

City of Chipley
Regular Council Meeting
Minutes
October 11, 2022 at 6:00 p.m.

Attendees:

Ms. Tracy Andrews, Mayor
Mr. Tommy Sasser, Council Member
Mr. Wesley Adams, Council Member

Mr. Kevin Russell, 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 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 Mayor Andrews led the pledge to the American Flag.
- C. **Swearing in of Linda Cain, Kevin Russell and Wesley Adams.** Honorable Colby Peel did the swearing in of Mr. Wesley Adams, Mrs. Linda Cain and Mr. Kevin Russell.
- D. **Appointment of Mayor.**
A motion was made by Council Member Russell and seconded by Council Member Cain to approve Ms. Tracy Andrews as Mayor. The motion passed unanimously.
- E. **Appointment of Mayor Pro-Tem.**
A motion was made by Council Member Cain and seconded by Council Member Sasser to approve Mr. Kevin Russell as Mayor Pro-Tem. The motion passed unanimously.
- F. **Appointment of Council Liaisons.** Mayor Andrews identified the liaisons as follows: Mayor Andrews – Administration, External Affairs and Tourist Development Council (TDC); Council Member Sasser – Planning & Zoning and Historic Merchants of Chipley; Council Member Cain – Fire and Code Enforcement, Council Member Adams - Industrial Park and Police; Council Member Russell – CRA, Public Works (to include Cemetery) and Water Utilities and Recreation. Discussion ensued.
- G. **Approval of Agenda.** Mayor Andrews added item #5 – Liberty Partners of Tallahassee and deleted item #1.2. – Regular Council Meeting – September 19, 2022. No further discussion.
A motion was made by Council Member Russell and seconded by Council Member Cain to approve the agenda with the addition and deletion. The motion passed unanimously.

H. 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.

I. Presentation and Approval of Minutes.

1. Special Council Meeting Tentative Millage and Budget Adoption – September 15, 2022.
2. Regular Council Meeting – September 19, 2022. (These minutes were deleted from agenda).
3. Special Council Meeting Final Millage and Budget Adoption – September 30, 2022.
4. Special Council Meeting – September 30, 2022.

A motion was made by Council Member Russell and seconded by Council Member Sasser to approve the minutes for the Special Council Meeting Tentative Millage and Budget Adoption – September 15, 2022; the Special Council Meeting Final Millage and Budget Adoption – September 30, 2022; and the Special Council Meeting – September 30, 2022 as presented. The motion passed unanimously.

J. Agenda Items.

The Council presented Mr. Brett Butler a plaque and thanked him for his service to the citizens of Chipley as Council Member Ward 4 from October 1, 2014 through September 30, 2022. Mr. Butler stated he is thankful and that it has been a privilege to serve on the City Council.

1. **Approval of Resolution No. 23-01** – Fiscal Year 2021-2022 Budget Amendment. Mr. Miner explained this resolution will approve an increase in the total annual budget in the amount of \$797,759. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Cain to approve Resolution No. 23-01. The motion passed unanimously.

2. **Approval of the Community Redevelopment Agency (CRA) Administration Contract** – Chamber of Commerce – Mr. Michael Maxwell, CRA Executive Director. Mr. Miner explained this will approve the CRA Administration contract with no increase from the prior year, for a total of \$27,900 annually. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Adams to approve the CRA Administration Contract for \$27,900.00 annually. The motion passed unanimously.

3. **Approval of the CRA Structure Demolition Assistance Program Grant Application** – Mr. Michael Maxwell, CRA Executive Director. Mr. Miner explained this will approve the CRA Structure Demolition Assistance Program Grant Application that the CRA Board has approved, as well as Attorney Jordan has reviewed and approved it. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Russell to approve the CRA Structure Demolition Assistance Program Grant Application. The motion passed unanimously.

4. **Approval of Special Event Application** – Martin Luther King Parade. Mr. Miner

explained this event will be held on Monday, January 16, 2023 at 10:00 a.m. Discussion ensued.

A motion was made by Council Member Adams and seconded by Council Member Sasser to approve the Special Event Application for the Martin Luther King Parade. The motion passed with four (4) ayes. Mayor Andrews abstained from voting due to conflict since she is the applicant.

5. **Liberty Partners of Tallahassee.** Mrs. Jennifer Green and Mr. Tim Parson were present. Mrs. Green explained the two projects that were resubmitted to the legislative committee a second time were not funded, and to better understand why they were not funded there were a total of 971 projects submitted. The two projects were the additional funds for the Sprayfield Project and the Pecan Street Improvements Project. She further explained that LPOT would like to discuss options for the next Legislative Session with the Council and be better prepared for the 2023 session since LPOT came on contract with the City so late last year. Mayor Andrews stated we need a win for Chipley this next session and we need to give them the resources they need to be able to do that for us. Mr. Tim Parson explained the contract renewal with LPOT will also need to be approved since the term ends on October 31st. The City Council agreed to hold a Special Meeting on Thursday, October 20, 2022 at 5:00 p.m. and a Special Workshop at 5:05 p.m. Discussion ensued.

Other Matters:

Mr. Shane Abbott, State Representative Elect was present and told the City Council he looks forward to working with them.

Mr. Russell gave a quick update on the downtown redevelopment project. They have come up with some projects within the downtown area with safety being the main factor to include lighting, bushes and sidewalks. We are working with the CRA. Mr. Russell asked Mr. Miner if we can request that Mr. Coley be present each month to give an update. Mr. Miner stated he would relay that information to Mr. Coley. Discussion ensued.

Mr. Adams thanked everyone for their help and explained he has been on the Chipley Volunteer Fire Department since 1999. He further explained that he has agreed to no compensation with the Chipley Fire Department but would like to continue his Volunteer Fireman status while serving as Council Member. The City Council had no issues with him remaining a Volunteer Fireman and they are very appreciative of his service.

Mr. Russell stated he was told there is still no printer ordered for the drive-thru window. Mrs. Tanner explained she is working on this and they will have one within the next couple of weeks. Mr. Russell stated he does not want it to be forgotten. He also asked about the panels for the lobby and Mr. Miner stated we are working on them. Discussion ensued.

Mr. Miner explained we were not approved for the USDA fire grant/loan due to a lack of funds but it could be a blessing because they said if we leave our application in for this fiscal year then it is possible we can be funded up to 75% grant. Discussion ensued.

The meeting was adjourned by Mayor Andrews at 8:05 p.m.

City of Chipley

Attest:


Tracy L. Andrews, Mayor

Patrice A. Tanner,
Assistant City Administrator/City Clerk



OATH OF OFFICE

I, **Wesley B. Adams**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of City Council Member on which I am about to enter. So help me God.



Wesley B. Adams

Subscribed to before me this 11th day of October, 2022.



Honorable Colby Peel
County Judge



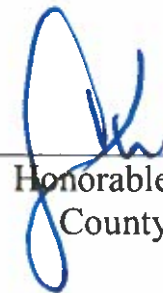
OATH OF OFFICE

I, **Linda K. Cain**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of City Council Member on which I am about to enter. So help me God.



Linda K. Cain

Subscribed to before me this 11th day of October, 2022.



Honorable Colby Peel
County Judge

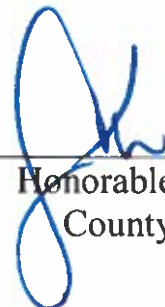


OATH OF OFFICE

I, **Kevin L. Russell**, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of City Council Member on which I am about to enter. So help me God.


Kevin L. Russell

Subscribed to before me this 11th day of October, 2022.


Honorable Colby Peel
County Judge

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Andrews, Tracy L.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Chipley - City Council	
MAILING ADDRESS Post Office Box 473		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Chipley	COUNTY Washington	<input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED October 11, 2022		NAME OF POLITICAL SUBDIVISION:	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Tracy L Andrews, hereby disclose that on October 11, 20 22 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Approval of Special Event Application – Martin Luther King Parade.

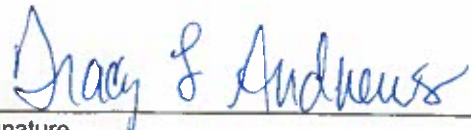
A motion was made by Council Member Adams and seconded by Council Member Sasser to approve the Special Event Application for the Martin Luther King Parade. The motion passed with four (4) ayes.

Mayor Andrews abstained from voting due to conflict since she is the applicant.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

10/25/2022

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.