good but if a 501c3 fails to file a tax return for three consecutive years the IRS revokes their 501c3 status. Mr. Everett stated yes but they are required to register with the State each year to be in good standing. Mr. Sasser explained that even if they are in good standing with the State, that doesn't mean they are still a 501c3. The 501c3 status is a federal status. Mr. Butler stated then they are not qualified per the eligibility requirements in the grant. Mr. Everett explained the financials are going to also be taken into account which will be included as part of the approval process. Mr. Butler stated if they don't meet your requirements then they will not get approved and from what I see in the application there are enough checks and balances in place to weed them out. Mr. Russell stated they will also have to be in the CRA District and there aren't that many 501c3 organizations within the CRA. Mr. Everett stated yes the CRA is a defined geographical boundary. The CRA Board has been looking at this grant for quite some time and realizes these organizations have to be within the CRA mission statement and there are checks and balances in place and if we see something we are uncomfortable with then we will sit down with them and review everything until we are comfortable. The non-profits can apply the first year and the second year, but not a third year because we do not want them to become dependent on the CRA to survive. We want to help them but not be their lifesaver. It would be an incorrect use of taxpayer's money if we allowed that. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Butler to approve the CRA Non-Profit Grant Program. The motion passed unanimously.

9. **Approval to Dispose of Surplus Property – Police Department.** Mr. Miner explained this request is to dispose of a 2010 Dodge Charger in the Police Department. No further discussion.

A motion was made by Council Member Butler and seconded by Council Member Cain to approve the disposal of the 2010 Dodge Charger as surplus property. The motion passed unanimously.

10. **Approval to Dispose of Surplus Property – Police Department.** Mr. Miner explained this request is to dispose of a 2008 Ford Crown Victoria in the Police Department. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the disposal of the 2008 Ford Crown Victoria as surplus property. The motion passed unanimously.

11. **Approval of FDEO CDBG Grant Engineering Services Contract – Alday-Howell Engineering, Inc.** Mr. Miner explained the council approved the CDBG Engineering Services award last month for Alday-Howell Engineering, Inc. and the fees for the project have been negotiated and the amount they are requesting is \$99,985.00. Discussion ensued.

A motion was made by Council Member Sasser and seconded by Council Member Cain to approve the CDBG Grant Engineering Services Contract for Alday-Howell Engineering, Inc. in the amount of \$99,985.00. The motion passed unanimously.

12. **Dan Miner Grant Writer Update.** Mayor Andrews asked Mr. Miner for the status of the RFP for Grant Writing Services. Mr. Miner explained based on the changes Mr. Williams

suggested at the workshop, we are incorporating those changes into the RFP and it should be able to be advertised in this Saturday's paper. Mrs. Cain asked Mr. Miner which newspapers that would be advertised in and he explained the Washington County News and once it is posted to the city website anyone who is signed up for notifications will be notified automatically. Mrs. Cain stated she thought it was supposed to be advertised in the Tallahassee paper. Mrs. Tanner explained it is noted in the minutes which newspapers the council requested it be advertised and she will look back and make sure it is advertised per their request. Mr. Russell stated he thought it was all of the local papers and Tallahassee and maybe Dothan. Mrs. Tanner looked back in the minutes and verified it was the Washington County News, Tallahassee and Panama City. Discussion ensued.

13. **Linda Cain.** Mrs. Cain explained Mr. Kirkland got in contact with her and said he has a broken water line that was broke when that alleyway project was done. He has been in touch with Mr. Everett and gotten no response and nothing is being done about it. Mrs. Cain asked Mr. Miner to please get in contact with Mr. Kirkland and see what we can do and if it was broken when that alleyway project was done then they need to fix it; it has been a while. Mr. Russell stated there have been several business owners that have had problems since that alleyway project was done, an example being flooding issues with water pouring into their buildings. Mrs. Cain stated the business on the end that was a photography place had problems, but they are now closed. Mrs. Cain asked Mr. Miner to get in contact with Mr. Kirkland because as of Friday he was not happy. Mr. Miner stated he will do that first thing in the morning. Discussion ensued.

Other Matters:

Mr. Butler asked if while working on the sign ordinance has anyone thought about the large banners. We have a business in town that looks like a billboard because they have the huge vinyl signs, the flexible ones, almost like a tarp, that are plastered all over the building. The whole building is covered in banners now. This is the building that used to be Valencia at Highway 77 and Falling Waters Road. Mr. Butler asked if we are allowing that and it's possible it is temporary because it looks like they are putting up another sign. Mr. Miner explained we have not approved anything yet. The sign committee has met and we are still waiting on some responses from committee members. Our present ordinance allows for a temporary banner while they are waiting on a permanent sign to be placed. Mrs. Cain asked about the big flags that stick in the ground. Mr. Miner explained our current sign ordinance does not specifically identify those types of signs and they are all over town. Mayor Andrews stated she believes that is why we have a sign committee looking at the present ordinance. Mr. Butler stated he does not have a problem if it is temporary, it was just an observation he made and wanted to point out. Mr. Miner explained if the sign is affixed to the building some of the committee members were okay with that and other committee members were not. We may not have made very much progress on that item specifically. Mrs. Cain asked if the Code Enforcement Officer is on the sign committee and Mr. Miner stated she has been attending all of the meetings. He also stated he feels like there has definitely been some progress made. Mayor Andrews stated she was hoping that by the next workshop we can get an overview so we know what needs to be discussed further. Mr. Miner stated we can do that. Discussion ensued.

Mr. Russell asked about the status of the demolition of the Ice House. Mr. Miner explained we have received some quotes for the asbestos abatement for the building. We are going to give them the go ahead so we can get that building down as soon as possible. Mr. Miner stated he will let the council know the status as soon as he gets that information. Discussion ensued.

The meeting adjourned at 6:40 p.m.

City of Chipley



Tracy L. Andrews, Mayor

Attest:



Patrice A. Tanner,
Assistant City Administrator/City Clerk