



**MINUTES  
REGULAR MEETING  
of THE MARY ESTHER CITY COUNCIL  
July 8, 2024 - 6:00 PM**

195 Christobal Road – North, Mary Esther, FL 32569

**CITY COUNCIL PRESENT**

Chris Stein, Mayor  
Bernie Oder, Councilmember  
Kenneth Woods, Councilmember

April Sutton, Mayor Pro Tem  
Larry Carter, Councilmember  
Richard Lawson, Councilmember

**CITY STAFF PRESENT**

Jared Cobb, City Manager  
Hayward Dykes, City Attorney  
Dillon Morris, City Clerk

Kelvin Cherry, Code Compliance Officer  
Susan Macdonald, Administrative Coordinator  
Shawn Lindsey, Public Works Director

**OTHERS PRESENT**

Chad Rewis, OSCO Captain  
Randall Killian, Jacobs  
Scott Jernigan, Jacobs

Jeff Wagner, OCWFD Chief  
Josh Robinson, Jacobs

**1. INVOCATION**

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

**2. CALL TO ORDER**

The meeting was called to order by Mayor Stein at 6:00 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 the council wished to make any changes to the agenda. Hearing none, Mayor Stein asked for a motion. Councilmember Oder initiated the motion, seconded by Mayor Pro Tem Sutton. The motion passed 5-0.

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

**6. SPECIAL PRESENTATIONS**

**6.1. Yard of the Month July 2024**

Two yards were submitted for yard of the month for July 2024. The two entries were 641 Blackstone Rd and 172 Marcia Dr. Mayor Pro Tem Sutton shared that she had a preference for 172 Marcia Dr, seconded by Councilmember Carter. Mayor Stein asked for a motion for 172 Marcia Dr to be yard of the month for July 2024. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Carter. The motion passed 5-0.

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

**6.2. Completion of the Institute for Elected Municipal Officials**

City Clerk Morris received a certificate and letter for Councilmember Lawson for completing the IEMO 1 conference from the Florida League of Cities. The Florida League of Cities asked for this to be presented as an official agenda item. City Clerk Morris read out the letter from Lynn Tipton, thanked Councilmember Lawson for his attendance, and Mayor Stein presented the certificate of completion.

**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 Oder initiated the motion, seconded by Mayor Pro Tem Sutton. The motion passed 5-0.

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| <b>RESULT:</b> | <b>PASSED (5-0)</b>                                                 |
| <b>MOVER:</b>  | Councilmember Bernie Oder                                           |
| <b>SECOND:</b> | Mayor Pro Tem April Sutton                                          |
| <b>AYES:</b>   | Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods |
| <b>NAYS:</b>   | 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 June 3, 2024, Regular Council Meeting**

**7.9. Minutes of the June 17, 2024, Special Council Meeting**

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

None.

**9. PUBLIC COMMENT (NON-AGENDA ITEMS)**

Vernon Ward, 147 Brewer Cir, spoke about wanting a weekly ride through the city with code enforcement and public works would allow early identification and proactive resolution to problems around the city. He spoke to some of the benefits being blockages in gutters, sunken and broken sidewalks, damaged streets, sewage blockage, yard maintenance, and blocked sidewalks. Mayor Pro Tem Sutton speaks that she would like a code enforcement discussion put on a future agenda, wanting a set schedule for code compliance to go around the city. City Manager Cobb stated that an agenda item was to discuss code compliance policies, stating if brought back council can provide staff direction. Councilmember Carter asked what Shawn's thoughts on the topic are. Public Works Director Lindsey, stated public works has completed a 5 year pavement plan, stating that everything cannot be done in one year. He continued to speak on everything public works is doing to help the city. City Manager Cobb stated that the Public Works Director started in October, and that this budget year mayor and council will see a difference from past years. Mayor Pro Tem Sutton speaks to Mr. Ward stating that the council wants to be more proactive but it will take time. Mr. Ward stated that he believes it would be beneficial for

council to rotate attending code enforcement patrols.

**10. UNFINISHED BUSINESS**

None.

**11. NEW BUSINESS**

**11.1. City Manager Evaluation**

City Manager Cobb discussed that mayor and council approved an agreement with Dr. Hanline to facilitate the city managers evaluation. Dr. Hanline discussed the process of the city manager evaluation for the new council members. He stated City Manager Cobb would send council a word document to fill out and arrange appointments to discuss with each council member individually. Then a draft evaluation will be made and should be approved in the September 3 council meeting. Councilmember Carter asked for a copy of his evaluation from the year previous.

**11.2. Public Hearing, Reduction of Deliverables, CDBG Agreement No. 22DB-OP-01-56-02-N24**

Public Works Director Lindsey discussed the process of how to conduct a public hearing with City Clerk Morris reading out the advertisement for the public hearing. Public Works Director Lindsey discussed that the public hearing is being conducted as they are removing a part of the Springdale Subdivision project for the scope change. Councilmember Carter questioned that the original project was 7,200 linear feet of roadway with the change being 4,800 linear feet of roadway, asking why the discrepancy. Public Works Director Lindsey stated that the change order is excluding a section of roadway. City Manager Cobb stated that the paving would be completed at a later date during the stormwater project. Mayor Stein opened the public hearing on July 8th, 6:28 pm, for the purpose of the change of scope. Upon no comments, Mayor Stein closed the public hearing on July 8th, at 6:29 pm. Mayor Stein asked for a motion to approve a reduction in the CDBG scope of services to remove the section of Pryor Drive from Overstreet to North Street. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Woods. The motion passed 5-0.

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

**11.3. Discussion of Springdale Infrastructure Project with Jacobs Engineering**

Scott Jernigan, Jacobs, stated that at the last meeting Jacobs had received direction from Council to bring forth a proposal to offset the cost. He stated that as per Mayor Pro Tem Sutton's request, they have provided a 50% proposal with engineering fees credit, stating that some of the work would be done in-house. Mayor Stein asked if there was any discussion. Mayor Pro Tem Sutton discussed she appreciates Jacobs putting forth a good faith effort. City Manager Cobb stated it is up to the council, stating they can decide a decision tonight, or defer until the July 22 meeting. Mayor Pro Tem Sutton asked Mr. Jernigan if deferring would hold up Jacobs at all. Mr. Jernigan stated it would reduce the scope but the quantities must still be worked out. Mayor Pro Tem Sutton asked if there was a way to prevent oversights in the future. Mr. Jernigan stated Jacobs has a process in place to prevent oversights. Mayor Pro Tem Sutton asked if the savings would impact the citizens. Mr. Jernigan stated that the change order would not affect the current infrastructure. Councilmember Carter asked if doing the work in house would impact the current workload Jacobs already has. Mr. Jernigan stated it would be change ordered out of the Talcon contract amount and worked in house, stating the intent is to bring in additional staff. City Manager Cobb stated his concern was the level of detail unknown, stating there were no unit quantities. Mayor Pro Tem Sutton proposed moving forward with the city manager and city attorney to work out the fine details, agreeing to the terms as long as it meets the city attorneys

opinion. Legal Attorney Shuler stated that is what she recommend so City Attorney Dykes can verify it is all prepared in accordance. Councilmember Oder stated that state laws require information to be given seven days prior to a meeting. Mayor Stein asked if there was any issue with deferring to a later council meeting. Mr. Jernigan said he wanted it approved in concept so Jacobs can work with the city for the fine details. Mayor Stein asked for a motion to direct city manager and city attorney to prepare a contract amendment for approval. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Carter. The motion passed 5-0.

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

#### 11.4. Action Minutes Discussion

City Clerk Morris discussed wanting to switch from summary minutes to action minutes, discussing the issues with summary minutes such as misquoting or mis-summarizing. He discussed many cities and committees that already have action minutes in place. He as well added that with the city conducting more meetings and the clerk department taking more responsibilities, switching to action minutes would save the department time. Mayor Stein commented that the public can listen to exactly what is said. City Clerk Morris discussed that the meetings are recorded, streamed live, and a video on demand. Mayor Pro Tem Sutton stated that this is standard in the committees she attends. Councilmember Oder asked Legal Attorney Shuler if everything is being done correctly. She stated that this would be in line with the Sunshine Law. Councilmember Carter asked how soon it would be implemented. City Clerk Morris stated that it could be implemented immediately or after the council meeting to show the change. Mayor Stein asked for a motion to approve the city clerk to write action minute summaries for all official meetings for the City of Mary Esther. The motion was initiated by Councilmember Woods, seconded by Councilmember Lawson. The motion passed 5-0.

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

#### 11.5. Statewide Mutual Aid Agreement

City Manager Cobb discussed staff receiving an email about the statewide mutual aid agreement. He stated they agreed to an extension to July 10th. He stated it would allow the city to provide or ask for aid after an emergency. Councilmember Oder asked how many cities have signed up. City Manager Cobb stated he does not have that number. Councilmember Woods asked if Hayward had reviewed the document. City Manager Cobb stated he has. Mayor Pro Tem Sutton asked if there is a backup. City Manager Cobb stated that since he is the chief executive officer, it can be updated at any time for a backup. Mayor Stein asked for a motion to approve the statewide mutual aid agreement as presented. Mayor Pro Tem Sutton initiated the motion, seconded by Councilmember Woods. The motion passed 5-0.

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| <b>RESULT:</b> | <b>PASSED (5-0)</b>        |
| <b>MOVER:</b>  | Mayor Pro Tem April Sutton |

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| <b>SECOND:</b> | Councilmember K.C. Woods                                            |
| <b>AYES:</b>   | Larry Carter, Bernie Oder, April Sutton, Richard Lawson, K.C. Woods |
| <b>NAYS:</b>   | None                                                                |

**12. COUNCILS' STANDING COMMITTEE STATUS REPORTS**

Mayor Stein opts to combine councils' standing committee status reports and other comments together.

Mayor Pro Tem Sutton discussed attending a TPO meeting, saying the road widening in Mary Esther is getting pushed further down the list and added to extend the ramp to the base for people coming into Mary Esther. She wished General Bauernfeind and his wife a happy farewell. She also wished Mayor Stein a happy birthday.

Councilmember Woods had no additional comments.

Councilmember Lawson had no additional comments.

Mayor Stein discussed he would take care of yard of the month and the change of command was great.

Councilmember Carter asked if planning had started for the Veterans Day event. Mayor Stein said it had not yet but that it needs to start.

Councilmember Oder thanked the Northwest Florida League of Cities for the strategic planning for appropriations. He also stated he liked the idea of a farmer's market in the community development report. He also discussed that he and Councilmember Lawson will be attending the next Okaloosa County Library Governing Board meeting.

City Clerk Morris stated that Niceville's OCLC dinner has been moved to August.

City Manager Cobb stated that Susan Macdonald has taken over the position as the administrative coordinator. He as well stated that Mary Esther is sending bills to the fiber companies for the damages they make in the city. He suggested working on an administrative fee for making the invoices. Public Works Director Lindsey discussed the past weeks of dealing with water main breaks. He stated there are over a dozen cuts and break they have been dealing with. He discussed wanting to be more proactive in repairing breaks and seeing the fiber companies work before they repave roads. Mayor Stein asked when they will be done. Public Works Director Lindsey one should be finished within thirty days with the other being completed sometime in fall. Mayor Pro Tem Sutton asked if there is a way for the companies to coordinate. Public Works Director stated that they are competitors and that they are installing them in the public right of ways, stating you cannot tell a public utility they cannot install a public utility. Councilmember Carter stated that he has Serviceline Warranties which protects his home from the damages the fiber companies might make. Public Works Director Lindsey discussed some updates about stormwater and a sinkhole in the city.

**14. ADJOURN**

The council meeting adjourned at 7:05 pm.

Minutes approved at the August 5th, 2024 meeting.

  
Dillon Morris, City Clerk

