



~ Final Minutes ~

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

Tuesday, February 13, 2018

6:00 PM

107 Miracle Strip Parkway
Fort Walton Beach, FL 32548

CALL TO ORDER

6:00 PM Meeting was called to order on February 13, 2018 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 Scott Hohn, Trinity United Methodist Church, led in the Invocation.

PLEDGE OF ALLEGIANCE

Scouts from Liza Jackson Preparatory School Pack 527 led in the Pledge of Allegiance.

APPROVAL OF AGENDA

The Mayor added Agenda Item 10.2, Appointment of an Alternate Voting Member to the Okaloosa County Transportation Planning Organization, and reversing Item 11.4 and Item 11.5, both dealing with the Gulfview Hotel.

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

RESULT:	ADOPTED (AS AMENDED) [UNANIMOUS]
MOVER:	Diane Keller, Council Member
SECONDER:	John Mead, Council Member
AYES:	Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith

RECOGNITIONS—Amy Jamieson—IEMO IV Certificate of Completion

Council Member Jamieson was presented the IEMO IV Municipal Leadership Certificate of Completion from the Florida League of Cities by Mayor Rynearson.

CONSENT AGENDA

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

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

Approval of Minutes

Approval of the Regular City Council Meeting Minutes of January 23, 2018.

Task Order for Indianola Waterfront Improvements

Recommends City Council authorization for the City Manager to execute a Task Order with Avcon, Inc. in the amount of \$30,000 for the design phase of the Indianola Boardwalk, Seawall, and Living Shoreline Improvements, which was included in the NRDA Grant Agreement with the Florida Department of Environmental Protection for the Landing Waterfront Improvements.

Department of Highway Safety and Motor Vehicles Memorandum of Understanding

Recommends City Council authorization for the Police Chief to execute a Memorandum of Understanding between the Department of Highway Safety and Motor Vehicles and the City of Fort Walton Beach Police Department to access driver's license records.

Award of ITB 18-007 Fencing Replacement and Installation Annual Bid

Recommends City Council authorization to award ITB 18-007 for the annual fencing and installation bid to Champion Contractors, Inc. and The Fence Company for the unit prices as outlined in their respective bid proposals.

Award of ITB 18-009 for Concrete Light Pole Installation

Recommends City Council authorization to award ITB No. 18-009 for Concrete Light Pole Installation at Ferry Park to SAMM Enterprises, Inc. in the amount of \$14,900 and to purchase two (2) concrete light poles for \$12,300 to bring the total amount for the concrete light pole installation project to \$27,200.

PUBLIC COMMENTS (Please limit comments to three (3) minutes.)

A citizen received clarification that the first reading of the annexation ordinances of property on Hill Avenue were postponed due to an error in the legal description. The City Manager explained it went to the Local Planning Agency on February 1, 2018 and the first reading will be held at the February 27, 2018 Council meeting.

RESOLUTIONS--2018-1 FY 2017-18 Budget Amendment

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA, AMENDING THE FISCAL YEAR OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018 BUDGET TO MAKE CERTAIN AMENDMENTS TO APPROPRIATIONS OF CITY FUNDS; AND PROVIDING AN EFFECTIVE DATE.

The Finance Director advised the resolution provides for amendments to the FY 17-18 budget by resolution with identification of expenditures and a corresponding revenue source.

The vote on the motion to adopt Resolution 2018-1 carried unanimously.

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

2018-2 Fee Schedule Amendment

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA AMENDING THE COMPREHENSIVE FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE.

The Finance Director advised the resolution amends the Comprehensive Fee Schedule for the Recreation and Cultural Services and Utilities Departments.

The vote on the motion to adopt Resolution 2018-2 carried unanimously.

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

ORDINANCES-FIRST READING-1988 Ordinance to Clarify Deposit References from COO Chapter 10.50.09 Utility Deposits

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT WALTON BEACH, FLORIDA; AMENDING SECTION 10.50.09, UTILITY DEPOSITS, OF THE CODE OF ORDINANCES BY REMOVING REFERENCES TO FEES, ADDING REFERENCE TO PAST ACCOUNTS; AND PROVIDING AN EFFECTIVE DATE.

The City Attorney read Ordinance 1988 by title on first reading.

The Finance Director explained the ordinance amends Chapter 10.50.09 of the Code of Ordinances by removing references to fees and adding reference to past accounts.

The vote to adopt Ordinance 1988 on first reading carried unanimously.

RESULT:	FIRST READING [UNANIMOUS]	Next: 2/27/2018 6:00 PM
MOVER:	Diane Keller, Council Member	
SECONDER:	Amy Jamieson, Council Member	
AYES:	Allegretto, Holmes, Jamieson, Keller, Mead, Schmidt, Smith	

APPOINTMENTS

FWB Housing Authority Board Appointments

The City Clerk reported there are currently two (2) positions on the FWBHA Board that need to be filled; one position expired January 13, 2018 and one position will expire February 15 2018.

The City Clerk continued that Staff received notification from the two (2) citizens currently serving in these positions indicating their interest to continue to serve on the Board. Ms. Linnette Kellar has served on the Board since February 2014 and Mr. Anthony Sawyer since October 2015.

In addition, two (2) new applicants submitted notification of their interest to serve, Ms. Robin King and Ms. Yvette Torry.

Staff respectfully recommends the Mayor's appointment, and City Council's approval, of two citizens to the Fort Walton Beach Housing Authority Board to serve a four (4) year term to expire January 13, 2022 and February 15, 2022.

Anthony Sawyer, 1681 West Highway 98, Mary Esther, stated he has enjoyed his time on the Board and that he would like to continue serving.

The Mayor recommended Anthony Sawyer for a four-year term until January 13, 2022 and Linette Keller for a four-year term until February 15, 2022.

The vote on the motion to approve the Mayor's appointments of Anthony Sawyer for a four-year term until January 13 2022 and Linette Keller for a four-year term until February 15, 2022 carried unanimously.

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

Alternate Voting Member for the Okaloosa Walton Transportation Planning Organization

The City Manager reported there are two representatives to the TPO, Council Member Jamieson and Mayor Rynearson. However, the Mayor has a conflict and is unable to attend the next meeting in Defuniak Springs on February 22, 2018 at 3:00 pm. The City Manager asked for an alternate voting member to attend the meeting as the Around the Mound issue will be discussed.

Council Member Smith nominated Council Member Nic Allegretto to serve as the alternate voting member for the Okaloosa Walton Transportation Planning Organization. Council Member Keller seconded motion and the vote carried unanimously.

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

Lease Agreement for Tennis Center with USTA

Jeff Peters, Recreational and Cultural Services Director, reported that in January 2017, City Council approved a lease agreement with M3 Strength & Conditioning to operate a fitness center in the Tennis Center building and it has proven quite successful. He continued that in early 2017 Staff was contacted by the USTA to discuss the possibility of their organization taking over the operation of the tennis programming at the Tennis Center, and after many site visits and discussions, the USTA Board approved the Fort Walton Beach location as a site they would like to operate.

M3 will continue to utilize a majority of the building as outlined in their lease agreement, but they are required to accommodate space for USTA for the tennis programming, and M3 and USTA will work together to provide fitness and tennis programs for interested citizens and visitors.

In December 2017, USTA submitted a proposal to lease the Tennis Center for tennis operations and programming. The terms of the proposal includes an initial term of two years at \$300.00 the first 12 months, then \$500.00 per month for the remainder of the initial term; the Lessee will be responsible for all utility costs associated with their portion of the building; and the Lessee will invest no less than \$10,000 in improvements to the facility.

The vote on the motion to authorize the Mayor to execute a lease agreement with USTA for the operation of the FWB Tennis Center located at 41 West Audrey Drive NW and for Staff to move forward with the necessary immediate repairs to the premises carried unanimously.

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

Approval of Sales Contract Terms for 213 Cypress Street NW

The City Manager explained the City obtained property located at 213 Cypress Street NW through foreclosure proceedings of a Code Enforcement case. NBI Properties has been actively advertising the property for sale and a proposal was received from Dr. Alpee Babineau in the amount of \$12,510.00.

After negotiations, the following terms were agreed to by both parties: Purchase price of \$12,510 with Buyer paying all closing costs; The City has paid to demolish the existing buildings on the site at a cost of \$4,624; Buyer will pay \$4,000 of the back taxes the City paid to acquire the building which was \$5,622.40.

The vote on the motion to authorize the City Manager to execute a contract with Tourey Malone Guarino and Alpee Babineau for the purchase of a 0.15-acre City-owned property located at 213 Cypress Street NW in the amount of \$16,510 with all provisions as stated in the sales contract; and if for some reason, the sale of the property is not approved by City Council or not agreed to by the Purchaser, approval for NBI Properties, Inc. to continue to accept proposals to purchase the property at 213 Cypress Street NW, carried unanimously with Mead abstaining.

RESULT:	APPROVED [6 TO 0]
MOVER:	Mike Holmes, Scott Smith
SECONDER:	Amy Jamieson, Council Member
AYES:	Allegretto, Holmes, Jamieson, Keller, Schmidt, Smith
ABSTAIN:	John Mead

Approval of Sales Contract Terms for 25 Miracle Strip Parkway SW

The City Manager provided background regarding the sale of the property at 25 Miracle Strip Parkway SW. Due to deed restrictions, the proposed sale with Waffle House did not go through; however, Whataburger Real Estate LLC approached NBI Properties with a proposal to purchase the property.

He continued that the terms of the Real Estate Contract drafted by Whataburger has been agreed to by both parties and includes a sum of \$350,000 to obtain the parcel from the purchaser; the

buyer will pay all closing costs; the City is responsible for the real estate commission to NBI (\$17,500); and the initial proposed use of the property is a parking lot for the Whataburger location adjacent to the property.

The vote on the motion to authorize the City Manager to execute a Real Estate Contract to convey a 0.67-acre City-owned property located at 25 Miracle Strip Parkway SW to Whataburger Real Estate LLC in the amount of \$350,000 with all provisions as stated in the sales contract and associated addenda; and if for some reason, the sale of the property is not approved by City Council or not agreed to by Whataburger Real Estate, LLC, to grant approval for NBI Properties, Inc. to continue to accept proposals to purchase the property at 25 Miracle Strip Parkway SW, carried unanimously.

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

Approval of Utility Costs for Relocation of the Gulfview Hotel Building

The City Manager discussed the relocation of the Gulfview Hotel to an alternative location adjacent to the Harris Insurance building at the intersection of Eglin Parkway, US Highway 98, and Brooks Street SE, as proposed by a local architect. He continued this location is currently a public parking lot that has great visibility, accessibility, and could potentially serve as a gateway to the Downtown area.

After meeting with the contractor and utility companies, it was agreed that the alternative site was the better location both economically and visibly for the building than the original site at the corner of US Highway 98 and Florida Place SE. In addition, the utility costs have been drastically reduced through the evaluation of the alternative site. The relocation will take place on April 3, 2018, after 8:00 pm.

The City Manager stated the recommendation is twofold: authorization to utilize up to \$75,000 in CRA funding towards the utility relocation and site preparation required for the removal, transport and placement of the Gulfview Hotel; authorization for the City Manager to execute all necessary contracts and agreements for these expenses; and, to approve the new site for the hotel at the intersection of Eglin Parkway, US Highway 98, and Brooks Street SE, adjacent to Harris Insurance.

Discussion included the parking that will be taken away by placing the hotel next to the insurance company, and the thought that less parking provides greater walkability.

The vote on the motion to authorize utilizing up to \$75,000 in CRA funding towards the utility relocation and site preparation required for the removal, transport and placement of the Gulfview Hotel; authorization for the City Manager to execute all necessary contracts and agreements for these expenses; and, approval of the new site for the hotel at the intersection of Eglin Parkway, US Highway 98, and Brooks Street SE, adjacent to Harris Insurance, carried by a vote of 6 to 1.

RESULT:	APPROVED [6 TO 1]
MOVER:	Amy Jamieson, Council Member
SECONDER:	Nic Allegretto, Council Member
AYES:	Allegretto, Holmes, Jamieson, Keller, Mead, Smith
NAYS:	David Schmidt

Award of RFP 18-008 for Property Management Services (Gulfview Hotel Building)

Council Member Keller discussed the possibility of re-opening the RFP to allow the Chamber of Commerce to rework their proposal and to possibly allow real estate companies to submit a proposal.

The City Attorney advised that if Council wants to consider reopening the bid process, select the number of days for the bid to remain open, reject the bids, and allow the Chamber to resubmit another proposal with less issues.

Council discussion included that the bid was advertised on the City's website, through ECAR, directly to 70 vendors registered with the City, and posted on BidNet. The RFP included both locations. Discussion continued that the Chamber could be allowed 30-45 days to tweak their proposal, present it at a Council Meeting, and if not accepted, the bid could be re-opened.

The vote on the motion to award RFP 18-008 for Property Management Services of the Gulfview Hotel Building to the Greater Fort Walton Beach Chamber of Commerce with the condition that the agreement be negotiated and returned to council for consideration within 60 days carried by a vote of 6 to 1.

RESULT:	APPROVED [6 TO 1]
MOVER:	Scott Smith, Council Member
SECONDER:	Mike Holmes, Council Member
AYES:	Allegretto, Holmes, Jamieson, Keller, Mead, Smith
NAYS:	David Schmidt

Ted Corcoran of the Chamber of Commerce wanted to ensure that every organization that has an interest to manage the property has the opportunity to do so, and noted the many projects the Chamber has undertaken in the past because no one else would. The Chamber is not looking to serve as a property management company, but to work collaboratively with the City. The Chamber's goal is not to make money in this endeavor, but to help manage that property for the betterment of the City.

CITY MANAGER REPORTS

The City Manager announced the Northwest Florida League of Cities Meeting on February 22, 2018 at 6:00 pm at Port St. Joe; the Regular Council Meeting on February 27, 2018 at 6:00 pm; the Strategic Planning Session on Friday, April 6, 2018 at 9:00 am at the Fort Walton Beach Library; the Northwest Florida League of Cities 2018 Mandatory Ethic Training on April 20, 2018 at the Recreation Center; and the on-line survey for the Commerce and Technology Park has received a lot of participation.

CITY ATTORNEY REPORTS

None.

MAYOR/COUNCIL COMMENTS**Council Member Nic Allegretto**

Council Member Allegretto encouraged everyone to drive the speed limit in neighborhoods throughout the City.

Council Member Mike Holmes

None.

Council Member Amy Jamieson

None.

Council Member Diane Keller

None.

Council Member John Mead

None.

Council Member David Schmidt

Council Member Schmidt enjoyed his time with the Scouts Pack 527 from Liza Jackson Preparatory School.

Council Member Scott Smith

None.

Mayor Dick Ryneerson

The Mayor thanked the Scouts Pack 527 for leading the Pledge; attended the 100th birthday celebration for Col. Altman at Westwood; announced the Car Show at the Fire Department has been rescheduled to March 3, 2018 due to the weather this past weekend; and the moving of the Gulf View Hotel on April 3, 2018.

ADJOURNMENT 7:16 PM

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, John Mead, hereby disclose that on February 13, 20 18 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Item 11.2. Approval of Sales Contract Terms for 213 Cypress Street NW

During the contract negotiations an attorney at my firm provided legal representation. Additionally, the purchaser is an ongoing client.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

February 16, 2018

Date Filed



Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.