MINUTES
REGULAR MEETING
of THE MARY ESTHER CITY COUNCIL
August 5, 2024 - 6:00 PM
195 Christobal Road – North, Mary Esther, FL 32569

CITY COUNCIL PRESENT

Chris Stein, Mayor
Richard Lawson, Councilmember
K. C. Woods, Councilmember
April Sutton, Mayor Pro Tem
Larry Carter, Councilmember
Bernie Oder, Councilmember

CITY STAFF PRESENT

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

OTHERS PRESENT

Randall Killian, Jacobs
Scott Jernigan, Jacobs
Josh Robinson, Jacobs

1. **INVOCATION**
   No invocation was given.

2. **CALL TO ORDER**
   The meeting was called to order by Mayor Stein at 6:00 p.m.

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 discussed a request to add an item, "11.9 Fiber Optics Discussion," to the agenda. Mayor Pro Tem Sutton also requested that item "10.1 First Reading, Ordinance 2024-01, Vacation Rentals" be tabled into the October regular meeting due to the budget. Mayor Pro Tem Sutton initiated a motion to remove 10.1, table it to the October meeting, and add 11.9 Fiber Optics, seconded by Councilmember Carter. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

6. **SPECIAL PRESENTATIONS**

   6.1. **Ocean City-Wright Fire Control District Appreciation**
   Mayor Stein presented the Ocean City-Wright Fire Control District with a certificate of appreciation for their commitment to the well-being of the City of Mary Esther.

Mayor Stein also presented Councilmember Carter with a gift bag and card to congratulate him on his retirement from the Okaloosa County Sheriff's Office.

6.2. Yard of the Month August 2024

The city received one submission for Yard of the Month of August 2024, which was 123 Scottsdale Ct. Mayor Stein asked for a motion to appoint 123 Scottsdale Ct. as Yard of the Month for August 2024. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Woods. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember K.C. Woods
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

7. CONSENT AGENDA

Mayor Stein asked if the council wished to change the consent agenda. Hearing none, Mayor Stein asked for a motion. Councilmember Carter initiated the motion, seconded by Councilmember Woods. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Councilmember Larry Carter
SECOND:	Councilmember K.C. Woods
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

7.1. Financial Report

7.2. Public Works Report

7.3. Library Report

7.4. Fire Department Report

7.5. Community Development Report

7.6. Jacobs Report

7.7. Law Enforcement Report

7.8. Minutes of the July 8, 2024, Regular Council Meeting

7.9. Minutes of the July 22, 2024, Special Council Meeting

7.10. Minutes of the July 22, 2024, LPA Meeting

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. Proposed FY 2025 Budget and 5-Year Community Investment Plan

Heather Day, Finance Director, presented the draft budget to the council, remarking that three changes had happened: adding to the law enforcement budget for flock cameras, increasing the city hall renovations budget, and removing $25,000 from the community investment budget for water meters. She stated as well that there was no change to the millage rate, a 5% rate increase built in for water and sewer rates, and the budget hearings are scheduled for Wednesday, September 4th, and Tuesday, September 24th, at 6 p.m. Finance Director Day stated that council should voice any additional changes now.

11.2. Resolution 24-06, Adopting a Code Compliance Policy

Kelvin Cherry, Code Compliance Officer, discusses the city's bringing a code compliance policy forward to assure consistency in service and delivery and to educate residents and business owners about compliance. He stated that the purpose of the code compliance program is to enhance livability within the city by protecting the health, safety, and environment of the residents and visitors.

The city clerk read the title as follows: Resolution number 24-06. A resolution of the city of Mary Esther adopting a code compliance policy, authorizing the city manager to take all actions necessary to effectuate the intent of this resolution, and providing for an effective date.

Mayor Stein asked for a motion to approve Resolution 2024-06 adopting the code compliance policy and authorizing the city manager to effectuate the intent of this resolution and to implement the code compliance policy in accordance with the city municipal code, land development code, and Florida law. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Carter. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

11.3. Task Order, with Emerald Coast Regional Council (ECRC) for a State-Mandated Update to the Comprehensive Plan

Community Development Director Tyler Reed presented a task order for a state mandate for an update to the comprehensive plan. He stated that the city is due for a rewrite of the comprehensive plan through the Evaluation Appraisal Report. The city is looking for approval of the task order presented by ECRC to develop the rewrite.

Mayor Stein asked for a motion to approve the task order submitted by the Emerald Coast Regional Council (ECRC) to execute the city of Mary Esther comprehensive plan update. Councilmember Woods initiated the motion, which was seconded by Mayor Pro Tem Sutton. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Councilmember K.C. Woods
SECOND:	Mayor Pro Tem April Sutton
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

11.4. Task Order, Amendment #1 with Kimley-Horn for the Ray's Pond Stormwater Improvements

Erin Stewart and Kimley-Horn led the discussion on the north drainage ditch, stating that they are working with Hurlburt Field and Mary Esther for the lease agreement and permitting required. Ray's Pond was put out to bid, with only 1 bid coming back exceeding the cost. Ms. Stewart discussed that they are working on revising the bid to bring costs down, discussing that some elements had to be removed from the scope due to some projects already going on.

Mayor Stein asked for a motion to approve the revised task order with Kimley-Horn. Councilmember Oder initiated the motion, seconded by Councilmember Lawson. The motion passed 4-1.

RESULT:	**PASSED (4-1)**
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, Richard Lawson, K.C. Woods
NAYS:	April Sutton

11.5. Task Order, Amendment #1 with Jacobs for the Lead Line Inventory

Scott Jernigan, Jacobs, led the conversation on lead and copper work. He stated that they are working on identifying potential lead service lines in the Mary Esther system. He discussed the task order, which included fieldwork to look down in the meter boxes and see what the lines are. He stated that the city has an opportunity to take out a DEP loan with 49% principal forgiveness if they do future phases sooner.

Mayor Stein asked for a motion to approve task order 2024-03 lead and copper rule revisions compliance additional support services not to exceed $308,200. Councilmember Sutton initiated the motion, seconded by Councilmember Woods. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember K.C. Woods
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

11.6. Agreement, State Revolving Fund Planning, Design, and Construction Loan for the Lead Line Inventory Program

Public Works Director Shawn Lindsey led the discussion, stating that it would save the city 49% of the cost, noting that normally the city would not be eligible in this region, but for this particular case being a federal mandate, it is.

Mayor Stein asked for a motion to approve SRF Loan Agreement LS460240 and authorize the mayor to execute it. Councilmember Oder initiated the motion, which was seconded by Councilmember Woods. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Councilmember Bernie Oder
SECOND:	Councilmember K.C. Woods
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C.

	Woods
NAYS:	None

11.7. RFB 2024-02, Pervious Rubber Pavement Material

Public Works Director Shawn Lindsey led the discussion on the previous rubber pavement material, discussing its perks and sharing samples of the rubber pavement provided from the request for bids.

RESULT:	**PASSED (5-0)**
MOVER:	Mayor Pro Tem April Sutton
SECOND:	Councilmember Larry Carter
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

11.8. RFB 2024-03, Well #3 Ground Storage Tank Rehabilitation

Public Works Director Shawn Lindsey led the discussion on the bids received from the request for bid, recommending that US Tank be awarded the bid as they were the cheapest that met the qualifications.

Mayor Stein asked for a motion to award the bid to US Tank for an amount not to exceed $41,834. Councilmember Carter initiated the motion, seconded by Councilmember Lawson. The motion passed 5-0.

RESULT:	**PASSED (5-0)**
MOVER:	Councilmember Larry Carter
SECOND:	Councilmember Richard Lawson
AYES:	Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods
NAYS:	None

11.9 Fiber Optics Discussion

City Manager Cobb shared a presentation on fiber optics, discussing the background of the installation, what is required, how permits are obtained, state regulations, and corrective actions.

12. COUNCILS' STANDING COMMITTEE STATUS REPORTS

Mayor Pro Tem Sutton had no additional comments.

Councilmember Woods had no additional comments.

Councilmember Lawson had no additional comments.

Mayor Stein discussed the Veterans Day celebrations planning is kicking off and about hosting a candidate meet and greet.

Councilmember Carter had no additional comments.

Councilmember Oder discussed the next Okaloosa County Public Board Meeting and the Crestview library adding 24/7 library access machines, discussing the possibility of purchasing a used one. He also emphasized doing a candidate meet and greet soon due to early voting.

13. OTHER COMMENTS

Legal Attorney Dykes had no additional comments.

City Clerk Morris discussed his office being messy as he cleans the shed.

City Manager Cobb showed the possible colors of the new city council building and wanted feedback from the council on which design they liked best. The council came to the consensus that they liked option 4 the most.

No other citizens had additional comments.

14. ADJOURN

The council meeting adjourned at 7:37 p.m.

Minutes approved at September 4th, 2024 **meeting.**

Dillon Morris, City Clerk

CITY OF MARY ESTHER
ESTABLISHED
1946
STATE OF FLORIDA