

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, June 3, 2014 at 6:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Brenda Ash, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, City Attorney Pat Floyd, Officer Pam Lewis

Visitors: Caty Greene, Liz Kelsey, Richard Delp, Bobby Miller, Lee Smith, George Watkins, Jim Bachrach, Anita Grove, David Adlerstein, Chris Clark, Joe Taylor, Ralph Richards, Wilbur Bellew, Jeff Bower, Cindy Clark, Charlie Cotton

Regular meeting opened by Mayor Johnson followed by prayer and pledge.

APPROVAL OF APRIL BILL LIST

Motion to approve April bill list made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Elliott, Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

ADVERTISE FOR POLICE OFFICER POSITION

Ms. Webb stated that Steve James is retiring. Ms. Webb stated she needs authorization to place ad for vacant police officer position.

Motion to place ad for police officer position made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 5 to 0.

Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson

Voting Nay: None

BATTERY PARK STORMWATER PROJECT BID AWARD

Charlie Cotton stated Royal American came in as the low bidder for the Battery Park Stormwater Project at \$496,612. Mr. Cotton recommends to accept Royal American bid and issue notice of award tomorrow. Construction should start around June 15th with completion date in September.

Commissioner Ash asked why Royal American's bid was so much lower than the other bids.

Mr. Cotton stated the difference was in the baffle box price.

Ms. Webb stated that Royal American is the contractor that worked on the Reuse Project

Motion to accept Royal American bid for \$496,612 for Stormwater Project and proceed made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

Voting Aye: Bartley, Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

PLANNING & ZONING

1. Erin Rodriquez – Fence Encroachment – 100 Avenue C

Motion to approve and authorize Mayor Johnson to sign variance agreement for 100 Avenue C fence encroachment made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 5 to 0.

Voting Aye: Cook, Elliott, Ash, Bartley, Mayor Johnson

Voting Nay: None

2. Tree Ordinance – Ms. Webb stated the wording in the current Tree Ordinance does not allow for her and Code Enforcement Officer to make decisions on safety and emergency issues. Ms. Webb recommends that the Commission allow her to come up with ideas to make ordinance clearer, and if something is a definite threat, she needs authority to allow herself and Code Enforcement Officer to deal with issue.

Motion to allow Ms. Webb to proceed with proposed changes to allow City Administrator or her designee and Code Enforcement Officer to make decisions on an emergency basis made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 5 to 0.

Voting Aye: Elliott, Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

Commissioner Ash recommends in an emergency situation, the safety issues should be outlined.

3. Motion to confirm April Planning & Zoning minutes made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0.

Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson

Voting Nay: None

CITY ADMINISTRATOR

1. Rick Delp from BDI introduced Lee Smith to the Commission. Mr. Smith is the new field representative for BDI. Mr. Delp gave Wet Weather Holding Pond Project update.

2. Bobby Cato Lift Station – Ms. Webb stated CDBG funds are available to make repairs to Bobby Cato lift station. Ms. Webb stated she needs authorization to allow BDI to pursue funding avenues for lift station and sewer extension.

Motion to authorize BDI to proceed pursuing funding avenues for Bobby Cato lift station repairs and sewer extension made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Bartley, Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

3. Pilot TTMH Studies – Ms. Webb stated Rural Water Association has asked the City to participate in a testing pilot study and the City needs to also proceed with the Calgon Carbon testing recommended by Inovia to see if these will help solve the TTMH problem. DEP has already approved both FRWA studies. DEP wants the City to conduct both studies jointly in case one of the studies fails. The pilot study will probably start next week if approved.

Motion to authorize Ms. Webb to proceed forward with both studies as outlined made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Cook, Elliott, Ash, Bartley, Mayor Johnson

Voting Nay: None

4. Ms. Webb stated she has been approached by Leon Bloodworth regarding the affordable housing project on 17th Street. Mr. Bloodworth wants to apply for the next funding cycle and will extend a new document for property sale.

Motion to authorize Mr. Bloodworth to proceed and apply for next funding cycle for affordable housing project and extend new document to City for property sale made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 1.

Voting Aye: Elliott, Bartley, Cook, Mayor Johnson

Voting Nay: Ash

Commissioner Ash stated she opposes because she has been approached by several people in the neighborhood who are not in favor.

5. School of Art – Ms. Webb stated that another \$25,000 has been approved for School of Art. Ms. Webb stated she needs authorization to put project grant manager out for bid.

Motion to authorize Ms. Webb to proceed with bid process for School of Art project grant manager made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Bartley, Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

6. Speed Bump Removal – Ms. Webb recommends that until professional traffic study is completed to remove all speed bumps throughout the City and install Children at Play signs.

Motion to authorize Ms. Webb to proceed to remove speed bumps and install signs made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 1.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: Bartley

7. Florida Inventors Hall of Fame – Ms. Webb stated she has been notified that the Florida Inventors Hall of Fame wanted the City to nominate Dr. John Gorrie. Ms. Webb stated everything has been submitted and is moving forward.

8. Permits – Ms. Webb stated both water and sewer permit applications have been submitted and approved. Permits are being processed.

9. Motion to approve payment for Attorney Floyd's invoice made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

Voting Aye: Elliott, Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

10. Basketball Courts – Ms. Webb stated there are issues with the basketball court at Sylvester Williams Park. The court may need to be closed until needed repairs are done. Ms. Webb stated the court at 6th Street Park is also in need of repairs.

11. Ralph Richards asked what the status is of replacing the main pilings at Scipio Creek.

Ms. Webb stated an assessment has been done to see what piling need replacing. Ms. Webb stated that will be done with the excess funds at the end of the project.

ATTORNEY FLOYD REPORT

1. Attorney Floyd stated Nextel has terminated their rental lease. Mediacom's lease has also expired. Attorney Floyd recommends updating Mediacom lease using Nextel lease as a pricing guide for new rental rate.

Motion to authorize Attorney Floyd to proceed with updating Mediacom lease made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson

Voting Nay: None

2. Attorney Floyd updated Commission on Cameron claim. Attorney Floyd recommends Andrew Bryne handle this case for the City through the insurance company.

Motion to authorize Andrew Bryne to handle Cameron case for the City through the insurance company made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

Voting Aye: Bartley, Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

3. Attorney Floyd updated Commission on BP and Florida vs. Georgia litigation.

4. Attorney Floyd stated he has written a letter to State regarding the 7th Street gate closure but has received no response.

OTHER VISITORS & COMMENTS

1. Jim Bachrach gave update on Independence Day Celebration.

2. Cathy Greene stated the City has been awarded \$497,000 to move Library to Chapman School Building. Ms. Greene stated currently the building belongs to the County and a physician rents the building. Ms. Greene stated the best thing to do is locate a suitable place for the physician to move to. Ms. Green stated she hopes an agreement can be worked out with the County so the Library can be moved to the Chapman Building.

Ms. Webb stated the funds will become available on July 1.

3. George Watkins submitted Florida Statutes relating to 7th Street road closure. Mr. Watkins stated if public funds were used to maintain the road, then it is a public road.

Mr. Watkins also stated that Pam Burnell with Franklin County Emergency Management wants the Fire Department to put together a hurricane plan.

Ms. Webb stated the City has an emergency response plan. Ms. Burnell can review that plan, and the City can modify the plan if necessary.

4. Anita Grove asked about the status of residents obtaining reuse water.

Rick Delp stated the main infrastructure is looped through the City, but funding is needed to expand service to residential areas.

Ms. Webb stated at some point the City will need to address a tap in fee for the Reuse System.

5. Jeff Bower stated he appreciates the fact the Commission gave Ms. Webb and Code Enforcement Officer authority to address safety issues regarding Tree Ordinance.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk