

**City Council Regular Meeting  
Tuesday, January 12, 2016 6:00 PM  
Civic Center 105 N. 31<sup>st</sup> Street**

**Present:**

**Mayor Tom Bailey  
Councilwoman Tanya Castro  
Councilwoman Linda Albrecht  
Councilwoman Mary Blackburn  
Councilman Jeff Tandler**

**Also Present:**

**Mell Smigielski, City Administrator  
Adrian Welle, City Clerk  
Tim Hightower, Police Captain**

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**Mayor Bailey called the meeting to order at 6:00 p.m.**

Mayor Bailey requested the public to let him know if they would like to the invocation any meetings in the coming year.

Mrs. Blackburn stated she was holding a coffee with council February 28 from 5:30-7:30 at the Fish House.

Mrs. Albrecht gave a report from the CDC and that the “celebrate twice” event was a success and thanked the City of Mexico Beach Police, Fire and ESU. CDC has launched a new branding campaign and you can find it on the website [www.mexicobeach.com](http://www.mexicobeach.com). The CDC has planned a Biloxi trip for February, a Thomasville Trip and the Gumbo Festival.

Daryl Key 306 Georgia Avenue spoke to the council about his concerns of misconduct by a councilmember in regards to a Special Meeting held on November 23 regarding the City Charter. He stated that the councilmember lied and misinformed the public. He stated he feels it is his duty to point out this deceit and requested this member resign immediately.

Motion by Mrs. Castro and seconded by Mrs. Albrecht to approve the consent agenda.  
Motion carried unanimously.

Jeremy Novak was present on behalf of Corry Coastal Properties. He spoke to the council about the timeline regarding the Corry Property between 33<sup>rd</sup> and 34<sup>th</sup> Street. Mr. Novak informed the council that they have filed an appeal of the denial of the zoning change at the property. He gave a timeline of events to the council from 1999 to current regarding this property. Mr. Novak requested direction or clarification of where to go from here, how does the family move forward.

Mayor Bailey stated that in 1999 the LDR was the same as it is now and a PUD would not have been allowed. Mayor Bailey asked what happened from 1999 until 2010, why did Mr. Corry not come back, he assumed that the PUD idea was gone.

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Mr. Novak responded that a Planning and Zoning meeting, and council meeting did happen in 1999. The PUD was voted approved at both meetings.

Mrs. Castro clarified that a mini-PUD was not in the LDR in 1999 and didn't come into be until the 2010 LDR.

Mr. Novak stated that the Corry family has marched to the beat thinking it was a PUD for years.

Mr. Jack Corry spoke to the council and provided further information on the understanding that they had of the PUD being approved. He stated that his family was under the understanding that zoning was timeless, so they were in no rush to get the project started.

Mrs. Blackburn asked a question clarifying if a plan was supposed to be attached to an approved PUD.

Mr. Novak stated that a PUD is a rezoning and that they work within the parameters of the PUD.

Mrs. Castro stated her concerns that we have told the Corry family repeatedly it was a PUD, but then said no. She worries about what may happen to other property owners.

Mayor Bailey stated that the City also needs to be fair to the neighboring property owners and stated that the City and developer need to continue having dialogue.

Mr. Novak asked the council that whatever they do next to reaffirm the PUD be properly documented and done properly.

Mrs. Blackburn asked where this PUD was left off. She believes that it was left at the PUD-concept stage, then nothing after that.

City Attorney Beninate stated that the council needs to decide as a council where this PUD was left and ratify an Ordinance to rectify it.

The PUD issue will be placed on the January 26 Workshop Agenda.

Dina Bautista of Preble Rish was present to update the city on the projects currently being done within the City.

## **ORDINANCES**

### **1<sup>st</sup> Reading**

#### **ORDINANCE NO. 632**

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**AN ORDINANCE RELATING TO SERVICES AND CAPITAL IMPROVEMENTS PROVIDING A SPECIAL BENEFIT TO SPECIFIC AREAS WITHIN AND ADJACENT TO THE CITY OF MEXICO BEACH, FLORIDA; PROVIDING DEFINITIONS AND FINDINGS; AUTHORIZING THE IMPOSITION AND COLLECTION OF SPECIAL ASSESSMENTS TO FUND THE COST OF CAPITAL IMPROVEMENTS AND SERVICES PROVIDING A SPECIAL BENEFIT TO SPECIFICALLY IDENTIFIED ASSESSMENT AREAS, INCLUDING A SINGLE PARCEL, WITHIN EITHER OR BOTH INCORPORATED AREAS OF THE CITY OR UNINCORPORATED AREAS WITHIN THE URBAN SERVICE AREA OF THE CITY; PROVIDING FOR THE OPTIONAL AND MANDATORY PREPAYMENT OF ASSESSMENTS; ESTABLISHING PROCEDURES FOR NOTICE AND ADOPTION OF ASSESSMENT ROLLS AND FOR CORRECTION OF ERRORS AND OMISSIONS; PROVIDING THAT ASSESSMENTS CONSTITUTE A LIEN ON ASSESSED PROPERTY UPON ADOPTION OF THE ASSESSMENT ROLLS; ESTABLISHING PROCEDURES AND METHODS FOR COLLECTION OF ASSESSMENTS, INCLUDING ASSESSMENTS IMPOSED ON GOVERNMENT PROPERTY; AUTHORIZING THE ISSUANCE OF OBLIGATIONS SECURED BY ASSESSMENTS; PROVIDING FOR VARIOUS RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS WILL NOT CREATE A GENERAL DEBT OR OBLIGATION OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

Motion by Mrs. Castro and seconded by Mrs. Albrecht to read Ordinance 632 by title only.

**2<sup>nd</sup> Reading**

**ORDINANCE 631**

**AN ORDINANCE AMENDING ORDINANCE NO. 555. REPEALING ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT, AND PROVIDING AN EFFECTIVE DATE.**

Motion by Mrs. Albrecht and seconded by Mrs. Castro to read Ordinance 631 by title only. Motion carried unanimously.

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Motion by Mrs. Castro and seconded by Mr. Tendler to adopt Ordinance 631.  
Motion carried 4-1 with Mrs. Albrecht voting no.

**RESOLUTIONS**

**RESOLUTION 2016-01**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MEXICO BEACH FLORIDA SUPPORTING  
PROPOSED LEGISLATION PROVIDING A  
STATEWIDE BAN ON HYDAULIC FRACTURING,  
ACID FRACTURING AND EXTREME WELL  
STIMULATION PERFORMED FOR THE PURPOSES  
OF EXPLORATION OR PRODUCTION OF OIL OR  
NATURAL GAS IN THE STATE OF FLORIDA;  
PROVIDING AN EFFECTIVE DATE.**

Motion by Mrs. Albrecht and seconded by Mrs. Blackburn to  
read Resolution 2016-01 by title only.

Motion by Mrs. Castro and seconded by Mrs. Albrecht to  
adopt Resolution 2016-01. Motion carried 3-2 with Mayor  
Bailey and Mr. Tendler voting no.

**RESOLUTION 2016-02**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF MEXICO BEACH FLORIDA APPROVING A  
BUDGET AMENDMENT FOR CIVIC CENTER  
REPAIRS AND UPGRADES AND PROVIDING AN  
EFFECTIVE DATE.**

Motion by Mrs. Albrecht and Mrs. Castro to read Resolution  
2016-02 by title only

Motion by Mrs. Castro and seconded by Mrs. Albrecht to  
adopt Resolution 2016-02. Motion carried unanimously.

Dina Bautista spoke to the council about the change of the coding of the sheet  
piles to reduce the project cost. Motion by Mrs. Castro and seconded by Mr.  
Tendler to approve change order No. 1 in a reduction of \$88,074. Motion carried  
unanimously.

Motion by Mrs. Castro to accept the FDOT Beautification Grant. Motion dies for  
lack of a second.

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Dina Bautista and Gina Tullo Williams spoke to the council about the Parker Park plan and asked the council to finalize the park layout. Discussion ensued. Consensus of the council was to start with phase 1 of the project including the pavilion.

Motion by Mrs. Albrecht and seconded by Mrs. Castro to appoint to Jim Bush Post 2 of the Planning and Zoning Board. Motion carried unanimously.

Motion by Mrs. Blackburn and seconded by Mrs. Albrecht to appoint Joe Theil to Post 4 of the Planning and Zoning Board. Motion carried 4-1 with Mayor Bailey voting no.

Motion by Mrs. Albrecht and seconded by Mrs. Castro to appoint Rex Putnal as Alternate 1 and Don Coakley as Alternate 2 to the planning and zoning board. Motion carried unanimously.

Motion by Mrs. Albrecht and seconded by Mr. Tendler to invest \$100,000 from the City General Fund into a CD at Centennial Bank for 1 year at a rate of .85%. Motion carried unanimously.

Motion by Mrs. Albrecht and seconded by Mrs. Blackburn to purchase 2 EMS radios in the amount of \$12,711.90 from Fire and ESU impact fees. Motion carried unanimously.

Motion by Mr. Tendler and seconded by Mrs. Castro to put out an RFQ for planning services. Motion carried unanimously.

Discussion was held on the subject of City Hall and purchasing the Foley Property to become the New City Hall.

Motion was made by Mr. Tendler and seconded by Mrs. Castro to begin the process of investigating the purchase of the Foley property. Motion carried 4-1 with Mayor Bailey voting no.

Captain Hightower gave the council the monthly Police Report.

City Clerk Adrian Welle gave his financial report to the council.

City Administrator Mell Smigielski gave his report to the council and provided an update on the City of Mexico Beach Work Plan.

A Special meeting has been called before the workshop January 26, 2016 to discuss the 24<sup>th</sup> street paving project at 6pm.

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**Mrs. Castro made a motion to adjourn the meeting. Mrs. Albrect seconded the motion. Motion carried unanimously.**

**The meeting adjourned at 9:15 p.m.**

**By: \_\_\_\_\_  
Mayor Tom Bailey**

**Attest: \_\_\_\_\_  
Adrian Welle, City Clerk**