



MINUTES

CITY COUNCIL MEETING - REGULAR SESSION

MONDAY, SEPTEMBER 11, 2023 at 6:00 PM

Bonifay City Hall Council Meeting Room – 301 J Harvey Etheridge St.

I. CALL TO ORDER

PRESENT

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

Also present:

City Clerk Rickey Callahan, City Attorney Michelle Jordan, City Superintendent Trey Barbee, Chief of Police Johnny Whitaker, and Executive Assistant Sierra Smith.

Executive Assistant Sierra Smith asked everyone to join her in observing a moment of silence to remember September 11, 2001.

A. Invocation

Executive Assistant Smith gave invocation.

B. Pledge of Allegiance

Executive Assistant Smith led the Pledge of Allegiance.

II. APPROVE AGENDA

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

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

III. APPROVE MINUTES

A. 08-28-23 Workshop

Motion made to approve the 08-28-23 Workshop minutes by Council Member Crews, Seconded by Council Member Sellers.

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

B. 08-28-23 Regular Session

Motion made to approve the 08-28-23 Regular Session minutes by Council Member Sellers, Seconded by Council Member Crews.

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

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

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

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

A. USDA APPLICATION PUBLIC MEETING

Mary Gavin, Gavin Consulting

Mary Gavin, with Gavin Consulting, advised the Council Members of a USDA Loan to pay off backhoe lease, not to exceed \$60,300, and requested the Council to approve Resolution 23-55 accepting the loan.

Motion made to approve Resolution 23-55 by Council Member Sellers, Seconded by Council Member Crews.

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

V. PLANNING & ENGINEERING

A. City Planner

No updates from City Planner.

B. Mott MacDonald

No updates from Mott MacDonald.

C. Dewberry

No updates from Dewberry.

D. DHM Melvin Engineering

No updates from DHM Melvin Engineering.

VI. OLD BUSINESS

A. Ordinance 434 Water & Wastewater rates - second reading

City Clerk Callahan read the heading of Ordinance 434.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, REPEALING ORDINANCE 427 OF THE CITY OF BONIFAY RELATING TO WATER AND SEWER UTILITY RATES; ADOPTING AND ESTABLISHING MINIMUM UTILITY (WATER AND SEWER) RATES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Cook asked for Public comments, and there were none.

Council Members voted to approve the second reading and adoption of Ordinance 434 Water & Wastewater rates effective October 1, 2023.

Motion made by Council Member Crews, Seconded by Council Member Carroll.

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

B. Former Chief Jimmy Macon (Opportunity provided to address City Council regarding Termination)

Mayor Cook stated that Mr. Macon can take the podium at this time.

City Attorney Jordan asked that the record reflect that 166.0494 Subsection 2 Florida Statutes, the City of Bonifay provided the opportunity for Mr. Macon to appear and provide a full response to the Council regarding his termination following his written notice last week.

City Clerk Callahan stated the letter was handed to Mr. Macon.

VII. NEW BUSINESS

VIII. COUNCIL / DEPARTMENT SUPERVISORS / CITY ATTORNEY DISCUSSION

Items not listed on Formal Agenda.

A. Personnel Updates

No Personnel updates.

B. Department Updates

No Department updates.

IX. 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.

James Russell said he was here to ask Larry Cook to step down due to comments made to an employee he had before firing Mr. Macon. Russell said if he won't step down, I am going to ask the Council to remove him.

Mitchell Marcus questioned why his utility bill keeps going up.

Vicki Clemons asked Mayor Cook if he know what the definition of nepotism is.

Rosalie McClain asked City Clerk Callahan how much is the difference between your salary and the Executive Assistant's salary.

Executive Assistant Smith stated her salary is \$23.00 per hour and not \$70,000.

Rosalie McClain asked City Clerk Callahan is he was in his office from 9 until 5 every day, 7 days a week.

City Clerk Callahan said no, he is there from 7 am until sometimes 8 at night. "I am required to be there at 7:30 am, but I get there early."

Rosalie McClain asked if he still had an active real estate license.

City Clerk Callahan stated yes, I kept my real estate license active.

Rosalie McClain asked if he had ever shown real estate during working time of the City.

City Clerk Callahan stated no.

Joyce Everett asked who would be over seeing the grant for the Rec Center.

City Clerk Callahan stated HUD.

Joyce Everett asked what is their qualifications for overseeing the grant were? What is the expected administrative fee?

City Clerk Callahan stated there is an administrative fee in the grant. It was a congressional appropriation provided to the City by Congressman Neal Dunn.

Joyce Everett asked how does anyone qualify to be the administrator for a grant for the City?

City Clerk Callahan stated we put out RFQ's.

Joyce Everett asked when is that done?

City Clerk Callahan said we have just completed the agreement and they have not signed it and sent it back.

Gale Clemmons questioned the taxes.

Robert Urquhart questioned Code Enforcement.

Judy Powell questioned the process for a person to be placed on the agenda.

City Clerk Callahan stated you need to make a request to me, as City Clerk, 10 days prior to the meeting you want to speak at.

Angela Willsey questioned taxes, how the old middle school was zoned, and what the property value of the old middle school was?

Richard Willsey referred the Council to Chapter 286 Section 114 Florida Statutes, which addresses public speaking, and said the removal of speakers at the meeting was unlawful. Willsey also questioned Code Enforcement, and the City's budget.

Destra Moses asked what they can expect from the City and County concerning the dog pound?

Samantha Perry asked the Council why they would want FSR? Who would benefit from this?

City Clerk Callahan stated all employees.

Samantha Perry also questioned the taxes.

Sheila Boswell questioned the Council violating the Sunshine Law.

No other visitors spoke. Public Comment ended.

City Clerk Callahan read a letter addressed to the Interim Mayor Cook and Council.

"It is with heartfelt regret that I inform you I am giving notice of my intent to resign as the City Attorney for the City of Bonifay."

"In accordance with my original contract, I am providing 60 days notice of my resignation. I will continue to serve the legal needs of the City until a suitable replacement is retained.

"I appreciate the opportunity to serve the City of Bonifay for nearly 7 years." Sincerely, Michelle Blankenship Jordan

Motion made to accept Michelle Blankenship Jordan's resignation letter by Council Member Crews, Seconded by Council Member Sellers.

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

Motion made to advertise for City Attorney by Council Member Crews, Seconded by Council Member Carroll.

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

Motion made to approve a grant request for equipment for the Police Department with no matching funds by Council Member Crews, Seconded by Council Member Sellers.

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

Council Member Crews asked when they would fill the vacant council seat, and Mayor Cook said within 60 days.

Council Member Sellers stated that another fire department was using our hydrants to fill their truck up, and asked what type of interlocal agreement do we have with outside departments?

Mayor Cook said if there is a fire emergency the municipalities work together.

X. ADJOURN

Mayor Cook adjourned the meeting at 6:43 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.