

The City Council of the City of Milton met in regular session, August 9, 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
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:

Kenneth E. Witt, Dusty Roberts, Dean Leightey, Wayne Smyly, Deborah Pruit, Cassandra Sharp, Wesley Meiss, Greg Brand, Randy Jorgenson, Jerald Ward, John Reble.

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

INVOCATION: Reverend Dusty Roberts, First Assembly of God Church, led the invocation and all joined in the Pledge of Allegiance.

Roll call was performed.

APPROVAL OF AGENDA FOR ADDITIONAL ITEMS

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

RECOGNITIONS, SPECIAL PRESENTATIONS AND AWARDS:

Mayor Thompson presented *The Riverwalk Hair Exhibit* a Certificate of Recognition for operating a business in Downtown Milton for 19 years. A Certificate of Recognition was also provided for *The Dance Academy of Santa Rosa*.

PERSONS TO APPEAR:

(No one wished to appear)

ORDINANCES, RESOLUTIONS & PROCLAMATIONS:

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

ORDINANCE NO. 1346-11, Second Reading

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

ORDINANCE NO. 1347-11, First Reading

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MILTON BY REPEALING SECTION 32-34, DISCHARGING FIREARMS PROHIBITED, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

** Motion was made by Mr. Lewis to approve Ordinance No. 1347-11, as read; seconded by Mr. Jordan. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

ORDINANCE NO. 1348-11, First Reading

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MILTON BY REPEALING SECTION 18-4, AUTOMATIC EMERGENCY MEASURES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

** Motion was made by Mrs. Jones to approve Ordinance No. 1348-11, as read; seconded by Mr. Lewis. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

ORDINANCE NO. 1349-11, First Reading

AN ORDINANCE AMENDING SECTION III – 5.16 (b) NOISE REGULATIONS; NOISE DEFINED INTENT; TO CLARIFY THAT NOISES RELATED TO FIREARMS ARE NOT INCLUDED IN THE REGULATION; REPEALING ALL PROVISIONS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING FOR AN EFFECTIVE DATE.

** Motion was made by Mrs. Jones to approve Ordinance No. 1349-11, as read; seconded by Mr. Kilmartin. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

ORDINANCE NO. 1350-11, First Reading

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MILTON BY ADDING SECTION 1-14, STATE FIREARM REGULATION PREEMPTION, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

** Motion was made by Mrs. Jones to approve Ordinance No. 1350-11, as read; seconded by Mr. Lewis. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

ORDINANCE NO. 1351-11, First Reading

AN ORDINANCE AMENDING SECTION 48-107 OF THE CODE OR ORDINANCES OF THE CITY OF MILTON TO CREATE SECTION 48-107(C) AN EQUIVALENT RESIDENTIAL UNIT (ERU) DEFINITION OF 250 GALLONS PER DAY; REPEALING ALL PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

** Motion was made by Mrs. Jones to approve Ordinance No. 1351-11, as read; seconded by Mr. Lewis. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

ORDINANCE NO. 1352-11, First Reading,

AN ORDINANCE AMENDING SECTION 20-127 (C) 4 OF THE CODE OR ORDINANCES OF THE CITY OF MILTON CITATION FINE SCHEDULE, SUBSEQUENT VIOLATIONS TO PROVIDE THAT THE MAXIMUM PENALTY IS \$500.00 PER DAY; REPEALING ALL PORTIONS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

** Motion was made by Mrs. Jones to approve Ordinance No. 1352-11, as read; seconded by Mr. Kilmartin. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

RESOLUTION NO. 1182-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA RELATING TO AMENDING A RETIREMENT PLAN TO PERMIT LOANS.

**Motion was made by Mr. Hester to approve Resolution No. 1182-11, as read; seconded by Mrs. Lunsford. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

RESOLUTION NO. 1183-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILTON, FLORIDA, ESTABLISHING A SCHEDULE OF FEES, RATES AND CHARGES FOR THE CITY OF MILTON.

**Motion was made by Mrs. Jones to approve Resolution No. 1183-11, as read; seconded by Mr. Jordan. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

RESOLUTION NO. 1184-11

A RESOLUTION OF THE CITY COUNCIL, CITY OF MILTON, TO RENEW FOR A PERIOD OF ONE YEAR FROM THE DATE OF RENEWAL, THE SUNTRUST BANK GAS LINE OF CREDIT NOT EXCEEDING \$500,000.00 THAT WAS ORIGINALLY ISSUED ON AUGUST 12, 1997; PROVIDING THAT ALL TERMS ARE TO REMAIN AS STATED IN THE ORIGINAL ISSUE OF NOTE.

**Motion was made by Mr. Hester to approve Resolution No. 1184-11, as read; seconded by Mr. Lewis. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

GENERAL CONSENT AGENDA

APPROVAL OF AGENDA FOR ADDITIONAL ITEMS

PERSONS WHO APPEARED AT EXECUTIVE COMMITTEE MEETING HELD ON MONDAY, AUGUST 1, 2011

- 1) Wayne Smyly – Re: Red Light Cameras

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

- 1) Report from Committee meeting held on Thursday, July 28, 2011 at 8:00 a.m.
 - a) Berryhill Medical Park Drive (*Committee recommends approval to accept maintenance and repair responsibility for Berryhill Medical Park Drive*) (*Action: Approval for City Manager to negotiate with all parties on Berryhill Medical Park Drive*)
 - b) East Milton Wastewater Treatment Plant/USDA.RD Engineering Contract with Baskerville Donovan, Inc. (*Committee recommends approval of contract with fees not changing*) (*Action: Approval of contract*)
 - c) Water/Sewer ERU (Equivalent Residential Unit) (*Committee recommends to forward to Ordinance Review Committee to establish the definition of one ERU as 250 gallons per day for Water and Sewer*) (*Action: Approval of Committee recommendation*)
 - d) Electrical Water Damage at Fire House Well (*Committee recommends approval to accept proposal from Griner Drilling Service at a cost of \$13,800 for repair of electrical equipment to be paid from insurance proceeds*)(*Action: Approval of Committee recommendation*)
 - e) Next meeting scheduled for Monday, August 22, 2011 at 9:30 a.m.

**ADMINISTRATION COMMITTEE: CHAIRMAN – COUNCILMAN
PAUL KILMARTIN**

- 1) Report from Committee meeting held on Thursday, July 21, 2011 at 8:00 a.m.
 - a) Communications and Public Relations Policy (*Committee recommends approval to proceed with policy as presented*) (Action: Approval of policy)
 - b) Next meeting scheduled for Thursday, August 18, 2011 at 8:00 a.m.

**ORDINANCE REVIEW COMMITTEE: CHAIRWOMAN –
COUNCILWOMAN PAT LUNSFORD**

- 1) Report from Committee meeting held on Thursday, July 28, 2011 at 10:00 a.m.
 - a) Schedule of Fees Resolution (*Committee recommends approval of new format and changes to Schedule of Fees*)(Action: Approval of new format and changes to Schedule of Fees)
 - b) Local Regulation of Firearms & Ammunition (*Committee recommends approval for City Attorney to repeal Section 32-34 and Section 18-3 of the Code of Ordinances, amend Noise Regulations Ordinance and amend General Provisions in Code of Ordinances*)(Action: Approval of Committee recommendation)
 - c) Equivalent Residential Unit (*Committee recommends approval to add definition of one ERU as 250 gallons per day of Water and Sewer to Code of Ordinances*)(Action: Approval of Committee recommendation)
 - d) Next meeting scheduled for Thursday, August 18, 2011 at 10:00 a.m.

**PUBLIC SAFETY COMMITTEE: CHAIRMAN – COUNCILMAN
GRADY HESTER**

- 1) Report from Committee meeting held on Thursday, July 21, 2011 at 10:00 a.m.
 - a) Policy for Yellow Light Timing (*Committee recommends approval to proceed with policy as presented*)(Action: Approval of policy)
 - b) Next meeting scheduled for Thursday, August 18, 2011 at 11:00 a.m.

**PARKS & RECREATION COMMITTEE: CHAIRMAN –
COUNCILMAN BUDDY JORDAN**

- 1) Report from Committee meeting held on Monday, July 25, 2011 at 8:30 a.m.
 - a) Event Application Form (*Committee recommends approval of following changes to the Event Application Form*)(Action: Approval of changes to the Event Application Form)
 - Location/Facility (*Removal of North & South Russell Harbor Landing, Carpenters Park and Mary Street locations*)
 - Special Requests (*Add greater than 24 hour docking from Hwy. 90 bridge to South end of Riverwalk*)
 - b) Event Application for 2011 MHS Homecoming Parade (*Committee recommends approval of Event Application*)(Action: Approval of Event Application for 2011 MHS Homecoming Parade)

- c) Next meeting scheduled for Monday, August 22, 2011 at 8:30 a.m.

GROWTH, DEVELOPMENT & ANNEXATION COMMITTEE:
CHAIRWOMAN – MARILYN JONES

- 1) Report from Committee meeting held on Tuesday, July 19, 2011 at 9:00 a.m.
- a) License Activity Report for June 2011
- b) Board Appointments:
- Board of Adjustments – Linda Raffaele (*Willing to serve*)
 - Downtown Redevelopment Advisory Board – Glen Hill (*Willing to serve*)
 - Milton Planning Board – reappointment of Dean Williams
- (*Action: Approval of Board Appointments as listed*)
- c) Next meeting scheduled for Tuesday, August 16, 2011 at 3:00 p.m.

FINANCE COMMITTEE: CHAIRMAN – GUY THOMPSON

- 1) Report from Committee meeting held on Thursday, July 21, 2011 at 9:00 a.m.
- a) Financial and Budget Status Reports (*Information only*)
- b) Bad Debt Write-off for July 2011 - \$8,236.46 for March 2011 – FYTD \$55,741.36, less collections (*Write-off collections and credits from gas fee account Oct – June = \$16,320.08*) (*Committee recommends approval of the write-off amount*)(*Action: Approval of bad debt write-off*)
- c) Department of Corrections Work Squads Renewals (Century & East Milton) at \$58,004 each (*Committee recommends approval to renew both contracts*) (*Action: Approval to renew both contracts*)
- d) Comfort Systems USA, Inc. (City Hall HVAC) - \$144,578 + Not to Exceed \$3,000 for service and cleaning of AHU's #5 and #6. Total Not to Exceed \$147,578 (*Committee recommends approval of additional work not to exceed total of \$147,578*) (*Action: Approval of additional work not to exceed \$147,578*)
- e) Stewart/Raymond Hobbs Street and Stewart Street/Park Avenue Sewer (*Committee recommends approval to proceed with roadway work at both intersections at a cost of \$11,760+ to be paid out of Water/Sewer Impact Fees*) (*Action: Approval of Committee recommendation*)
- f) Next meeting scheduled for Thursday, August 18, 2011 at 9:00 a.m.

MAYOR REPORT: CHAIRMAN – GUY THOMPSON

CITY MANAGER'S REPORT:

OTHER BUSINESS:

- 1) Dilapidated Structures – 6875 Oak Street (*Action: Approval to send letter to property owner and simultaneously issue Request for Proposals for demolition*)
- 2) Council Workshop to be held on Thursday, August 25, 2011 from 8:30 – 11:30 a.m. at the Milton Community Center (*Information only*)

- 3) Jaimee Ridge Lift Station Pumps (*Action: Approval to purchase KSB pumps from Pump & Process, Inc. in the amount of \$8,400 to be paid out of Sewer Impact Fees*)

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

MILTON PLANNING BOARD

- 1) Board to meet on Tuesday, September 6, 2011 at 5:30 p.m.

COUNCIL COMMITTEE ITEMS:

FINANCE COMMITTEE: CHAIRMAN – GUY THOMPSON

- 1) Budget Amendment:

- a) **Stormwater Fund.** \$0. Reallocate expense funds from Capital Account to Operating Account to fund Stormwater efforts.
- b) **Gas/Water-Sewer-General Funds.** \$0. Modify General, Gas and Water/Sewer funds to reflect anticipated revenues and transfers. Total reallocation \$300,000.
Gas Budget \$5,419,930 – (\$300,000) = \$5,119,930
Water/Sewer Budget \$6,882,358 + (\$300,000) = \$7,182,358

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

EDUCATION COMMITTEE: CHAIRMAN – COUNCILMAN PAUL KILMARTIN

- 1) Report from Committee meeting held on Thursday, July 21, 2011 at 4:00 p.m.

Mr. Kilmartin reported that, working with the school district, an After-Hours Choral Program has been scheduled for Middle School Students one night a week for approximately 90 minutes at Hobbs Middle School. Transportation to the school will be provided by the Santa Rosa School Board.

An Education Newsletter will be sent in the utility bills monthly.

MAYOR REPORT: GUY THOMPSON

- 1) Milton Benevolent Cemetery Board – 1 vacancy

** Motion was made by Mr. Kilmartin to approve the Mayor's recommendation to appoint Rev. Ervin Stallworth to the Milton Benevolent Cemetery Board; seconded by Mr. Hester. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

2) **Northwest Florida League of Cities Legislative Priorities**

Mayor Thompson stated the NW Florida League of Cities is requesting a priorities list from the city to be submitted by August 26, 2011.

CITY MANAGER’S REPORT:

EXPENDITURES:

- 1) Authorization to purchase parts from *Truck Equipment Sales* to repair bucket truck in the amount of \$7,552 (*Budgeted*)

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

BIDS AND PROPOSALS:

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

<u>Bradby Group</u>	<u>Andy Easton & Assoc</u>	<u>Jones-Phillips & Assoc</u>
\$52,000	\$43,000.	\$49,000

** Motion was made by Mrs. Jones to approve the bid award for Administrative Services for the Canal Street CDBG to Jones-Phillips & Associates, \$49,000, as the best value for the city; seconded by Mrs. Lunsford. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

- 2) **Proposals for Arborist were received on Wednesday, August 3, 2011 at 2:00 p.m.**

Mr. Watkins reported that the bid received for Arborist was still under staff review and will be submitted to the council committees for approval.

OTHER BUSINESS:

- 1) **Board Appointment:**

- **Police Pension Board** – Michael Cline to replace Nancy Ravey as one of the Police Department Representatives

- 2) **Magnolia Street Property**

Mr. Watkins noted that Mr. Pedigo has donated to the City of Milton a ½ acre parcel of property that abuts a retention pond along Magnolia Street. This allows the city better access to the retention pond. We have sent him a letter acknowledging his gracious gift to the city.

- 3) **Request to advertise for an asbestos survey and a structural inspection of the structure located at 6516 Caroline Street; known as the Old Piggly Wiggly owned by Ladd Management and leased by Albertson’s Inc.**

** Motion was made by Mrs. Jones to approve the advertising for an asbestos survey and structural inspection of the building at 6516 Caroline Street; seconded by Mr. Hester. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

- 4) **Legal Fees for Local Counsel and Bond Counsel for East Milton Wastewater Treatment Plant USDA-RD Application**

** Motion was made by Mr. Kilmartin to approve the legal fees submitted by McGuire Woods, LLC (\$51,600), and City Attorney Roy Andrews (\$41,200) for the East Milton Wastewater Treatment Plant Application; seconded by Mrs. Jones. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

5) Reconvened Council Meeting scheduled September 29, 2011 at 5:01 p.m. (after Executive Committee Meeting) for Budget and Millage Rate Approval. The budget and millage rate approval requires a 100% vote by council.

** As there was no further business to be addressed, motion was made by Mr. Jordan to adjourn the meeting at 5:21 p.m.; seconded by Mr. Lewis. Roll call vote: Mrs. Lunsford, aye; Mrs. Jones, aye; Mr. Lewis, aye; Mr. Hester, aye; Mr. Hinote, aye; Mr. White, aye; Mr. Kilmartin, aye; Mr. Jordan, aye. Motion carried.

Guy Thompson, Mayor

ATTEST:

Dewitt Nobles, City Clerk

/jbs