MINUTES
REGULAR MEETING
of THE MARY ESTHER CITY COUNCIL
February 5, 2024 - 6:00 PM

195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Bernie Oder, Councilmember
Larry Carter, Mayor Pro Tem
April Sutton, Councilmember

CITY STAFF PRESENT

Jared Cobb, City Manager
Hayward Dykes, City Attorney
Shawn Lindsey, Public Works Director
Dillon Morris, Interim City Clerk
Kelvin Cherry, Code Compliance Officer
Heather Day, Finance Director

OTHERS PRESENT

Chad Rewis, OSCO Captain
Jeff Wagner, OCWFD Chief

1. INVOCATION

Jeff Wager, 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

Mayor Stein asked if anyone would like to make any changes to the agenda. Councilmember Sutton makes a motion to approve the agenda, seconded by Mayor Pro Tem Carter. The motion passed 3-0.

RESULT:	**(3-0)**
MOVER:	Councilmember April Sutton
SECOND:	Mayor Pro Tem Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

6. SPECIAL PRESENTATIONS

6.1. City Council Vacancies and Appointment Process

Interim City Clerk Morris stated Council instructed city staff to continue advertising the city council vacancies. However, no new applicants had applied in that time.

6.2. Employee and Contractor Service Awards

Mayor Stein talked about Paul Price who started at the City of Mary Esther 40 years ago, who eventually transitioned to Jacobs. He then presented Paul Price with an award and a $2 bill for his dedication to the city of Mary Esther.

6.3. Recognition of Outgoing Councilmembers

Mayor Stein discussed Councilmember Coxwell and her history with the council and presented her a gift bag as a thank you for her service as a council member. Coxwell remarked that she is proud of all the work Mary Esther has done.

7. CONSENT AGENDA

Mayor Stein asked if anyone would like to make changes to the consent agenda. Mayor Stein asked for a motion to approve the consent agenda. Councilmember Oder initiated the motion, seconded by Councilmember Sutton. The motion passed 3-0.

RESULT:	**PASSED (3-0)**
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

7.1. Minutes of the January 16, 2024 Regular Council Meeting

7.2. Financial Report

7.3. Public Works Report

7.4. Library Report

7.5. Fire Department Report

7.6. Code Compliance Report

7.7. Jacobs Report

7.8. Law Enforcement Report

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

None.

9. PUBLIC COMMENT (NON-AGENDA ITEMS)

A citizen brought up the Highway 98 project. However, it is a state project and not a Mary Esther project so the council did not have much to share in the discussion.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

11.1. Resolution 24-02, Issuance of Capital Improvement Revenue Note, Series 2024

Mickey Johnston with the PRAG group discussed that he distributed the request proposal out to hundreds of banks, receiving 3 proposals with the city selecting a 20 year option with a 4.1% interest rate. He remarked the principal amount of the loan is $3,843,324, structured to be paid off in 20 years with the first 10 years of annual payments being higher.

Mayor Stein asked if anyone had any questions. City Attorney Dykes remarked that the loan is to cover the purchase of 2 properties, the new city hall building and the waterfront park, as well as renovations to the new city hall building.

Mayor Stein asks Interim City Clerk Morris to read the resolution, and he reads as follows: "RESOLUTION NO. 24-02. A RESOLUTION OF THE CITY OF MARY ESTHER, FLORIDA, AUTHORIZING THE ISSUANCE OF ITS $3,843,324 CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2024, FOR THE PURPOSE OF FINANCING THE ACQUISITION AND DEVELOPMENT OF CERTAIN CAPITAL PROJECTS, AS MORE FULLY DESCRIVED HEREIN; AUTHORIZING THE NEGOTIATED SALE OF SUCH NOTE TO WEBSTER BANK, NATIONAL ASSOCIATION, PURSUANT TO THE TERMS AND CONDITIONS OF A LOAN AGREEMENT BY AND AMONG THE FLORIDA MUNICIAPL LOAN COUNCIL, THE CITY OF MARY ESTHER, FLORIDA, AND WEBSTER BANK, NATIONAL ASSOCIATION; APROVING THE FORM OF AND AUTHORIZING THE EXECUTUION AND DELIVERY OF THE LOAN AGREEMENT; DESIGNATING THE NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION;" MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE ISSUANCE OF SUCH NOTE;
PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE."

Mayor Stein asked for a motion to approve the attached Resolution 24-02, authorizing the issuance of a capital improvements revenue note in the amount of $3,843,324 and approving the loan agreement with Webster Bank. Councilmember Sutton initiated the motion, seconded by Mayor Pro Tem Cater. The motion passed 3-0.

RESULT:	**(3-0)**
MOVER:	Councilmember April Sutton
SECOND:	Mayor Pro Tem Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

11.2. Purchase of 302 Mary Esther Boulevard

City Manager Cobb noted that the due diligence period has passed and there were no major deficiencies with the close tentatively schedule on February 9th. The mayor is asked to execute the closing documents for the forms. City Attorney Dykes added that an alternative should be specified in the event the mayor can not sign something.

Mayor Stein asks for a motion to authorize the city mayor, city clerk, city manager, and city attorney to execute the closing documents for 302 Mary Esther Boulevard. Councilmember Oder initiated the motion, seconded by Councilmember Sutton. The motion passed 3-0.

RESULT:	**(3-0)**
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

11.3. City Council Committee Appointments

Interim City Clerk Morris spoke on the council committee appointments stating that with the recent councilmembers' resignations, many positions were left open. Mayor and council discussed who would take which position for now with the possibility of revisiting this topic once more once a new council member takes position.

Mayor Stein asks for a motion to approve the transportation committee with primary as Mayor Pro Tem Carter and alternate as Councilmember Oder, TPO primary as Councilmember Sutton, RUA alternate as Mayor Pro Tem Cater, and OCLC alternate as Mayor Pro Tem Carter.

RESULT:	**(3-0)**
MOVER:	Councilmember April Sutton
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

11.4. City Clerk Recruitment

City Manager Cobb spoke that all applications for city clerk were sent to council with a scoring sheet, and that he tabulated all the scores for council to see. He spoke that council must decide what must be done from this point forward with past precedents being virtual interviews. Mayor Stein asked how many are local with only City Manager Cobb stating only 2 are local. City Manager Cobb asked if council would like to do it on February 19, where council stated that they could start at 4 PM with each candidate receiving a 30 minute interview.

Mayor Stein asked for a motion to invite the top 5 candidates for city clerk for a virtual meeting on February 19 at 4 PM. Councilmember Oder initiated the motion, seconded by Councilmember Sutton. The motion passed 3-0.

RESULT:	**(3-0)**
MOVER:	Mayor Pro Tem Larry Carter
SECOND:	Councilmember Bernie Oder
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

11.5. Purchase of a Track Loader for the Public Works Department

Public Works Director Lindsey discussed his recommendation for equipment of a John Deer Track Loader with the possibility of attachments at a later date. Mayor Pro Tem Carter remarked that this was not in the budget with City Manager Cobb stating that while this was not in the budget, with the city hiring a new public works director and certain costs coming up since it has been some time since the city has had the position filled.

Council asked questions pertaining to the estimated life of the equipment, how pressingly needed the equipment is, and the possibility of a year-in update on the state of the equipment. Public Works Director Lindsey stated that staff is still assessing what attachments are needed this year and what attachments can wait.

Mayor Stein asked for a motion to purchase a track loader for the public works department. Councilmember Sutton initiated the motion, seconded by Mayor Pro Tem Carter. City Attorney Dykes added that this is a piggyback and the item has already been competitively bid so there is no bidding required. The motion passed 3-0.

RESULT:	**(3-0)**
MOVER:	Councilmember April Sutton
SECOND:	Mayor Pro Tem Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton
NAYS:	None

11.6. Law Enforcement Patrol Hours and Priorities

Chad Rewis, Captain OCSO, discussed what can be done about patrol hours and what can be done about patrolling and speed detection. Councilmember Sutton remarked about the randomizing of hours, with Captain Rewis discussing that the patrols can be randomized every weekend where patrol hours are different to find when problems occur. Mayor Stein asked about the trespassing order with the mall owners. Captain Rewis spoke about the current state of that topic, stating he is working to get in contact with the property owners to receive the proper approvals.

11.7. Expansion of Jesse Rogers Cemetery

Mayor Stein remarked that Mary Esther's citizen have talked to him about being buried in the cemetery but the cemetery being filled. Mayor Stein discussed the possibility of using some of the unused land in the cemetery for cremation plots as they are smaller and not too close to the road. Councilmember Sutton discussed that she loved the idea giving more options, one of which being a columbarium. City Manager Cobb stated that staff could conduct a survey to see if the citizens would like more options with the cemetery. Mayor Pro Tem Carter asked that, while he likes the idea, bringing this back at a later date due to the number of projects already going on in Mary Esther. Mayor and council agreed to discuss this topic in a future meeting.

12. COUNCILS' STANDING COMMITTEE STATUS REPORTS

Councilmember Sutton thanked Mayor Stein and City Manager Cobb for going to Tallahassee with her to meet with legislators and senators to discuss Mary Esther's funding needs.

Mayor Pro Tem Carter asked that with the budget, the current city hall building's future be brought up to decide what the best course of action for the building is and commends the work the Public Works Director has done. He also mentioned organizing a way to name the tractor and to host some kind of event for it.

Mayor Stein remarked that we still need 2 more council members and talked about the Form 6 requirement. He also remarked about the Tallahassee meeting, saying it was a fun time. Mayor Stein as well asked about the status of the planning for the Okaloosa League of Cities Dinner. Interim City Clerk Morris discussed the current status of the planning process. City Manager Cobb stated that a status update can be a topic at a future council meeting or mayor and council can meet with Interim City Clerk Morris individually.

Councilmember Oder discussed that he will be meeting with Representative Maney and Senator Trumbull soon and that he will discuss the status of North West Florida. The library cooperative meeting happened and the state said they will not fund it as much as they have. The friends of the library have donated scholarships in their stead. Councilmember Oder also discussed a recent lawsuit from South Florida revolving around Form 6, with Destin having donated $10,000 to the suit, and Oder saying the city should not donate to the suit. He also wants a discussion about Mary Esther getting as many revenue sources as possible.

City Attorney Dykes brought up that the city needs to look at hosting a special election, stating that the ordinance states that a special election must be hosted. He added that Paul Lux's office earliest time they could, would be in April. An appointment could still be made but a special election will still need to be held at a future date. He added that even if appointments come forward and fill the spots, he recommended a special election still be held. Mayor Pro Tem Carter put forth the idea of considering a salary change for councilmembers, with Councilmember Sutton adding on the possibility of offering health insurance to offer for councilmembers to come forth. Mayor Pro Tem Carter asked about the current status of advertising the vacancies, with discussion around various sites and outlets being discussed. City Attorney Dykes reaffirms that a date must be chosen with council having opted for the middle of May.

Interim City Clerk Morris thanked council for the opportunity to interview in 2 weeks.

City Manager Cobb mentioned that Misty Water Pier is essentially complete and the demolition is done at the property at the end of Christobal Road.

13. OTHER COMMENTS

Item 13 was combined into the previous section.

14. ADJOURN

The council meeting adjourned at 7:17 PM.

Minutes approved at 3/4/2024 meeting.

Interim City Clerk Dillon Morris

CITY OF MARY ESTHER
ESTABLISHED
1946
STATE OF FLORIDA