

1 MINUTES
2 CITY COMMISSION MEETING
3 August 8, 2022

4 The City Commission met this date in regular session in the Commission Chambers. Mayor
5 Smith gave the Invocation. Mayor Smith recited the Pledge of Allegiance. A quorum being present,
6 the meeting was called to order at 6:12 PM with the following in attendance.

7	Mayor	:	Hubert B. Smith
8	Commissioners	:	Catherine Hamilton
9		:	Christine Wasdin
10		:	Edward Crosby
11		:	Clark (Tom) Browning, IV
12	City Clerk	:	Tammy Johnson
13	City Administrator	:	Carl Scott
14	City Attorney	:	Hayward Dykes
15	City Engineer	:	Beth Brant
16	Police Chief	:	Joe Hart
17	Fire Chief	:	Tommy Mayville
18	Library Director	:	Hope Willis
19	Public Works Director	:	Nathan Kelley (camera)

20
21 Others in attendance: (Not inclusive) Bob Bachelor, Bea Soto, Marcy and Rick Spitznagel, Jim
22 Bikakis, Amanda Hacks, David Nichols, Jay Denney, Bert Marthis, Patrick and Laura Palmer, Ron
23 Stewart, Grant Williams, Irwins, Tom Jackley, Shayne Betts, Christopher Schuster, Jack Gill

24 Mayor Smith welcomed everyone to the meeting this evening. He asked that everyone keep
25 their comments within the 5-minute time limit or less, Mr. Bachelor will be presenting a power point
26 as chairman of Planning Commission this evening so he will not be restricted to the timetable.

27 **APPROVAL OF MINUTES**

28 **COMM. BROWNING MADE A MOTION TO APPROVE THE MINUTES OF JULY**
29 **11, 2022, AS SUBMITTED. COMM. HAMILTON SECONDED THE MOTION, WHICH**
30 **PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

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

35 Mr. Ron Stewart, 478 Andrew Drive, said he was coming this evening to speak to Mr. Scott,
36 said since he will not return his calls, he came to see him here. Mr. Stewart said wood is still coming
37 off and paint is peeling from the roof, does Mr. Scott have any suggestions at all? Mr. Scott said when
38 it comes to firing your contractor, which you did, if you do not like the work or it does not meet the
39 test of time, you have the right to take civil action, like I have told you before. Mr. Scott said city is
40 not going to get in the middle of personal dispute between yourself and Mr. Powers. Mr. Scott said

1 this is of a civil nature and the city cannot help you there. Mr. Stewart said that seemed low down.

2 Mayor Smith thanked him for his time.

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

4 No non-resident concerns tonight.

5 **1. ACTION ITEMS – Added Agenda Items**

6 Mayor Smith said Chief Hart has an item he would like to add to the agenda regarding sale of
7 surplus property. **COMM. WASDIN MADE A MOTION TO ADD TO THE AGENDA THIS**
8 **EVENING. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY**
9 **UNANIMOUS VOTE 5 TO 0. Chief Hart said this is our protocol for selling vehicle for a decent**
10 **price. The sale of 2016 Dodge Charger. COMM. HAMILTON MADE A MOTION TO**
11 **APPROVE RESOLUTION NO. 05-08-08-22, A RESOLUTION TO APPROVE SALE OF**
12 **SURPLUS PROPERTY FROM THE CITY OF VALPARAISO AND PROVIDING AN**
13 **EFFECTIVE DATE. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY**
14 **UNAMIOUS VOTE OF THE COMMISSION 5 TO 0.**

15 **2. ACTION ITEMS – American Rescue Plan Act Funding Opportunities**

16 Mrs. Johnson said Mr. Bob Bachelor, Chairman of the Planning Commission has prepared a
17 power point presentation for the meeting and there is a copy in each Commission members packages.
18 Mayor Smith said he would like to thank Mr. Bachelor for the work and time he has put into doing this
19 research. Mr. Bachelor said at the last meeting Mayor Smith asked if he would look into the ARPA
20 funds and options to spend the money the government has sent to us. Mr. Bachelor said money has to
21 be obligated by 31 December 2024, on contract and spent by 31 December 2026. Mr. Bachelor said
22 anything not on contract by December 2024 is lost. Anything not spent by 31 December 2026 has to
23 be sent back to Uncle Sam. Mr. Bachelor said an annual report on project(s) status submitted by 30
24 April each year, which Mrs. Johnson has taken care of. APRA funds allotted to Valparaiso
25 \$2,705,111.00, received so far \$1,352,555. Mr. Bachelor said this is all done by population.

26 Mr. Bachelor said premium pay project, this is something that Niceville is doing, also spent money on
27 masks, hand sanitizer, which is directly chargeable to the ARPA funds. He said can be used for
28 office/duty time served during Covid lock down period if they came in it makes them qualified. Mr.
29 Bachelor said limits maximum \$25k per individual and funds cannot be applied to retirement accounts.
30 Comm. Hamilton said Mr. Bachelor you mentioned that Niceville is doing this, have they done so
31 across the board for all employees. Mr. Bachelor said he did not know how they were going to
32 distribute. Mrs. Johnson said who are considered essential workers? Mr. Bachelor said any city
33 worker is considered essential workers. Mrs. Johnson said but no one working from home. Mr.

1 Bachelor said does not apply to telework. Mr. Bachelor said for example, person worked one day at
2 home and four at office, that employee will receive 4/5 as compared to someone who worked all five at
3 the office. Chief Hart said he reviewed information per Mr. Bachelor's request and essential is
4 garbage, water, sewer, all city workers are essential, not just police and fire departments. Mrs. Johnson
5 said she just isn't sure if we have that information recorded, some departments did come in and some
6 did not. Comm. Hamilton said sure we could find it out just do a little review and we would know.
7 Mayor Smith said he was sure public works, cable, police and fire departments did not telework. Mrs.
8 Johnson said some in the cable department did work from home. Mr. Bachelor said we may just need
9 to ask people and hope they pony up, he really does not know how to track.

10 Mr. Bachelor said if the city lost money due to reduction in revenue due to Covid 19 lost
11 money or have to move money.

12 Mr. Bachelor said Broadband projects the requirement for ARPA funds for broadband system
13 projects, with capability to meet or exceed 100 Mbps download speed, at least 20 Mbps unload speed,
14 our system meets both requirements. He said there are two projects \$35,000 for servers that we
15 already have on contract so we can just move the funds and the second replace current 4 hour back up
16 battery power systems with natural gas generators, estimate \$60K.

17 Mr. Bachelor said with the sewer project we are coordinating with the county through out Plat
18 I. Approximately 25,000 feet of sewer pipe, estimated cost \$1M, use the existing county contract. Plat
19 I is east of John Sims Parkway, north of Tom's Bayou.

20 Mr. Bachelor said water system improvement, increase water pressure/flow at Homes on the
21 Hill and any home experiencing water flow problem. Mr. Bachelor said he has made up a survey that
22 was sent out with this month's bills. Mayor Smith asked what homes he was referring to when he says
23 homes on the hill. Mr. Bachelor said Menzel, Edge, Illinois, Chicago, Jackson, Ohio, which is the
24 general area, highest part of Valparaiso. Mr. Bachelor said he has worked with Mr. Kelley and Mrs.
25 Edwards at public works to find out what they have heard in the way of low-pressure complaints. He
26 said they had given him seventeen homes from 2019-2022, residents that called in to report low
27 pressure. Mayor Smith said the issue at his home goes back to 1999, 26 to 27 pounds of pressure at the
28 water spigot. Mr. Bachelor said that might have been, just had public works pick out a time frame.
29 Mr. Bachelor said most homes single floor, some people report problem in morning and or evening.
30 Mr. Bachelor said with new homes putting more of a demand on system. He said some water pressure
31 issues throughout the city. Comm. Wasdin said some people have just gotten use to it, Mr. Bachelor
32 said yes all in the persons perspective. Chief Mayville said he can provide Mr. Bachelor with
33 information from every hydrant in the city, look at flow, static and pressure. Chief Mayville said all of

1 that information is at the fire department. Mr. Bachelor said on to solutions, #1 install on city property
2 a new water pump does not know what the cost would be but expensive. Mr. Bachelor said solution
3 #2 put in a pump at each home for two hundred homes with installation cost approximately \$500,000
4 and if you can find anyone to install. Mr. Bachelor said pros and cons of each idea, not complete by
5 any stretch. Pros for single pump installation increases water pressure for all homes in affected area,
6 probably take less time to complete than the other option. Cons might not correct problem for nearby
7 homes, requires installing electrical power to pump, due to increased water pressure possibility of
8 water leaks in homes due to age of its plumbing system. Pros for home pumps only installed in homes
9 needing increased water pressure. Cons might take more time to install vs a single city pump,
10 Possibility of leaks in older homes due to increased water pressure. Homeowner must be able to
11 maintain, and it will likely require replacement at some point due to aging.

12 Mr. Bachelor said he will provide a spreadsheet with bar graph of all survey information
13 collected. Mr. Bachelor said on the surveys already received there are two residents who would like to
14 speak to someone, he will give those to Comm. Crosby. Mrs. Johnson said she thinks Mr. Kelley has
15 already spoken with one of the residents that Mr. Bachelor has mentioned. Comm. Wasdin said this
16 was a very nice analysis. Comm. Hamilton said amazing work from Mr. Bachelor. Mayor Smith said
17 he appreciates all of the time and effort and work that Mr. Bachelor put into this project.

18 **3. ACTION ITEMS – Rezoning Possibility R1A to R1**

19 Mr. Scott said we have an issue on the duplexes located on Nordberg and Judith. He said the
20 duplexes are in R1A zoning district, he cannot give permits for nonconforming use, they want to reroof
21 all of them, and he will not give permits because by attrition these duplexes were meant to go away.
22 Mr. Scott said our segments of affordable housing are getting exceedingly small, almost nonexistent.
23 Mr. Scott said in the 90's when the rezone happened, sure there was a reason but believes best interest
24 of the city changing the zoning from R1A to R1, just those duplexes on Nordberg and Judith, so they
25 can repair roofs. Comm. Wasdin asked what the difference is between R1A and R1? Mr. Scott said
26 R1A is only single family residential, R1 allows duplexes. Mr. Scott said he is asking the city's
27 permission to rezone back to what it was originally, on the city's dime. Mrs. Johnson asked why not
28 ask the property owner to pay? Mayor Smith said he did not think it would be much cost. Mr. Scott
29 said there is a cost for the advertising, notify all residents around the area, it can get expensive. Mr.
30 Dykes said you would have to do public hearings on it. Mr. Scott said he is trying to be proactive
31 despite what everyone says because he knows what is coming. He said property is owned by Marion
32 Ruckel, she thinks she can go in and put roofs on them right now and she cannot. Mr. Scott said he has
33 already received inquiries about permits, told them we cannot permit, that is going to get back to her

1 and start a problem, he is trying to avoid that situation, put back like it was. Mr. Bachelor said Mr.
2 Scott may want to table this until the Planning Commission update, this ties into what he is going to
3 talk about today. Mr. Dykes said looking to the Commission to give direction, Comm. Wasdin said
4 she thought it was a smart idea. **COMM. WASDIN SAID SHE AGREES AND GIVES**
5 **PERMISSION TO ALLOW REZONING TO MOVE FORWARD. COMM. HAMILTON**
6 **SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF COMMISSION 5**
7 **TO 0.**

8 **1. OLD BUSINESS – Update Property Swap w/Ruckel Properties, Glendale-Valastics**

9 Mr. Scott said we just received the appraisal, which came in at \$85,000 with 60% reduction.
10 Mr. Dykes said it looks like appraiser used comparable commercial lots, because in industrial area,
11 price point reduced by 60%. Mr. Dykes said we could always seek another appraisal, but it might not
12 be received in a timely manner, other option takes this appraisal back and negotiate, the appraisal
13 would be the limit for the city. Mr. Dykes said this is one of the city’s requirements before we can
14 move onto the next thing. **COMM. HAMILTON MADE A MOTION TO GO BACK TO**
15 **DISCUSSION NOW THAT WE HAVE THE APPRAISAL. COMM. CROSBY SECONDED**
16 **THE MOTION.** Chief Hart said could funds be used from stormwater since that is strictly what this
17 will be is stormwater. Comm. Wasdin said that is a good budget question. Mr. Dykes does not know
18 but this could fall under the CARES act or ARPA funds, look at the funding ideas. **THE MOTION,**
19 **WHICH PASSED BY UNANIMOUS VOTE OF COMMISSION 5 TO 0.**

20 **OLD BUSINESS – New City Hall Renovation Update**

21 Comm. Crosby said working with engineering drawings to get ready to go out for bid. Mrs.
22 Brant said Poly’s Architect was onsite all day today.

23 **2. OLD BUSINESS – Update 363 Washington**

24 Mr. Scott said waiting on appraisal. Mr. Dykes said while waiting the Commission needs to
25 discuss how they want to go about selling. He said advertise, use realtor, sealed bids, which will be
26 next after appraisal.

27 **3. OLD BUSINESS – Update Property in Plat III next to Water Tower**

28 Waiting on appraisal.

29 **4. OLD BUSINESS – Update Clear Water Park CDBG Grant**

30 Comm. Wasdin said it has been a while since grant discussed and Mr. Bachelor included in his
31 briefing so nicely. Comm. Wasdin has a power point slide, she said the grant is for \$650,000. She
32 said at the minimum pave Marquette, clean up Clearwater area, get water flowing into Clearwater,
33 clean up ditches and drains. Comm. Wasdin said grant from 2019, got the funding in 2021,

1 engineering designed, surveying at 30% design, 60% in design couple months, then start permitting.
2 Comm. Wasdin said like the city hall building, moving along just slowly.

3 **1. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – TPO/DOT**

4 Comm. Wasdin said some work will happen on John Sims Parkway; it is probably several years
5 away from beginning but the DOT is looking for comments. She said if anyone would like to make
6 comment or comments go to the DOT website or contact Comm. Wasdin and she will get information
7 to you. Comm. Wasdin said this is a state road, so it is a completely FDOT project.

8 **2. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Stormwater**

9 Mr. Scott said no issues reported to him.

10 **3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Senior Citizen Update**

11 Mayor Smith asked if Chief Mayville would review with Mr. Palmer what the fire department
12 has been working on to make building safer. Chief Mayville said he has already gone over that with
13 him. Mr. Palmer said the 90 day mark has been reached, over the last 90 days board has put in an
14 extreme number of manhours and work and research. Mr. Palmer said many lessons learned recently
15 plan an event on a major holiday not a good idea. Mr. Palmer said extreme amount of work had been
16 done the board is ready to move forward. Mr. Palmer said the board is now complete as well, Ms.
17 Hicks has joined the board as the secretary. Mr. Palmer said everyone is looking forward, just need
18 Commission to vote them in as a board. Chief Mayville said fire department has been looking on flood
19 lighting, good extinguishers and if they should need anything else he said to feel free to call. Mr.
20 Palmer said they have asked to schedule a meeting with the Council on Aging and seniors, who
21 support the boards efforts, concentrate on making seniors better quality of life for them as well as the
22 community. Mr. Palmer asked that the Commission to make the board permanent. Mayor Smith
23 asked if any discussion or comments. Mr. Dykes said based on what Commission decided in moving
24 forward make board like LPA board under city guidance, which is his advice, if that is the consensus
25 then the city would move forward with an ordinance to outline structure, adopt many of the things that
26 the board has suggested, whatever the Commission decides to do. Mr. Dykes said you can set term
27 limits, residential requirements, and so on. Mr. Dykes said this would obviously require ordinance
28 which is two meetings and adoption. Comm. Wasdin said what is other option? Mr. Dykes said it was
29 discussed before that the board would be an outside entity that stands on their own and the city
30 contracts with them. Comm. Hamilton said that is not what the board wants, correct? Mr. Palmer said
31 she is correct. **COMM. HAMILTON MADE A MOTION TO MOVE FORWARD WITH**

32 **PUTTING ORDINANCE TOGETHER TO MOVE TOWARD THAT GOAL. COMM.**

33 **BROWING SECONDED THE MOTION.** Comm. Wasdin said the board has done a really nice job.

1 Comm. Hamilton asked if the Commission needed to vote, Mr. Dykes said as long as we have your
2 direction we will get to the ordinance, prepare for September meeting. Mayor Smith said the board
3 can continue as they have been. Mrs. Johnson said just not a city board yet? Mayor Smith said after
4 ordinance is passed, they will be. He said he appreciates all of Mr. Palmer's and the board member's
5 hard work.

6 **4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report**
7 Comm. Wasdin said breakfast on Wednesday morning.

8 **5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update**
9 Comm. Crosby said everything is going ok.

10 **6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update**

11 Mr. Bob Bachelor, Planning Commission Chair, said he has provided the Commission with a
12 list of zoning changes that have been suggested. Mr. Bachelor said the Planning Commission did not
13 vote on this at the last meeting because there were only two members present, one member had let
14 them know he would be out of town. Mr. Bachelor said he and the other member discussed ARPA
15 briefing and zoning list. Mr. Bachelor said the zoning map has not been updated since 2009. Mr.
16 Bachelor said four members met with Mr. Scott a couple of weeks back and all five agreed to go
17 forward with changes to this list. Mr. Scott said with Raiders' Trail that change has been made just
18 need to change color on map. Mr. Scott said the tiny home PUD division will also go to R1A. Mr.
19 Scott said at one time Carondelet, Kelly Hills and Crystal Lake started as PUDs. Mr. Scott said Kelley
20 Hills should not be a problem and he will have to look at language on the other two. Mr. Bachelor said
21 four members of Planning Commission were in this meeting with Mr. Scott, thinks it is time to take
22 this list and move forward. Mr. Dykes said the Commission needs to provide guidance on how to
23 move forward. **COMM. HAMILTON MADE A MOTION TO MOVE FORWARD WITH**
24 **CHANGES. COMM. WASDIN SECONDED THE MOTION.** Mrs. Johnson said would these
25 changes take peoples values away by going from R2 to R1A. Mr. Bachelor said he did not know.
26 Mrs. Johnson said in R2 you can do short term rentals, Airbnb, doesn't think that could be done in
27 R1A. Mr. Scott said she is right. Mr. Scott said everyone will receive notices, have time to comment,
28 this is just the first step. Mr. Scott said the map change has to go to DCA or DEO or whatever they are
29 calling themselves now, and they have to approve, review process for this. He said then it will be done
30 by ordinance which provides for advertising and notification. Mr. Dykes agrees there is a lot of work
31 to be done. Mr. Scott said the city has three Airbnb, two are in Hidden Cove and one is illegal.

32 **7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Department Updates**

33 Mr. Scott said we need to amend comprehensive plan, missing two elements we have to have.

1 Mr. Butler, Communications Director, said it has been brought to his attention that the security
2 system is our last analog system, everything else has moved to digital. He said we have eighty-two
3 customers which is 50% less than when he started working for the city. Mr. Butler said there are so
4 many options now for security, do we really want to try and find another digital provider for security
5 service? Comm. Hamilton said we are talking about getting out of the business, not this second but
6 over about a 12-month period. Comm. Hamilton said they are looking for Commission support in
7 phasing out security. After a brief discussion, Commission consensus is to move forward.

8 Mr. Scott said he also wanted to add that the house at 358 Illinois that had sustained fire
9 damage a while back will be completely put on the ground by Friday.

10 **8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS - Disbursements**

11 **COMM. CROSBY MADE A MOTION TO APPROVE THE BILLS AS OUTLINED IN**
12 **THE FINANCIALS. COMM. HAMILTON SECONDED THE MOTION, WHICH PASSED**
13 **BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

14 **ADJOURN**

15 There being no further business to be brought before the Commission, the meeting adjourned at
16 7:35 PM.

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Hubert B. Smith
Mayor

Catherine Hamilton
Chair, VCA

28 ATTEST:

29 Tammy Johnson, CMC
30 City Clerk

31 ***A recording of the August 8, 2022, Commission meeting will be kept on the City's secure
32 file server as a permanent part of these minutes.***