

The City Council of the City of Milton met in regular session, July 12, 2011 at 5:01 p.m. (CDT) in the Council Chambers of City Hall, 6738 Dixon Street, Milton, Florida. The following were:

PRESENT:

Guy Thompson, Mayor
Buddy Jordan
R. L. Lewis
Lloyd Hinote
Patsy Lunsford
Paul Kilmartin
Clayton White
Grady Hester

ABSENT:

Marilyn Jones

Roy Andrews, City Attorney
Brian Watkins, City Manager
Dewitt Nobles, City Clerk
Janet Scott, Deputy Clerk
Pam Haddan, Executive Assistant

OTHERS IN ATTENDANCE:

Rev. M. Kathryn Knight, Chad Rowell, Bill Wallace, Bill Gamblin, John Reble, Wesley Meiss, Greg Brand, Randy Jorgenson, Donna Tucker.

Mayor Thompson called the meeting to order at 5:01 p.m.

INVOCATION:

The Reverend M. Katherine Knight, First United Methodist Church of Milton, led the invocation and all joined in the Pledge of Allegiance.

Roll Call was Performed.

APPROVAL OF MINUTES

** Motion was made by Mr. Hester to approve the minutes of the June 14, 2011 Regular Council Meeting and the June 14, 2011 Community Redevelopment Agency; seconded by Mr. Lewis. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

PUBLIC HEARINGS/MEETINGS:

Public Hearing for Property Along Dogwood Drive per Rezoning Request

Mr. Jorgenson explained that property along Dogwood Drive belonging to Mr. Bill Wallace has been zoned Residential for several years. Its actual use is Commercial and has been since 1988. This process will correct a zoning classification. Thirty three notices were mailed. Five of those notified commented favorably on the rezoning issue. The city did not receive any comments against the rezoning.

Mayor Thompson opened the Public Hearing for the rezoning of two parcels on Dogwood Drive owned by Mr. Bill Wallace. No one addressed the issue.

Mayor Thompson closed the Public Hearing.

** Motion was made by Mr. Hester to approve the rezoning request for the Wallace property on Dogwood Drive; seconded by Mr. Jordan. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

PERSONS TO APPEAR:

Donna Tucker, Executive Director, Santa Rosa County Chamber of Commerce

Donna Tucker introduced Chad Rowell, the 2011 “Riverfest” Chairman.

Mr. Rowell noted that there was approximately 35,000 visitors at this year’s “Riverfest”. It is continually growing. He expressed his appreciation to the City of Milton for their help throughout the festival.

ORDINANCES, RESOLUTIONS & PROCLAMATIONS:

Mr. Andrews was recognized for the reading of Ordinances and Resolutions:

ORDINANCE NO. 1345-11

AN ORDINANCE AMENDING SECTIONS 46-31, 46-32, 46-33 AND 46-34 OF THE CODE OF ORDINANCES OF THE CITY OF MILTON, TO PROVIDE THAT THE FEES FOR VIOLATIONS SHALL BE SET BY RESOLUTION OF THE CITY COUNCIL; PROVIDING FOR SEVERABILITY, REPEALING ALL PROVISIONS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

** Motion was made by Mr. Jordan to approve Ordinance No. 1345-11, as read; seconded by Mr. Hester. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

ORDINANCE NO. 1346-11

AN ORDINANCE AMENDING SECTION III - 5.17 (f) 2(a) VEHICLE PARKING AND STORAGE, RESIDENTIAL REQUIREMENTS TO LIMIT TO NOT MORE THAN TWO (2) THE NUMBER OF RECREATIONAL VEHICLES ALLOWED TO BE STORED IN THE FRONT YARD, REPEALING ALL PORTIONS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

** Motion was made by Mr. Lewis to approve Ordinance No. 1346-11, as read; seconded by Mr. Jordan. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

RESOLUTION NO. 1181-11

A RESOLUTION OF THE CITY COUNCIL OF CITY OF MILTON, FLORIDA ACCEPTING A "FINDING OF NECESSITY" REPORT FOR THE MILTON COMMUNITY REDEVELOPMENT AREA; DECLARING CERTAIN AREAS AS SLUM OR BLIGHTED AS DEFINED IN SECTION 163.340, FLORIDA STATUTE; DECLARING THE REBUILDING, REHABILITATION, CONSERVATION AND REDEVELOPMENT OF SUCH AREAS AS NECESSARY IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, MORALS AND WELFARE OF THE RESIDENTS OF CITY OF MILTON, FLORIDA, UNDER SECTION 163.335 AND 163.355, FLORIDA STATUTES; DIRECTING THE CITY PLANNER TO INITIATE THE PREPARATION OF A PLAN FOR REDEVELOPMENT OF THE EXPANSION AREA AND MODERNIZE THE CURRENT PLAN FOR ADOPTION IN ACCORDANCE WITH 163 PART H.I, FLORIDA STATUTES FOR THE MILTON COMMUNITY REDEVELOPMENT AREA.

** Motion was made by Mr. Lewis to approve Resolution No. 1181-11, as read; seconded by Mrs. Lunsford. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

CITY ATTORNEY'S REPORT

Local Regulation of Firearms & Ammunition

City Attorney, Roy Andrews, reported that the Florida Legislature recently enacted a bill, effective October 2011, that preempts to the state all regulation of firearms. This prohibits any local jurisdiction from regulating anything in conflict with the legislative regulations.

He reported that a search of the City of Milton's Ordinances identified some that prohibit firearms from being discharged in the City of Milton; some noise regulations which would prohibit the discharge of firearms; and a provision mirroring the State of Florida requirements, which state that in a "state of emergency", there would be no firearms offered for sale.

He recommended these be presented to the Ordinance Review Committee, at their July 28, 2011 meeting, for amendments that would not create a conflict the State Statutes. Violations would provide for fines against the city and local officials along with imposed legal fees.

CITY CLERK'S REPORT

Mileage Rate

Mrs. Nobles, City Clerk, reported that the city is proposing to maintain the same millage rate as last year, which is **3.2373**.

** Motion was made by Mr. Hester and seconded by Mr. Lewis to approve the millage rate for FY 2012 at 3.2373; seconded by Mr. Lewis. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

GENERAL CONSENT AGENDA

APPROVAL OF AGENDA FOR ADDITIONAL ITEMS

(Action: Approval of Agenda for Additional Items)

PUBLIC WORKS COMMITTEE: CHAIRMAN – COUNCILMAN R.L. LEWIS

- 1) Report from Committee meeting held on Thursday, June 23, 2011 at 8:00 a.m.
 - a) Next meeting scheduled for Thursday, July 28, 2011 at 8:00 a.m.

ADMINISTRATION COMMITTEE: CHAIRMAN – COUNCILMAN PAUL KILMARTIN

- 1) Report from Committee meeting held Thursday, June 16, 2011 at 8:00 a.m.
 - a) City Cellular Phone Safety Policy (*Committee recommends approval of policy as presented*) (*Action: Approval of policy*)
 - b) City Cellular Phone Usage Policy (*Committee recommends approval of policy as presented*) (*Action: Approval of policy*)
 - c) Next meeting scheduled for Thursday, July 21, 2011 at 8:00 a.m.

ORDINANCE REVIEW COMMITTEE: CHAIRWOMAN – COUNCILWOMAN PAT LUNSFORD

- 1) Report from Committee meeting held on Thursday, June 16, 2011 at 10:00 a.m.
 - a) Recreational Vehicles in Front Yard (*Committee recommends approval to amend language in ordinance to limit to 2 recreational vehicles allowed in a residential front yard*) (*Action: Approval of Committee recommendation*)
 - b) Next meeting scheduled for Thursday, July 28, 2011 at 10:00 a.m.

PUBLIC SAFETY COMMITTEE: CHAIRMAN – COUNCILMAN GRADY HESTER

- 1) Committee to meet on Thursday, July 28, 2011 at 9:00 a.m.

STORMWATER MANAGEMENT COMMITTEE: CHAIRMAN – COUNCILMAN GRADY HESTER

- 1) Committee to meet on Tuesday, July 26, 2011 at 9:00 a.m.

PARKS & RECREATION COMMITTEE: CHAIRMAN – COUNCILMAN BUDDY JORDAN

- 1) Committee to meet on Monday, July 25, 2011 at 8:30 a.m.

GROWTH, DEVELOPMENT & ANNEXATION COMMITTEE: CHAIRWOMAN – MARILYN JONES

- 1) Report from Committee meeting held on Tuesday, June 14, 2011 at 8:00 a.m.
 - a) License Activity Report for May 2011

- b) **Business Recognition** (*Committee recommends recognition of Riverwalk Hair Exhibit on Willing Street and the Dance Academy of Santa Rosa located on Stewart Street*) (*Action: Approval of Committee recommendation*)
- c) **Next meeting scheduled for Tuesday, July 19, 2011 at 9:00 a.m.**

FINANCE COMMITTEE: CHAIRMAN – GUY THOMPSON

- 1) **Report from Committee meeting held on Thursday, June 16, 2011 at 9:00 a.m.**
 - a) **Financial and Budget Status Reports** (*Information only*)
 - b) **Bad Debt Write-off for June 2011 - \$4,920.28 for February 2011 – FYTD \$47,504.90, less collections** (*Write-off collections and credits from gas fee account Oct – May = \$15,013.53*) (*Committee recommends approval of the write-off amount*) (*Action: Approval of bad debt write-off*)
 - c) **East Milton Wastewater Treatment Plant** (*Committee recommends approval of Baskerville-Donovan, Inc.'s fee allowance increase of \$65,000 for engineering services related to the East Milton Wastewater Treatment Plant funding assistance, easement acquisition and effluent disposal investigation*) (*Action: Approval of fee allowance increase for Baskerville-Donovan, Inc.*)
 - d) **Fire Pension Board Appointment** (*Committee recommends approval to reappoint Elba Robertson to the Fire Pension Board for another term*) (*Action: Approval of reappointment*)
 - e) **Old Copy Machine** (*Committee recommends approval to authorize the City Manager to offer the City of Crestview this copy machine at no cost*) (*Action: Approval of Committee recommendation*)
 - f) **Schedule of Fees Resolution (Temporary Fire Hydrant Connections and Sanitation Charges)** (*Committee recommends approval of the proposed changes as presented*) (*Action: Approval of proposed changes*)
 - g) **Elva Street Project** (*Committee recommends approval to authorize staff to proceed with this project with access to up to \$200,000 in matching funds (\$161,000 from Sewer Impact Fees and \$39,000 from Stormwater Funds) and continue negotiations with FEMA on this project*) (*Action: Approval of Committee recommendation*)
 - h) **Next meeting scheduled for Thursday, July 21, 2011 at 9:00 a.m.**

CITY MANAGER'S REPORT:

OTHER BUSINESS:

- 1) **Sewer Service at 6111 Hwy. 90 – Parcel ID #08-1N-28-00000-1502-0000** (*Action: Approval of boring for sewer service*)
- 2) **Marina Boat Slip Rental Lease Agreement** (*Action: Approval of lease agreement*)

** Motion was made by Mr. Hester to approve the General Consent Agenda items; seconded by Mr. Lewis. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

COUNCIL COMMITTEE ITEMS:

ORDINANCE REVIEW COMMITTEE: CHAIRWOMAN – COUNCILWOMAN PAT LUNSFORD

- 1) The next meeting is scheduled for Thursday, July 28, 2011 at 10:00 a.m.

PUBLIC SAFETY COMMITTEE: CHAIRMAN – COUNCILMAN GRADY HESTER

- 1) The next meeting will be scheduled for Thursday, July 21st, 2011 at 10:00 a.m.

PARKS & RECREATION COMMITTEE: CHAIRMAN – COUNCILMAN BUDDY JORDAN

- 1) **Russell Harbor Issues:** Mr. Jordan noted some incidents were reported at Russell Harbor Landing this past holiday weekend. He said there were ropes in the trees, evidence that some had driven through holding ponds, and some general misbehavior. He stressed that the city will take measures to deter this misbehavior before it becomes a major issue.

FINANCE COMMITTEE: CHAIRMAN – GUY THOMPSON

- 1) **Budget Amendment(s):**
 - a) **Water/Sewer Fund. \$15,244.** Increase Firehouse project to reflect city insurance reimbursement money of \$14,664 and funds from sale of scrap of \$580.
 - b) **Marina Fund. \$15,000.** Move Marina Fund budget from Capital Project Fund into new Marina Fund.

** Motion was made by Mr. Kilmartin to approve the budget amendments as presented; seconded by Mrs. Lunsford. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

MAYOR REPORT: GUY THOMPSON

- 1) **Stormwater Committee – 1 vacancy**

** Motion was made by Mr. Hester to appoint Alan Lowery to the Stormwater Management Committee; seconded by Mr. Lewis. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

CITY MANAGER'S REPORT:

BIDS AND PROPOSALS:

- 1) **Proposals for Administration Services for the Canal Street CDBG are due on Tuesday, August 2, 2011 at 3:00 p.m.**
- 2) **Proposals due for Arborist on Wednesday, August 3, 2011 at 2:00 p.m.**

OTHER BUSINESS:

1) Board Appointment(s):

- **Downtown Redevelopment Advisory Board – 1 vacancy**
- **Board of Adjustments – 1 vacancy**
- **Milton Planning Board – Dean Williams term expires July 13, 2011 (*Willing to serve another term*)**

2) Police Vehicle Purchase

Chief Brand reported that the Chevrolet Impalas that had previously been approved for purchase by the council are no longer available. Some Ford Crown Victorias have been located in Jacksonville, Fl. The Fords will be approximately \$2,000 (each) more than the approved expenditures for the Impalas. The total cost will be approximately \$31,836.50 for each vehicle.

** Motion was made by Mr. Hester to approve the purchase of three vehicles for the police department, not to exceed total cost of \$100,000; seconded by Mr. Lewis. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

3) Riverwalk North Repairs at an estimated cost of \$13,862 to be reimbursed by insurance company(s)

** Motion was made by Mr. Hester to approve the repair of the Riverwalk North walkway at an estimated cost of \$13,862 which will be reimbursed by the city's insurance company and the driver's insurance; seconded by Mr. Kilmartin. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

4) Tennis Courts Repair & Upgrade: Request approval of tennis courts upgrade for \$217,000 from City Reserves with payback of \$100,000 from School Board with School Board paying \$50,000 up-front and \$10,000 per year for 5 years

** Motion was made by Mr. Jordan to approve the repair and upgrade of the Tennis Courts (funding from the City Reserves) with payback of \$100,000 from the school board; seconded by Mr. Jordan. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

5) Red Light Cameras will be activated as of July 15, 2011.

** As there was no further business to be addressed, motion was made by Mr. Jordan to adjourn the meeting at 5:40 p.m.; seconded by Mr. Hester. Roll call vote: Mr. White, aye; Mrs. Lunsford, aye; Mr. Hester, aye; Mr. Kilmartin, aye; Mr. Jordan, aye; Mr. Hinote, aye; Mr. Lewis, aye. Motion carried.

Guy Thompson, Mayor

ATTEST:

Dewitt Nobles, City Clerk

/jbs