

***City of Chipley***  
**Regular Council Meeting**  
**Minutes**  
**September 10, 2019 at 6:00 p.m.**

**Attendees:**

Ms. Tracy Andrews, Mayor  
Mrs. Linda Cain, Council Member  
Mr. Kevin Russell, Council Member

Mr. Brett Butler, Mayor Pro-Tem  
Mr. Tommy Sasser, Council Member

**Others Present Were:**

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

Mrs. Patrice Tanner, Asst. City Admin./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. Sasser 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 no more than three (3) minutes per Florida Statute 286.0114. Your participation is welcomed and appreciated.

Ms. Becky Cousson – 1347 Oak Avenue. Ms. Cousson explained to the Council that her neighborhood has been one of the nicest and most prime areas in the City. She discussed many issues she is having with a neighbor and that she is very concerned. Mayor Andrews stated that there are multiple items Ms. Cousson has brought to our attention and we are so sorry that you are having to deal with this, but we are hopeful that Mr. Miner and Chief Thompson or the Code Enforcement Officer can look into this. Mayor Andrews stated that she wants to make sure that Ms. Cousson gets a response and action to her concerns. Mr. Miner stated that he will look into these concerns that violate city code. Discussion ensued.

- D. Approval of Agenda.** Mayor Andrews changed item #1 to #1a; added #1 - Florida Gas Utility – Tom Geoffrey; added item #8 – Special Event Application – Chipley Christmas Fest; item #9 – Special Event Application – A21 Campaign; item #10 – Scottish Festival & Highland Games; item #11 – RCC Church Donation of Land; item #12 – CRA Update – City Attorney. No further discussion.

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

**E. Presentation and Approval of Minutes.**

1. Executive Session – December 11, 2018.
2. Special Council Meeting – August 8, 2019.
3. Regular Council Workshop – August 8, 2019.
4. Regular Council Meeting – August 13, 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. **Florida Gas Utility** – Mr. Tom Geoffrey. Mr. Geoffrey, General Manager and CEO of FGU was present to discuss the possibility of a rate increase for the natural gas system. He started off by stating that the City of Chipley along with all of the FGU members are enjoying the lowest cost for natural gas throughout the State. He explained that FGU performs rate studies for its members at no additional charge in order to make sure the natural gas operations have sufficient revenues to cover costs and provide a reasonable return on this important asset of the City. The asset is currently under-performing (losing money) and rate increases are needed so that this asset can move toward providing an appropriate return to the City. The recommendation by FGU is to spread the increase over a 2-year period. Mr. Geoffrey reviewed the current/proposed rates and what the increases would look like for certain users of the system. Mr. Miner stated when the auditor was here he said the gas fund was in trouble and we need to do something, and he understood at that time that we were working on increasing our rates. Discussion ensued.
- 1a. **Approval of Resolution No. 19-35** – Amendment to Personnel Policy. Mr. Miner explained this amendment to the personnel policy will add in the verbiage necessary for salaried employees to be paid overtime in the event of a natural and/or manmade disaster with Council approval. Discussion ensued.

**A motion was made by Council Member Russell and seconded by Council Member Cain to approve Resolution No. 19-35. The motion passed unanimously**

2. **Approval of Resolution No. 19-36** – Fiscal Year 2018-2019 Budget Amendment. Mr. Miner explained this amendment will increase the annual budget by \$136,152 to include additional revenues. No further discussion.

**A motion was made by Council Member Sasser and seconded by Council Member Butler to approve Resolution No. 19-36. The motion passed unanimously.**

3. **Grant Writer Update** – David H. Melvin, Inc. Mr. David H. Melvin and Mr. Rick Pettis with David H. Melvin, Inc. were present to give an update on the grant writing. Mr. Pettis reviewed the primary grant tools we are currently dealing with regarding hurricane recovery: CDBG Disaster Recovery (CDBG DR) – this is \$448 million set aside for MICHAEL) and must be disaster related for things such as infrastructure, economic revitalization, housing and equipment; you need to identify and prioritize your projects and be ready when these funds become available; Florida Department of Emergency Management (FDEM) – this is \$25 million for the MICHAEL impacted areas which includes 9 counties; these funds are available to cities, counties and school boards and the applications are due 10/01/2019; Rural Infrastructure Fund (RIF) – this is \$7.5 million with the total project participation being up to 30% of the total infrastructure project costs related to specific job-creating opportunities; if unable to come up with a job-creating project then you will definitely want to find a way to utilize the

Infrastructure Feasibility Grants which is up to \$300,000; State Revolving Fund (SRF) – SRF had an emergency funds cycle and it has closed, but there was no design or improvement, only like replacement; we would encourage looking at 100% grant funding first and loan later, if necessary; Economic Development Administration (EDA) - \$587 million in disaster funds are available nationwide and they have allocated \$140 million to the Atlanta Region (which is our area) and they have the authority to award 100%; HMGP Award - \$6,467,167.34 open now until 03/10/2020. Mayor Andrews asked if the grant writer has something ready to be submitted and Mr. Miner stated we may be able to tie our Inflow & Infiltration issue to storm equipment that can be purchased (maybe pumps, generators, a mini-excavator). Mr. Pettis stated we will be applying by 10/01/2019 for the FDEM grant. It is a very competitive program and we will be required to give them a line item budget. He asked the Council to be thinking about the HMGP and DR funds in order to be prepared for those deadlines as they come up in the future. Discussion ensued.

- 4. Approval of Mutual Aid Agreement** – American Public Gas Association. Mr. Miner explained this agreement provides assistance in the event of a natural disaster or other emergency affecting the natural gas system. We were able to get assistance from Okaloosa Gas during Hurricane Michael because of this agreement. No further discussion.

**A motion was made by Council Member Butler and seconded by Council Member Russell to approve the Mutual Aid Agreement with American Public Gas Association. The motion passed unanimously.**

- 5. Approval of FDEP State Revolving Fund Loan WW670110 Amendment No. 5** – Chipley Treatment Project. Mr. Miner explained this amendment will increase our wastewater project funding for design costs by \$330,169, with \$264,135 being principal forgiveness. The payments will not begin until 03/15/2021. No further discussion.

**A motion was made by Council Member Sasser and seconded by Council Member Russell to approve the FDEP State Revolving Fund Loan WW670110 Amendment No. 5. The motion passed unanimously.**

- 6. Approval of Special Event Application** – The Merchants of Historic Chipley. Mr. Miner explained this is the Annual Trunk or Treat event and will be held on Saturday, October 26, 2019 from 4:30 p.m. to 6:00 p.m. at Pals Park. Discussion ensued.

**A motion was made by Council Member Russell and seconded by Council Member Cain to approve the Special Event Application for the Merchants of Historic Chipley for the Annual Trunk or Treat. The motion passed unanimously.**

- 7. Approval of Special Event Application** – Chipley High School Homecoming Parade. Mr. Miner explained this parade will be held on Friday, November 1, 2019 at 12:45 p.m. It will begin at the old Chipley High School parking lot on North Railroad Avenue. No further discussion.

**A motion was made by Council Member Russell and seconded by Council Member Butler to approve the Special Event Application for the Chipley High School Homecoming Parade. The motion passed unanimously.**

- 8. Special Event Application** - Chipley Christmas Fest. Mr. Miner explained this event will be held on Friday, December 6, 2019 from 4:00 p.m. to 8:00 p.m. at the Farmers Market. The parade will start at 5:30 p.m. No further discussion.

**A motion was made by Council Member Russell and seconded by Council Member Butler to approve the Special Event Application for the Chipley Christmas Fest.**

**The motion passed unanimously.**

9. **Special Event Application** – A21 Campaign. Mr. Miner explained this event is an organized walk/fundraiser to raise awareness and raise funds to end human trafficking. This event will be held on Saturday, October 19, 2019 from 9:30 a.m. to 12:30 p.m. No further discussion.

**A motion was made by Council Member Cain and seconded by Council Member Butler to approve the Special Event Application for the A21 Campaign. The motion passed unanimously.**

10. **Special Event** – Scottish Festival & Highland Games. Ms. Rehberg explained this is a request for the First Presbyterian Church to hold the Scottish Festival & Highland Games. This event will be held on Saturday, November 2, 2019 from 9:00 a.m. to 2:00 p.m. Mr. Miner explained they are requesting a road closure from 9:00 a.m. to 2:00 p.m. as follows: 4<sup>th</sup> Street from Church to Watts; Watts from 4<sup>th</sup> Street to 5<sup>th</sup> Street; and 5<sup>th</sup> Street from Watts to Church. Discussion ensued.

**A motion was made by Council Member Cain and seconded by Council Member Butler to approve the Special Event for the Scottish Festival and Highland Games. The motion passed unanimously.**

11. **RCC Church Donation of Land.** Attorney Jordan explained the RCC Church has agreed to donate a piece of land for the lift station which is required for the new spray field project. She asked if the city will be paying all closing costs for the land donation and if so, will need to authorize the Mayor to sign the closing documents. Discussion ensued.

**A motion was made by Council Member Sasser and seconded by Council Member Butler to approve the acceptance of the land donation from RCC Church to place a lift station; approve the city paying all closing costs; and authorize the Mayor to sign the closing documents. The motion passed unanimously.**

12. **CRA Update** – City Attorney. Attorney Jordan discussed a project started last summer. She has started to look at a CRA Board request to review policies and procedures. She figured out that she's being asked to make decisions or recommendations that are more a planning type of decision. There is a disconnect in what she does as attorney for the CRA Board and the Council which is making determinations of whether the proposed act is a lawful act. She is struggling with the project because the CRA doesn't know where it is going long term. A part of the CRA redevelopment plan to extend the time is focused on making sure we are in compliance with the law; no particular end goal for CRA which is missing. It's hard for her to develop a proposed procedure to get the CRA to a point when she doesn't really know where they are going. An example of a question asked of her was can we limit exterior façade grant to a particular parcel that has changed hands multiple times, those questions need to be answered by the CRA plan. The CRA board needs to ask whether multiple extensions of this grant will help us to meet our end goal of eliminating blight in the area. Mr. Russell asked if there is a layout of what the CRA is planning on doing; is there something showing year one we want to do this, etc. Mr. Butler stated we talked about this at a CRA meeting when a building that swaps hands and they want to repaint but it doesn't really need repainting; it's just a personal preference and not a goal to end blight just because we change from one business to another and want to change the color scheme. Mr. Everett stated that we asked Attorney Jordan how to come up with a policy for the CRA grant that if the building has been painted then it can't be done again for X amount of years. We want to know what language we need to put in the grants to show the applicants that the paint is good and won't be painted again with CRA grant funds. That would be a long term policy for CRA. We've never looked at that issue before but now we are looking at those things.

The CRA board had a lot of discussion so they decided to talk to the attorney. Also, how much money will we allocate for each grant; we want to make sure when someone comes in and asks for every grant they are qualified for then they get it, but yet they don't come back the next year asking again. The CRA Board wants to take a logical approach and make it clear what the grant says. They want the policy to be clear and concise for everyone. Mr. Russell stated each grant has a maximum amount. Mr. Everett stated yes, but they want to make sure the taxpayers money is used wisely and that we don't just spend it because we have it. Mr. Butler stated we are trying to identify the loopholes before they become a problem. We are doing due diligence. Mr. Russell asked the attorney if what she is saying is that the CRA should come up with what they want and then ask her if it's legal. Attorney Jordan stated, yes. Mr. Everett stated the CRA Board can work up the verbiage and get it to her for review. Mr. Butler asked if these were things that were not part of the CRA renewal and if not, how do we correct that? Attorney Jordan stated we may need to amend the plan. That's the disconnect that I'm having that I'm trying to address current problems that are not in the agreement. I'm trying to make sure you aren't violating a state law and as long as the state says you have the authority then I have to look at your plan and see if it allows you to do it this way. Mr. Butler asked if we put our verbiage together that will fill the gaps can we then present that to you and say this wasn't part of the original agreement so can we send this to the Council to amend the agreement to include these items. Attorney Jordan stated, yes, but she really wants to put in your brains that you might want to have an advisory committee and have this CRA plan reconsidered and figure out where you want to go with the CRA money. I hear Mr. Everett saying we keep spending the money on the same properties. Mr. Everett stated that's not exactly correct. Mr. Butler hit it on the head when he said we are having a discussion about how someone might take advantage of it. We are just trying to figure out the loopholes and make sure that if anyone comes to get a grant that it's very clear how often a parcel can have money spent on it over a specified period of time. Mr. Russell stated that he thinks what the Attorney is looking for is an overall goal of what the CRA wants and not individual projects. When I asked for that 6 years ago when I was the CRA liaison I was told that we couldn't create that because we didn't know what our budget would be each year. Mr. Everett stated when the Council discussed their desire to redevelop downtown you all said you wanted to create a visionary committee. Mayor Andrews stated a visionary plan. Mr. Everett asked then why won't your plan dovetail the CRA's plans along with the visionary plan and now you've got the infrastructure called the CRA to support the visionary plan that you discussed last night. Attorney Jordan stated you can even use CRA monies to acquire properties. Mr. Everett stated the question was asked during the budget discussion, what are we going to do with real estate. We want to buy properties that have houses that people are not living in and have them torn down and give them to Habitat for Humanity that will construct homes for people in our community. Mayor Andrews asked how do we rectify that? Mr. Miner explained that some of it can be rectified with the CDBG grant funding. Mrs. Cain stated she thinks the CRA Board needs to get their plan together and bring it to the Attorney, but you will always have things that come up. Mr. Everett stated that we are just trying to be good stewards of the taxpayers money. Attorney Jordan stated an advisory committee would report to the CRA board. The CRA board would vote on their plan. These would be property owners and others that could give input. Mr. Miner stated we hired WFRPC which is now Emerald Coast Regional Planning Council two years ago and held 5 public meetings for people for downtown merchants to come with their thoughts. I can get that report and see what they came up with. It still may not be the direction the Council or CRA board want but it was based on the input of the downtown area. Mr. Miner stated he is hearing policies and procedures and a plan which are 2 different things. Mr. Russell stated what she wants is a full blown plan of what the CRA wants to do. The city also needs a plan and then the 2 plans need to be brought together. It shouldn't be the city coming up with the plan and the CRA to help with it. Mayor Andrews stated we are dealing with policies and procedures. Can we all agree? So that's the starting point and work that out to gain the bigger picture. Mr. Miner stated to keep in mind that this is the City's CRA so keep in mind anything that

this board wants to see different then that input needs to be there. Mr. Russell stated the advisory council needs to look at the CRA layout and fix it. We need an overall viewpoint of what the CRA wants. Attorney Jordan asked about doing a joint meeting with the CRA on the topic of a long term plan. Mr. Miner stated we will need to involve the County in that as well. Mayor Andrews stated we will do a future workshop to pull all the right people to the table and have a print out of the goals and information we need to prepare. Give us time to review and come back to the table. Mr. Sasser stated he has never seen the policies and procedures for the CRA. Mr. Everett stated the strategic plan was created but the function of the CRA is the grants and we follow the State Statutes that oversee development. Each of the grants states specifically what it can be used for. Mayor Andrews stated we can hold a workshop to discuss this issue further. We need to hold a workshop for the County/City/CRA Board to discuss the CRA goals and mission. No further discussion.

The meeting was adjourned by Mayor Andrews at 7:28 p.m.

City of Chipley

Tracy L. Andrews, Mayor

Attest:

Patrice A. Tanner,  
Assistant City Administrator/City Clerk