



AGENDA

CITY COUNCIL MEETING - REGULAR SESSION

MONDAY, DECEMBER 02, 2024 at 9:00 AM

Midtown Plaza, 401 McLaughlin Ave., Bonifay, FL 32425

I. CALL TO ORDER

A. Invocation

B. Pledge of Allegiance

II. APPROVE AGENDA

III. APPROVE MINUTES

A. November 18th, 2024 Regular Session Minutes

IV. APPROVE ACCOUNTS PAYABLE / TRANSFERS / FINANCIAL SHEETS TO REVIEW

V. VISITORS – PUBLIC ADDRESSING THE COUNCIL

NON- AGENDA AUDIENCE

Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board. . THIS IS NOT A QUESTION AND ANSWER SESSION. It is NOT a political forum, nor is it a time for personal accusations and derogatory remarks to/or about City personnel. Those who wish to speak are reminded to observe proper decorum, and to avoid the use of profane or vulgar language. If you would like to address the City Council please come to the podium, state your name and address for the record

VI. PLANNING & ENGINEERING

VII. OLD BUSINESS

VIII. NEW BUSINESS

A. Surplus Property - Parcel # 1011.00-000-000-017.000 - Griffin Circle

[B.](#) 2025 Regular Session Meeting Schedule

[C.](#) Ordinance No. 2024-12 First Reading and set second reading, public hearing, and adoption date and time.

IX. COUNCIL / DEPARTMENT SUPERVISORS / CITY ATTORNEY DISCUSSION

Items not listed on Formal Agenda.

A. Council Updates

B. Department Updates

C. Employee Spotlight

X. ADJOURN

Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 547-4238, at least five days prior to the proceedings.



MINUTES

CITY COUNCIL MEETING - REGULAR SESSION

MONDAY, NOVEMBER 18, 2024 at 6:00 PM

Midtown Plaza, 401 McLaughlin Ave., Bonifay, FL 32425

I. CALL TO ORDER

Mayor Larry Cook called the meeting to order at 6:00 pm.

PRESENT

Mayor Larry Cook
Council Member James Sellers
Council Member Shelley Carroll
Council Member Rick Crews
Council Member Eddie Dixon

Also present:

City Clerk Rickey Callahan, Deputy Clerk Tracy Walker, Executive Assistant Sierra Smith, Police Chief Johnny Whitaker, and Fire Chief Travis Cook

A. Invocation

Ryan Martin gave invocation.

B. Pledge of Allegiance

Ryan Martin led the Pledge of Allegiance.

II. APPROVE AGENDA

Motion made to approve the agenda by Council Member Crews, Seconded by Council Member Sellers.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

III. APPROVE MINUTES

A. Approve Minutes of November 4th, 2024 Regular Session

Motion made to approve the minutes of November 4, 2024 by Council Member Crews,
Seconded by Council Member Dixon.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

IV. APPROVE ACCOUNTS PAYABLE / TRANSFERS / FINANCIAL SHEETS TO REVIEW

Motion made to approve Accounts Payable, Transfers, and Financial Sheets by Council Member Sellers, Seconded by Council Member Dixon.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

V. VISITORS – PUBLIC ADDRESSING THE COUNCIL

NON- AGENDA AUDIENCE

Effective October 1, 2013, Florida Statute 286.0114 mandates that “members of the public shall be given a reasonable opportunity to be heard on a proposition before a Board or Commission.” Each individual shall have three (3) minutes to speak on the proposition before the Board. . THIS IS NOT A QUESTION-AND-ANSWER SESSION. It is NOT a political forum, nor is it a time for personal accusations and derogatory remarks to/or about City personnel. Those who wish to speak are reminded to observe proper decorum, and to avoid the use of profane or vulgar language. If you would like to address the City Council please come to the podium, state your name and address for the record

Ryan Martin noted that Item B under New Business stated low bidder, and it should be high bidder.

A. Kiwanis Club Special Presentation

Sandy Spear, with the Bonifay Kiwanis Club, thanked the City for supporting the 80th year of the Northwest Florida Championship Rodeo, and presented gifts to the Mayor, Council, Fire Chief, and Police Chief.

Mrs. Spear gave the Council the 1st year installment on the agreed upon contract, along with the invoice, and stated the plans are moving forward with the land.

Mrs. Spear presented checks to the Fire Department and the Police Department for their participation in the rodeo Friday night.

Mayor Cook thanked the Kiwanis Club for what they do.

VI. PLANNING & ENGINEERING

City Clerk Callahan informed the Council Members that the developer for the Raley Drive Mobile Home Park has asked for another 30-day extension until the December 16th meeting.

Motion made to approve the final 30-day extension by Council Member Crews, Seconded by Council Member Sellers.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

VII. OLD BUSINESS

VIII. NEW BUSINESS

A. FRDAP Grant Agreement - Veterans Memorial Park

Executive Assistant Sierra Smith stated the City of Bonifay was awarded a FRDAP Grant, with the assistance of Melvin Engineering, and needed authorization to sign the agreement. The grant will allow for various phased plans, including ADA compliant playground equipment, paving the parking spots, and new signage.

Motion made to authorize signing the FRDAP Agreement by Council Member Crews, Seconded by Council Member Carroll.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

B. 1991 GMC Truck Model TC7H042 Cab & Chassis with Vacuum Tank

Requesting action by City Council to declare this vehicle surplus property and dispense of it by advertisement two times in the local paper, for sealed bids to be accepted by Friday, December 6, 2024 at 2:00 PM. Minimum bid will be \$2,500, also give the City Clerk the authority to sign title over to low bidder (above minimum bid) upon receipt of payment.

Mayor Cook stated that there is some confusion on the year of that truck. It is the yellow vac truck that we do not use any more. The Council needs to give permission to dispose of it.

Motion made to declare this vehicle surplus property and dispose of it by Council Member Dixon, Seconded by Council Member Crews.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

Mayor Cook asked the Council to consider the 5-acre dirt pit that is not used any more, being declared surplus property and dispose of it.

C. ARPA Contract with The Integrity Group for Administration, Compliance, and Reporting

Requesting action by council to approve Mayor Larry Cook and City Clerk Rickey Callahan to execute the Addendum for Extension to October 1, 2025 at no additional cost.

City Clerk Callahan stated he needed permission to extend the ARPA Contract with The Integrity Group until October 1, 2025 at no additional cost.

Motion made to approve extending the contract until October 1, 2025 by Council Member Crews, Seconded by Council Member Dixon.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

IX. COUNCIL / DEPARTMENT SUPERVISORS / CITY ATTORNEY DISCUSSION

Items not listed on Formal Agenda.

A. Council Updates

City Clerk Callahan said City Hall is coming along nicely.

B. Department Updates

C. Employee Spotlight

X. ADJOURN

Motion made for meeting to adjourn by Council Member Crews, Seconded by Council Member Sellers.

Voting Yea: Mayor Cook, Council Member Sellers, Council Member Carroll, Council Member Crews, Council Member Dixon

Mayor Cook declared the meeting adjourned at 6:17 pm.

Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 547-4238, at least five days prior to the proceedings.

IMPORTANT NOTICE

The Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. All other data is subject to change. This website is **NOT TO BE USED AS AN OFFICIAL RECORD OR FOR FINANCING PURPOSES, INSURANCE PURPOSES, PROPERTY OWNERSHIP (Deeds are the official record of title), ELIGIBILITY FOR ANY PROGRAM, AND/OR ADDRESS VERIFICATION.** If you need address verification, please contact the 911 Coordinator at (850)-547-1112.

***An Actual Year of 1950 is not a true representation of the Actual Year built. This is a “default” setting where an actual date is not known. The Effective Year is simply reflective of the current market and the condition of the property. The Effective Year is evident by the condition and utility of the structure and may or may not represent the Actual Year Built.**

Maps have been compiled from the most authentic information available and are to be used for assessment purposes only. Holmes County Property Appraiser's Office assumes NO responsibility for the errors and/or omission contained herein.

THIS MAP IS NOT A SURVEY

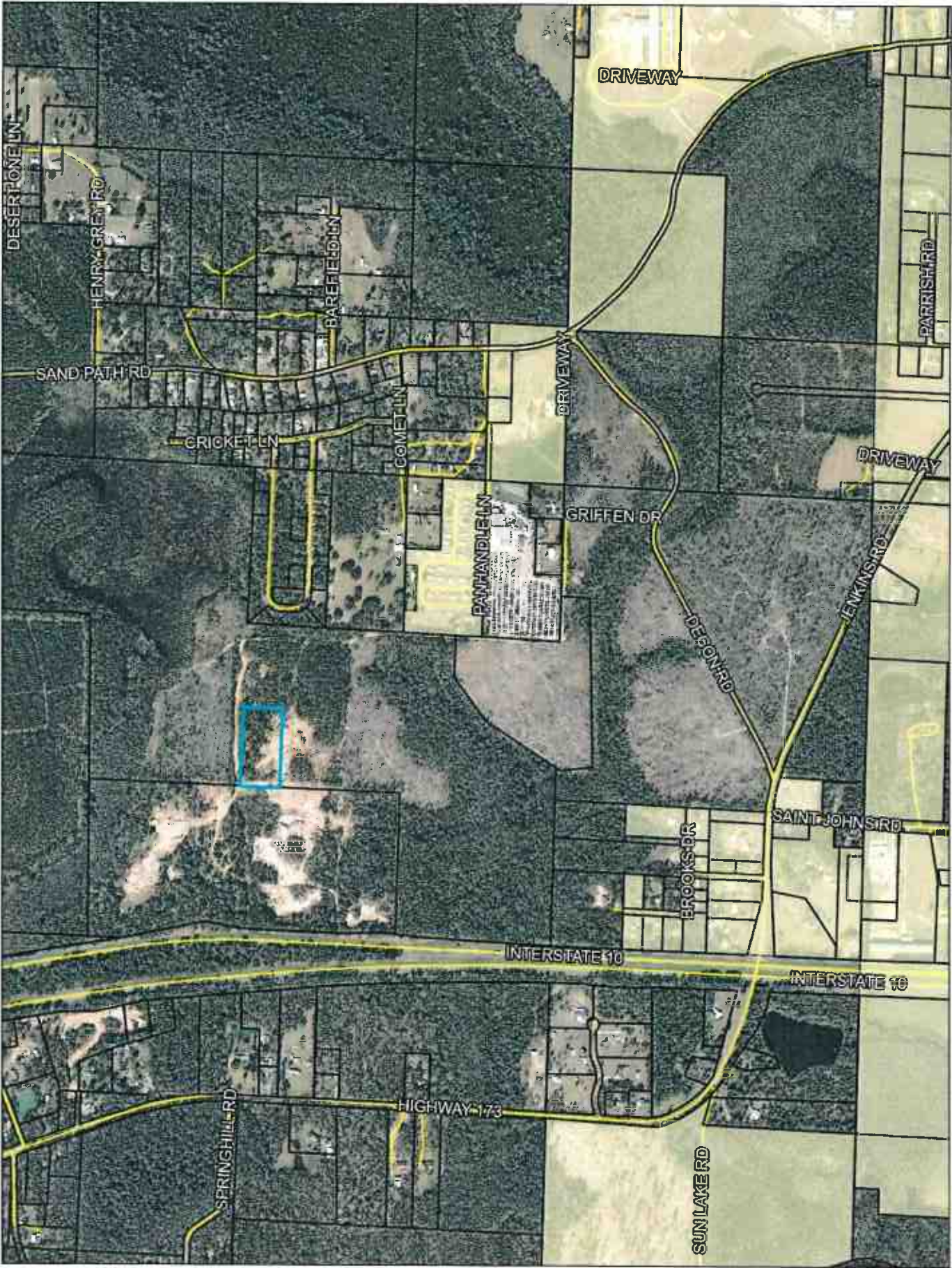
Parcel Summary

Parcel ID	1011.00-000-000-017.000
Location Address	INCINERATOR
Brief Tax Description*	W1/2 OF SW1/4 OF SW1/4 OF NE1/4 & 30 FT EASEMENT SW-OR 365/121 QC-OR365/128 <small>(Note: *The Description above is not to be used on legal documents.)</small>
Property Use Code	MUNICIPAL (8900)
Sec/Twp/Rng	11-04-15
Tax District	1-COUNTY
Millage Rate	14.5074
Acreage	5
Homestead	N

[View Map](#)

Owner Information

Primary Owner
CITY OF BONIFAY FLORIDA
301 N ETHERIDGE ST
BONIFAY, FL 32425



Larry F. Cook, Mayor
Rickey Callahan, City
Clerk
301 J Harvey Etheridge
St
Bonifay, FL 32425
850-547-4328



City Council Members:
James W.
Sellers
Shelley Carroll
Rick Crews
Eddie Dixon

2025 Regular Session Meeting Dates & Times

***Meetings are subject to be cancelled/rescheduled**

January 6th – 9am

January 21st– 6pm (Holiday Monday)

February 3rd – 9am

February 18th – 6pm (Holiday Monday)

March 3rd- 9am

March 17th - 6pm

April 7th – 9am

April 21st – 6pm

May 5th – 9am

May 19th – 6pm

June 2nd – 9am

June 16th – 6pm

July 7th – 9am

July 21st – 6pm

August 4th – 9am

August 18th – 6pm

September 2nd – 9am (Holiday Monday)

September 15th -6pm

October 6th – 9am

October 20th – 6pm

November 3rd – 9am

November 17th – 6pm

December 1st – 9am

December 15th – 6pm

ORDINANCE NO. 2024-12

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, SETTING FORTH REQUIREMENTS AND PROCEDURES FOR THE PROVISION OF POTABLE WATER AND SANITARY SEWER UTILITY SERVICES TO NON-CITY CUSTOMERS; AUTHORIZING BULK WATER AND SEWER UTILITY SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SCRIVENERS' ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has home rule authority pursuant to Article VII, Section 2 of the Constitution of the State of Florida, and Chapter 186, Florida Statutes, to enact this ordinance; and

WHEREAS, Article 1, Section 1.01, of the City Charter of the City of Bonifay, Florida, empowers and enables the City of Bonifay to provide municipal services; and

WHEREAS, the Supreme Court of Florida in *Allen's Creek Properties, Inc. v. City of Clearwater*, 679 So. 2d 1172 (Fla. 1996), held that a municipality has no duty to supply municipal services to areas outside its boundaries and may condition the provision of utilities on an agreement to annex out-of-city properties; and

WHEREAS, to effectuate the compatibility of growth, economic development in and around the City, and the security and safety of its citizens, the City finds it is in its best interests to provide potable water and sanitary sewer service on specified conditions to out-of-city parcels and customers as set forth herein; and

WHEREAS, the City desires to set forth requirements and administrative procedures for approval of applications for potable water and sanitary sewer services to properties outside the corporate limits of the City at the time of application for said services.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA AS FOLLOWS:

SECTION I. The above recitals represent the legislative findings of the City Council of the City of Bonifay and are incorporated herein by reference.

SECTION II. The following Article is hereby adopted as an ordinance of the City of Bonifay to be read *in pari materia* with all other ordinances of the City not in conflict herewith:

Article I: Service to Non-city customers.

- (a) Upon to the City of Bonifay, potable water and sanitary sewer utility services may be provided to customers located in areas adjacent to but outside the corporate limits of the City. In such event, the applicable rates, charges, fees, deposits, etc., shall be 150 percent

of the specific residential, commercial or non-residential, or industrial rates, charges, fees, deposits, etc. specified by the City Council from time to time by ordinance or resolution for provision of potable water and sanitary sewer to properties and customers located within the corporate limits of the city.

- (b) Nothing herein shall preclude the City Council, in its discretion, from entering into contracts or interlocal agreements for the bulk supply of potable water or bulk sewer collection services to properties within and outside the City limits in situations where the expected use exceeds five (5) times the average customer use of City utilities, and such bulk supply contracts are hereby authorized inside and outside the city limits consistent with the legislative findings herein above. Any such bulk supply contracts shall be approved by the City Council's sole discretion.
- (c) Out of City utility services are hereby authorized and may be provided to properties or customers located outside the City without further approval of the City Council only when the property owner voluntarily submits (i) an application for out-of-city water or sewer service on forms approved by the City; and (ii) an annexation agreement, each in keeping with the following:

- i. Application for Out-of-City Utility Service.

- 1. The application for utility service shall set forth that the applicant, who must be the owner of the property to be served (and if not the owner of the property, the application must be signed by the applicant in addition to the owner of the property to be served), must acknowledge the following:
 - a. Annexation of the property to be served is a condition of the City providing utility service;
 - b. Sanitary sewer and potable water service shall only be provided if concurrency is satisfied pursuant to Section 163.3180, Florida Statutes and the City's comprehensive plan; and
 - c. Rates for out-of-city utilities are 150% of the rates in effect for the specified class of service, as established by ordinance or resolution of the City from time to time.

- ii. Annexation Agreement.

- 1. If application is made for utility service(s) to property located outside the city boundary, which is contiguous to the existing city boundary or is within an enclave surrounded by the city's boundary, the property owner shall concurrently annex the property into the city by voluntary annexation pursuant to Sec.

171.044, Florida Statutes as a precondition to the provision of utility service(s) to the property.

2. If application is made for utility service(s) to property located outside the city boundary which is not contiguous to the existing city boundary, the property owner shall concurrently submit an annexation agreement in a recordable form acceptable to the city and binding upon the property, the property owner, and any successors and/or assigns, which shall be a covenant running with the land. This agreement shall give the city the right to annex the property into the city limits when the prerequisites for voluntary annexation under state law are met.
3. Upon successful application, to include all completed regular forms as provided by the city and a duly executed and recorded annexation agreement, the Mayor or other designated administrative official shall approve the utility service(s) connection.
4. Failure of the property owner to annex the property pursuant to the annexation agreement shall constitute grounds to terminate utility service(s) to the property.
5. The city reserves the right to annex the property at the city's expense at any time the property becomes contiguous through any available legal process.

SECTION III. Section II of this Ordinance shall be codified and made a part of the City of Bonifay Code of Ordinances at such time as the said ordinances of the City are codified.

SECTION IV. In the event there is a conflict or conflicts between this ordinance and any other ordinance, this Ordinance shall control to the extent of the conflict.

SECTION V. It is the intent of the City Council of the City of Bonifay, and it is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalid or unconstitutional portion shall not be construed to render invalid or unconstitutional the remaining provisions of this Ordinance.

SECTION VI. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED ON SECOND READING BY THE CITY COUNCIL OF BONIFAY, FLORIDA, ON THE ____ DAY OF DECEMBER, 2024.

CITY OF BONIFAY, FLORIDA

ATTEST:

By its Mayor, Larry Cook

By Rickey Callahan, City Clerk