

**City of Marianna**  
**Regular City Commission Meeting**  
**July 5, 2022**  
**6:00 PM**  
**Old City Hall Commission Room**  
**2898 Green Street**  
**Marianna, FL 32446**

The City of Marianna met for a regular meeting on the above date and time. Mayor Kenneth Hamilton called the meeting to order. City Clerk, Kimberly J. Applewhite, called roll. Members present were: Mayor Kenneth Hamilton, John Roberts, Allen Ward, II, Travis Ephriam and Rico Williams.

Mayor Hamilton gave the invocation and led the Pledge of Allegiance.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve the agenda.

Upon a motion by Commissioner Ephriam, with a second by Commissioner Williams, the Commission voted unanimously to approve the minutes for June 7<sup>th</sup>, 2022.

Marianna Health and Rehab Administrator, Melinda Gay, spoke to the Commission about May 2022 Finances. The May census was 78.96% and the June census was 76.9%. MHRC is actively hiring CNA staff and admitting when the staffing numbers allow. MHRC had their first family meeting for the first time in two years. This meeting allows family members to come see the facility, ask questions, and more.

Mayor Hamilton recognized the following employees for their years of service:

Nikita McDougald, LPN – 10 Years  
Nikki Mayberry, PW Admin Assistant – 10 Years

Patrick Bell with Capitol Solutions spoke to the Commission about what has happened over the past year and gave a legislative update. There have been many updates within the last year, thanks to CBDG Grants, emergency shelter updates and more.

Evan McAllister presented to the Commission about Fair Housing. A CBDG grant requires a presentation to the Commission on updates for fair housing. The Fair Housing Act passed in 1968 and is funded through HUDD. Fair housing simply means that no matter who you are, you can choose where you want to live if you can afford it. You cannot be refused to live somewhere because of race, color, religion, age, gender, national origin, disability, familial status, or sex. For more information, Mr. McAllister stated that there will be pamphlets at City Hall or to speak with the Fair Housing Coordinator, Municipal Development Director Kay Dennis.

Chris Johnson with Grimsley & Associates spoke to the Commission about the Fiscal year 2020-2021 Audit. Mr. Johnson stated that the City of Marianna had an Unqualified opinion on the audit and everything went smooth.

Upon a motion by Commissioner Roberts, with a second by Commissioner Williams, the Commission voted unanimously to approve the audit for fiscal year 2020-2021.

At this time, Mayor Hamilton opened the public forum giving the audience the opportunity to comment on any subject not on the agenda.

Mr. Willie Mack thanked the Commission and City Workers for completing the paving of Old Cottondale Road.

The public forum was closed.

City Manager Jim Dean spoke to the Commission about a preliminary application of eligibility for grant funding to USDA, Rural Development. The preliminary application is to fund (5) first responder vehicles and has been determined the City is eligible for grant funding in the amount of \$100,000 which is 55% of the total cost of \$180,000. In order to qualify for the grant, the City will have to submit a full application.

Jim Dean spoke to the Commission about the CDBG- NR Grant Resolution 2022-23. This grant is for improvements of water holding tanks, neighborhood revitalization, and Commercial revitalization and housing rehabilitation.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to pass Resolution 2022-23.

Municipal Development Director Kay Dennis read proposed Ordinance No. 2022-1133 by title; second reading: CITY OF MARIANNA EVENT ORDINANCE NUMBER 2022-1133; PROVIDING A TITLE; PROVIDING FOR THE REQUIREMENT OF A PERMIT; PROVIDING FOR AN APPLICATION; PROVIDING FOR A FILING PERIOD; PROVIDING FOR THE CONTENTS OF THE APPLICATION; PROVIDING FOR FEES; PROVIDING POLICE PROTECTION; PROVIDING FOR THE PROTECTION OF FIRST AMENDMENT RIGHTS; PROVIDING FOR THE STANDARDS FOR THE ISSUANCE OF A PERMIT; PROVIDING FOR AN ALTERNATIVE PERMIT; PROVIDING FOR THE CONTENTS OF THE PERMIT; PROVIDING FOR THE DUTIES OF THE PERMITTEES; PROVIDING FOR THE REGULATION OF PUBLIC CONDUCT DURING ASSEMBLIES; PROVIDING FOR THE REVOCATION OF PERMITS; PROVIDING FOR THE PROHIBITION OF UNLAWFUL DISCRIMINATION; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR PERMITS FOR BLOCK PARTIES; PROVIDING FOR PENALTIES; PROHIBITING THE DISTURBANCE OF THE PEACE; PROVIDING FOR DIVISIBILITY; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES FOR THE CITY OF MARIANNA, AND PROVIDING AN EFFECTIVE DATE.

Marcus Kelly spoke to the Commission at this time. Mr. Kelly was asking the Commission if there was a way the public will be able to find out if they will need to pull a permit for family reunions, block parties, etc.

Police Chief Hayes Baggett stated that gatherings of more than 50 people would need to pull a permit, and if more information is needed to call the Police Department. He stated that this Ordinance is allowing the public to be able to comply with the Florida Statute that was passed.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve Event Ordinance NO. 2022-1133.

Jim Dean read proposed Ordinance No. 1123 by title; second reading:  
AN ORDINANCE OF THE CITY OF MARIANNA, FLORIDA AMENDING ORDINANCE 815, WHICH ADOPTED THE CITY OF MARIANNA LAND DEVELOPMENT REGULATIONS TO AMEND SECTION 4-5.1(4) ADDRESSING LANDSCAPING AROUND STORMWATER MANAGEMENT FACILITIES IN THE CITY OF MARIANNA; PROVIDING FOR SEVERABILITY AND FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve Ordinance NO. 1123.

Jim Dean read proposed Ordinance No. 1132 by title; second reading:  
AN ORDINANCE OF THE CITY OF MARIANNA, FLORIDA AMENDING CHAPTER 46 OF THE CITY OF MARIANNA CODE ADDRESSING FOOD TRUCKS IN THE CITY OF MARIANNA; PROVIDING FOR SEVERABILITY AND FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

Upon a motion by Commissioner Ephriam, with a second by Commissioner Roberts, the Commission voted unanimously to approve Ordinance NO. 1132.

Jim Dean spoke to the Commission about the Planning Board replacement, and recommended that Ann Jones be appointed to the City of Marianna Planning and Zoning Board.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve Ann Jones being appointed to the Board.

Jim Dean Spoke to the Commission about Thomas Pines variance request. This request addresses parking spaces for a 35- unit apartment complex. Planning and Zoning met for a meeting and recommends denial due to the likelihood of more than one person living in a single unit and more than one parking space being needed.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to deny the variance request for Thomas Pines Apartment Complex.

Jim Dean spoke to the Commission about the Memorandum of Agreement with FDOT project NO. 42378227847. The City of Marianna has a renewal option with FDOT in which the City agrees to attractively maintain roadside areas via mowing, edging and sweeping.

Upon a motion by Commissioner Roberts, with a second by Commissioner Williams, the Commission voted unanimously to approve the MOU and pass Resolution NO. 2022-022

Jim Dean spoke to the Commission about the CDBG-DR sub recipient M0011. This amendment is to correct a clerical error made by DEO in the citizen complaint language of the original agreement. This will modify language used; same language, different format.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve the amendment to Sub recipient Agreement M0011.

Jim Dean spoke to the Commission about Grant Agreement NO. HL138, Amendment 1. Amendment 1 will update the agreement period as July 1, 2021 – June 30, 2023 to extend time to be able to use grant funding.

Upon a motion by Commissioner Roberts, with a second by Commissioner Williams. The Commission voted unanimously to approve Amendment No. 1 to Agreement No. HL138 updating the Agreement Period.

Jim Dean spoke to the Commission about the purchasing and upgrades of officer duty weapons. Chief Baggett told the commission that the new weapons to purchase will be new hand guns. They are safer and easier to handle.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam. The Commission voted unanimously to approve the purchase orders for the new police equipment.

Jim Dean spoke to the Commission about Internal Controls Policy for State and Federal Grants. The current internal controls policy does not meet the DEO's current requirements. This proposed policy will fill in some of the gaps to the meet the requirements, and will prevent going through and updating the current procurement and other policies in place.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously approve the policy as presented.

Jim Dean spoke to the Commission about Change order #5 for the OLD Cottondale Road Project. Change Order #5 & Final will add \$11,606.14 to the project and an additional 85 days due to material supply issues and unforeseen existing conditions and construction delays. Mr. Dean also stated, that once the project is complete, there should be a ribbon cutting.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve final change order #5 in the amount of \$11,606.14.

Jim Dean spoke to the Commission about grant agreement Kelson Ditch (CDBG-DR) match. This is Phase One of a two phase project. The City of Marianna has been awarded an HMGP \$443,200 for design of the improvement project for the Kelson Avenue ditch. The HMGP is for 75% of project and CDBG-DR will fund the remaining 25%.

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to approve and authorize execution of the Agreement.

Jim Dean spoke to the Commission about 2021/22 Lift Station Rehabilitation Project. The City engaged the services of Alday/Howell Engineering back in 2021 to do the design work and solicitation of bids on four lift stations in our system that are needing repairs/upgrades. City received bids for the subject project on Thursday, June 23, 2022 at 2pm. Three contractors submitted bids with Martin Construction, LLC submitting the lowest overall qualified bid.

1. Martin Construction, LLC \$418,000.00
2. Blankenship Contracting, Inc. \$472,933.98
3. L&K Contracting Co., Inc. \$786,000.00

Upon a motion by Commissioner Roberts, with a second by Commissioner Ephriam, the Commission voted unanimously to award bid to Martin Construction, LLC for lift station rehab work with discussed modifications to contract.

Jim Dean spoke to the Commission about CDBG-DR Community Block Grant- Disaster Recovery. This is phase, on the design on the new Fire and Police station. The City of Marianna has been awarded an HMGP \$92,289.90 for design of new Fire and Police Station. The HMGP is for 75% of project and CDBG-DR will fund the remaining 25%. The second phase of the project will be the construction of the buildings.

Upon a motion by Commissioner Williams, with a second by Commissioner Ephriam, the Commission voted unanimously to approve and authorize execution of the Agreement.

Commission Ephriam thanked everyone that was involved in the 4<sup>th</sup> of July celebration. Commissioner Williams stated that the 4<sup>th</sup> of July celebration turned out nice. Commissioner Roberts stated that the 4<sup>th</sup> of July celebration was nice and it was a great turn out.

City Attorney, Matt Fuqua informed the Commission that there would be Ethics training October 7<sup>th</sup> at Penn Ave.

Jim Dean stated that after 20 years with CDBG Programs and only every getting a single response on a contractor for engineer, architect, ETC., the DEO have changed their minds on single source providers. The City will have to advertise for engineering and grant administration on CDBG Hurricane Michael, Hometown Recovery and COVID for professional Services. Mr. Dean asked the Commission to allow us to use the same Committee. After discussion the Committee is now made up by City Manager Jim Dean, Public Works Director Clay Wells, Commissioner John Roberts and Commissioner Travis Ephriam.

Jim Dean notified the Commission of the budget workshop and ribbon cutting for the Old Cottdale Road project. The workshop will be July 19<sup>th</sup> at 4:30 pm. Jim Dean mentioned to the Commission that Sunland will be having the Fall Festival this year and has invited the Commission to the Parade. Jim Dean also mentioned that in honor of Jackson County's 200<sup>th</sup> birthday, a public festival will be held on August 13<sup>th</sup> at the Jackson County Agriculture Center.

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Mayor-Commissioner

Attest:

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City Clerk

