

City of Chipley
Regular Council Meeting
Minutes
October 13, 2020 at 5:00 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
Mr. Floyd Aycock, Fire Chief
Mrs. Michelle Jordan, City Attorney

Mrs. Patrice Tanner, Asst. City Admin./City Clerk
Mr. Guy Lane, Public Works Director
Mr. Brock Tate, Recreation Director

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 5:00 p.m.
- B. **Prayer and Pledge.** Prayer was given by Reverend Blount and Mayor Andrews led the pledge to the American Flag.
- C. **Swearing in of Linda Cain, Brett Butler and Kevin Russell.** Mr. Brett Butler, Mr. Kevin Russell and Mrs. Linda Cain were sworn into office by Judge Timothy Register.
- D. **Appointment of Mayor.**

A motion was made by Council Member Cain and seconded by Council Member Russell to appoint 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 appoint Mr. Butler as Mayor Pro-Tem. The motion passed unanimously.

- F. **Appointment of Council Liaisons.** Mayor Andrews identified the liaisons as follows: Mayor Andrews – Administration and Tourist Development Council (TDC); Council Member Sasser – Code Enforcement and Planning & Zoning; Council Member Cain – Fire, Industrial Park and Police; Council Member Butler – CRA and Historic Merchants of Chipley; and Council Member Russell – Cemetery, Public Works, Water Utilities, and Recreation. Mr. Butler asked if there is a problem with Liaisons cross-training at meetings to learn more about what is going on in the different areas. Attorney Jordan explained if there is going to be more than one Council Member present at a meeting it needs to be advertised following the normal meeting advertising procedures. Discussion ensued.

A motion was made by Council Member Sasser and seconded by Council Member Cain to

approve the Council Liaisons. The motion passed unanimously.

G. 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.

Shanae Boston – 728 Orange Street. Ms. Boston stated her house flooded during Hurricane Sally. She explained there are drainage ditches that intersect Orange and go behind it and Pecan and Peach. All of those streets are affected by these drainage ditches. I wasn't sure if it was because of the drainage ditches but I did address the city and they said the ditches are being maintained properly. She explained she is trying to find out if the city has a plan in place that will prevent this flooding that occurred with Hurricane Sally. What is the plan the next time something like this storm approaches if there is one. Ms. Boston thanked the Council for their concern in regards to these drainage issues. Discussion ensued.

Gina Smith – 731 Orange Street. Ms. Smith stated her house also flooded during Hurricane Sally and she lost just about everything. She would like to know where the help is and who can help her. She explained she does not live in a flood zone and is questioning why it is not listed in a flood zone since it floods every time it rains. We cannot get flood insurance because it's not a flood zone and if we could get it, we could not afford it. Ms. Smith explained it has been a problem for 58 years and she believes that land was considered wetlands at one time. Discussion ensued.

Mr. Lane explained there are only three ways for water to get out of Chipley. Mrs. Cain stated so if it is not cleaned out from one end to the other then it doesn't do any good. Mr. Lane stated Public Works is currently working on that. Mr. Russell stated that residents cannot rake their leaves and clippings in the ditches and expect them to flow properly. Mayor Andrews stated we had done a schedule of cleaning ditches prior to Hurricane Sally. Mr. Miner stated that is correct but we had 13 inches of rain. Mayor Andrews explained Peach is an issue and she knows the county offered some assistance to individuals in that area after Hurricane Michael. Mrs. Cain asked if we can look at the possibility of a holding pond. Mr. Miner stated we need our master drainage plan updated. Mr. Butler asked if we can put this on our docket for future meetings so it is not forgotten. Mr. Miner explained for Hurricane Sally we have only been declared for Category B which does not help us to pick up debris and the city cannot afford to take on that cost. The Public Works Department is making great strides but there is not an answer to solving the problem with the amount of water we had. Mrs. Cain stated if this lady is flooding every time it rains then we need to do something to help. Mr. Miner stated the buyout process is lengthy so they have to have patience. Any individuals having flooding issues can contact Washington County Emergency Management at (850) 638-6203. Mayor Andrews asked if we have a schedule for the ditch cleaning and do we have issues with easements. Mr. Miner stated it is difficult to properly maintain a ditch when people build right up against a ditch. The ditch belongs to the property owner and so they can do what they want, but we cannot properly maintain the ditches when this happens. Mayor Andrews stated she will reach out to Senator Gainer and Senator Scott to get help to assist our citizens. Mr. Miner explained he will check the maps and make sure these individuals are not in a flood zone. An amendment can be done if they are. Mayor Andrews asked that he check into that and follow back up with them. Mr. Miner clarified FEMA is looking at structures that flooded, not yards. It is very important that all of the individuals that had flooding issues to contact Emergency Management and let them know of their damages right away. Discussion ensued.

H. Approval of Agenda. Mayor Andrews added item #8 – Mongoven Building Update and added

item #9 – Alcohol Ordinance. No further discussion.

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

I. Presentation and Approval of Minutes.

1. Regular Council Meeting – September 8, 2020.
2. Special Meeting Tentative Millage & Budget Adoption – September 25, 2020.
3. Special Meeting Final Millage & Budget Adoption – September 29, 2020.
4. Special Meeting – September 29, 2020.

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

J. City Administrator and Department Head Reports.

Community Redevelopment Agency (CRA). Mr. Butler explained Mr. Everett was unable to attend due to a family emergency. He explained the last meeting was a very productive meeting and as soon as I can get a report I will get it to the office to be disbursed to the Council. Mayor Andrews asked about the advertising she saw for CRA Board Members. Mr. Butler stated it was advertised and the individuals that are interested find out that being on the board makes them ineligible for the grants, so they decide not to apply. He explained that 3rd and 5th Street hold a monthly Neighborhood Watch meeting and that might be a good meeting to attend to get the word out there about the vacancies on the board. Mayor Andrews stated that TJ Roulhac is in the CRA area and there may be some residents that may be interest as well. Mr. Russell asked if the members have to be in the CRA District and Mr. Miner stated yes they do have to be in the CRA boundaries. Mr. Russell stated that Mr. Everett might want to hold an informational meeting to explain what the CRA Board does. Attorney Jordan explained there may also be a way of adopting some kind of ethics code preventing the members from voting on something for themselves. There is some missing structure; no provision for voting on grants/loans. Mr. Miner explained that some members resigned due to their business being impacted by COVID. Attorney Jordan's recommendation may be the way to get additional members. Discussion ensued.

Fire Department – Floyd Aycock. Chief Aycock explained the month of September was kind of busy but everything is going good. Mrs. Cain asked if they know a date they might get back in the Fire Department. Mr. Miner stated maybe late December, before the first of the year. Mr. Russell asked for clarification because it is rumor that the city is tearing everything down. Mr. Miner stated no we are not tearing anything down. We can post something to Facebook. Discussion ensued.

Planning & Zoning – Dan Miner. Mr. Miner explained there were three (3) Land Use Compliance Certificates issued and they were all for solar. We had one (1) Development Order for a new home. He stated Popeye's is moving forward with construction. Discussion ensued.

Code Enforcement – Dan Miner. Mr. Miner explained we have readvertised for the Code Enforcement/Planning Officer. We also have a Water Crewman I and a Street Crewman II vacant at this time. We are not getting any applicants so we hope by readvertising this will help. Attorney Jordan stated we could have legal issues with paperwork if the person is not qualified. She suggested if we are unable to find anyone for the position, or just temporarily, maybe contract with the county and see how much they would charge and how much time. Discussion ensued.

Police Department – Scott Thompson. Chief Thompson explained it has been business as usual with a couple of extra challenges along the way. Mayor Andrews stated that she participated in the Prayer Walk and has heard nothing but great things from everyone about your Department. Discussion ensued.

Public Works – Guy Lane. Mr. Lane explained we have been busy. We have started putting up the Christmas lights and we have been spraying the parks every day due to COVID. We had some

vandalism at Shivers Park. Mayor Andrews asked if we have any type of surveillance equipment that might help with this issue. Mr. Miner stated we are currently working on getting some in place. We have rented a machine to help with the ditches. The problem with Hurricane Sally is that we had so much water in a short amount of time. Mayor Andrews asked if the county maintains the ditch at Peach. Mr. Miner stated Public Works maintains that ditch. Mr. Miner explained when we maintain ditches we mow and dig them out to keep the fall going in the right direction, but there is going to be grass in the ditches and that is what holds the ditches together. Mrs. Cain stated there should not be trees left in the ditches and there is a problem with a ditch on 1st Street. She explained half of the ditch was not cleaned. Mr. Miner stated he and Mr. Lane will check into that. Mr. Miner explained we are currently working with the engineers to come up with possible funds for a drainage study. Discussion ensued.

Recreation – Brock Tate. Mr. Tate explained the renovations at the music park building are coming along. The roof had to be pressure washed and now it can be repaired. He explained the Pals Park Pole/Light Replacement bid closed and it is on the agenda for approval tonight. The lowest bid for LED was a little over the lowest bid for metal halide lights. He stated he recommends moving forward with the LED lights because we will see a 60-70% savings on the electric bill alone. Mr. Miner stated we do have enough money to fund the light project from FEMA. The renaming of the park is scheduled to be held on December 22, 2020 at 10:00 a.m. Discussion ensued.

Water Utilities Department – Jimmy Cook absent. Mr. Miner explained the Department has just come off of working 24 hours days. Mr. Russell asked if most of the numbers on the report are a result of Hurricane Sally and Mr. Miner stated yes. Discussion ensued.

Finance Department – Patrice Tanner. Mrs. Tanner explained that everything is going much better now that we are relocated and trying to move things toward normalcy. About 150 boxes of documents were wet during the Hurricane and had to be shipped off to Texas to have them freeze dried and decontaminated so it has been a process but we have been working through it and the staff seems to be adapting well. Ms. Tanner stated that Municode has started on the republication of our Code of Ordinances to include the changes due to the legal review that was done. Mr. Russell asked if we have considered having a mask mandate for the City Hall. Mr. Miner stated that we will put that in place. Mrs. Tanner stated we are hoping to have the drive-thru up and running very soon so the office can be locked for multiple safety issues. Discussion ensued.

Administration Department – Dan Miner. Mr. Miner explained the status of the following projects: Grant Writer – David Melvin will be here at the Special Meeting on October 29, 2020 at 5:00 p.m. to give an update on the grants; we spoke with them about the possibility of doing a City-wide Survey in order to get a more accurate count of LMI locations throughout Chipley because as it stands right now we only have one area north of City Hall that we are eligible for certain grants that require 51% LMI; Downtown Park – David Melvin will give an update on this project also at the Special Meeting; Reclaimed Water Distribution System/Spray field – City staff teleconferenced with members of FDEP, SERCAP and USDA to discuss funding elements, timing and sequence of post obligation commitments and required loan resolutions and Mary Gavin is present tonight to present a loan resolution for the USDA loan; 7th Street Resurfacing Improvements Project – we are currently negotiating a contract for design with David H. Melvin and should have a contract for your approval later this month; West Boulevard Roadway Improvements Project – the project is substantially complete and they are returning to replace the temporary striping with thermoplastic; CDBG Water Line Project – the contractor has commenced with work and they are 80% complete with Hoyt Street and they have begun boring service lines under the roadway in Gilbert Acres; Solar Field Feasibility Study – the engineers, David H. Melvin have commenced the study; City Hall, Fire and Police and Library Reconstruction – the estimated costs have come in for the buildings to be repaired and the initial estimates for completion of the reconstruction efforts is now around 60 days; Hurricane Michael Recovery – the replacement of lights and poles at Pals Park that were damaged during Hurricane Michael was bid out and we have it on the agenda tonight to award; Surplus Property – Mr. Russell requested we have this discussion tonight as an agenda item. Mr. Miner explained we have been working on the Social Media Policy and have some samples we are working with and hope to bring something back to the Council soon. Mr. Miner also explained that our current

policy allows for salaried employees to be paid overtime during an emergency situation such as Hurricane Sally, if approved by Council. Discussion ensued.

A motion was made by Council member Cain and seconded by Council Member Russell to follow the current policy that is in place and approve the payment of overtime to the Salaried Employees that worked during Hurricane Sally. The motion passed unanimously.

K. Agenda Items.

- 1. Approval of Ordinance No. 964 (First Reading)** – Amendment to Chapter 8 – Garbage, Trash and Weeds. Mr. Miner explained this amendment will update the rate changes for garbage, trash and weeds. No further discussion. Mr. Miner read Ordinance No. 964 by title:

**AN ORDINANCE OF THE CITY OF CHIPLEY, FLORIDA
AMENDING CHAPTER 8, ENTITLED “GARBAGE, TRASH
AND WEEDS”; PROVIDING FOR SEVERABILITY; AND
DECLARING AN EFFECTIVE DATE.**

A motion was made by Council Member Russell and seconded by Council Member Sasser to approve the first reading of Ordinance No. 964. The motion passed unanimously.

- 2. Approval of Ordinance No. 965 (First Reading)** – Amendment to Chapter 19 – Utilities. Mr. Miner explained this amendment will update the gas rates for all consumers. He reviewed the powerpoint presentation from Florida Gas Utility and explained the deficit in 2019 was about \$140,000 and due to the rate increase that was put into effect at that time, it took care of about half of the deficit. This increase in rates should bring us more in line with a break-even point and not continuing to operate at a deficit. These residential rates are still lower than all of the surrounding communities and these commercial rates are comparable to the surrounding communities on Natural Gas. Mr. Miner read Ordinance No. 965 by title:

**AN ORDINANCE OF THE CITY OF CHIPLEY, FLORIDA,
PROVIDING FOR AUTHORITY; PROVIDING FOR
AMENDMENT TO CHAPTER 19, ENTITLED
“UTILITIES”; PROVIDING FOR SEVERABILITY; AND
DECLARING AN EFFECTIVE DATE.**

A motion was made by Council Member Butler and seconded by Council Member Russell to approve the first reading of Ordinance No. 965. The motion passed unanimously.

- 3. Approval of Resolution No. 21-01** – USDA Loan Resolution. Mr. Miner explained this resolution will approve the USDA funding for the Wastewater Effluent Project. Mrs. Mary Gavin with SERCAP is present to explain. Mrs. Gavin explained this funding package includes a USDA bond refinance; a FDEP SRF loan refinance; no increase in rates for the purpose of debt service; 40 year loan term with a fixed interest rate of 1.25%. If the rate decreases prior to closing, the city will get the lower rate. We have a projected closing date of March 2021 on the bond issue. Mr. Miner stated he would like to commend Mary for the work she has done to get our project funded as well as Tim Banks with FDEP. Mrs. Gavin stated FDEP is helping the city to save \$107,000 per year on debt service. We worked through many different scenarios and what we have come up with is what was best for Chipley. Mrs. Gavin stated we ended up with approximately \$10 million in grant funding for the city. Discussion ensued.

Mrs. Gavin explained that she would be attending a meeting Friday so if the city would like to come up with a list of projects for Hurricane Michael DR funding, she can mention these projects to the panelists at the meeting and see if they are eligible projects. Discussion ensued.

Mrs. Gavin explained that USDA has CF dollars left this year so if you have any projects eligible for that funding she would be more than happy to prepare the USDA application. She also stated that her services are free due to her position with SERCAP. Discussion ensued.

A motion was made by Council Member Sasser and seconded by Council Member Russell to approve Resolution No. 21-01. The motion passed unanimously.

- 4. Approval of Award of Bid No. 20-05 for FEMA Pals Park Pole/Light Replacement.** Mr. Tate explained there were eight bids for this project. The lowest bid for the metal halide was \$217,861.00 and the lowest bid for LED was \$232,024.50. Mr. Tate stated the LED lights are brighter, the bulbs last longer and we will have a significant savings in electricity if we switch to LED. Discussion ensued.

A motion was made by Council Member Butler and seconded by Council Member Cain to approve the Award of Bid No. 20-05 to The Mathes Group in the amount of \$232,024.50. The motion passed unanimously.

- 5. Approval of Fiscal Year 2020-2021 Community Redevelopment Agency (CRA) Administration Contract.** Mr. Miner explained this is the annual contract for Administration Services in the amount of \$2,075.00 per month. Mr. Everett is not asking for an increase to the contract amount. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Butler to approve the Fiscal Year 2020-2021 Community Redevelopment Agency Administration Contract in the amount of \$2,075.00 per month. The motion passed with four (4) ayes and one (1) naye (Council Member Russell opposed).

- 6. Approval of Special Event Application – Spedale Jr. Photography, LLC – Photography Workshop.** Mr. Miner explained this request is for a Photography Workshop to be held on October 24, 2020 from 3:30 to 8:00 p.m. at the Farmer’s Market. Discussion ensued.

A motion was made by Council Member Cain and seconded by Council Member Sasser to approve the Special Event Application for the Spedale Jr. Photography Workshop. The motion passed unanimously.

- 7. Approval of Special Event Application – Washington County Council on Aging, Inc. – Fun Run.** Mr. Miner explained this request is for the Washington County Council on Aging Fun Run to be held on November 7, 2020 starting at 7:00 a.m. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Cain to approve the Special Event Application for the Washington County Council on Aging Fun Run. The motion passed unanimously.

- 8. Mongoven Building Update.** Mr. Russell asked about the status of the Mongoven building and when are we going to address the code issues at the building. Attorney Jordan stated if it becomes a code issue and the city takes it back, it becomes city liability if something happens. At this point the city does not own the building. Mr. Russell stated we are going to continue standing by and the building continues to deteriorate and it needs to come down. Mr. Miner stated he will talk to the owners and get an update. The Council requested the owners be at the November meeting to give an update. Mr. Russell asked if there are CDBG funds for this type of project and Mr. Miner stated there are funds to turn it into green space but there is not much room. Discussion ensued.

- 9. Alcohol Ordinance.** Mr. Russell explained he has spoken with Attorney Jordan about the current alcohol ordinance. We have four investors seriously looking at our downtown area to put a brewery in (like in Campbellton). One of the investors is married to a Chipley girl so he is very interested in moving the brewery to Chipley. There are some things prohibiting this and they are the County is dry and the city ordinance reads within 500 feet of a school or

church. Mr. Russell explained he is requesting the Council to consider changing the current code to match the State statute regarding alcohol. We are pulling all revenues we have so we need to explore different avenues to come up with additional revenues for the city. The investors are interested in creating a space in Chipley (possibly at the Industrial Park) to brew a Chipley beer. We need to have an educated discussion about what our plan is for downtown; something has to happen out of the norm; we are losing the younger generations. Attorney Jordan stated the city needs to also consider what they want to do if the status of the county changes by referendum. Discussion ensued. Mayor Andrews stated we can discuss this more at the Special Meeting to be held on October 29, 2020 at 5:00 p.m.

Other Matters:

Attorney Jordan explained the Attorney for Plum Circle Trailer Park has contacted her to see if the Council would be interested in reducing the amount due in Code Enforcement fines for Plum Circle. The city filed a code case with lien costs and a timeframe to come into compliance and they are close to the end of the lien foreclosure process. Mr. Miner explained that Waste Management brought a dumpster over for a community cleanup and it was looking better and now it looks worse than it did before the clean-up. The Council was in agreement to not reduce the fines since they are not showing us they are willing to take care of the issues. Discussion ensued.

The meeting was adjourned by Mayor Andrews at 7:45 p.m.

City of Chipley

Tracy L. Andrews, Mayor

Attest:

Patrice A. Tanner,
Assistant City Administrator/City Clerk