

City of Chipley
Regular Council Meeting
Minutes
April 12, 2022 at 6:00 p.m.

Attendees:

Ms. Tracy Andrews, Mayor
Mr. Brett Butler, Council Member
Mrs. Linda Cain, Council Member

Mr. Kevin Russell, Mayor Pro-Tem
Mr. Tommy Sasser, Council Member

Others Present Were:

Mr. Dan Miner, City Administrator
Tamara Donjuan, Planning/Code Enf. Officer

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 6:01 p.m.
- B. **Prayer and Pledge.** Prayer was given by Mr. Sasser and Mr. Butler led the pledge to the American Flag.
- C. **Approval of Agenda.** Mayor Andrews added item #9 – Property - 1320 Jackson Avenue. No further discussion.

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

D. 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 raise your hand to speak, state your name and address for the record and limit your comments to no more than three (3) minutes per Florida Statute 286.0114. To ask a question via phone; dial *9 and wait to be recognized/unmuted. If you are attending via webinar, there will be an onscreen option to ask a question during the public comment portion of the meeting. Your participation is welcomed and appreciated.

No citizen requests. No further discussion.

E. Presentation and Approval of Minutes.

1. Regular Council Workshop – March 3, 2022.
2. Regular Council Meeting – March 8, 2022.
3. Special Council Meeting – March 31, 2022.

A motion was made by Council Member Russell and seconded by Council Member Cain to approve the minutes as presented.

F. Agenda Items.

1. **Approval of Resolution No. 22-15** – FDEO Agreement No. M0041 – Mongoven Building. Mr. Miner read the Resolution by title and explained this resolution will approve the FDEO Mongoven Building Agreement in the amount of \$852,800.00. Mr. Russell asked about a timeframe for the Mongoven Building project. Mr. Miner explained we will send the agreement back to FDEO; wait for FDEO to return the executed agreement to the city; appraisal and procurement process. Discussion ensued.

A motion was made by Council Member Butler and seconded by Council Member Cain to approve Resolution No. 22-15. The motion passed unanimously.

2. **Approval of Resolution No. 22-16** – FDEO CDBG (DR and MIT) Purchasing Policy including the Minority Enterprise Policy. Mr. Miner read the resolution by title and explained this resolution will approve the FDEO CDBG Disaster Recovery and Mitigation grants purchasing policy along with the Minority Business Enterprise Policy, required by FDEO to utilize this funding. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve Resolution No. 22-16. The motion passed unanimously.

3. **Approval of Planning & Zoning Recommendation** – Request for Variance – 581 7th Street – Lloyd Franklin Everett. Mr. Miner explained this request for a variance is for 581 7th Street and will allow two structures to exist on two different parcels. Mr. Sasser asked if these houses are ever removed will the new construction have to meet the current setbacks at that time. Mr. Miner stated yes new construction will have to meet the current setbacks at the time of the new construction. Mr. Butler asked if we still have the same number of responses from the certified mailings and Mr. Miner stated yes. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Russell to approve the Request for Variance for 581 7th Street. The motion passed unanimously.

4. **Approval of Special Event Application** – Panhandle Watermelon Festival. Mr. Miner explained this Special Event Application will approve the Panhandle Watermelon Festival to be held on June 24th and June 25th, with the parade on June 25, 2022, at 10:00 a.m. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the Special Event Application for the Panhandle Watermelon Festival. The motion passed unanimously.

5. **Approval of Special Event Application** – School Reunion. Mr. Miner explained Mrs. Carla Rhynes-Campbell has requested this Special Event Application to approve the T.J. Roulhac School Reunion to be held on July 1, 2023, from 7:00 a.m. to 5:00 p.m. at Gilmore Park. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the Special Event Application for the School Reunion. The motion passed unanimously.

6. **Approval of Special Event Application** – Tiger Pride Fun Run. Mr. Miner explained the Chipley High School Cheerleaders have requested this Special Event Application to approve the Tiger Pride Fun Run to be held on May 21, 2022, from 7:30 to 10:30 a.m. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Sasser to approve the Special Event Application for the Tiger Pride Fun Run. The motion passed unanimously.

7. **Approval of ARPA Plan** – Discussion. Mr. Miner explained the 2021 American Rescue Plan Act (ARPA) Funding Plan was discussed at the workshop to identify and approve projects that can be completed utilizing ARPA funds. The final rule that came out states the city has the option to approve the entire amount of funds for lost revenue since our allocation is below \$10 million. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Butler to approve the ARPA Plan. The motion passed unanimously.

8. **Liberty Partners of Tallahassee, LLC** – Jennifer Green and Tim Parson. Mrs. Green and Mr. Parson with LPOT were both present at the workshop to give a general update. No discussion.
9. **Property – 1320 Jackson Avenue.** Attorney Jordan explained the email you have before you from Mr. Caudle proposed that the Council waive the lien, which we are already in foreclosure so we would have to dismiss the foreclosure. He would then hire a company to demo the building down to the foundation and remove the debris. He also proposed that he will sign a deed in lieu of foreclosure and give the property to the city; and he would have to pay doc stamps on that. Attorney Jordan stated it is more than him just signing the property over. It's based on the amount owed to the city. I'm just passing this information along and the position you take on the fees is your discretion. She further stated that deed in lieu of foreclosure is not her preference for this property because it does have title problems. Attorney Jordan's preference would be to push through to foreclosure and let it go up for auction. That does leave you with the potential to get the building with the existing problems. I know he has cleaned up some of it. Mayor Andrews asked if he is willing to have the building demolished and Attorney Jordan stated that is what Mr. Caudle put in his email. Mr. Miner stated that is as long as we drop the lien. Mrs. Cain stated she thinks we need to get payment for the publication and legal fees. Mr. Miner stated those fees are roughly \$3,000. Mr. Russell stated he is not willing to forego any costs until the building is demolished. Mr. Sasser agreed. Mr. Russell stated his biggest problem is it's an eyesore. Mayor Andrews asked if we want ownership of the property with the title issues. Mrs. Cain asked if Attorney Jordan can reach out to him and let him know we expect legal and publication fees and tell him we are willing to forego the other when he has the building torn down and cleaned up. Mayor Andrews asked if that is the pleasure of the Council. Mrs. Cain asked how much time we should agree to, 60 days. Mr. Russell stated he is all for him doing the work and then coming to the Council to discuss the waiver of any fees. Attorney Jordan explained if you want to give him additional time such as the 60 days, we need to seek an abatement in the foreclosure. We are ready to move to summary judgement which is where we file a motion and lay out the condition of the property and he hasn't answered in a timely manner. Then we have another 30 days before we set it for hearing. He has a little time. The best-case scenario is that we are 90 days out. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Butler to approve Attorney Jordan communicating with Mr. James Caudle that the Council will consider the following if the building is demolished: legal and advertising fees are not negotiable; consider waiving the code enforcement fees once the building is demolished; put the foreclosure on hold for 60 days. The motion passed unanimously.

The meeting was adjourned by Mayor Andrews at 6:24 p.m.

City of Chipley

Attest:

Tracy L. Andrews, Mayor

Patrice A. Tanner,
Assistant City Administrator/City Clerk