

MINUTES
CITY COMMISSION MEETING

January 8, 2024

The City Commission met this date in regular session in the Commission Chambers. Comm. Wasdin gave the Invocation. Mayor Smith recited the Pledge of Allegiance. A quorum being present, the meeting was called to order at 6:00 PM with the following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Christine Wasdin
	:	Edward Crosby
City Clerk	:	Tammy Johnson
City Attorney	:	Hayward Dykes
Police Chief	:	Joe Hart
Asst. Fire Chief	:	Matthew Webster
Public Works Director:	:	Nathan Kelley (camera)
Library Director	:	Hope Willis

Comm. Hamilton and Comm. Browning are unable to attend this evening.

Others in attendance: (Not Inclusive): J D Cameron, David Fedonczak, Julia Weitzel, John Autry, Mick and Mary Ellen, Kelly Irwin, Javier Escobar, David Nichols, Les Chambers, Bryan Griffin, McKinsey Lamm

APPROVAL OF MINUTES

COMM. CROSBY MADE A MOTION TO APPROVE THE MINUTES FROM DECEMBER 11, 2023, AS SUBMITTED. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE 3 TO 0.

1. CITIZENS' CONCERNS (non-agenda items) Resident

Nothing to discuss this evening.

2. CITIZENS' CONCERNS (Non-Agenda Items) Non-Resident

Nothing to discuss this evening.

1. ACTION ITEMS – Added Agenda Items

Mr. Dykes asked after old business under #4, if we could add Kake Cottages Replat to the agenda. **COMM. WASDIN MADE A MOTION TO ADD KAKE COTTAGES REPLAT TO THE AGENDA. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.**

2. ACTION ITEMS – Award Bid CDBG Paving and Drainage Improvements Contract #22DB-OP-01-56-02-N27

Comm. Wasdin said there has been a long wait and a lot of paperwork involved, as there always is when dealing with the state. Happily, surprised everything we requested was in the contract. **COMM. WASDIN MADE THE MOTION TO APPROVE CDBG PAVING AND DRAINAGE IMPROVEMENTS CONTRACT # 22DB-OP-01-56-02-N27 TO PREMIER PAVING, LLC. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.** Mrs. Johnson said the contract was for the amount of \$544,336.00.

3. ACTION ITEMS- Cooperative Agreement Regional Aquatic Sports & Training Complex

Mayor Smith said there is a lot to read in this agreement, so he hopes everyone has reviewed.

He said he is in favor of the complex. Mrs. Johnson said Ms. Ammy Hanson from Niceville was

1 supposed to be here tonight to present this to the Commission. Mr. Dykes said the City of Niceville is
2 spearheading this to bring this complex to life. Mr. Dykes said there will be no financial obligation for
3 the city, just a show of support. **COMM. CROSBY MADE A MOTION TO SUPPORT THE**
4 **COOPERATIVE AGREEMENT REGIONAL AQUATIC SPORTS AND TRAINING**
5 **COMPLEX. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY**
6 **UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.**

7 **4. ACTION ITEMS – Change Order Adams Avenue Paving**

8 Comm. Wasdin said this change order is for the little street behind the townhouses, we have
9 split the cost of paving the road with the developer. Mayor Smith said this will also help with the
10 stormwater situation in that area. **COMM. WASDIN MADE A MOTION TO APPROVE THE**
11 **CHANGE ORDER FOR ADAMS AVENUE PAVING THE MOTION WHICH PASSED BY**
12 **UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.** Mrs. Johnson stated that the change order
13 was for additional sod in the amount of \$7,370.

14 **5. ACTION ITEMS – Ordinance No. 725 Property Owners’ Responsibility Sewer Line**
15 **Maintenance**

16 Comm. Crosby stated the reason for this ordinance is due to some misunderstanding by
17 customers and he and Public Work Director Mr. Kelley felt a change needed to be made to clarify.
18 Mayor Smith read Ordinance 725’s title. Mr. Dykes said this was for the first reading, if there is a
19 motion to approve it will go to seconding reading next month. **COMM. CROSBY MADE A**
20 **MOTION TO APPROVE ORDINANCE NO. 725 FOR SECONDING READING IN**
21 **FEBRUARY. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY**
22 **UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.**

23 **6. ACTION ITEMS – Right-of-Way Permit Cox Communications**

24 Mr. Scott said this permit takes in the north half of our city. **COMM. CROSBY MADE A**
25 **MOTION TO APPROVE THE RIGHT-OF-WAY PERMIT FOR COX COMMUNICATIONS.**
26 **COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE**
27 **OF THE COMMISSION 3 TO 0.**

28 **1. OLD BUSINESS – Update New City Hall Renovations**

29 Mr. Scott said we received the engineer truss plan back, the trusses are under construction, once
30 they are complete we can get the second-floor in. We have received elevator pit back so we can start
31 busting the floor up now and moving forward again.

32 **2. OLD BUSINESS – Legal Update**

33 **LIVE OAK FIBER GROUND LEASE AGREEMENT**

34 Mr. Dykes said we are in negotiations and we have identified the small parcel of property it is
35 a 10’X10’ square ground lease and we are working out the rental rate.

1 **EXECUTIVE SESSION 363 WASHINGTON**

2 Mr. Dykes stated we still need to have that executive session and the reason we couldn't last
3 month in December was because we could not find a court report due to the holidays. Mr. Dykes
4 anticipates the executive session portion should only take 30 to 40 minutes. Mr. Dykes said he will
5 work with the city clerk to set up the date and time.

6 **3. OLD BUSINESS – Ordinance No. 724 Vacating & Abandoning**
7 **Kake Cottages R-O-W**

8 Mr. Dykes said this was the 2nd reading and the reason he wanted the Kake Cottage replat after
9 this. As a reminder previously when the Kake Cottages were platted there was language in the
10 dedication that made the common areas and the right-of-way the responsibility and owned by the city
11 which was an error. The developer was quick to get a replat. Mr. Dykes said this is the reason for this
12 ordinance which basically gives back the property that was dedicated to the City. The intent of the
13 developer is to take those pieces of property and give it to the HOA. Mayor Smith read the title to
14 Ordinance No. 724. **COMM. CROSBY MADE A MOTION TO APPROVE ORDINANCE NO.**
15 **724. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS**
16 **VOTE OF THE COMMISSION 3 TO 0.** Mrs. Johnson stated that we have proof of publication that
17 the notice ran in the Daily News on December 29, 2023.

18 **ADDED AGENDA ITEM – Kake Cottages Replat**

19 Mr. Dykes said the replat dedication states that the property will be dedicated to Kake Cottages
20 HOA (right-of- ways and common area) this was the only change to the plat. Mrs. Johnson said there
21 is a place for the planning and zoning approval, but this did not go before the Planning Commission.
22 Mr. Dykes asked if that is a requirement for our code? Mr. Scott said always been on there and the
23 Planning Commission chair sits on the TRC (Technical Review Committee) with himself and the
24 Public Works Director. Mrs. Johnson said it has a date, it says presented and approved by the Planning
25 and Zoning Board, board of the City of Valparaiso on this blank day. Comm. Wasdin said we would
26 use today's date. Mrs. Johnson said okay but did you guys, referring to the Planning Commission
27 members present, approve this? Mr. Dykes said he considers this to be like a scrivener's error. Mr.
28 Dykes said in the statute if there is a legal description error you can file an affidavit from the surveyor
29 saying there was an issue with the plat, absent that you have to do this. Mrs. Johnson said if it is not a
30 big deal that we just put a date in. Mr. Dykes said obviously you want to follow our code and what is
31 required, but we need chairman to sign. Mr. Dykes said this is a little cumbersome, but this is the way
32 we have to do it. Mayor Smith asked Mr. Bachelor, Chair of the Planning Commission, if he had a
33 problem with it. Mr. Bachelor said when the TRC meeting was held, if he remembered right HOA
34 owned all the property, he remembers asking that question. Mr. Scott said yes, we addressed it. Mr.
35 Bachelor said as far as ordinance error, he doesn't remember seeing that all property was with the

HOA and developer. Mr. Bachelor said he would sign whatever needed to be, to call him, but if it is next week he will be out of town, Mr. Cameron, his Vice Chair would sign in his place. Mr. Dykes said other utilities do have an easement for rights-of-way which is required by statute as well.

COMM. CROSBY MADE A MOTION TO APPROVE THE REPLAT. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.

1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT

Comm. Wasdin said work will begin soon on the Mid Bay Bridge, even though it isn't in Valparaiso, it will affect our area so be aware. Chief Hart mentioned that soon work will begin at night on Highway 190. They will be tearing up the asphalt and repaving, so there will be noise in the neighborhood. He believes work is Sunday through Thursday.

2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS - Stormwater

Mr. Scott said nothing as of yet, maybe tonight's storm might change things.

3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report

Mr. Chambers said he would be meeting with the chiefs' group and also the first sergeants' group to get information on what is going on and let them know how they can get information from the base back to the city if need be.

4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update

Comm. Crosby said due to a lack of quorum there was not a meeting this month.

5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update

Mr. Bachelor said we owe the Commission a new list of projects for the next fiscal year. He said we have come up with three new items they have not been voted on as of yet. Mr. Bachelor said trim trees around the internet lines, sidewalk repair around the city and lastly improve the Lewis School traffic. Mr. Bachelor said the Planning Commission has completed chapter 1 through 10 of the Comprehensive Plan, Mr. Scott and Mr. Dykes to review. He said we still need chapters 11 through 18 so we can continue on. Mayor Smith said he had talked to Mr. Bill Smith, who is over facilities maintenance with the school district, and they were prepared to donate land or whatever to make it a usable roadway through there. Mayor Smith said he appreciates the work Mr. Bachelor and the Planning Commission have done for our city.

6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Center Update

Ms. Julie Weitzel, manager at the Senior Center, said that Elder Services have taken over and everything is running well.

7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Department Updates

Mr. Scott mentioned that the Gas District building is taking off, it is an ambitious project, and they intend to be moved in by June 2025. He said they would have their own utility plant, they will

1 not be hooked up to Florida Power and Light grid anymore. Mr. Scott said they may also have to do
2 some night work to get completed on time.

3 Mr. Dykes said the Commission will have another plat to approve in February The Clearing.

4 Mr. Scott said a person bought the old White property not realizing it had a lien. He said the
5 lien is about \$32,000 and the property owner might be asking to be put on the agenda to ask for some
6 forgiveness on a portion of the lien. Cannot go below \$10,700 because that is out of taxpayer pocket
7 right where we knocked it down.

8 Chief Mayville said everyone needs to stay vigilant in washing hands and such as there are
9 some illnesses going around flu, COVID and a bad stomach bug.

10 **8. REPORTS/CORRESPONDENCE/ANNOUNCEMENT – Disbursements**

11 **COMM. WASDIN MADE A MOTION TO APPROVE PAYING THE BILLS AS**
12 **OUTLINED IN THE FINANCIALS. COMM. CROSBY SECONDED THE MOTION, WHICH**
13 **PASSED BY UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.**

14 **9. REPORTS/CORRESPONDENCE/ANNOUNCEMENT –**

15 **Etc.**

16 Mrs. Johnson asked if due to inclement weather the City’s non-emergency offices should open
17 late tomorrow? **COMM. WASDIN MADE A MOTION TO OPEN NON-EMERGENCY**
18 **OFFICES AT 9 AM TOMORROW. COMM. CROSBY SECONDED THE MOTION WHICH**
19 **PASSED BY UNANIMOUS VOTE OF THE COMMISSION 3 TO 0.**

20 **ADJOURN**

21 There being no further business to be brought before the Commission, the meeting was
22 adjourned at 6:38 PM.

23

24

25 _____
26 Hubert B. Smith
27 Mayor

28
29 _____
30 Catherine Hamilton
31 Chair, VCA

31 ATTEST:

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34 _____
35 Tammy Johnson, CMC
36 City Clerk

37 ***A recording of the January 8, 2024, Commission meeting will be kept on the City’s secure
38 file server as a permanent part of these minutes.***

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