



**MINUTES
REGULAR MEETING
of THE MARY ESTHER CITY COUNCIL**

October 2, 2023 - 6:00 PM

195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Susan Coxwell, Councilmember
Bernie Oder, Councilmember

Larry Carter, Mayor Pro Tem
April Sutton, Councilmember

CITY STAFF PRESENT

Jared Cobb, City Manager
Hayward Dykes, City Attorney
Dillon Morris, Administrative Coordinator

Valerie Broxson, City Clerk
Heather Day, Finance Director
Kelvin Cherry, Code Compliance Officer

1. INVOCATION

Deputy Chief Jeff Wagner, Ocean City-Wright Fire Control District, gave the invocation.

2. CALL TO ORDER

The meeting was called to order by Mayor Stein at 6:01 pm.

3. PLEDGE OF ALLEGIANCE

Mayor Stein led the pledge of allegiance.

4. ROLL CALL

The City Clerk called the roll as reflected above.

5. APPROVAL OF THE AGENDA

The council was asked to remove item 11.8 from the agenda by City Manager Cobb. Mayor Stein asked if there was any discussion. Hearing none, Mayor Stein asked for a motion to approve the agenda with item number 11.8 removed. Councilmember Sutton made the motion, seconded by Councilmember Coxwell. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

6. SPECIAL PRESENTATIONS

6.1. Making Strides Against Breast Cancer of the Emerald Coast Proclamation

Mayor Stein read the Making Strides Against Breast Cancer of the Emerald Coast Proclamation. Afterwards, Mayor Stein asked for a motion authorizing him to sign the Proclamation, declaring October 2023 as Making Strides Against Breast Cancer Month in Mary Esther. Councilmember Oder made the motion, Councilmember Sutton seconded the motion. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember April Sutton

AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

Mayor Stein presented the Proclamation to the Making Strides Against Breast Cancer of the Emerald Coast representatives. Jean Grieve spoke on behalf of the group and encouraged everyone to participate in the events to support the MSABC.

6.2. Yard of the Month for October 2023.

Mayor Stein informed the council that two residents had applied to be the October "Yard of the Month" winner. The council discussed the two locations, then chose 17 Magnolia Drive as the October winner.

Mayor Stein mentioned that the "Home for the Holidays" certificates will be awarded to locations within the City of Mary Esther limits for their outside Halloween decorations. Anyone interested in being recognized can submit their request.

7. CONSENT AGENDA

Mayor Stein asked if the council wished to make any changes to the consent agenda. Hearing none, Mayor Stein asked for a motion. Councilmember Coxwell initiated the motion, seconded by Mayor Pro Tem Carter. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Mayor Pro Tem Larry Carter
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

7.1. Approval of the Minutes

7.2. Financial Report

7.3. Maintenance Report

7.4. Library Report

7.5. Fire Department Report

7.6. Code Compliance Report

7.7. Jacobs Report

8. CITIZENS WHO HAVE REQUESTED TO BE PLACED ON THE AGENDA

None.

9. PUBLIC COMMENT (NON-AGENDA ITEMS)

None.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11.1. Second reading of Ordinance 2023-02, Amending the 2024 Municipal Election Date.

Mayor Stein mentioned that a discussion had taken place at the first reading of Ordinance 2023-02 in September, and asked if there was any further discussion. Hearing none, Mayor Stein had the City Clerk read Ordinance 2023-02 by title:

ORDINANCE NO. 2023-02

AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA, APPROVING THE DATE

FOR THE 2024 REGULAR CITY ELECTION TO COINCIDE WITH THE DATE OF THE PRESIDENTIAL PREFERENCE PRIMARY IN 2024; RESTATING THE QUALIFYING PERIOD FOR THE 2024 MUNICIPAL ELECTION; PROVIDING FOR TERM OF OFFICE RESULTING FROM THE 2024 MUNICIPAL ELECTION, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mayor Stein asked if there was a motion to adopt Ordinance 2023-02 on second reading. Councilmember Coxwell made the motion, seconded by Councilmember Sutton. Mayor Stein asked if there was any discussion. Hearing none, the council voted, and the motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Councilmember April Sutton
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.2. Resolution 23-05, Adopting the 2023 Community Vision Plan

Mayor Stein asked the City Clerk to read Resolution 23-05 by title:

RESOLUTION 23-05

A RESOLUTION OF THE CITY OF MARY ESTHER, FLORIDA, ADOPTING THE 2023 COMMUNITY VISION PLAN

The Community Vision Plan started two years ago, and Barge Design Solutions presented the findings in September 2023. Resolution 23-05 is in support of the Community Vision Plan. The project gathered community input by conducting four focus groups, community surveys, two open workshops, and a few other events.

Mayor Stein asked if the council would like to discuss the adoption of Resolution 23-05. Hearing none, Mayor Stein asked for a motion. Councilmember Sutton made the motion, seconded by Councilmember Coxwell. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.3. FY 2024 Law Enforcement Service Agreement

City Manager Cobb shared that the amount tentatively used in the budget for the Law Enforcement contract has been reduced. The amount of the increase used in the budget was tentatively set at 13%. The contracts increase is a little less than 9%.

Mayor Stein asked if there was any discussion regarding the Law Enforcement Service Agreement. Hearing none, Mayor Stein asked for a motion to approve the 2024 Law Enforcement Agreement with the Okaloosa County Sheriff's Office for an amount not to exceed \$274,040.04. Councilmember Oder made the motion, seconded by Councilmember Coxwell. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Bernie Oder

SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.4. Award of RFB 2023-01, Misty Water Boat Ramp Pier

City Manager Cobb stated that RFB 2023-01 was posted in June and experienced several delays while staff worked with the FDEP to complete the permitting process. Mary Esther received six (6) bids for RFB 2023-01. The staff's recommendation is to award the bid to Complete Site Source for the amount \$94,955.46. Complete Site Source has completed similar work in the local area, and staff contacted those references and received positive feedback.

Mayor Stein asked if the council wished to discuss the agenda item. Hearing none, Mayor Stein asked for a motion to award the bid to Complete Site Source and authorize the mayor to sign a contract for an amount not to exceed \$94,955.46. Councilmember Coxwell made the motion, seconded by Councilmember Oder. The motion passed 4 to 0.

There was a Scrivener's error during the reading of the amount of the contract; \$94,954.46 instead of \$94,955.46. The motion has been corrected to reflect the intended amount of the contract.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Susan Coxwell
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.5. Award of RFB 2023-02 City Hall, Fire Station, and Library Remodeling Project

City Manager Cobb stated that RFB 2023-02 went up for bid twice. The first time that the bids were opened for RFB 2023-02, one bid was received that didn't match all requirements. There were no bids made during the second bid opening. Staff is requesting to negotiate with vendors and bring a contract back to the council for approval versus putting RFB 2023-02 out to bid for a third time. City Manager Cobb also asked to receive a priority ranking of the different projects from the council.

According to City Attorney Dykes, he did not see any concerns with the staff's recommendations. The recommendation is a request to go against the purchasing policy and not put RFB 2023-02 up for bid again. The negotiated contract would still need to be approved by the council to proceed.

The topics of discussion included the council members' priority preferences and whether the direct contract would be a sole-source type of purchase. Council members stated that the fire department's restroom was a top concern and that they would prefer to have each area quoted separately. According to City Attorney Dykes, there would be no need for the negotiations to be a sole source because of the direct negotiation. The staff could go out to multiple sources and present the council with two or three options to choose from. The Oleandor project followed a similar procedure, according to City Manager Cobb.

Mayor Stein asked if there was a motion to authorize staff to solicit bids directly from contractors for the City Hall, Fire Station, and Library Remodeling project and return bids to the City Council for review and consideration. Mayor Pro Tem Carter made the motion, seconded by Coxwell. The motion passed 4 to 0.

RESULT:	(4-0)
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MOVER:	Mayor Pro Tem Larry Carter
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.6. Lease or Acquisition of Property Located at 302 Mary Esther Boulevard

City Manager Cobb gave a PowerPoint presentation (see attachment) outlining why the property at 302 Mary Esther Boulevard is being addressed and why it is now an agenda item being presented to council. Security, ADA compliance, and a lack of designated areas for particular uses such as storage, meetings, offices, public restrooms, and more are among the causes of worries about the present City Hall. The availability of the property at 302 Mary Esther Boulevard for use as a city hall is driving this topic. Cobb presented two possible options: acquiring property at 302 Mary Esther Boulevard or building a new city hall. The expected expenditures, as well as the benefits and drawbacks of each choice, are stated in the PowerPoint.

The council addressed other options for a new city hall facility, the land at 302 Mary Esther Boulevard's ability to be customized, the property's age, and recent renovations to the property at 302 Mary Esther Boulevard. Furthermore, council discussed the availability of generators at various locations, surplus property, interest in having property near the mall to coincide with the Community Vision Plan, financial options, the impact of inflation spikes on current and future projects, and the possibility of holding an executive session during contract negotiations.

City Manager Cobb stated that staff could present financial choices to the council, but staff must first determine the negotiated price to identify the financial tools available. According to City Manager Cobb, Mary Esther is in better financial shape than it has been in a long time. However, an unforeseen inflation spike could have an impact on the organization's financial situation.

Mayor Stein asked the public if anyone would like to speak on the subject.

Wiebke Anderson, 2 Azalea Drive

Anderson asked about agenda item 11.5 and its association with the current discussion.

Anderson also wanted to know if agenda item 11.5 was a third option. Finally, Anderson noted that she appreciated the location of the property.

City Manager Cobb stated that the items mentioned in 11.5 are restricted and do not address many of the concerns raised in the PowerPoint about City Hall.

The council requested that the City Manager provide lease or acquisition estimates as well as alternatives to financing the property. Council also requested a list of the city's properties that are considered surplus and may be sold as a source of cash.

Mayor Stein asked if there is a motion to authorize the city manager to enter into negotiations to lease or purchase 30 Mary Esther Boulevard and to provide a plan for how the city will fund it. Councilmember Sutton made the motion, seconded by Mayor Pro Tem Carter. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember April Sutton
SECOND:	Mayor Pro Tem Larry Carter
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.7. FY 2024 Library Interlocal Agreement

Mayor Stein asked for a motion to approve the FY 2024 Library Interlocal Agreement. Councilmember Oder made the motion, seconded by Councilmember Coxwell. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.8. FY 2024 City Manager Work Plan

Agenda item 11.8 was removed from the agenda during the approval of the agenda.

11.9. City Manager Salary Adjustment following 2023 Annual Evaluation

Mayor Stein asked if there was any discussion regarding the City Manager's recommendation for a 5% salary adjustment. The discussion by council included supporting the City Managers' request for a 5% increase and adding a one-time bonus of \$3,000 or \$3,500, having the bonus with or without taxes, having the bonus go toward a retirement fund, the budget's ability to support the request, and past bonuses.

Mayor Stein asked for a motion. Councilmember Sutton made the motion to raise the salary by 5% and provide a \$3,000 bonus, seconded by Councilmember Coxwell. The motion passed 4 to 0.

RESULT:	PASSED (4-0)
MOVER:	Councilmember April Sutton
SECOND:	Councilmember Susan Coxwell
AYES:	Larry Carter, Susan Coxwell, Bernie Oder, April Sutton
NAYS:	None

11.10. Renewal of Engineering Contracts

City Manager Cobb stated that the City of Mary Esther has a number of professional service contracts. The contracts are examined annually to determine whether to renew them. Two contracts that have asked for a new pricing schedule are CPH and Bowmen. The council discussed the percentage increase in the fee schedule as well as increase requests from previous years.

Mayor Stein asked if there was a motion to approve the attached rate schedules for CPH and Bowman. Councilmember Coxwell made the motion, seconded by Councilmember Oder. The motion passed 3 to 1.

RESULT:	PASSED (3-1)
MOVER:	Councilmember Susan Coxwell
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Susan Coxwell, Bernie Oder
NAYS:	April Sutton

11.11. Renewal of Emergency Management Contracts

According to City Manager Cobb, emergency management is covered by three separate

contracts. For the upcoming year, all three suppliers have consented to maintain current prices. As a result, nothing has to be done about this item.

11.12. Holiday Closing Schedule

The proposed holiday closing schedule is identical to the one that has been suggested for the previous two years, according to City Manager Cobb. Normally, offices are closed from Christmas until New Year's. The suggestion is to hold this year's employee holiday party on December 21st. The planned reopening date of the offices is January 2, 2024. During that period, emergencies would be directed to the on-call phone number.

The library remaining open for part of the holiday and how staff would handle the time if they did not have adequate leave were topics of discussion for the council. City Manager Cobb stated that he would talk with the Library Director about the request for the library to remain open in some capacity during the holidays and bring the agenda item back to the next regular meeting.

12. COUNCILS' STANDING COMMITTEE STATUS REPORTS

Councilmember Sutton thanked the council for declaring October to be Making Strides Against Breast Cancer Month. Not only has Councilmember Sutton survived breast cancer for 20 years, but she has also been a survivor of metastatic breast cancer for the past 16 years. Councilmember Sutton stated that she would be traveling to Orlando for a Legislative Committee meeting at the end of the week.

Mayor Pro Tem Carter asked if a flea market would occur around the time of the Veteran's Day parade. Mayor Stein mentioned the flea market will be tied to Founder's Day and will be in connection to the library.

Councilmember Coxwell had no comment.

Mayor Stein shared that the Veteran's Day parade is on schedule. The Grand Marshal is Representative Patt Maney.

Councilmember Oder stated that the next Okaloosa County Public Library Cooperative Meeting is scheduled for October 25.

13. OTHER COMMENTS

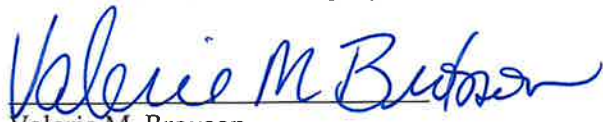
City Attorney Dykes states that Senate Bill 170, which was introduced during the previous legislative session, is centered on ordinances for local governments. It took effect on October 1st and gave citizens the ability to challenge ordinances. Local governments are also required to publish an impact statement estimate, although there are some exemptions. A business impact estimate would also be required in the event that an ordinance was changed. For instance, a business impact assessment might be necessary for the short term rental ordinance that will eventually be discussed.

City Clerk Broxson has stated that the regular meeting dates for 2024 will be included in the agenda for the next meeting.

City Manager Cobb stated that legislative approximations requests will be due in November, so projects will need to be discussed soon. Finance Director Day received her Government Finance Officer Certification, and the new Administrative Coordinator, Dillon Morris, has started.

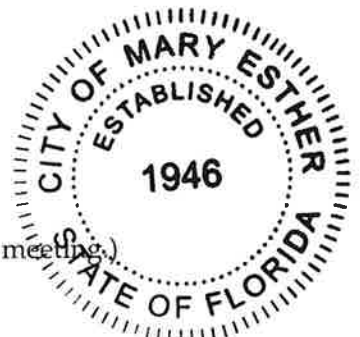
14. ADJOURN

The council meeting adjourned at 7:21 pm.



Valerie M. Broxson
City Clerk

(Approved at the 11/6/23 meeting.)



City Hall Alternatives

Background

- Council has discussed need for security, ADA, and other improvements to City Hall.
- Some of these improvements were included in the current RFB for City Hall/Fire Station/Library Improvements.
- February 2023, staff reached out to NBI about the status of the First Florida Bank building. NBI did not have a contract with the property owner.
- June 2023, staff was notified that NBI would be representing property owner, which was interesting in leasing - possibly selling - the building.

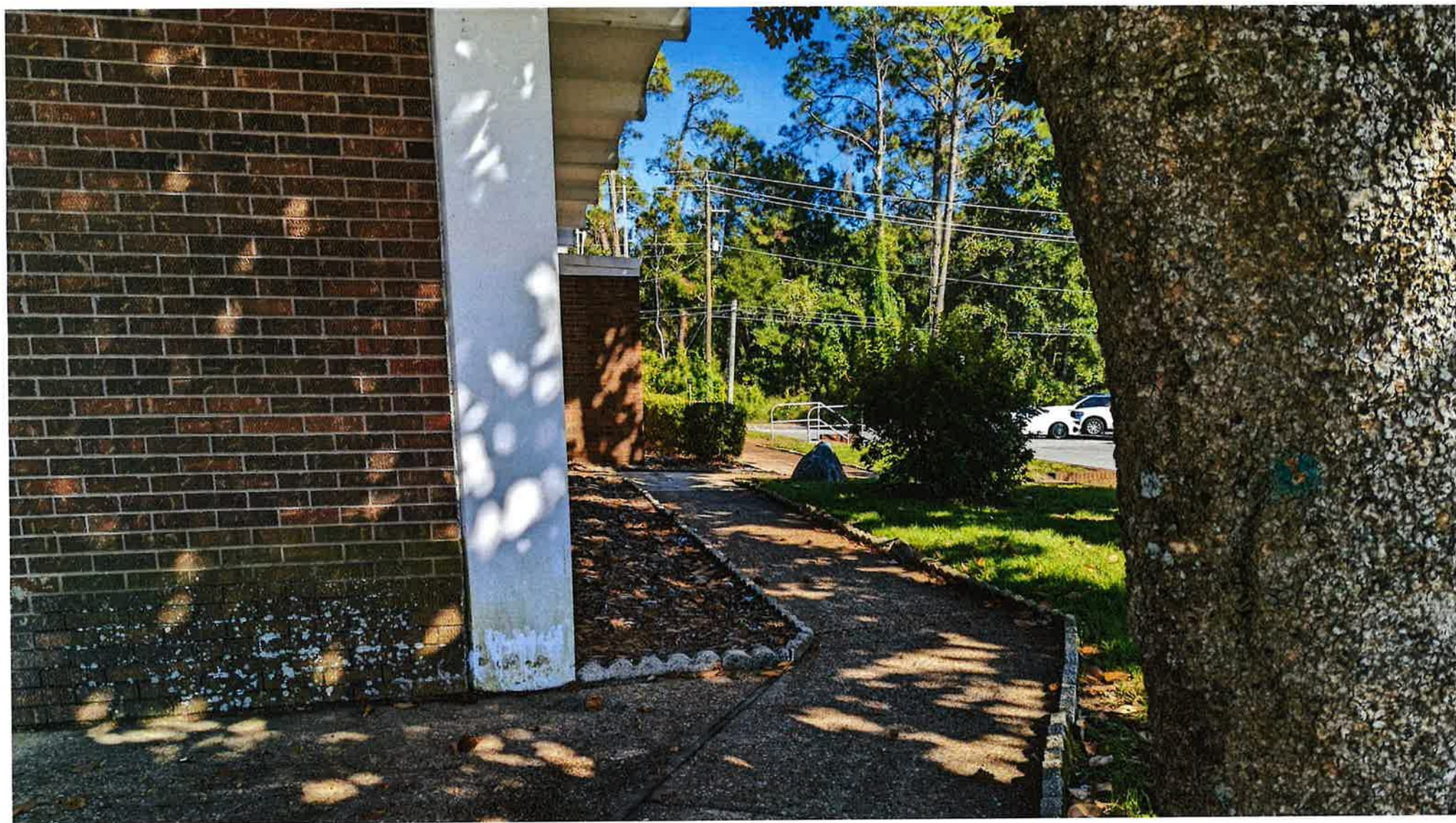
Existing City Hall

- Lacks dedicated conference room for staff meetings and Council Workshops.
- Minimal public records storage. Currently use two converted sheds behind City Hall and off-site storage.
- Restrooms require access to staff workspace and do not meet current ADA requirements.
- Building access requires improvements to meet current ADA requirements.
- City Council dais does not meet ADA requirements.









Alternative 1 – Bank Building

- \$574,500 – Renovations to add Council Chambers, office partitions/walls, parking lot improvements.
- \$2,600,000 – Building appraised value.

Alternative 1 – Bank Building

- Pros

- Meets ADA, office, security, and storage requirements.
- Limited renovations required.
- Building ready in short order, potentially 6-9 months.
- Lower initial costs.

- Cons

- Staff capacity to manage additional projects, with Springdale Neighborhood, Azalea Neighborhood, Azalea Park, WWTP Connection to Okaloosa County, Misty Water Pier, and new waterfront park.
- Timing and costs; without additional development and tax revenue may need to reduce other operating costs to afford project.
- Higher interest rate.

Alternative 2 – New City Hall

- \$3,392,123 - \$4,000,000 – New building, parking lot, and landscaping.

Alternative 2 – New City Hall

- Pros

- Meets ADA, office, security, and storage requirements.
- Designed to meet City's specific needs and at preferred location.
- Dictate timing; build after revenues increase, when comfortable with debt service.
- Potentially lower interest rate.

- Cons

- Higher costs, especially if inflation continues.
- Likely 2 – 4 year timeline for design, bidding, and construction.