



~ Final Minutes ~

City of Fort Walton Beach Regular Meeting of the City Council of Fort Walton Beach

Tuesday, June 27, 2017

6:00 PM

107 Miracle Strip Parkway
Fort Walton Beach, FL 32548

CALL TO ORDER

6:00 PM Meeting was called to order on June 27, 2017 at Council Chamber, 107 Miracle Strip Parkway SW, Fort Walton Beach, FL.

| Attendee Name | Title | Status | Arrived |
|----------------|----------------|---------|---------|
| Dick Rynearson | Mayor | Present | |
| Nic Allegretto | Council Member | Present | |
| Mike Holmes | Council Member | Present | |
| Amy Jamieson | Council Member | Present | |
| Diane Keller | Council Member | Present | |
| John Mead | Council Member | Present | |
| David Schmidt | Council Member | Present | |
| Scott Smith | Council Member | Present | |

INVOCATION

Reverend Roger Peadro of First Christian Church led in the Invocation.

PLEDGE OF ALLEGIANCE

The Honor Guard from the Fort Walton Beach Police and Fire Departments presented the colors and led in the Pledge of Allegiance.

APPROVAL OF AGENDA

The vote on the motion to approve the agenda as presented carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Diane Keller, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

PROCLAMATIONS--Honor Guards Day

The Mayor presented proclamations to Cpl. Brandin Chapin of the Fort Walton Beach Police Department and to Capt. David Stone of the Fort Walton Beach Fire Department proclaiming July 1, 2017 as Honor Guards Day in the City of Fort Walton Beach.

CONSENT AGENDA

The vote on the motion to approve the Consent Agenda carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Diane Keller, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

Approval of Minutes

Approval of the two City Council Special Meetings of June 13, 2017 and the City Council Regular Meeting of June 13, 2017.

Award Contract for Software Maintenance Agreement with Superior, LLC for the OSSI Public Safety Software Suite

Recommends City Council authorization for the City Manager to execute a software maintenance agreement with Superior, LLC, formerly known as SunGard/HTE, for the *OSSI Public Safety Software* suite for five (5) years of service.

Award of Request for Proposal No. 17-012 for Disaster Recovery Services (Debris Removal)

Recommends City Council authorization to award RFP No. 17-012 for Disaster Recovery Services (Debris Removal) to DRC Emergency Services, Inc. and for the City Manager to negotiate and execute a primary annual contract with DRC Emergency Services, Inc. and secondary annual contracts with other vendors for additional back-up service providers.

FY 2017-18 Department of Corrections Contract Agreement

Recommends City Council authorization for the City Manager to execute Amendment #1 of Work Squad Contract #WS1078 between the City of Fort Walton Beach and the Department of Corrections to provide inmate labor in the Right-of-Way areas within the City limits.

FY 2017-18 FDOT Right-of-Way Memorandum of Agreement

Recommends City Council authorization for the City Manager to execute a Memorandum of Agreement between FDOT and the City to provide Right-of-Way Maintenance from August 1, 2017 through July 31, 2018.

PUBLIC COMMENTS

John Yelvertson, 302 Kepner Drive NE, discussed his concern regarding the City's policy that once a week trash pick-up could increase the fly population and cause health risks. He requested the City consider going back to twice a week pick up for trash and to scale the recycling to every other week.

Jose Garcia, 49 Jonquil, thanked the City for their assistance in helping him bring the Latin Salsa Festival to the Landing a few weeks ago. Mr. Garcia stated it was a great community event and many people attended.

The Mayor also thanked Mr. Garcia and his volunteers for leaving the Landing Park in excellent condition after the event concluded.

RESOLUTIONS**2017-8 Resolution Supporting Efforts to Repeal/Amend Statutes-Regulations-Non-Degradable Containers**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, SUPPORTING LEGISLATIVE EFFORTS TO REPEAL, OR IN THE ALTERNATIVE, AMEND SECTION 403.7033, FLORIDA STATUTES, SO THAT LOCAL GOVERNMENTS ARE NO LONGER PREEMPTED FROM ENACTING LEGISLATION REGULATING NON-DEGRADABLE CONTAINERS; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Resolution 2017-8 by title.

The City Manager advised Resolution 2017-8 supports the efforts to remove the preemption for local governments to regulate non-degradable items, which are harmful to the environment. The resolution would ask the Florida Legislature to consider this action during the 2018 Legislative Session.

Mary Gutierrez, Executive Director of Earth Ethics, Inc. stated 30 municipalities have signed resolutions supporting this effort and, if passed by the legislature, would allow local governments to regulate how they want to regulate non-degradable containers.

Daniel Frankfort of Magna Manufacturing stated his concern that the resolution as written is too broad and could negatively affect his and other businesses in the area. Mr. Frankfort stated his company supports the City's efforts but stated the State already has a separate statute as it relates to Styrofoam.

The City Manager advised the purpose of the resolution is to preempt the section in the Florida Statutes which would give the City the ability to regulate the use of non-degradable containers in the City and is mainly a home-rule issue.

The City Attorney advised the resolution speaks specifically to Section 403.7033 of the Florida Statutes and would have no effect on other statutes referred to by Mr. Frankfort.

The vote on the motion to adopt Resolution 2017-8 carried by a vote of 4 to 3.

| | |
|------------------|--|
| RESULT: | ADOPTED [4 TO 3] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Scott Smith, Council Member |
| AYES: | Nic Allegretto, Mike Holmes, Amy Jamieson, Scott Smith |
| NAYS: | Diane Keller, John Mead, David Schmidt |

2017-9 Resolution Opposing Offshore Drilling Activities Including Seismic Airgun Blasting

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, EXPRESSING OPPOSITION TO OFFSHORE DRILLING ACTIVITIES, INCLUDING SEISMIC AIRGUN BLASTING; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Resolution 2010-9 by title.

The City Manager informed the resolution shows the City's support to oppose any off-shore drilling activities in the Gulf.

Mary Gutierrez advised many coastal communities are showing their support by signing similar resolutions. The Mayor stated that Senator Gaetz noted the significance of municipalities signing and presenting resolutions.

The vote on the motion to adopt Resolution 2017-9 carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Keller, Council Member |
| SECONDER: | Amy Jamieson, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

2017-10 Proposal to Levy a Half Cent Sales Tax for Capital Improvement Projects

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, SUPPORTING THE OKALOOSA COUNTY LEAGUE OF CITIES' INITIATIVE TO PROPOSE LEVYING A HALF CENT LOCAL OPTION SALES TAX FOR A PERIOD OF FIVE YEARS TO FUND CAPITAL IMPROVEMENT PROJECTS; SUBMITTING THE SUPPORT OF THE HALF CENT LOCAL OPTION SALES TAX PROPOSAL TO THE OKALOOSA COUNTY BOARD OF COUNTY COMMISSIONERS FOR CONSIDERATION OF PLACING THE REFERENDUM ON THE NOVEMBER 2018 GENERAL ELECTION BALLOT; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Resolution 2017-10 by title.

The City Manager stated the Okaloosa County League of Cities has requested support from all nine cities in the county for a half-cent local option sales tax initiative to be placed on the November 2018 general election ballot. If adopted by City Council, Resolution 2017-10 will be forwarded to the Okaloosa County League of Cities, who will then consider a joint resolution of support from the Executive Committee to be sent to the Okaloosa County Board of County Commissioners.

The City Manager continued that funding from the half cent local option sales tax would be used for infrastructure improvements such as sidewalks, road paving, stormwater improvements, etc. If the half cent local option sales tax is approved by the voters of Okaloosa County in November 2018, the City of Fort Walton Beach would receive over \$1 million in annual revenue based on the proposed distribution formula, which is based on population.

Staff respectfully recommends City Council adoption of Resolution 2017-10 supporting the Okaloosa County League of Cities' initiative to place a referendum on the November 2018 General Election Ballot for a half cent local option sales tax with a sunset period of five years.

Henry Kelly, 344 Oakland Circle, spoke in favor of letting the voters decide and spoke in support of the resolution.

The vote on the motion to adopt Resolution 2017-10 carried by a vote of 5 to 2.

| | |
|------------------|---|
| RESULT: | ADOPTED [5 TO 2] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Mike Holmes, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Smith |
| NAYS: | John Mead, David Schmidt |

ORDINANCES-SECOND READING

1973 Planned Unit Development (PUD) for 327 Eglin Parkway N

AN ORDINANCE OF THE CITY OF FORT WALTON BEACH, FLORIDA, PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR PROPERTY LOCATED AT 327 EGLIN PARKWAY NORTH TO BE REZONED FROM MX-1 (MIXED-USE MEDIUM) AND MX-2 (MIXED-USE HIGH) TO PUD (PLANNED UNIT DEVELOPMENT); PROVIDING FOR THE AMENDMENT OF THE AFFECTED PORTION OF THE OFFICIAL ZONING MAP; PROVIDING FOR APPROVAL OF THE SITE DEVELOPMENT PLAN; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance 1973 by title.

The City Attorney announced a quasi-judicial proceeding and gave the Oath to those who planned to testify. He verified there was no ex-parte communication from Council on this matter.

Tim Bolduc, Engineering/Utilities Services Director, advised the ordinance is to rezone the property at 327 Eglin Parkway N to PUD for the new Wal-Mart Store. He informed the City has not received any concerns or comments from citizens, and the City has met with the neighborhood group to discuss the terms, and Staff is recommending approval.

The vote on the motion to adopt Ordinance 1973 on second reading carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Diane Keller, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

1974 Ordinance Amending Chapter 5 of the LDC

AN ORDINANCE OF THE CITY COUNCIL OF FORT WALTON BEACH, AMENDING CHAPTER 5, ACCESSORY USES AND STRUCTURES OF THE LAND DEVELOPMENT CODE TO AMEND FENCE HEIGHTS ADJACENT TO COMMERCIAL GENERAL (CG), MIXED BUSINESS AND MANUFACTURING (MB) & COMMERCE AND TECHNOLOGY PARK (CTP) ZONING DISTRICTS; AND PROVIDING AN EFFECTIVE DATE.

The Mayor Ordinance 1974 by title.

Mr. Bolduc informed the amendment to the LDC establishes an eight (8) foot maximum height limit for a fence on a lot line on property zoned R-1E, R-1 or R-2 and adjacent to property zoned for CG, MB or CTP. This update provides for clarification in procedures, reduces potential hardships on property owners and aids in streamlining the development review process.

The vote to adopt Ordinance 1974 on second reading carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Diane Keller, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

1975 Conveyance of City Property on Hill Avenue NW

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AUTHORIZING THE DISPOSITION OF REAL PROPERTY ON HILL AVENUE NW, DESCRIBED HEREIN, TO MAGNA MANUFACTURING, INC. AND AUTHORIZING AND DIRECTING CLOSURE BY THE MAYOR, CITY MANAGER, CITY ATTORNEY, AND CITY CLERK; AND PROVIDING AN EFFECTIVE DATE.

The Mayor read Ordinance 1975 by title.

The City Manager stated the ordinance will transfer a parcel of property to Magna Manufacturing to allow them to expand their loading dock.

The vote on the motion to adopt Ordinance 1975 on second reading carried unanimously.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mike Holmes, Council Member |
| SECONDER: | Amy Jamieson, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

APPOINTMENTS

FWB Housing Authority Board Appointment

The City Manager advised that in accordance with Section 421.05(1) of the Florida Statutes, the Mayor has the authority to appoint Fort Walton Beach Housing Authority members with the approval of City Council. He continued the FWBHA has an application for Tenant Member from Ms. Toiya Moffatt.

The vote on the motion to approve the Mayor's appointment of Ms. Toiya Moffatt to serve a four (4) year term on the FWBHA as a tenant member with a term to expire on June 26, 2021 carried unanimously.

| | |
|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Nic Allegretto, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

ACTION-DIRECTION-DISCUSSION

Beal Memorial Cemetery Temporary Land Lease Agreement

The City Manager reported that FDOT will be working on a project on Beal Parkway for 180 days and has hired Anderson Columbia as the contractor to do the work.

Anderson Columbia contacted the Recreation Department to discuss storing road paving equipment in the northwest corner of Beal Memorial Cemetery, which is currently not in use.

The equipment would be stored on the property during the day and would be utilized during the night to complete the project.

The City Manager advised a temporary land lease agreement was submitted by Anderson Columbia for City review to cover the 180-day project completion period, and they will submit payment of \$500.00 per month on the first day of each month for the duration of the project for the use of the land for equipment storage.

The vote on the motion to authorize the City Manager to execute the temporary land lease agreement with Anderson Columbia for equipment storage in the northwest corner of Beal Memorial Cemetery for a period of 180 days starting July 1, 2017 and for the City Manager and City Attorney to review and approve any future amendments to the lease agreement in order to comply with the start date of the project, carried unanimously.

| | |
|------------------|--|
| RESULT: | APPROVED [UNANIMOUS] |
| MOVER: | Amy Jamieson, Council Member |
| SECONDER: | Diane Keller, Council Member |
| AYES: | Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith |

CITY MANAGER REPORTS

The City Manager advised the monthly status report was included in the agenda and he was available to answer any questions from Council.

The City Manager noted the following meetings: Special City Council Meeting on July 11, 2017 at 5:00 pm to discuss the Facilities Master Plan; a Budget Policy Special Council Meeting on August 1, 2017 at 5:00 pm; a Budget Workshop on August 22, 2017 at 5:00 pm (if needed); and the Budget Hearings on Wednesday, September 6, 2017 at 5:30 pm to set the tentative millage rate, and on Wednesday, September 20, 2017 at 5:30 pm to set the final millage rate and adopt the final budget.

Also, the Okaloosa County League of Cities Dinner will be held on Tuesday, July 18 at 6:00 pm in Valparaiso, the Northwest Florida League of Cities Dinner on Thursday, July 20 at 7:00 pm hosted by the City, and the Florida League of Cities Annual Conference in Orlando August 17-19, 2017.

CITY ATTORNEY REPORTS

Monthly City Attorney Status Report - June 2017

The City Attorney informed he is still discussing the matter regarding 25 Miracle Strip Parkway, which is under contract with the Waffle House. He stated he is still in negotiations with What a Burger to see what can be worked out and will give a report once he knows more.

MAYOR/COUNCIL COMMENTS

Council Members thanked the City Staff for their promptness and stepping up after the tornado damage this past week at Ferry Park and Elliott Point neighborhood. They also thanked the City residents, various businesses, and volunteers who assisted in the cleanup efforts.

Council Member Amy Jamieson

Council Member Jamieson urged citizens to contact legislators to keep home rule as it is important to the City and is in jeopardy at the state level.

Council Member Diane Keller

Council Member Keller discussed the Kiwanis 5-k run on July 15 to benefit One Hopeful Place, and encouraged everyone to come out and run, walk, or show their support.

Council Member David Schmidt

Council Member Schmidt stated he enjoyed the Latin Salsa Festival event held at the Landing, and reminded everyone of the Fourth of July Celebration.

Mayor Dick Rynearson

The Mayor attended the Latin Salsa Festival; he congratulated Council Member Jamieson for being elected the new Chairperson to the OWTPO; noted the Feed the Need Event at Chester Pruitt that occurred on June 24; the Amateur Radio Day this past Saturday; and the Fourth of July Ceremony at the Landing beginning at 4:00 pm with fireworks at 8:45 pm.

The Mayor advised he will be sworn in on July 20, 2017 as the new President for the Northwest Florida League of Cities, which encompasses 17 counties from Tallahassee to Pensacola. The Mayor noted the League has a voice and he intends to use it for the benefit of the cities, especially where home rule is involved.

ADJOURNMENT: 7:09 pm