

AGENDA
CITY COUNCIL MEETING
7/12/2016
5:00 P.M.

1. **OPEN MEETING**

2. **INVOCATION:** Pastor Bo Senterfitt, Welcome Assembly of God

3. **PLEDGE OF ALLEGIANCE**

4. ****APPROVAL OF AGENDA FOR ADDITIONAL ITEMS****

- Recommendation for Additional Items from Staff
- Recommendation for Additional Items from Council
 - (a) Council Reports

5. **APPROVAL OF MINUTES**

1) June 14, 2016 Regular

6. **RECOGNITIONS, SPECIAL PRESENTATIONS AND AWARDS:**

1) Swearing-in of Police Chief Tony Tindell

7. **PUBLIC HEARINGS/MEETINGS:**

8. **PERSONS TO APPEAR:**

1) Kelly Cofer, The Retail Coach

9. GENERAL CONSENT AGENDA

- 1) As forwarded from Executive Committee Meeting held on Tuesday, July 5, 2016 at 4:00 p.m.

10. MILTON PLANNING BOARD

- 1) Board will meet on Thursday, August 4, 2016 at 5:00 p.m.

11. ORDINANCES, RESOLUTIONS & PROCLAMATIONS:

- 1) Ordinance #1432-16, Amending Drop Program from 60 months to 84 months (*1st Reading*)
- 2) Ordinance #1433-16, CRA Trust Fund (*1st Reading*)
- 3) Ordinance #1434-16, Fire Pension Board Chapter 175 (*1st Reading*)
- 4) Ordinance #1435-16, Fire Pension Board Deferred Retirement Option Plan (*1st Reading*)
- 5) Resolution #1372-16, \$500,000 Gas Line of Credit with Suntrust
- 6) Budget Amendment Resolution #1373-16:
 - a) General Fund \$2,300. Recognizes Cash Restitution received and allocates for additional needed to purchase a Watch guard Video Camera for Police Vehicle.
 - b) General Fund \$0. Reallocates funds in General Fund for Lobbyist for August and September in FY2016 as approved by Council on 6/14/2016.
 - c) General Fund \$0. Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 14/15 Fund Year.
 - d) Natural Gas Fund \$0. Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 4/15 Fund Year.
 - e) Water & Sewer Fund \$0. Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 4/15 Fund Year.
 - f) Sanitation Fund \$0. Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 4/15 Fund Year.

- g) Water & Sewer Fund \$0. Reallocates funds in Water & Sewer (Water Services Department) for additional needed in Materials for Water, Materials for Sewer.
- 7) Proclamation- Hemochromatosis Screening Awareness Month

12. CITY ATTORNEY’S REPORT

13. CITY CLERK’S REPORT

14. COUNCIL COMMITTEE ITEMS:

1) **Growth & Development - Chairwoman: Councilwoman Ashley Lay**

Item 222 Store All Sales

Recommendation Vote Required

Committee directed Staff to provide draft language for a potential ordinance to Executive Committee

Cost \$0.00 **Funding Source**

2) Ordinance #1436-16, Store-all Sales Vendors (*1st Reading*)

TPO REPRESENTATIVE: COUNCILMAN JIMMY MESSICK

TDC REPRESENTATIVE: COUNCILMAN ALAN LOWERY

15. COUNCIL REPORTS:

16. MAYOR REPORT: WESLEY MEISS

**17. CITY MANAGER’S REPORT:
EXPENDITURES:**

18. BIDS AND PROPOSALS:

- 1) Bids received for Stormwater Master Plan Update on Thursday, July 7, 2016 at 2:00 p.m.
(Under Staff review)

19. OTHER BUSINESS:

Item 255 Memorandum of Understanding with the Thames Family Trust for the use of the property at the corner of North Willing and Broad Street

Description The city of Milton would like to hold several of its summer events on the property at the corner of North Willing and Broad Streets. The property is owned by the Thames Family Trust.

Staff Recommendation Vote Required

Staff recommends approval of the MOU with the Thames Family Trust to hold city events on their property.

Cost \$0.00 **Funding Source**

Item 254 Memorandum of Understanding for the use of the Sanborn Property on South Willing Street.

Description Mr. Jack Sanborn owns three parcels on South Willing Street adjacent to the area where the city holds Bands on the Blackwater and other community events. He has indicated the city could use his property for parking or other activities during community events if we would be willing to keep the grass mowed.

Staff Recommendation Vote Required

Staff recommends we enter into an agreement with Mr. Sanborn for the use of his

Cost \$0.00 **Funding Source**

Item 253 Promotion of Geoffrey Freeman and Daryl Auerbach in the Fire Department.

Description With the retirement of Captain Bobby Hutchinson Lt Geoffrey Freeman has been selected to move up into the vacant Captains position and Firefighter Daryl Auerbach has been selected to move up into the vacant Lieutenant position

Staff Recommendation Information

Provided for Information

Cost \$0.00 Funding Source

Item 251 Approval of Contract between Liberty Partners of Tallahassee, LLC and the City of Milton

Description

Staff Recommendation Vote Required

Staff recommends approval of the proposed contract between Liberty Partners of Tallahassee, LLC and the City of Milton

Cost \$38,000.00 Funding Source Budget

20. ADJOURN/RECESS:

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the City at least 48 hours before the meeting by contacting City Hall, 6738 Dixon Street, Milton, or by calling 983-5410.

"If any person decides to appeal any decision made by the board, agency, or commission, with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." FS 286.0105

CITY COUNCIL MEETING
July 12, 2016
5:00 P.M.
GENERAL CONSENT AGENDA ITEMS

Public Works - Chairman: Councilman R. L. Lewis

Item 231 Utilities Department - Natural Gas Staffing

Action Executive Committee recommends establishing a Natural Gas Utility Crew Foreman position so that the structure is aligned with the Water and Sewer Division of the Utilities Department providing a progressive advancement path for Natural Gas of Milton employees

Cost: \$0.00 **Funding Source:** Budget

Parks & Recreation - Chairman: Councilman Lloyd Hinote

Item 212 Guy Thompson Community Center Operating Hours on Saturday

Action Executive Committee recommends having the GTCC open on Saturdays with operating hours being 10am-5pm

Cost: \$0.00 **Funding Source:**

Item 213 Usage of Milton Housing Authority (MHA) portable buildings

Action Executive Committee recommends proceeding with an agreement with MHA to use one or both portable buildings on James Street as office space for nonprofit organizations

Cost: \$0.00 **Funding Source:**

Item 214 MIA Back to School Bash Sponsorship

Action Executive Committee recommends a \$250 sponsorship for a Back to School Bash held by MIA on July 31, 2016 to be paid out of Natural Gas Marketing

Cost: \$250.00 **Funding Source:** Budget

Item 217 Date Change of Bands on the Blackwater

Action Executive Committee recommends keeping the Bands on the Blackwater on Friday nights.

Cost: \$0.00

Funding Source:

Item 5 Sportsplex Master Plan Initial Concept Drawing & Preliminary Program

Action Executive Committee recommends approval of the preliminary design plans for the Sportsplex

Cost: \$0.00

Funding Source:

Other Business

Item 245 Hemochromatosis Screening Awareness Month Proclamation for the month of July

Action Executive Committee recommends July 2016 to be recognized as "Hemochromatosis Screening Awareness Month" in the City of Milton, Florida

Cost: \$0.00

Funding Source:

Item 241 Vision Insurance Renewal with Avesis

Action Executive Committee recommends renewal of Avesis Vision Insurance at new renewal rate

Cost: \$0.00

Funding Source:

Item 246 Fire Pension Board Amendments to Ordinance

Action Executive Committee recommends approval of the proposed Fire Pension Board amendments to Ordinance. The first reading will be on Tuesday, July 12, 2016 at Council meeting.

Cost: \$0.00

Funding Source:

Growth & Development - Chairwoman: Councilwoman Ashley Lay

Item 226 Stewart Street Rezoning

Action Executive Committee recommends initiating the rezoning of Stewart Street by Ordinance. First Reading of the Ordinance would be held on Tuesday, August 9, 2016 at the Council meeting.

Cost: \$0.00

Funding Source:

Item 6 Contract with a Retail/Business Recruitment Firm

Action Executive Committee recommends to proceed with issuing an RFP to select a Retail/Business Recruitment Firm

Cost: \$150,000.00

Funding Source: General Fund Reserves

Item 224 Trust Fund Ordinance

Action Executive Committee recommends proceeding with the Trust Fund Ordinance which is the final action step in the creation of our two new CRA's. First Reading of the Trust Fund Ordinance would be at Council meeting on Tuesday, July 12, 2016

Cost: \$0.00

Funding Source:

Item 227 BOCC/TDC Funding Request

Action Executive Committee recommends to proceed with seeking BOCC commitment to provide designated funding for Riverwalk Park Project

Cost: \$0.00

Funding Source:

Item 233 Bulk Item Disposal Day Program

Action Executive Committee recommends proceeding with developing guidelines to establish a bulk item program and recommending a schedule for designated areas

Cost: \$0.00

Funding Source:

Item 234 Olivet Baptist Church Request

Action Executive Committee recommends denying the request with an explanation of the reason why and the potential for future review

Cost: \$0.00

Funding Source:

Item 223 Dissected Properties

Action Executive Committee recommends obtaining owner consent and develop necessary instruments to justify boundary line.

Cost: \$0.00

Funding Source:

Finance - Chairman: Councilman Jimmy Messick

Item 237 FY2017 Millage Rate

Action Executive Committee recommends to maintain millage rate of 3.2373 for FY 2017

Cost: \$0.00

Funding Source:

Item 206 Gas Line of Credit for \$500,000 with Suntrust Bank Resolution

Action Executive Committee recommends continuing the Natural Gas Line of Credit of \$500,000 with Suntrust Bank by resolution

Cost: \$0.00

Funding Source:

Item 205 Bad Debt Write-off for June 2016 - \$4,830.35 FYTD - \$44,513.79, less collections and gas fee credit of (\$10,144.32) for a net total of \$34,369.47

Action Committee recommends bad debt write-off for June 2016 - \$4,830.35, FYTD - \$44,513.79, less collections and gas fee account credit of (\$10,144.32) for a net total of \$34,369.47

Cost: \$0.00

Funding Source:

Administration - Chairman: Councilman Grady Hester

Item 229 Modification of NAI Halford Real Estate Broker Contract to Include Residential Properties 3.2016

Action Executive Committee recommends to modify NAI Halford contract to allow them to engage Residential Real Estate Agents

Cost: \$0.00

Funding Source:

Item 236 Request for Out-of-Town Travel for Heather Lindsay, City Attorney, to attend the 35th Annual Florida Municipal Attorneys Association Seminar in Bonita Springs, Florida on July 28-30, 2016 at a cost of approximately \$975.

Action Executive Committee recommends approval of Out-of-Town Travel for Heather Lindsay, City Attorney, to attend the 35th Annual Florida Municipal Attorneys Association Seminar in Bonita Springs, Florida on July 28-30, 2016 at a cost of approximately \$975.

Cost: \$975.00 **Funding Source:** Budget

Item 239 Committee of the Whole Dates for August and September

Action Executive Committee recommends moving Committee of the Whole meetings in August to August 25th and September to September 22nd.

Cost: \$0.00 **Funding Source:**

Item 210 Landscape Job Descriptions for Approval:

- Landscape Maintenance Supervisor
- Municipal Service Worker I
- Municipal Service Worker II
- Municipal Service Worker III

Action Executive Committee recommends approval of the following Landscape Department job descriptions:

- Landscape Maintenance Supervisor
- Municipal Service Worker I
- Municipal Service Worker II
- Municipal Service Worker III

Cost: \$0.00 **Funding Source:**

Item 208 Request for Continuing Training in Orange Beach, AL for Curtis Krebs at a cost of \$518 on August 24-25, 2016

Action Executive Committee recommends Continuing Training for Curtis Krebs in Orange Beach, AL on August 24-25, 2016

Cost: \$518.00 **Funding Source:** Budget

Item 175 Policies for Approval:
5.0 Non-Fraternization Policy
5.1 Harassment Policy

Action Committee recommends approval of these two policies:
5.0 Non-Fraternization Policy
5.1 Harassment Policy

Cost: \$0.00

Funding Source:

Item 240 Purchase 2 foot wide City Seal from Signcrafters

Action Executive Committee recommends approval to purchase (1) 2 foot wide City Seal from Signcrafters for \$499

Cost: \$499.00

Funding Source: Budget

ORDINANCE NO. #1432-16

AN ORDINANCE OF THE CITY OF MILTON, FLORIDA, AMENDING CHAPTER 38, PERSONNEL AND RETIREMENT, ARTICLE IV, GENERAL EMPLOYEES' PENSION AND RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF MILTON; AMENDING SECTION 38-136, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA;

SECTION 1: That Chapter 38, Personnel and Retirement, Article IV, General Employees' Pension and Retirement System, of the Code of Ordinances of the City of Milton, is hereby amended by amending Section 38-136, Deferred Retirement Option Plan, subsection (b) *Participation*, (3) *Period of participation* and subsection (c)(2) *Transfers from retirement system*, to read as follows:

* * *

(b)(3) *Period of participation.* A member who is in the DROP on (Insert date of adoption) _____ or elects to participate in the DROP under subsection (b)(2), shall participate in the DROP for a period not to exceed ~~sixty (60)~~ eighty-four (84) months beginning at the time his election to participate in the DROP first becomes effective. An election to participate in the DROP shall constitute an irrevocable election to resign from the service of the city not later than the date provided for in the previous sentence. A member may participate only once.

* * *

(c)(2) b. Except as otherwise provided in subsection (b)(4)b., a Member's DROP Account under this subsection (c)(2):

1. For DROP participation in years one through five, shall be debited or credited after each fiscal year quarter with either:

i). Interest at an effective rate of six and five-tenths percent (6.5%) per annum compounded monthly determined on the last business day of the prior month's ending balance and credited to the member's DROP account as of such date (to be applicable to all current and future DROP participants); or

~~1.~~ ii) Earnings, to be credited or debited to the member's DROP account, determined as of the last business day of each fiscal year quarter and debited or credited as of such date, determined as follows:

The average daily balance in a member's DROP Account shall be credited or debited at a rate equal to the net investment return realized by the system for that quarter. "Net investment return" for the purpose of this paragraph is the total return of the assets in which the member's DROP Account is invested by the board net of brokerage commissions, transaction costs and management fees.

For purposes of calculating earnings on a member's DROP account pursuant to this subsection (c)(2)b.1., brokerage commissions, transaction costs, and management fees shall be determined for each quarter by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these quarterly contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

Upon electing participation in the DROP, the member shall elect to receive either interest or earnings on his account to be determined as provided above. The member may, in writing, elect to change his election only once during his DROP participation. An election to change must be made prior to the end of a quarter and shall be effective beginning the following quarter.

2. for DROP participation in years six and seven, shall be credited with earnings, to be credited to the member's DROP Account, determined as of the last business day of each fiscal year quarter and credited as of such date, determined as follows:

The average daily balance in a member's DROP account shall be credited at a rate equal to the net investment return realized by the system for that quarter, but not less than zero percent (0%) and not greater than six and five tenths percent (6.5%). "Net investment return" for the purpose of this paragraph is the total return of the assets in which the member's DROP account is invested by the board net of brokerage commissions, transaction costs and management fees.

For purposes of calculating earnings on a member's DROP account pursuant to this subsection (c)(2)b.2., brokerage commissions, transaction costs, and management fees shall be determined for each quarter by the investment consultant pursuant to contracts with fund managers as reported in the custodial statement. The investment consultant shall report these quarterly contractual fees to the board. The investment consultant shall also report the net investment return for each manager and the net investment return for the total plan assets.

* * *

SECTION 2: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Milton.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4: That this Ordinance shall become effective upon its adoption.

PASSED ON FIRST READING, this _____ day of _____, 2016.

PASSED AND ADOPTED ON SECOND READING, this _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

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ORDINANCE 1433-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILTON

AN ORDINANCE TO ESTABLISH A REDEVELOPMENT TRUST FUND FOR THE MILTON COMMUNITY REDEVELOPMENT AREAS II NORTH AND III SOUTH, RESPECTIVELY, PURSUANT TO SECTION 163.387, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT OF A BASE YEAR, PROVIDING FOR THE FUNDING OF SUCH TRUST FUNDS; PROVIDING FOR THE DURATION; PROVIDING FOR EXPENDITURES; PROVIDING FOR AN AUDIT OF SUCH FUNDS EVERY FISCAL YEAR; PROVIDING FOR REPEAL OF ANY ORDINANCE IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Milton City Council passed Resolution No. 1341-15 and Resolution 1355-16, which found the need for rehabilitation, conservation, or redevelopment in the Milton CRA's II North and III South, respectively; and

WHEREAS, the City of Milton City Council created the Milton CRA's II North and III South Redevelopment Agency; and

WHEREAS, the City of Milton's Redevelopment Agency shall serve the two distinct areas; and

WHEREAS, the City of Milton had adopted two redevelopment plans for the areas; and

WHEREAS, the City of Milton desires to establish the base year for the calculation of Tax Increment Financing, and

WHEREAS, the City Council of the City of Milton desires to establish redevelopment trust funds for CRA's II North and III South; and

WHEREAS, the City of Milton City Council desires that the funds for CRA's II North and III South be kept separate and apart from each other; and

WHEREAS, all notices and advertisements required by Chapter 163, Part III, Florida Statutes to establish the CRA's and their associated trust funds have been provided; and

WHEREAS, the City Council of the City of MILTON accordingly desires to pass this Ordinance .

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA, THAT:

Section 1: Name.

This ordinance shall be known as the City of Milton CRA's II North and III South Community Redevelopment Agency (the "Agency ") Redevelopment Trust Fund Ordinance.

Section 2: Creation and Purpose.

A. There is hereby established and created, pursuant to Section 163.387, Florida Statutes, the Milton CRA's II North and III South Areas Redevelopment Trust Funds, to be used exclusively to finance or refinance community redevelopment projects in the Milton CRA's II North and III South Areas pursuant to their adopted Plans. The funds allocated to and deposited into the Milton CRA's II North and III South Trust Funds as provided in this ordinance are hereby appropriated to finance community redevelopment

projects within the Areas. The Agency shall utilize the funds and revenues paid into and earned by the Trust Funds for those community redevelopment purposes contained in their respective plans and for any other purpose allowed by law. The CRA's II North and III South Area Funds shall exist for the duration of the redevelopment projects and for so long thereafter as any indebtedness shall continue to exist, but, not for more than thirty (30) years, unless extended in accordance with applicable law.

Section 3: Base year value.

For CRA II North and III South Community Redevelopment Areas the most recently approved tax roll prior to July 15, 2016, used in connection with the taxation of real property in the CRA II North and III South Community Redevelopment Areas shall be the real property assessment roll of the county, reflecting the valuation of real property for purposes of ad valorem taxation as of January 1, 2016, the base year value, and submitted to the state department of revenue pursuant to F.S. 193.1142, and all deposits into the CRA II North and III South Trust Fund shall be in the amount of tax increment calculated as provided in Section 4 based upon increases in valuation of taxable real property from the base year value.

Section 4: Moneys Appropriated to and Comprising the Milton CRA's II North and III South Fund.

The Funds shall consist of and the City hereby appropriates, commits, and sets over for payment into the Funds an amount not less than that increment of income, proceeds, revenues, and funds of each taxing authority for each respective area derived from or held in connection with its undertaking and carrying out of community redevelopment projects in accordance with their respective plans. Such increments shall be that amount equal to ninety -five percent (95 %) of the difference between: a) The amount of any ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Milton CRA's II North and III South Areas, respectively; and b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority exclusive of any debt service millage, upon the total of the assessed value of taxable real property in the CRA's II North and III South Areas, respectively, as shown on the most recent assessment roll used in connection with the taxation of such property by each taxing authority. c) The taxing authorities enumerated in Section 163.387(2)(c), Florida Statutes, are exempt from increment financing.

Section 5: Expenditure of Funds.

Moneys in the Funds may be expended from time to time for undertakings of the Agency as described in the Plans for each respective area for the following purposes, including, but not limited to: a) Administrative and overhead expenses necessary or incidental to the implementation of the Plans. b) Expenses of redevelopment planning, surveys, and financial analysis. c) The acquisition of real property in the redevelopment areas. d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants within or outside the community redevelopment area as provided in Section 163.370, Florida Statutes. e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness. f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness. g) The development of affordable housing within

each respective community redevelopment area. h) The development of community policing innovations.

Section 6: Audit

The Agency shall provide for an audit of the Funds each fiscal year and a report of such audit to be prepared by an independent certified public accountant or firm. Such report shall describe the amount and source of deposits into, and the amount and purpose of withdrawals from, the Funds during such fiscal year and the amount of principal and interest paid during such year on any indebtedness to which increment revenues are pledged and the remaining amount of such indebtedness. The Agency shall provide by registered mail a copy of the report to each taxing authority.

Section 7: Severability.

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 8: Effective Date.

This Ordinance shall become effective immediately upon passage by the City Council of the City of Milton.

PASSED by the City Council of the City of Milton, Florida, this ____ day of _____, 2016.

Wes Meiss, Mayor

Dewitt Nobles, City Clerk

ORDINANCE NO. 1434-16

AN ORDINANCE OF THE CITY OF MILTON AMENDING THE CITY OF MILTON MUNICIPAL FIREFIGHTER' PENSION TRUST FUND, ADOPTED PURSUANT TO ORDINANCE NO. 987, AS SUBSEQUENTLY AMENDED; ADDING SECTION 38-373, SUPPLEMENTAL BENEFIT COMPONENT FOR SPECIAL BENEFITS; CHAPTER 175 SHARE ACCOUNTS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA;

SECTION 1: That the City of Milton Municipal Firefighters' Pension Trust Fund, adopted pursuant to Ordinance No. 987, as subsequently amended, is hereby further amended by adding Section 38-373, Supplemental benefit component for special benefits; Chapter 175 share accounts, to read as follows:

Sec. 38-373. Supplemental benefit component for special benefits; Chapter 175 share accounts.

There is hereby established an additional plan component to provide special benefits in the form of a supplemental retirement, termination, death and disability benefits to be in addition to the benefits provided for in the previous Sections of this Plan, such benefit to be funded solely and entirely by F.S. Chapter 175, premium tax monies for each plan year which are allocated to this supplemental component as provided for in F.S. §175.351. Amounts allocated to this supplemental component ("Share Plan") shall be further allocated to the members and DROP participants in a manner to be agreed upon.

Secs. ~~38-373~~ 38-374--38-400.- Reserved.

SECTION 2: If any section, subsection, sentence, clause, phrase of this ordinance, or the particular application thereof shall be held invalid by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby.

SECTION 3: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Milton.

SECTION 4: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 5: That this Ordinance shall become effective upon its adoption.

PASSED ON FIRST READING, this _____ day of _____, 2016.

PASSED AND ADOPTED ON SECOND READING, this _____ day of _____, 2016.

MAYOR

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

ORDINANCE. NO. 1435-16

AN ORDINANCE OF THE CITY OF MILTON AMENDING THE CITY OF MILTON MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND, ADOPTED PURSUANT TO ORDINANCE NO. 987, AS SUBSEQUENTLY AMENDED; AMENDING SECTION 38-372, DEFERRED RETIREMENT OPTION PLAN (DROP), BY CLARIFYING THE METHOD FOR DETERMINING EARNINGS, REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA:

SECTION 1: That the City of Milton Municipal Firefighters' Pension Trust Fund, adopted pursuant to Ordinance No. 987, as subsequently amended, is hereby amended by amending Section 38-372(c)(2)b.(2), to read as follows:

(2) Earnings, determined as follows: The average daily balance in a member's DROP account shall be credited or debited at a rate equal to the net investment return realized by the system for that quarter. For purposes of this subsection, the term "net investment return" means the total return of the assets in which the member's DROP account is invested by the board net of brokerage commissions, transaction costs and management fees, determined based on the formula $2I/(A+B-I)$ where:

I = Investment income

A = Beginning of period asset value

B = End of period asset value

SECTION 2: Specific authority is hereby granted to codify and incorporate this Ordinance in the existing Code of Ordinances of the City of Milton.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4: That this Ordinance shall become effective upon its adoption.

PASSED ON FINAL READING, this ____ day of _____, 2015.

PASSED AND ADOPTED ON SECOND READING, this ____ day of _____,
2015.

MAYOR

First Reading:
w/ changes:
Second Reading:

ATTEST:

CITY CLERK

Approved as to form:

CITY ATTORNEY

RESOLUTION NO. 1372-16

A RESOLUTION OF THE CITY COUNCIL, CITY OF MILTON, FLORIDA, TO APPROVE THE EXTENSION OF THE SUNTRUST BANK LOAN AS DEFINED IN ORDINANCE NO. 1384-13 FOR A PERIOD OF ONE YEAR COMMENCING AUGUST 21, 2016 IN A NOT EXCEEDING AMOUNT OF \$500,000.00; PROVIDING THAT ALL TERMS ARE TO REMAIN AS STATED IN THE ORIGINAL ORDINANCE.

WHEREAS, the City Council of the City of Milton, Florida (the “Issuer”) enacted Ordinance No. 1384-13 on May 28, 2013, (as heretofore amended and supplemented, the “Original Ordinance”), authorizing the SunTrust Bank Loan, as defined therein, which loan is evidenced by a Utility System Line of Credit Note, Series 2013B, and

WHEREAS, the Original Ordinance provided for annual renewal of the SunTrust Bank Loan upon certain conditions as described therein; and

WHEREAS, the current Renewal Period (as defined in the Original Ordinance) expires August 21, 2017,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA:

1. The SunTrust Bank Loan, as defined in the Original Ordinance, in an amount not exceeding \$500,000.00 is hereby approved for a renewal period of one year commencing August 21, 2016 and ending August 20, 2017. Such SunTrust Bank Loan shall have all of the terms and conditions more fully described in the Original Ordinance.

2. The Mayor, Mayor Pro-Tem, the City Manager, the City Clerk, the Chief Accountant, the Attorney for the Issuer and Bond Counsel for the Issuer are each designated agents of the Issuer in connection with renewal of the SunTrust Bank Loan, and are authorized and empowered, collectively or individually, to take all action and steps to execute and deliver any and all instruments, documents or contracts on behalf of the Issuer which are necessary or desirable in connection with such renewal and which are not inconsistent with the terms and provisions of this resolution or the Original Ordinance, including, in particular, the execution and delivery of the following: (A) the Extension Agreement in the form attached hereto as Exhibit “A” and (B) an opinion of the Attorney for the Issuer as to the validity and enforceability of this resolution and the Extension Agreement and the authority of the officials signing the same to execute and deliver such documents.

PASSED AND ADOPTED by the City Council of the City of Milton, Santa Rosa County, Florida, on this 12th day of July, 2016.

CITY OF MILTON, FLORIDA

By: _____
Mayor

ATTEST:

By: _____
City Clerk

EXHIBIT "A"

EXTENSION AGREEMENT

For and in consideration of the mutual obligations and rights conferred upon the parties hereto pursuant to the provisions of Ordinance No. 1384-13 duly enacted by the City of Milton, Florida (the "Issuer") on the May 28, 2013 (as heretofore amended and supplemented, the "Original Ordinance"), and pursuant to the provisions of that certain Gas System Line of Credit Note, Series 2013B evidencing the SunTrust Bank Loan (as defined in the Original Ordinance), the Issuer and SunTrust Bank hereby agree to extend the term of the SunTrust Bank Loan for an additional term of one year commencing August 21, 2016 and ending August 20, 2017.

This Extension Agreement is executed, delivered, and shall be effective upon this 12th day of July, 2016.

CITY OF MILTON, FLORIDA

(SEAL)

By: _____
Mayor, City Council

Attest:

By: _____
City Clerk

SUNTRUST BANK

By: _____
Name: _____
Title: _____

RESOLUTION NO. # 1373-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON,
FLORIDA, AMENDING THE FISCAL YEAR 2016 BUDGET, CHANGING
THE ESTIMATED TOTAL REVENUES AND EXPENDITURES
OF VARIOUS FUNDS
AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, changes in anticipated revenues and expenditures of the City of Milton, necessitates a revision of the Appropriations for Fiscal Year 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Milton, Florida, in open meeting duly assembled
Section 1. The following funds are revised as specified herein:

| FUND: General Fund | | DEPARTMENT: Law Enforcement | | |
|---|---------------------------|-----------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 001-521-521-64-01 | Capital Outlay / Vehicles | 104,762 | 2,300 | 107,062 |
| LINE ITEM TOTAL----- | | | 2,300 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 001-0000-360-10-00 | Miscellaneous Revenues | 29,681 | 2,300 | 31,981 |
| LINE ITEM TOTAL----- | | | 2,300 | |
| COMMENTS/EXPLANATION: Recognizes Cash Restitution received and allocates for additional needed to purchase a Watch Guard Video Camera for Police Vehicle. | | | | |

| FUND: General Fund | | DEPARTMENT: Non Departmental | | |
|---|----------------------------------|------------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 001-0514-514-31-04 | Professional Services / Lobbyist | 0 | 6,400 | 6,400 |
| 001-0514-514-41-00 | Communication Services | 27,552 | (4,400) | 23,152 |
| 001-0514-514-46-00 | Repairs & Maintenance | 12,000 | (1,000) | 11,000 |
| 001-0514-514-49-00 | Misc. Expenditures | 10,050 | (1,000) | 9,050 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| None | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Reallocates funds in General Fund for Lobbyist for August and September in FY2016 as approved by Council on 06/14/2016. | | | | |

| FUND: General Fund | | DEPARTMENT: Various | | |
|---|------------------------------|-----------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 001-0513-513-24-00 | Admin - Workers Comp | 6,933 | 310 | 7,243 |
| 001-0515-515-24-00 | Planning - Workers Comp | 4,622 | 207 | 4,829 |
| 001-0516-516-24-00 | Finance - Workers Comp | 5,393 | 240 | 5,633 |
| 001-0521-521-24-00 | Police - Workers Comp | 27,219 | 1,214 | 28,433 |
| 001-0522-522-24-00 | Fire - Workers Comp | 22,469 | 1,001 | 23,470 |
| 001-0541-541-24-00 | Road & Street - Workers Comp | 10,271 | 459 | 10,730 |
| 001-0572-572-24-00 | Parks - Workers Comp | 4,365 | 195 | 4,560 |
| 001-0573-573-24-00 | Landscaping - Workers Comp | 2,953 | 132 | 3,085 |
| 001-0514-514-45-00 | Insurance & Bonds | 100,825 | (3,758) | 97,067 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| None | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 14/15 Fund Year. | | | | |

| FUND: Natural Gas | | DEPARTMENT: Meter/Utility | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 402-0531-531-24-00 | Gas/Meter - Workers Comp | 1,284 | 58 | 1,342 |
| 402-0532-532-24-00 | Gas/Utility - Workers Comp | 7,447 | 332 | 7,779 |
| 402-0532-532-49-00 | Misc. Expenditures | 4,900 | (390) | 4,510 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 14/15 Fund Year. | | | | |

| FUND: Water & Sewer | | DEPARTMENT: Meter/Wastewater/Water | | |
|---|-------------------------------|------------------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 403-0531-531-24-00 | Water/Meter - Workers Comp | 2,183 | 97 | 2,280 |
| 403-0535-535-24-00 | Wastewater - Workers Comp | 7,960 | 356 | 8,316 |
| 403-0536-536-24-00 | Water Services - Workers Comp | 9,244 | 413 | 9,657 |
| 403-0536-536-51-00 | Water - Office Supplies | 12,500 | (866) | 11,634 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| None | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 14/15 Fund Year. | | | | |

| FUND: Sanitation | | DEPARTMENT: Sanitation | | |
|---|------------------------------|------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 404-0534-534-24-00 | Sanitation - Workers Comp | 16,049 | 716 | 16,765 |
| 404-0534-534-51-00 | Sanitation - Office Supplies | 3,984 | (716) | 3,268 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| None | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Funds additional needed for Workers Compensation based on Florida League of Cities Final Audit for the 14/15 Fund Year. | | | | |

| FUND: Water & Sewer | | DEPARTMENT: Water Services | | |
|---|-------------------------------|----------------------------|---------------------|-----------------------|
| EXPENSE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| 403-0536-536-53-03 | Materials - Water - Warehouse | 45,000 | 30,000 | 75,000 |
| 403-0536-536-53-06 | Materials - Sewer - Warehouse | 12,000 | 15,000 | 27,000 |
| 403-0536-536-46-01 | Vehicle - R&M | 15,600 | (5,000) | 10,600 |
| 403-0536-536-46-05 | Liftstation R&M | 38,000 | (20,000) | 18,000 |
| 403-0536-536-46-29 | Fire Hydrants R&M | 14,000 | (10,000) | 4,000 |
| 403-0536-536-49-01 | Gas and Oil | 39,000 | (10,000) | 29,000 |
| LINE ITEM TOTAL----- | | | 0 | |
| REVENUE BUDGET ACCOUNT NUMBER | ACCOUNT DESCRIPTION | CURRENT BUDGET AMOUNT | INC/DECREASE AMOUNT | REVISED BUDGET AMOUNT |
| | | | | 0 |
| LINE ITEM TOTAL----- | | | 0 | |
| COMMENTS/EXPLANATION: Reallocates funds in Water & Sewer (Water Services Department) for additional needed in Materials for Water, and Materials for Sewer. | | | | |

Section 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.
Section 3. City staff is hereby authorized to implement changes in funds, accounts, transfers and balances as outlined within this resolution.
Section 4. This resolution shall take effect immediately upon the adoption by the City Council.

Passed and adopted this _____ day of _____, 20____, by the Milton City Council of the City of Milton, Florida.

By: _____
Wesley Meiss, Mayor

ATTEST:

Dewitt Nobles, City Clerk

A PROCLAMATION

HEMOCHROMATOSIS SCREENING AWARENESS MONTH

WHEREAS: Hemochromatosis is a genetic disorder which causes excess iron to accumulate in the liver, heart, pancreas, sex glands and joints; and

WHEREAS: Ironitout.org estimates that one in 200 Floridians and 1,500,000 Americans have this disorder, yet remain undiagnosed; and

WHEREAS: With early diagnosis and treatment, Hemochromatosis patients can enjoy a healthy and full life-span; and

WHEREAS: Because few people are aware of the symptoms or risk factors involved with this disorder, Ironitout.org is working to raise public awareness and encourage routine screening; now

THEREFORE: I, Wesley Meiss, Mayor of the City of Milton, FL, do hereby proclaim the month of July 2016 as "HEMOCHROMATOSIS SCREENING AWARENESS MONTH" in the City of Milton in support of Ironitout.org and its efforts to combat this treatable disorder.

IN WITNESS WHEREOF, I have set my hand and caused to be affixed the official seal of the City of Milton, Florida, this _____ day of July, 2016.

Wesley Meiss, Mayor

ATTEST:

Dewitt Nobles, City Clerk

#222

- **ARTICLE IV. - ITINERANT VENDORS²¹**
- **DIVISION 1. – GENERALLY**
- **Sec. 36-166. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Itinerant vendor includes all persons as well as their agents and employees, who engage in the temporary or transient business in the city of selling, offering for sale or exhibiting for sale any goods, wares or merchandise and who, for the purpose of carrying on such business, either hires, rents, leases or occupies any room or space in any building, structure, lot or parcel of land or vehicle or roadside stand in the city in, through or from which any goods, wares or merchandise may be sold, offered for sale or exhibited for sale.

Temporary means any such business transacted or conducted in the incorporated area of the city for which definite arrangements have not been made for the hire, rental or lease of premises for at least 30 days in or upon which such business is to be operated or conducted, excepting from the provisions of this article any business sponsored by or under contract with an established business, shopping mall, shopping center or interstate fairground, and which agrees in writing to act as surety therefor for the period which such business contracts with or is sponsored by such established business, shopping mall, shopping center or interstate fairground and two years thereafter.

Transient means any such business of any such itinerant vendor as may be operated or conducted by persons or their agents or employees who reside away from the city, who have fixed places of business in places other than the city, who have their headquarters in places other than the city, or who move stocks of goods or merchandise or samples thereof into the city with the purpose or intention of removing them or the unsold portion thereof away from the county before the expiration of 30 days.

Self Service Storage Facility means any real property designed and used for the purpose of renting or leasing individual storage space to occupants who are to have access to such for the purpose of storing, selling, and removing personal property.

Owner means the owner, or lessee of a self-service storage space.

Rental agreement means any agreement or lease, written or oral that establishes or modifies the terms, conditions, rules or any other provisions concerning the use and occupancy of a self-service storage facility.

Personal property means movable property not affixed to land, and includes, but is not limited to goods, merchandise, motor vehicles, watercraft, and household items.

- **Sec. 36-167. - Applicability.**

This article is not and shall not be held to be applicable to the following:

(1)

Salespersons representing wholesale houses or distributors who sell to local retail merchants from catalogues or samples.

(2)

Sales of goods or merchandise, the proceeds whereof to be applied to any charitable or philanthropic purpose.

(3)

The conducting of a sale of privately owned, used merchandise at a garage or yard sale on premises owned or rented as a residence by the seller of such goods **or on the property of a Self-service storage facility by the Owner of the Personal property who possesses a Rental agreement.**

Secs. 36-168—36-198. - Reserved.

- **DIVISION 2. - PERMIT**

- **Sec. 36-199. - Required; fee.**

It shall be unlawful for an itinerant vendor to sell, offer for sale or exhibit for sale any goods, wares or merchandise without having first secured a permit as provided in this division. The office of inspections shall issue to any itinerant vendor a permit authorizing such itinerant vendor to sell, exhibit for sale or offer for sale, in the city, goods, wares and merchandise only after such itinerant vendor shall have fully complied with the provisions of this division and made payment of a fee as currently established or as hereafter adopted by resolution of the city council from time to time.

(Code 1977, § 15-33(a))

- **Sec. 36-200. - Application.**

(a)

Form. The itinerant vendor shall make an application to the city office of inspections at least three days prior to the date of his contemplated sale or offer for sale to be held in the city. The application shall be in the form of an affidavit stating the following:

(1)

The full name and address of the itinerant vendor.

(2)

The location of his principal office and place of business.

(3)

The name and addresses of the officers if it is a corporation and the partnership name and the names and addresses of all partners if such itinerant vendor is a firm.

(b)

Contents; bond. Before the permit required under this division shall be issued, the application therefor must be accompanied by the following:

(1)

A statement showing the kind and character of the goods, wares or merchandise to be sold or offered for sale.

(2)

A certified copy of the charter, if the itinerant vendor is a corporation, incorporated under state law.

(3)

A certified copy of its permit to do business in this state if the itinerant vendor is a corporation, incorporated under the laws of some state other than this state.

(4)

A bond in the sum as currently established or as hereafter adopted by resolution of the city council from time to time. The bond shall be executed by the itinerant vendor as principal with two or more good and sufficient sureties satisfactory to the office of inspections, which bond shall be payable to the city for the use and benefit of the city and any other person entitled thereto and conditioned that the principal and surety will pay all damages to persons caused by, or arising from or growing out of, the wrongful, fraudulent or illegal conduct of the itinerant vendor while conducting the sale or offer for sale in the city. The bond shall remain in full force and effect for the entire duration of the permit and two years thereafter or until compliance with the provisions of this division, whichever period is greater.

(Code 1977, §§ 15-33(b), 15-33(c))

- **Sec. 36-201. - Special sale requirements.**

An itinerant vendor shall not advertise, represent or hold forth a sale of goods, wares, or merchandise as an emergency, insurance, bankrupt, insolvent, assignee, trustee, estate, executor, administrator, receiver, manufacturer's wholesale, cancelled order, or misfit sale or closing out or a sale of any goods damaged by smoke, fire, water or otherwise, unless before so doing he shall state in writing under oath to the office of inspections, at the time he makes an application for a permit, all the facts relating to the reason and character of such special sale so advertised, held forth or represented, including:

(1)

A statement of the names of persons from whom the goods, wares or merchandise were purchased;

(2)

The date of delivery of the goods, wares or merchandise to the person applying for the permit;

(3)

The place where the goods, wares or merchandise were taken last;

(4)

Such details necessary to exactly locate and fully identify the goods, wares, or merchandise to be sold;

(5)

Such further disclosure to and give such information as may be required by the office of inspections;

(6)

The names and residences of the owners in whose interest the sale is conducted; and

(7)

Whether the special sale is conducted as an individual, firm, association or corporation.

(Code 1977, § 15-33(d))

- **Sec. 36-202. - Grounds for denial.**

(a)

It shall be unlawful for any itinerant vendor to sell or exhibit for sale, either at public or private sale, any goods, wares, or merchandise:

(1)

Without first complying with the provisions of this division;

(2)

To make any false statements in reference to the matters required in sections [36-200](#) and [36-201](#); or

(3)

To fail or refuse to comply with the requirements of any of the provisions of this division.

(b)

Every person, whether principal or agent, who, by circular, handbill, newspaper, poster, or in any manner, advertises such sales as contemplated in this article before the proper permit is issued to the itinerant vendor or before he has complied with the provisions of this division shall be guilty of a violation of this section.

(c)

Nothing in this division shall be construed as abridging or denying the right and power of the city council to refuse or withhold the granting of any permit or to revoke the permit, if granted, to an itinerant vendor upon any hearing thereof when, in the city council's discretion, on the basis of the disclosures during such hearing or from other information deemed by it sufficient, such action may be deemed necessary or proper to protect or safeguard the public from imposition, mischief or fraud.

(Code 1977, § 15-33(e))

- **Sec. 36-203. - Sales report required.**

All itinerant vendors shall make a verified report of sales within seven days of the close of business.

(Code 1977, § 15-33(f))

- **Sec. 36-204. - Sale on public way prohibited unless within scope of permit.**

An itinerant vendor shall not ply his vocation on any street, sidewalk, park or parkway or in any other public place, unless his permit specifies that sales or offers for sale in such public place are permitted under the permit.

(Code 1977, § 15-33(g))

- **Sec. 36-205. - Sale on private property prohibited without owner consent.**

An itinerant vendor shall not ply his vocation on private property without the written consent of the owner, and such consent shall be in the physical possession of the vendor. Sales from or on the property of a Self Service Storage Facility by an individual storage space or spaces occupant/ owner who are to have access to such and possess a rental agreement and intend to sell personal property owned by them shall be limited to 10 units for facilities with greater than 500 total units and 5 units for facilities with less than 500 total units. Permits provided for sales from a Self Service Storage Facility shall be limited to two calendar days in each calendar week and further limited to 12 hours of operation each day.

(Code 1977, § 15-33(h))

- **Sec. 36-206. - Nontransferable.**

The permit provided for in this division shall be nontransferable, nor does it give the authority to more than one person to sell or exhibit goods or merchandise as an itinerant vendor, either by agent or by employee or in any other way than his own proper person. However, any person having obtained such permit may have the assistance of one or more persons in conducting the sale or offer of sale, who shall have authority to aid that principal, but not to act for or without him.

(Code 1977, § 15-34)

- **Sec. 36-207. - Duration; display.**

(a)

The permit as provided in this division shall continue so long as such sale or exhibit is continuously held in the unincorporated areas of the city, but in no event shall it continue for more than 180 days from the date of issuance.

(b)

Such permit shall be prominently displayed in a conspicuous place on the premises where such sale or exhibit is being conducted and shall remain so displayed so long as any goods, wares or merchandise are being sold or offered for sale.

(Code 1977, § 15-35)

Art and Holly Maconeghy

6563 Julia Drive Milton Fl. 32570 | [Telephone] | [Email]

May 19, 2016

Milton City Council Members

Churches Chicken
6584 Hwy 90
Milton, Fl. 32570

As an owner/operator of a business on Hwy 90 I had no problem having Art and Holly Maconeghy having their yard sale at 6588 Hwy 90 in the past.

I feel that when they had their sales each week on Saturday it was beneficial to my business. When people that would not normally stop at my store stopped for their sale they many times would come in and shop.

I would appreciate if you would take this in consideration when making a decision on their request to have their sale to be set up at the storage units again.

Thank you,

Sincerely,



LPUBMIL3

Art and Holly Maconeghy

[Address, City, ST ZIP Code] | [Telephone] | [Email]

May 19, 2016

Milton City Council Members

Gulf Coast Communications
6594 Hwy 90
Milton, Fl. 32570

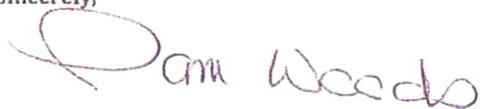
As an owner/operator of a business on Hwy. 90 I had no problem having Art and Holly Maconeghy having their yard sale at 6588 Hwy. 90 in the past.

I feel that when they had their sales each week on Saturday it was beneficial to my business. When people that would not normally stop at my store stopped for their sale they many times would come in and shop.

I would appreciate if you would take this in consideration when making a decision on their request to have their sale to be set up at the storage units again.

Thank you,

Sincerely,



[Your Name] Pam Woods

With them setting up their sale each time,
it has helped improve the traffic into my store
and ~~also~~ help with my business.

Art and Holly Maconegny

6563 Julia Drive Milton Fl. 32570 | [Telephone] | [Email]

May 19, 2016

Milton City Council Members

Gateway Storage Units
6588 Hwy. 90
Milton, Fl. 32570

For one year Art and Holly Maconegny had a yard sale at my facility. They rented several units from me during that time. When they were asked to the city limits I lost that income.

I believe that it would be beneficial to my business ^{leave} for them to set up the sales again. I have no problem if they would be allowed to return to this location for their yard sales each week.

Thank you for your consideration for their request to return to this location.

Sincerely,



LPUBMIL3

Art and Holly Maconegny

[Address, City, ST ZIP Code] | [Telephone] | [Email]

May 19, 2016

Milton City Council Members

Chavers Feed and Seed
6596 Hwy 90
Milton, Fl. 32570

As an owner/operator of a business on Hwy. 90 I had no problem having Art and Holly Maconegny having their yard sale at 6588 Hwy. 90 in the past.

I feel that when they had their sales each week on Saturday it was beneficial to my business. When people that would not normally stop at my store stopped for their sale they many times would come in and shop.

I would appreciate if you would take this in consideration when making a decision on their request to have their sale to be set up at the storage units again.

Thank you,

Sincerely,

"Jackie"
Ch. B. Ch. III

LIBPUBMIL3

I Am Also the owner of this property.

Art and Holly Maconeghy

6563 Julia Drive Milton Fl. 32570 | [Telephone] | [Email]

May 19, 2016

Milton City Council Members

Before January 2016 for approximately one year we had a yard sale almost every Saturday at 6588 Hwy. 90. We were asked to move out of the city limits at that time, so we did.

We are both on a limited income. It was a great benefit to us having the sales at this location. When we moved We have lost anywhere from ½ to some days 2/3 of the income we made on Hwy. 90. We feel that a big part of This is because there is so much more traffic there. Another reason is the Gateway storage was more reasonable than where we are now.

The physical work of set up in the morning and packing up in the evening is much more work now and takes much longer.

We also felt that while we were at Gateway Storage we were helping the other businesses around the area.

We are willing to do what is necessary to be able to return to this location in Milton to have our sales.

Please take our request into consideration for us to set up at this location again.

Thank you,

Sincerely,

A. Maconeghy
Holly Maconeghy

[Your Name]

STORMWATER MASTER PLAN UPDATE (JULY 7, 2016)



CITY OF MILTON

| Company and Representative Name | Address (City, State) | Phone | Email |
|--|---------------------------------|--------------|--|
| Baskerville-Donovan, Inc. | 449 West Main Street | 850-438-9661 | jwaite@baskervilledonovan.com |
| Jim Waite, Vice-President | Pens., FL 32502 | | |
| Geosyntec Consultants | 301 South Baylen St., Suite 201 | 850-477-6547 | mellard@geosyntec.com |
| Mark Ellard, P.E. | Pens., FL 32502 | | |
| Thompson Engineering, Inc. | | | |
| Jack Gibbs, P.E. , Civil Engineer | 6706-C Plantation Blvd | 850-202-3030 | jgibbs@thompsonengineering.com |
| Rebecca Jones, P.E., Project Engineer | Pens., FL 32504 | | |
| Volker, Inc. | 215 Fairpoint Dr., Suite B | 850-512-8935 | shawn.justice@volkert.com |
| Shawn Justice, PE, Vice President | Gulf Breeze, FL 32561 | | |
| <i>Present at bid opening: Lori McCafferty, Rhonda Hussey, Brian Watkins, George Rials, Randy Jorgenson, Curtis Krebs, and Rebecca Jones</i> | | | |

**LIBERTY PARTNERS OF TALLAHASSEE, LLC
& THE CITY OF MILTON**

2016-17 CONTRACT FOR LOBBYING SERVICES

1. *Client; Scope of Services.* Our client in this matter will be the City of Milton, Florida. (the "Organization"). We will be engaged to advise the Organization in connection with advocacy issues relating to the interest of the Organization.

Liberty Partners will utilize our expertise to provide the personalized and targeted services that will incorporate the components necessary to meet the Organization's overall goals and objectives. Our engagement will include the scope of work identified below as listed in the RFP for "State Lobbyist Services for the City of Milton" as they relate to funding for infrastructure, parks and recreation and other projects and initiatives as directed.

The scope of the work shall include, but not limited to, the following:

- A. Meet with the Organization's staff and the City Council to assist in the development of the organization's list of goals, priorities and specific projects. Identify which of these goals, priorities, and specific projects could be addressed at the state level and assist in developing written material on each request to provide to the Florida legislature and their staff.
- B. Provide the Organization's staff and the City Council with any new information that may impact, and actively see opportunities to enhance the organization's State legislative program and provide options as to legislative strategy, when necessary.
- C. Monitor current state legislation and the state appropriations process and report to the Organization, both orally and in writing, any legislative events that may directly or indirectly impact the Organization.
- D. Provide the Organization with regular reports and updates on all legislative and appropriations issues that may impact the Organization.
- E. Advocate before the Florida Legislature in support of the Organization's goals, priorities and projects.
- F. At the conclusion of the Florida Legislative session, prepare a final report, including the final status of the Organization's priorities and a summary of the impact of major legislative changes on the Organization.

Through established relationships with both Legislative and Executive Branch leaders, as well as outside interest groups, we will take advantage of all appropriate opportunities to cultivate cooperative working relationships with mutual non-competing goals.

2. *Term of Engagement.* The term of the engagement will be for twelve (12)

months beginning on August 1, 2016 and ending on July 30, 2017 after which time the Organization may renew the contract for two (2) additional 1-year terms. Should the contract not be renewed, we will take such steps as are reasonably practicable to protect the Organization's interests in the above matter and, if you so request, we will suggest to you a possible successor firm and provide it with whatever papers you have provided to us. Our representation of the Organization will terminate upon our sending you a final statement for services rendered in this matter.

3. *Fees and Retainer.* Based on the scope of services outlined above in Paragraph 1, items A through E, these services shall be retained at a rate of \$36,000 and paid in twelve (12) equal installments of \$3,000 per month. Travel, lodging and/or other direct expenses related to these services shall be pre-approved by the Organization, billed on a monthly basis and not exceed \$2,000 per year. Full payment is due promptly upon receipt of our statement. If this statement remains unpaid for more than 30 days, we may cease performing services for you until arrangements satisfactory to us have been made for payment of outstanding statements and the payment of future fees.

4. *Confidentiality.* From time to time, the firm may be provided with non-public or proprietary information related to the Organization's business in order to assist the firm in performing the services outlined in this contract. All such information, whether provided orally or in writing, shall be considered confidential unless subject to disclosure under Florida public records laws. The firm agrees not to disclose any such information to any person without your prior written consent and will provide prompt notice to you of any judicial or quasi-judicial demand for such information. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (850) 983-5401, P.O. BOX 909, MILTON, FLORIDA 32572 DEWITT.NOBLER@CL.MILTON.FL.US.**

5. *Client Responsibilities.* You agree to cooperate fully with us and to provide promptly all information known or available to you relevant to our representation as well as furnishing the firm with any forms required by the Organization including, but not limited to: Non- Collusion Affidavit, Drug Free Workplace, and Conflict of Interest Forms. You also agree to pay our statements for services and expenses in accordance with paragraph 3 above.

6. *Conflicts.* As we have discussed, you are aware that the firm represents many other companies, organizations and individuals. It is possible that during the time that we are representing the Organization, some of our present or future clients will have disputes or transactions with the Organization. The Organization agrees that we may continue to represent or may undertake in the future to represent existing or new clients in any matter that is not substantially related to our scope of services outlined in paragraph 1 above even if the interests of such clients in those other matters are directly adverse to you.

We agree, however, that your prospective consent to conflicting representations

contained in the preceding sentence shall not apply in any instance where, as a result of our representation of you, we have obtained proprietary or other confidential information of a nonpublic nature, which, if known to such other client, could be used in any such other matter by such client to your material disadvantage. You should know that, in similar engagement letters with many of our other clients, we have asked for similar agreements to preserve our ability to represent you and them.

Once again, we are pleased to have the opportunity to work with the City of Milton. As discussed, Jennifer Green will be the primary contact for the representation of your Organization before the Florida Legislature and Florida Executive Branch. Tim Parson, Melanie Bostick and Doug McAlarney will be actively involved in this engagement and are available to assist you as needed. All of the professional advocates associated with our firm are members of the Florida Association of Professional Lobbyists (FAPL) or have earned their DPL (designated professional lobbyist) and adhere to a strict code of professional conduct.

AGREED TO AND ACCEPTED:

City of Milton

Liberty Partners of Tallahassee, LLC

By: _____
W. Brian Watkins, City Manager

By: _____
Jennifer J. Green, President & Owner

Date: _____

Date: _____

Approved by Milton City Council: _____