

City of Chipley
Council Meeting
Minutes
May 13, 2025 at 5:00 p.m.

Attendees:

Ms. Tracy Andrews, Mayor
Mrs. Linda Cain, Council Member
Mr. Leonard Blount, Council Member

Mr. Kevin Russell, Mayor Pro-Tem
Ms. Cheryl McCall, Council Member

Others Present Were:

Mrs. Patrice Tanner, City Administrator
Mr. Guy Lane, Asst. City Admin. /Public Works Dir.
Mrs. Michelle Jordan, City Attorney

Ms. Sherry Snell, City Clerk
Mr. Michael Richter, Police Chief

The data reflected in these proceedings constitute an extrapolation of information elicited from notes, observations, recording tapes, photographs, and/or videotapes. Comments reflected herein are sometimes paraphrased, condensed, and/or have been edited to reflect essential subject matter addressed during the meeting. Parties interested in receiving a verbatim account of the proceedings are responsible for coordinating with the City Administrator and providing their own representative and equipment pursuant to Chapters 119 and 283, Florida Statutes.

A. CALL TO ORDER

The meeting was called to order by Mayor Andrews at 5:00 p.m.

B. PRAYER AND PLEDGE

Prayer was given by Council Member Russell and Mayor Andrews led the pledge to the American Flag.

C. APPROVAL OF AGENDA

A motion was made by Council Member Russell and seconded by Council Member Cain to approve the agenda as presented. The motion passed unanimously.

D. CITIZENS REQUEST

The City of Chipley welcomes you to this meeting. This is time set aside for the Citizens of Chipley to address the City Council. This is not a question and answer period, it is not a political forum, nor is it a time for personal accusations and derogatory remarks to/or about city personnel. If you would like to address the City Council please raise your hand to speak, state your name and address for the record and limit your comments to no more than three (3) minutes per Florida Statute 286.0114. To ask a question via phone; dial *9 and wait to be recognized/unmuted. If you are attending via webinar, there will be an onscreen option to ask a question during the public comment portion of the meeting. Your participation is welcomed and appreciated.

Beth Watford, 916 Main Street, stated she would like the Council to consider changing the policy for Flea Across Florida and letting people use the city parking lot located by Regions Bank. No further discussion.

E. APPROVAL OF MINUTES

1. Special Council Meeting - April 3, 2025
2. Regular Council Meeting - April 8, 2025
3. Special Council Meeting - April 10, 2025
4. Special Council Meeting - April 24, 2025

Ms. McCall stated she would like the minutes from April 8, 2025 and April 10, 2025 updated to include her comments against the land use amendment.

A motion was made by Council Member Russell and seconded by Council Member Blount to approve the minutes for April 3, 2025 and April 24, 2025 and update the April 8, 2025 and April 10, 2025 minutes and bring back for approval. The motion passed unanimously.

F. PRESENTATIONS

1. **Certificate of Appreciation** – Mike & Stacy Hansen – The City Council honored Mike & Stacy Hansen with a Certificate of Appreciation for their commitment in moving and refurbishing the Blue Star Memorial Marker.
2. **National Garden Week Proclamation** – The City Council honored the Chipley Garden Club with a proclamation for National Garden Week, June 1-7, 2025, to recognize and honor the importance of gardening and the contribution of gardeners in our community by the men and women of the Chipley Garden Club.
3. **National Public Works Week Proclamation** – The City Council honored the Public Works Department with a proclamation for National Public Works Week, May 18-24, 2025, to recognize the services provided in our community by the men and women of the Chipley Public Works Department.
4. **Miccosukee Tribe of Indians of Florida** – Councilman William J. (Popeye) Osceola and Edward Ornstein, Esq. Mr. Osceola gave an overview of the Miccosukee Tribe of Indians of Florida.

G. CONSENT AGENDA ITEMS

1. **Resolution No. 25-27** – State of Florida - Division of Historical Resources Grant Agreement Amendment – Old Chipley City Hall
2. **Resolution No. 25-28** - Support for Re-designation of Rural Area of Opportunity in Northwest Florida
3. **Resolution No. 25-29** - Florida Division of Emergency Management Hazard Mitigation Grant Program – Lift Station Generator Project - Agreement Modification #2
4. **Resolution No. 25-31** – Fiscal Year 2024-2025 Budget Amendment
5. **Award of RFQ No. 2025-03** – Professional Real Estate Services
6. **Award of RFQ No. 2025-04** – Professional Engineering Services – Rural Infrastructure Fund Grant – Brickyard Road
7. **Special Event Application** – Annual Friends & Family Luau – Nikeh Daniels
8. **Resolution No. 25-32** – Chipley Redevelopment Agency – Budget Amendment

Ms. McCall asked about the Special Event Application and the curfew time for kids. Mrs. Tanner stated the event ends at 11:00 p.m. and the additional hour would be for clean-up. Chief Richter stated the curfew was at 11:00 p.m.

A motion was made by Council Member Cain and seconded by Council Member Blount to approve the consent agenda items. The motion passed unanimously.

H. AGENDA ITEMS

- 1. Firm Gas Supply Authorization Under All Requirements Gas Services Agreement – MGAG Pending Transaction 2025B – Florida Gas Utility – Katie Hall.** Ms. Hall, General Manager and CEO, Florida Gas Utility, gave a presentation on Discounted Natural Gas Supply. No further discussion.

A motion was made by Council Member McCall and seconded by Council Member Cain to approve the Firm Gas Supply Authorization Under All Requirements Gas Services Agreement – MGAG Pending Transaction 2025B. The motion passed unanimously.

- 2. Firm Gas Supply Authorization Under All Requirements Gas Services Agreement – Extending Terms at Re-pricing Periods – Florida Gas Utility – Katie Hall.** Mrs. Hall gave a presentation on a Directive to Extend Discounted Gas Transactions. No further discussion.

A motion was made by Council Member Russell and seconded by Council Member Cain to approve the Firm Gas Supply Authorization Under All Requirements Gas Services Agreement – Extending Terms at Re-pricing Periods. The motion passed unanimously.

Mrs. Hall gave an update on Natural Gas Financial Hedging. No further discussion.

- 3. Resolution No. 25-25 – Sale of Industrial Park Property and As Is Purchase and Sale Agreement.** Mrs. Tanner stated this resolution will approve the Purchase and Sale Agreement for municipal real property located at Fowler Road in the Chipley Industrial Park to MBN Properties, LLC. There are 2.2409 acres at \$5,000.00 per acre for a total of \$11,204.50. The city attorney has worked with the title company and will close on it. Ms. McCall asked who did the appraisal. Mrs. Tanner stated appraisals are not done on the industrial park parcels. The city attorney will work with the title company and handle the closing. No further discussion.

A motion was made by Council Member McCall and seconded by Council Member Blount to approve Resolution No. 25-25. The motion passed unanimously.

- 4. CDBG Second Public Hearing Notice -** The Mayor closed the regular meeting and opened the public hearing at 5:33 p.m. Mr. Brent Melvin, David H. Melvin, Inc., stated this was the Second Public Hearing for the city to apply to the Florida Commerce for a FFY 2024-2025 Small Cities Community Development Block Grant (CDBG) The initial public hearing was to request input from both the community as well as council members for potential projects that the city would like to apply for. The purpose of the second public hearing is to come forward with a proposed project the city would like to apply to Florida Commerce for. This project would consist of drainage and roadway improvements on Orange Street as well as South 6th Avenue from Orange Street over to Peach Street. The total grant amount that would be applied for on this project is \$1,784,192.02. This project is anticipated to benefit at least 24 low to moderate households that live along those roadways. Mrs. Tanner stated the only reason we are able to do this project is because Mr. Guy Lane went out and did all of the surveys for us. Mr. Melvin stated the surveys were one of the requirements for the grant and took a lot of time and effort and thanked Mr. Lane for his work. No further discussion. The public hearing was closed and the regular meeting was opened at 5:37 p.m.

There were no public comments.

- 5. Resolution No. 25-30 – Community Development Block Grant Neighborhood Revitalization (CDBG-NR) Application – Orange Street and 6th Avenue.** Mrs. Tanner stated this resolution would approve the application that was just discussed in the CDBG public hearing. No further

discussion.

A motion was made by Council Member Russell and seconded by Council Member McCall to approve Resolution No. 25-30. The motion passed unanimously.

6. **Mongoven Park Concepts** – Discussion. Mr. Brent Melvin presented some concepts for the Phase 3 Improvements at the First National Bank (aka Mongoven Building) Project. He asked the Council for input on things they liked or things they didn't for the general layout. Ms. McCall stated she liked Concept D with Eagleston Holly trees that have low maintenance. Mr. Melvin stated they will formalize the concept into a 30% plan set and bring back for final approval. Mrs. Cain asked about the faux turf. Mr. Melvin stated they have had good success with it in other projects and it is easy to repair. Mayor Andrews asked about Concept B. Mr. Melvin stated that would leave the existing mosaic tile up front that would be seal coated and the rest would be concrete. Mrs. Cain asked about putting the shade sails over the picnic tables in the back on Concept D. Mr. Melvin said additional shade could be put in the back as well. Mrs. Tanner stated with the concepts showing faux turf, that someone had recently asked about putting it in as part of their landscaping and our code does not allow it. We will have to look at to see if we need to bring our code more up to date. Mr. Melvin asked for direction with the concept that they would like to proceed with. Ms. McCall stated Concept D with an additional shade sail over the back. Discussion ensued.
7. **Chipley Station** – Discussion. Mr. Jeffery Dexter, Chipley Station, stated they were out of compliance with the parking spaces and didn't realize it. We went by the plans and thought we did everything right. Mrs. Tanner stated the information from the beginning of this project all stated six (6) parking spaces and a boundary survey was done for the lease agreement. They were able to get a little extra space where they cut the curbing to be more ADA compliant. When they did this they got a few extra feet that was not included in the lease agreement. With the plans the City Planning and Zoning Commission and City Council only approved the building plans. When the complete plans came out I saw them at the Chipley Station for the first time. This showed the entire plans which went to the county for approval and not the city. Mr. Dexter stated there was confusion between the plans and the lease and we were not trying to take advantage of anything. He asked what they need to do to get in compliance. We would like to ask for an additional 8 feet to the end of their fence line. Mr. Russell asked if the plans and the lease do not match. Mrs. Tanner stated the lease agreement was based off Council approval for six (6) parking spaces. Mr. Russell stated the parking spaces in that parking lot are different sizes. We discussed re-stripping that parking lot and we never did it. Ms. McCall asked how fair it was to the other businesses for them to take additional parking spaces. Mrs. Tanner stated she met with Mr. Lane regarding the dumpster that is currently sitting in a parking space and having it moved to a different location as well as coming up with a location for Chipley Station's dumpster. We feel confident that this will open one (1) more space up in that area. Ms. McCall stated there would be more spaces if the Chipley Station employees didn't park in them. Mr. Dexter stated it would not be a problem to ask his employees to park in a different location. Mayor Andrews stated there was parking in other areas and it was just a suggestion for them. Ms. McCall stated people are using the business dumpsters located downtown. Mrs. Tanner stated we could identify them so the public would know not to use them. Mr. Russell asked about revamping the parking lot as discussed at a prior meeting. Mrs. Tanner stated we can get an engineer to look at it. Mr. Russell stated we need to see how it can benefit everyone and we need to look at the parking lot to see how it can work better. Mayor Andrews stated we need to look at a way to resolve the issue of six (6) spaces versus nine (9). Mr. Blount asked how many handicapped spaces are needed. Mrs. Tanner stated one (1) per twenty spaces and there are three (3) located in this parking lot and at least two (2) at the Farmer's Market. Mrs. Cain asked if they put the fence up and took up more parking spots without realizing what they were doing. Mr. Dexter stated in his mind it was six (6) food carts instead of spaces. Ms. McCall stated the biggest point of contention is the six (6) spaces and you saying you don't understand it. This is the big issue between all the other businesses. I've had more people complain about the parking than people saying good things about it. I was asked why is the city letting them do that. Mr. Dexter stated there was no intention of doing something they were not supposed to do. Mayor Andrews stated our job tonight is to come up with resolve for the situation

and one of two things can happen. One is to move the fence for just six (6) parking spaces or the city can decide to give some kind of variance in allowing them the extra space. Mrs. Tanner stated when this came up we discussed with the owners and they wanted to do what they could to resolve this. I don't think there was any ill will. I'm putting information out there that if it's an option, are all 3 handicap parking spaces necessary. Would doing away with one handicap space and making it a regular space work along with moving the dumpster to make another parking space? If council decided to allow them to keep the spaces they currently utilize then we would have a new boundary survey done to include the additional space from the curb being cut down. The Chipley Station is willing to pay for the boundary survey so the city would not have that expense. They have also agreed to enclose their dumpster area and pour a pad if necessary and add a fence to hide it. Just so you are aware of what they have offered to try to resolve the issue.

Jerry Lenz, 829 Main Street, stated he knows there is some animosity but he is not against a new business coming into town. We get more foot traffic when that happens. The parking lot has issues at times. I agree with employees not parking in the lot any more and mine will move to another location. I love the idea of the dumpsters being marked. Revamping the parking lot, I would love to see that happen with some green area for customers to sit and eat at. The handicap spot closest to us does not have a ramp on it, so if that one might be able to be eliminated. If we could look at revamping the street lights in the area for better visibility that would help. Ms. McCall stated we had looked at it and the cost was the issue. Mrs. Tanner stated we could look at it again. Mr. Lenz stated he would like for everyone to work together. Mrs. Tanner stated we are also looking at putting in a pedestrian crosswalk from the Farmers Market across 7th Street. Mrs. Cain said they are taking up three (3) extra parking spaces and we have come up with possibly adding two (2) more. Re-stripping the lot might come up with a third space. Mrs. Tanner stated we know two (2) will be added with the handicap and dumpster. I will reach out to the engineer tomorrow on looking at the parking lot for a better solution.

Kathie Storlie, Chipley Station, stated she can guarantee we did not take extra parking spaces intentionally and there is no ill will or manipulation.

Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member Cain to allow the current state of parking spaces taken by the Chipley Station to stay as it, revise the lease agreement, and the City of Chipley to do their due diligence on revamping the parking lot for additional parking spaces. Discussion ensued.

Attorney Jordan stated she thinks Wolfpack Alliance, LLC should be responsible for all costs related to these alternative parking plans. Mrs. Tanner stated it will not take engineers to do the two (2) parking spaces. Based on council discussion from two years ago, the city was already looking at hiring an engineer to try and find a way to revamp the parking lot if we were able to. Attorney Jordan stated there needs to be some additional consideration for the council making this concession. Mr. Russell stated we are looking at fixing the parking lot for the benefit of all businesses, but we are going to make only one responsible for the cost. I can't agree with that. Mrs. Cain stated she did agree with them paying for the boundary survey. Ms. McCall asked if the motion had been amended because she doesn't like to go against what the attorney advises.

A motion was made by Council Member Russell and seconded by Council Member Cain to leave the current state of the property stay as it is, with the stipulation that the lease agreement would be updated and Wolfpack Alliance be responsible for the cost of the boundary survey, and the city be responsible for looking at redeveloping the parking lot that would benefit all businesses. Discussion ensued.

Attorney Jordan stated she still feels like they should be responsible for paying for the resolve of the problems that were caused by their actions. Mrs. Tanner stated maybe they could pay the cost to redo the handicap parking spaces. We are going to move a dumpster to open one (1) space. The handicap spot will be repainted to make it a regular space which is just paint and public works

labor so it will be a minimal cost. The 3rd parking spot, we can look at the handicap space across the road and count the total spaces and make a determination on how many are needed. As far as the engineering, it wouldn't be hard to find the third parking spot, it would be for what to do with the entire parking lot and whether we want to close off South Railroad Avenue. Attorney Jordan stated this is all caused by a problem that a private entity created. You don't know what all your costs will be. Mr. Russell asked how many additional parking spaces have been taken in the fence put up by the Chipley Station. Mrs. Tanner stated three (3). Mr. Russell stated moving the dumpster will give one back and making the handicap space a regular parking space that makes two (2). Are we trying for three or are we ok with two? Mrs. Tanner stated all the handicap spaces can be looked at to make sure we have the required number of spots or if there are others that can be changed to a regular spot. Mrs. Tanner stated we can come up with the cost to repaint the handicap spots to make them a regular spot and can discuss that with Wolfpack Alliance. It should be minimal in cost and if they are in agreeance we can do that. As far as the engineering goes the city wanted to look at it and will not benefit just them, but all the businesses.

Mr. Dexter stated they will pay for the cost to repaint the handicap parking spaces and for the new boundary survey.

A motion was made by Council Member Russell and seconded by Council Member Cain to let the current state of the property stay as it is, let Mrs. Tanner negotiate with Wolfpack Alliance, LLC on the cost of repainting the handicap parking spaces, update the lease agreement for the spaces currently being used by Wolfpack Alliance, and to make Wolfpack Alliance responsible for the cost of the updated boundary survey. The motion passed unanimously.

8. **Ordinance No. 994 – Sidewalk Solicitation.** Attorney Jordan stated there were questions raised at the last council meeting about our existing solicitation ordinance. I have researched it and I agree that there are some constitutional concerns with it due to it being out of date. It restricts speech in ways that are not appropriate as far as time, place and manner. There are some public safety concerns that do need to be addressed. We do have existing regulations that we have already updated for our special event application which is appropriate for the time, place and manner restrictions and protection of the public and city. I suggest we follow that process. When you solicitate to raise funds and enter the flow of traffic, this will be regulated by the changes that I've made to the solicitation ordinance. If you block the sidewalks you will have to go through the special event application process. Mrs. Tanner read Ordinance No. 994 by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHIPLEY, FLORIDA, REPEALING SECTIONS 34-5 AND 34-6 OF THE CITY OF CHIPLEY CODE OF ORDINANCES IN THEIR ENTIRETIES; ESTABLISHING REGULATIONS FOR THE SOLICITATION OF DONATIONS AND SALE OF GOODS AND SERVICES ON PUBLIC ROADWAYS AND DESIGNATED AREAS; PROVIDING FOR PERMIT REQUIREMENTS AND APPROVAL CRITERIA; AND PROVIDING FOR TEMPORARY EXCEPTIONS FOR SPECIAL EVENTS; WITH THE PURPOSE OF PROMOTING PUBLIC SAFETY AND ENSURING THE ORDERLY USE OF PUBLIC SPACES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

No further discussion.

A motion was made by Council Member McCall and seconded by Council Member Blount to approve the first reading of Ordinance No. 994. The motion passed unanimously.

9. **Special Event Application – Reach America Christian Outreach.** Mrs. Tanner stated this event

will be held three (3) days per week, Monday thru Saturday, for a period of one (1) year on the sidewalks located at the intersection of SR 77 and SR 90. They will have signs, walk along the sidewalk, carry a small belt speaker and speak phrases about Jesus. They will offer gospel cards and accept donations if offered only when people stop for the light. I reached out to Chief Whitaker with the City of Bonifay who said they have had some complaints but they are minimal. The concern was them getting into traffic, but once the window rolls down they have the right to access the roadway. There have been no repercussions from them doing their ministry. Mr. Russell stated this would be for an entire year. Mrs. Tanner stated that is what they are asking for, but you can always change that. Mr. Russell stated 3 days a week for a year seems pretty excessive. Attorney Jordan stated there is no liability insurance included with the application. Ms. McCall asked if anyone had talked with FDOT about needing a permit for this. Attorney Jordan stated we don't have the authority to regulate that and it would be between Mr. McMahon and FDOT. Mrs. Tanner asked the attorney since it is a public sidewalk they are requesting to use, are they required to have special event insurance. Attorney Jordan stated everyone that gets a special event application approved should have insurance. If the application requests a street closure then we are minimizing the risk to people. This event increases the risk to the people participating. The intersection they want to use has heavy traffic constantly and they need to be adequately insured with at least two million in aggregate. Mr. McMahon stated three days would be the maximum amount of days each week and donations are just an implied solicitation. Ms. McCall stated that Mr. McMahon told council at the last meeting that the man doing the ministry was making his living doing this, so the donations are not implied. Mr. McMahon stated the man has to get donations or get another part time job to make a living. Mayor Andrews stated our biggest concern is this will go on three days a week for a year at our busiest intersection with no insurance. This type of event is going to require insurance in case something happens. The three days is the bigger piece. Mr. Blount asked what would happen if someone else wanted to do it too. If we had 3 more people doing that, then we need a time limit. We wouldn't say no, but set a time limit. Mr. Russell stated three days a week with a donation jar is a job. Mrs. Tanner asked Mr. McMahon if they have insurance. Mr. McMahon stated they do not and if required we will have to decide whether to do it or not. Ms. McCall stated the biggest concerns were the request to use the busiest intersection, the period of one year, and no insurance. Attorney Jordan asked if they would consider a different intersection like Church Avenue and SR 77. Mr. Russell stated it still comes back to not having insurance. Mayor Andrews stated that Mr. McMahon needs to get with his organization to see if they are willing to get insurance. Discussion ensued.

A motion was made by Council Member Russell and seconded by Council Member McCall to table this item until we find out about insurance. The motion passed unanimously.

Mrs. Cain said they need to move it down to Church Avenue and SR 77 and get insurance. Mrs. Tanner stated if you are not interested in doing it all year you can look at a shorter period of time, pending insurance.

I. OTHER BUSINESS

J. ADJOURN

The meeting was adjourned by Mayor Andrews at 6:57 p.m.

City of Chipley

Attest:

Tracy L. Andrews, Mayor

Sherry Snell,
City Clerk