

MINUTES
CITY COMMISSION MEETING
December 12, 2022

The City Commission met this date in regular session in the Commission Chambers, at approximately 6:00PM. Comm. Hamilton gave the Invocation. Mayor Smith recited the Pledge of Allegiance. The following in attendance.

Mayor	:	Hubert B. Smith
Commissioners	:	Catherine Hamilton
	:	Edward Crosby
	:	Clark (Tom) Browning, IV
	:	Christine Wasdin
City Clerk	:	Tammy Johnson
Police Chief	:	Joe Hart
Fire Chief	:	Tommy Mayville
Library Director	:	Hope Willis
Public Works Director	:	Nathan Kelley (camera)

Others in attendance: (Not inclusive) Bob Bachelor, Joe Cobb, J D Cameron, Joe Griffin, Bryan Griffin, Terry Griffin, Stephanie Merz, Trish Rowe, Amanda Hicks, Mark V. Norris, Barbara and Bobby Cowan, Les Chambers, Terri Robles, Kelly Irwin, Marion Cassell, Jack Gill, Brianna and Adam Koertner

Mayor Smith welcomed everyone to the meeting this evening.

APPROVAL OF MINUTES

COMM. HAMILTON MADE A MOTION TO APPROVE THE MINUTES FROM NOVEMBER 14, 2022, AS SUBMITTED. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.

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

Ms. Stephanie Merz, 1329 Bayshore Drive, said there are problems with the runoff from the new properties being built in her area, it stinks, and it is slippery. Mr. Scott said he knew the property but had no reason to shut down the development. Ms. Merz said their equipment blocks her way out, so she has to drive the wrong way out. Chief Hart said he could go down and ask that they move equipment. She said there has been increased traffic and the city needed to put up new signs at the end. Ms. Merz said they also have bears in the area roaming the streets. She said there was a mom bear and three cubs. Ms. Merz said garbage pickup is supposed to be two days a week, if the bears get into her garbage and throw things out she is not picking up, that is sanitation's job. Ms. Merz said it is funny to her that people with money come and within a month have a resolution to their problem but she has talked to the Commission numerous times to no avail. Ms. Merz said she is talking about Mr. Fedonczak and his Kake Cottages, comes in about relocating the force main and now this month on the agenda to have done. Mr. Scott said that the project started over three years ago, and it didn't happen overnight.

1 Mr. Chris Schuster, 50 Jackson Avenue, asked if there was anything new about clearwater.
2 Comm. Wasdin said it is scheduled to be on January's Commission meeting. Mr. Schuster said it has
3 been over three years, the only thing he has seen is a map with numbers on it.

4 Ms. Amanda Hicks, 337 Glendale Avenue, submitted her application to be on the community
5 center's board but didn't realize her information would be all over the internet. Ms. Hicks said she had
6 been told the attorney said it was legal but she finds it hard to believe with HIPPA and other security in
7 affect. Comm. Browning said HIPPA is only for medical information which is not asked for on the
8 application. He said it is our understanding that everything is public record, available to anyone upon
9 request. Ms. Hicks said she is requesting that it be removed. Mrs. Johnson said she spoke with the
10 attorney, the package that the Commission receives is online, that is what the applications are in. Ms.
11 Hicks said she said it is a lot of random information about people if it is in the packet it needs to be
12 revised and not include private information. Mrs. Johnson said that the application we use now was
13 composed by a previous commissioner, if this Commission would like to review and make changes
14 they can do that. Ms. Hicks suggested the Commission needed to read about Edward Snowden.

15 Mr. J D Cameron, 267 S Bayshore, said he would like to ask about the boat in the bayou, if
16 there is any new information. Chief Hart said on the list but the FWC does the list by their priorities.
17 Mayor Smith said FWC also oversees the bear issues. He said if the bear is a nuisance bear they could
18 set a trap for three to four days. Mrs. Irwin said FWC said the boat could take four to six months
19 because it is considered abandoned. Chief Hart said everything is a process, a boat is private property,
20 like a home, reason we have code enforcement and private property rights. He said it is not like a car
21 being abandoned the way the laws are written. Chief Hart said FWC has a staff dedicated to these type
22 matters. Mayor Smith said we had spoken on this several times, our hands are tied on bears and
23 abandoned vessels, we have boundaries that we must adhere to also.

24 Mr. Bob Bachelor, 154 Grandview Avenue, said there was a derelict boat in Boggy Bayou and
25 he called the FWC, he said the next day an officer was out and taking pictures. It was gone soon after
26 but it was in a main navigational channel.

27 Ms. Marion Cassell, 173 Highland, said to Comm. Hamilton she hasn't bugged her in a while
28 because she has been out of state but her little park looks awful. Comm. Hamilton said all parks are in
29 rough shape since the recent storm. Ms. Cassell, is it possible to have someone cut the weeds, clean it
30 up a bit? Comm. Hamilton said this has been an ongoing issue, we no longer have the prisoners, and
31 we have been short staffed hard to get everything done. Ms. Cassell also said she had seen a 300 to
32 400 pound bear digging under the fence. Mayor Smith said that is handled by the FWC and we can't
33 do anything about them.

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

1 No non-resident concerns tonight.

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

3 No added agenda items this evening.

4 **2. ACTION ITEMS – ROW Utilities Permit Application**

5 Mr. Scott said we need to have something on the books for right-of-way permits so that they
6 can be monitored and inspected. Cox Communications are starting to pull permits. Comm. Wasdin
7 asked if we had to let them in. Mr. Scott said yes, the city has control over franchise, water, sewer, gas
8 and electricity but there is no such a thing for communication.

9 **3. ACTION ITEMS – Resolution No. 10-12-12-22 Support Transportation Alternative
10 Program**

11 Mayor Smith read the title of Resolution No. 10-12-12-22, A resolution of support by the city
12 of Valparaiso to support the use of city property and application for grant funds for the proposed
13 Glendale – Doolittle Park pedestrian path and stormwater improvements with transportation alternative
14 program funding; and providing for an effective date. Comm. Wasdin said with this resolution they
15 have found a way to tie an alternate walking path with the problem area at Glen St. Mary’s. Mr.
16 Bachelor, chair of the Planning Commission, said he has looked at the area Glendale and Nordberg and
17 presented a short slide show. Comm. Wasdin said it seems that Mr. Bachelor has been working on this
18 same project, Glen St. Mary’s, located between Glendale and Nordberg. She said that Poly already has
19 the package to submit. Mrs. Brant said stormwater is at the forefront of her mind because it is a
20 problem. Mrs. Brant said they had to have approval of the resolution as part of the puzzle for applying
21 for the grant. **COMM. WASDIN MADE A MOTION TO APPROVE RESOLUTION NO. 10-12-
22 12-22, COMM. HAMILTON SECONDED THE MOTION TO APPROVE RESOLUTION NO.
23 10-12-12-22. UNANIMOUS VOTE OF THE COMMISSION 5 TO 0 TO APPROVE.**

24 **4. ACTION ITEMS – Resolution No. 11-12-12-22 Appoint Community Center Board
25 Members**

26 Mrs. Johnson stated that the Ordinance establishing the Board would have to be done before
27 appointing volunteers to the Board. Mayor Smith read Resolution No. 11-12-12-22, appointing
28 volunteers to the City’s Community Center Board. **MAYOR SMITH MADE A MOTION TO
29 APPROVE RESOLUTION NO. 11-12-12-22.** The City Commission wishes to appoint these
30 members to the Community Center Board, Mr. Palmer, Ms. Rowe, Ms. Hicks, Ms. Palmer and Mr.
31 Gill as the have requested appointment to said board. **COMM. BROWNING SECONDED THE
32 MOTION.** Mrs. Johnson said that they were going to stagger the appointments. She asked Mr. Gill
33 his thoughts, as Mr. Palmer who has been serving as director was not in attendance, Mr. Gill said he
34 would take the two year position, Ms. Rowe said she would take the three year position, Ms. Hicks

1 said she would take the five year term, leaving a three year and five year position open for Mr. and
2 Mrs. Palmer. Mrs. Johnson said she would confirm with Mr. Palmer and fill them in. **VOTE OF**
3 **COMMISSION TO APPROVE THE COMMUNITY CENTER BOARD MEMBERS 5 TO 0.**

4 **5. ACTION ITEMS – Award Forcemain Relocation Contract at Kake Cottage Development**

5 Mayor Smith said it looks like we have two bidders to decide between for this project. Mrs.
6 Brant said yes, at the November meeting the Commission approved ordering the materials for the
7 project. This is to award the contract to whoever will facilitate installation of those materials in a
8 timely fashion. She said we put the contract out to four companies and have responses from two.
9 Construction Service Company and Utility Service Co., Inc. Construction Service Co. bid \$46,894.00,
10 Utility Service Co. Inc., bid \$196,973.73. Ms. Brant said they are both good companies that do good
11 work, but one is local already in the Valparaiso Community. **MAYOR SMITH MADE THE**
12 **MOTION TO APPROVE CONSTRUCTION SERVICE COMPANY FOR THEIR BID OF**
13 **\$46,894.00. COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY**
14 **UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

15 **1. OLD BUSINESS – Update Property Surplus Property at 363 Washington Ave.**

16 Mr. Scott said we will have the property out for bid in January and there will be bidders this
17 time.

18 **2. OLD BUSINESS – New City Hall Renovation Update**

19 Comm. Hamilton said that she would let Ms. Brant, the city engineer, fill everyone in. Mrs.
20 Brant said all engineers will be onsite tomorrow and will most likely be there all day getting
21 everything set so that we will have the information we need to go out for a bid.

22 **3. OLD BUSINESS – Ordinance No. 718 Creating Community Center Board**

23 Mrs. Johnson said we had proof of publication for Ordinances No. 718 and 719 from Daily
24 News the ad ran December 2, 2022. Mayor Smith read the title to Ordinance No. 718 amending
25 Article VII Boards and Committees, creating a new Section 2-196, titled Community Center Board,
26 and providing for (1) findings, (2) repeal of conflicting ordinances, (3) severability and (4) effective
27 date. **COMM. HAMILTON MADE A MOTION TO APPROVE ORDINANCE NO. 718,**
28 **COMM. BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS**
29 **VOTE OF THE COMMISSION 5 TO 0.**

30 Mr. Jack Gill gave an update of the Community Center Senior Dinner we had 43 meals served.
31 We had a \$200 budget and we received \$150 in donations. The board members bought all the food and
32 did the cooking. The \$200 went for supplies. He stated that \$50 in the red was not too bad. Mayor
33 Smith said he would make a \$50 contribution. The Community Center since November has made
34 \$500 in rental fees.

1 **4. OLD BUSINESS – Ordinance No. 719 Amend Agenda & Attachment Timeline**

2 Mayor Smith read the title to Ordinance No. 719 amending Article 2, Chapter 2, Section 2-31
3 of the Valparaiso Code of Ordinances to require adequate advance preparation of agenda and
4 attachments and providing for (1) finds, (2) real of conflicting ordinances, (3) severability and (4)
5 effective date. **MAYOR SMITH MADE A MOTION TO APPROVE ORDINANCE NO. 719,**
6 **COMM. WASDIN SECONDED THE MOTION.** Mrs. Kelly Irwin, 184 Chicago Avenue,
7 addressed the Commission about moving the cutoff day for the City Clerk to receive all input up a day
8 instead of moving the day to post back a day. Mrs. Irwin said if they passed the ordinance it would
9 give the public less time to review. Mayor Smith said no less time than the Commission will have.
10 **VOTE TO APPROVE ORDINANCE NO. 719 AS SUBMITTED 5 TO 0.**

11 **5. OLD BUSINESS – Overlook Subdivision Final Comments (Bradley PUD)**

12 Mr. Scott said he has received the latest from Bradley and his contractor for the seven lots, all
13 adjustments, and requirements just final look so that they can pull permits. Mr. Scott said they will
14 pave the first section of Adams. Chief Hart asked if they complete half of the road will Commission
15 look into the other half. Comm. Wasdin said they would look into it. Comm. Hamilton said problems
16 with the cable movement, Raiders Landing was approved but the communication department had taken
17 a lot of hits from the residents there because the builder made promises and did not deliver. Comm.
18 Hamilton said with this being a PUD development would like to have everything squared away. Mr.
19 Scott said the time to discuss this issue would have been in the meeting with the technical review
20 committee. Mr. Butler said the issue is the poles, the power company is getting rid of some but hasn't
21 been forth coming as to which ones. He said it is possible that we will have to bore between Ken's
22 Piping and Dr. Lunderman. Comm. Wasdin said there are poles along Valparaiso Parkway, could we
23 work with that. Mr. Scott said we are already past that what we should have discussed this on the front
24 end not the back end. Comm. Wasdin said this maybe something we should do before paving the road.
25 Mr. Scott said he would suggest all infrastructure be done before the paving. Mr. Butler said he went
26 over there and they said we would get it but they never came back with any information for him. Mr.
27 Scott said power sets transformers in the right-of-way, Florida Power gives you no choice on the front
28 end. He said with the gas company there is a little more leeway. Mr. Scott said this whole discussion
29 frustrates him, we are down to the end where they are looking to start pulling permits and all of these
30 questions have just come out now. Comm. Hamilton said this has been on going. Mr. Scott said not in
31 any technical review meeting he has attended, and he has been to everyone. **COMM. HAMILTON**
32 **MADE A MOTION TO APPROVE BRADLEY PUD GOING FORWARD. COMM.**
33 **BROWNING SECONDED THE MOTION, WHICH PASSED BY UNANIMOUS VOTE OF**
34 **THE COMMISSION 5 TO 0.**

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

2 Comm. Wasdin said everything is going well.

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

4 Mr. Scott said no problems to report, no calls. He asked about what the city is doing off of
5 Spencer that dumps on his property. Comm. Wasdin said she didn't know but would find out.

6 **3. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Community Liaison Report**

7 Mr. Chambers said he last spoke with Eglin in regard to the bear issue, but they also have to
8 contact the FWC for their assistance. Mayor Smith said he appreciated the information and wanted to
9 also advise residents not to feed the bears.

10 **4. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Regional Sewer Update**

11 Comm. Crosby said they haven't had a meeting yet this month.

12 **5. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Planning Commission Update**

13 Mr. Bachelor said as he mentioned earlier the goal is to have the list of projects completed by
14 April 2023. He said if the Commission has anything they need the Planning Commission to do, let
15 them know and they would be glad to help.

16 Mayor Smith asked Mr. Norris if had something to say to him since he had been staring him
17 down all night. Mr. Norris did not add anything.

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19 **6. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Department Updates**

20 Mr. Butler, general manager of the communications department, said he wanted everyone to
21 know that the residents living in Raiders Trail had been taken care of. He said a lot of the problems
22 had to do with things out of their control. Equipment being late arriving, illnesses and so had
23 contributed to the backlog. Mr. Butler said Raiders Trail is up and running so is Johnson Street.

24 **7. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – Disbursements**

25 **COMM. BROWNING MADE A MOTION TO APPROVE PAYING THE BILLS AS**
26 **OUTLINED. COMM. CROSBY SECONDED THE MOTION, WHICH PASSED BY**
27 **UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

28 **8. REPORTS/CORRESPONDENCE/ANNOUNCEMENTS – City of Valparaiso Employee**

29 Christmas Dinner, Friday December 16 @ 6PM

30 Mayor Smith said that the employee Christmas dinner will be this Friday the 16th @ 6pm in the
31 Mitchell Building.

32 **1. ADMINISTRATIVE ITEMS – Employee Christmas Bonuses**

33 Mrs. Johnson said we have done these bonuses for the last several years. Full time with one
34 year or more service \$150, part time with one year or more \$75, all full time less than a year, all part

1 time with less than one year, on call employees \$50. Mrs. Johnson said the city bears the expense of
2 taxes and FICA, which allows the employees to receive the full bonus amount. She said it would be
3 approximately \$10,000 to do and it is in this years' budget. **MAYOR SMITH MADE A MOTION**
4 **TO APPROVE. COMM. WASDIN SECONDED THE MOTION, WHICH PASSED BY**
5 **UNANIMOUS VOTE OF THE COMMISSION 5 TO 0.**

6 **ADJOURN**

7 There being no further business to be brought before the Commission, the meeting adjourned at
8 7:16 PM.

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18 ATTEST:

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21 _____
22 Tammy Johnson, CMC
23 City Clerk

Hubert B. Smith
Mayor

Catherine Hamilton
Chair, VCA

24 ***A recording of the December 12, 2022, Commission meeting will be kept on the City's
25 secure file server as a permanent part of these minutes.***

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