

A workshop, public hearing, and special meeting of the City Commission of the City of Apalachicola was held on Thursday, June 11, 2015 at 6:00 PM at the Apalachicola Community Center, 1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Frank Cook, Commissioner Brenda Ash, Commissioner Jimmy Elliott, City Administrator Betty Webb, City Clerk Lee Mathes, Assistant City Clerk Deborah Guillotte, City Attorney Pat Floyd.

Visitors: Richard Delp, Sharon Delp, Deborah Belcher, Ellen Stall, Cindy Summerhill, Ann Sizemore, Ed Springer, Candace Springer, Lisa Hooker, Carol Seibert, Barbara Lewis, Nadine Kahn, Ryanna Lockley, Clarice Powell, Jay Chesley, Lisa Chesley, George Coon, Lance Rochelle, Ron Dierdorf, Tamara Lewis, Juli Jones, Margene Off, Coral Sprouse, Karen Ventiniglia, Jim Brown, Despina George, Bob Lindsley, Susan Clementson, Mackenzie Williams, Jim Bachrach, Helen Escobar, Edward Michaels, Ann Seaton, Charles Kienzle, Carrie Kienzle, Holly Brown, Creighton Brown, Jan Thomas, Sarah Robinson, Charles Sawyer, Callie Nichols, Greg Wynot, Tom Daly, D. T. Simmons, Harrison Jones, Jr., Lynn Wilson Spohrer, Leon O'Neal, Jr., Bill Brown, Teri Reeder

Workshop meeting opened by Mayor Johnson.

WORKSHOP - FAIR HOUSING PRESENTATION

Debbie Belcher outlined the Fair Housing Act and discussed local, state, and federal laws that make it illegal to discriminate in the sale, rental, leasing, or financing of housing based on race, color, religion, national origin, sex, familial status or disability. Ms. Belcher stated the Florida Commission on Human Relations enforces the state fair housing law and that HUD is very serious about enforcing fair housing. This affects real estate agents, lenders, rental owners, etc. Racial discrimination complaints are now not as common as complaints based on familial status and disability. Familial status complaints involve not renting to families with children, and disability complaints are usually about not allowing tenants to make accommodations to dwellings. Ms. Belcher provided fair housing literature about the state and federal laws and enforcements.

Mayor Johnson asked for public comment or questions.

No public comments or questions received.

Ms. Belcher stated she would leave materials for the public, and if anyone has questions they may call her.

No further discussion, workshop closed by Mayor Johnson.

PUBLIC HEARING – NEIGHBORHOOD REVITALIZATION CDBG APPLICATION

Public hearing opened by Mayor Johnson.

Ms. Belcher stated the City of Apalachicola intends to apply for a FFY 2014 Small Cities Community Development Block Grant (CDBG) of up to \$650,000 from the Florida Department of Economic

Opportunity. The CDBG grant application is for the sewer extension project, upgrade to Bobby Cato lift station and also water meters and valve replacement in this area, plus the public housing areas if there were enough funds.

Ms. Belcher explained the sewer replacement service area is bounded to the north by 12th Street, on the west by 25th Avenue (north of Cornelius Rizer), south by Cornelius Rizer and Bobby Cato Street, going northeast on Avenue L, including 24th – 20th Avenues, Timothy Simmons/17th Street, Rex Buzzett/15th, 16th Street, Earl King, James Clay/Gibson, and Morris Cannon Streets. This area will also include water system component replacements such as valves and water meters. The new sewer extension and household connections will be on Avenue M, Earl King, 20th and 21st Avenues, with tie-ins on Rex Buzzett and 22nd Avenue through James Clay. The sewer/water/hookups activities will meet the national objective of benefitting Low-Moderate Income (LMI) persons because a large majority of the beneficiaries of the safe and reliable water and sewer service are in the very low/low/moderate income range. The hookups will be limited to LMI households, and the City will provide additional financial leverage in the form of sewer tap fee waivers and staff support. If there are sufficient funds, then there is additional need for water line/component replacement. Ms. Belcher stated this is what is proposed and meets the scoring criteria of serving low to moderate income people, meets all cost affective scoring criteria and was discussed at a previous public hearing recommended by the Citizen Advisory Task Force. Ms. Belcher stated the application has to be submitted by June 22, 2015.

Mayor Johnson asked for public comments.

Public comment received and discussion held concerning number of households this project would benefit, and project details.

Mayor Johnson stated this is a great opportunity for the citizens in the area outlined by Ms. Belcher to get off septic tanks and be added to the sewer system with no financial burden on the customer.

No further public comment.

Public hearing closed and special meeting opened by Mayor Johnson.

SPECIAL MEETING

Adoption Decision – Resolution 2015-05 – CDBG Applicaton

Attorney Floyd read Resolution No. 2015-05 by title as follows:

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AUTHORIZING SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION, FINDING THE APPLICATION CONSISTENT/NOT INCONSISTENT WITH THE LOCAL COMPREHENSIVE PLAN AND DESIGNATING THE LOCAL COMPREHENSIVE PLAN AS THE LOCAL COMMUNITY DEVELOPMENT PLAN, COMMITTING FUNDS

TO THE PROJECT, AUTHORIZING THE CITY PROJECT MANAGER TO EXECUTE CERTAIN DOCUMENTS PERTAINING TO THE GRANT, AND PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

Motion to adopt Resolution No 2015-05 made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

Consideration of Vacating Streets and Alleyways Adjacent to Block 126 for Affordable Housing Development

Attorney Floyd stated Block 126 and adjacent blocks are parcels considered for the affordable housing project. To start the process, the Commission must first make a motion that would allow a public hearing be held to consider vacating streets and alleyways in the affected parcels. Attorney Floyd stated this process has to be acknowledged and advertised so that it can be brought up at the July 7, 2015 regular City Commission meeting for public hearing and public comment.

George Coon asked if there was a site plan for this project showing what streets and alleys would be closed and if so, could he see the site plan.

Attorney Floyd stated that all the drawings that were shown in previous meetings showed buildings sitting on streets and alleys that would need closing before going forward with this project.

Public comments received.

Commissioner Ash asked if it would be more plausible for the City to have the contract sale conditions outlined prior to moving forward with the project.

Attorney Floyd stated that the City Commission has authority to put conditions on the project. Attorney Floyd also stated that if this is not done now then it would have to be done at a later date at a special meeting.

It was asked if project plans are available online for public review.

Ms. Webb stated she hopes the project plans would be available on the City's website the first part of next week.

Public comments received.

Clarice Powell asked if there was an allotted time this had to be completed.

Commissioner Cook stated there is no particular time frame, but the Commission just has to decide whether to go forward or not with this project.

Callie Nichols asked when a decision is made on abandoning streets and alleys where is this on the time frame between Planning & Zoning and City Commission meeting. Ms. Nichols stated Planning & Zoning has requested Denton Cove provide a traffic study and confirm water/sewer availability.

Mayor Johnson stated these are some of the conditions that the Commission will discuss at the July 7th regular meeting. All actions are contingent on Planning & Zoning, school board, and other items.

Attorney Floyd stated Florida Statutes requires that public hearing only be advertised once, but Ms. Mathes will be running the ad two weeks, so that hopefully a lot of people will know about it. Attorney Floyd stated Ms. Webb has a map that outlines the specified area that will be advertised along with the notice of public hearing.

Callie Nichols asked if the water and sewer and traffic assessments would be complete by the July 7th meeting.

Ms. Webb stated the City's Engineers Baskerville Donovan have confirmed there is water and sewer capacity in that area but that it has to be tapped into. Ms. Webb stated she was contacted by Mark Tarmey after the Planning and Zoning meeting about the mobile service for traffic assessments and gave him a name from the Department of Transportation to contact and recommended that they do a third party assessment.

Public comments received.

Greg Wynot recommended the Commission read online reviews of the Glen Oak Apartment complex in Tallahassee because they are the same developers that are wanting to build the Denton Cove Apartments in Apalachicola.

Attorney Floyd stated this is not the appropriate time for this matter to be discussed.

Jan Thomas asked about the unintended consequences of approving to abandon the streets and alleys.

Attorney Floyd stated the unintended consequences are broad and will not pre-judge to bring out the benefits or the detriments of each one but should consider the facts and benefits of abandoning these street and alleys. Attorney Floyd stated there is not any precedence set by this City Commission on closing streets and alleys in the City of Apalachicola.

Discussion held.

Bill Brown stated he has heard Attorney Floyd explaining all answers and would like to hear from the City Commission what they think about this project.

Attorney Floyd stated he doesn't think it is a good idea for the Mayor and City Commission to give their opinion how they feel about this when they are going to make a decision on this at the July 7th meeting or any other board on any subject at any time that they will later be voting on.

Carrie Kienzle stated she hopes that someone looks at the economic impact from our point of view, and it may benefit the City more if the land was divided into lots that could be used for individual housing. There may be other uses for this land that might bring money over time into the City.

Allyson Speed stated he thinks the developers are taking the citizens of Apalachicola for granted and they should be at these meetings to answer questions.

Callie Nichols asked if this project could be exempt from ad valorem taxes.

Mayor Johnson stated he thinks it is a law that ad valorem taxes be paid, and if the law doesn't mandate this, then the Commission will require this in the contract.

Motion to proceed with the procedure to hold a public hearing to discuss abandoning streets and alleys pertaining to Denton Cove Project as outlined by Attorney Floyd at the July 7th meeting made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 3 to 1.

Voting Aye: Cook, Elliott, Mayor Johnson

Voting Nay: Ash

Project Impact/Gym Discussion

Mayor Johnson stated this is something that should be worked out between Project Impact and KUT, but it was requested to be put on the agenda.

Commissioner Ash stated her concern is prior to partnership with KUT there was an agreement that Project Impact would have usage of the gym for certain periods of time during their program, and it is my understanding this is not being done. Commissioner Ash is asking that KUT and Project Impact have a meeting to work out the problem because at this time, Project Impact children have to access the gym through the back door entrance. KUT does not allow Project Impact children to access the gym through the front door, and this should not be happening. Commissioner Ash stated she is asking that Project Impact children be allowed to access the gym through the front door Monday – Wednesday from 9:00 AM to 3:00 PM.

Ms. Webb wanted to clarify that going through the front door only would be a pass through so the children can get to the gym without going through the back door.

Discussion held.

Helen Escobar stated that she was only made aware of this issue this weekend and that herself and Project Impact has tried to work something out but nothing has been resolved.

Discussion continued.

Nadine Kahn stated she is the Program Director of the City of Apalachicola's 21st Century Community Learning Center and I had a parent address an ADA access issue and just want to get this worked out because this program should be about the children and not arguing back and forth.

Barbara Lockley stated that the kids from the KUT program are the same kids that are enrolled with Project Impact, and why can the kids from KUT go through the front but not the Project Impact kids.

Further discussion held.

Commissioner Ash stated again that the City owns the building and would like the KUT and Project Impact Directors to get together and work something out so Project Impact can access the gym through the front door Monday – Wednesday 9:00 AM – 3:00PM.

Mayor Johnson suggested that Commissioner Ash get a copy of the grant and read it and in the meantime Ms. Escobar and Ms. Kahn get together and work out this problem.

Further discussion held.

Mayor Johnson stated until further notice, Project Impact children are to access the gym at the allotted time through the front door.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, Asst. City Clerk

