

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, August 5, 2008 at 6:00 PM in the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Val Webb, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, Building Inspector Gene Osburn, Chief of Police Bobby Varnes, City Attorney Pat Floyd

Visitors: Sally Williamson, Joe Taylor, Liz Kelsey, Beverly Hewitt, Lee Norris, Anita Grove, Jim Waddell, Caroline Kienzle, David Adlerstein, Oakland Rhodes, John Horlbeck, Charley Kienzle, Marjorie Soloman, Roy Soloman

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

OPEN PROPOSALS FOR ENGINEER STATEMENT OF QUALIFICATIONS

Ms. Webb stated because proposals were not sealed proposals, proposals have already been opened, and a list has been prepared of the firms submitting proposals.

Mayor Johnson read list of firms as follows:

Metric Engineering, Inc.
Inovia Consulting Group
Bailey, Bishop & Lane, Inc.
Hatch Mott MacDonald
Dyer, Riddle, Mills and Precourt, Inc.
PBS&J
GPI
Environmental Consulting and Technology, Inc.
Fabre Engineering and Surveying
Preble Rish, Inc.

Ms. Webb stated proposals need to be accepted, and she will prepare a ranking sheet.

Motion to accept proposals for engineer statement of qualifications made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb stated after Commission ranks firms, then they can make selection from top ranked firms or proceed with interviews.

TRAFFIC SAFETY TEAM REPORT

No report given.

CHAMBER OF COMMERCE REPORT

Anita Grove submitted monthly report.

Ms. Grove requests to close the street in front of Chamber to Avenue on October 31st from Noon till 9:00 PM for the Oyster Roast.

Ms. Webb stated she has received a complaint from Artemis. The store owner feels closing the street affects her business.

Mayor Johnson stated to put Artemis on September agenda so concerns can be voiced.

Ms. Grove asked about the status on plantings at Lafayette Park.

Ms. Webb stated she has contacted the landscaper and contractors to repair the gazebo. The ribbon cutting for Lafayette Park pier will be August 28th around 3:00 or 4:00 in the afternoon.

Ms. Grove stated there is a group wanting to do a community garden at the old City trailer park site on Avenue F.

Joe Taylor stated the community garden is a product of Franklin Promise food pantry. Mr. Taylor stated this is a way to get fresh vegetables for the food pantry. The community garden would be open for all citizens that want a plot. Mr. Taylor stated he will have Clarice Powell come and address the Board with more information.

POLICE DEPARTMENT REPORT

Chief Varnes stated that radar has been run on 16th Street and no stop sign is needed.

Mayor Johnson stated he has received citizen complaints about activity at 6th Street Park.

Ms. Webb stated she will get signs posted regarding park rules and regulations.

Commissioner Webb stated the 6th Street tennis court lights are staying on real late.

Chief Varnes stated he will have officer on duty go by and make sure lights are turned off.

CITY ADMINISTRATOR’S REPORT

Ms. Webb submitted monthly report.

Ms. Webb stated she had a meeting with the Scipio Creek Advisory Board regarding rental rates for grandfathered boat slips. Ms. Webb stated she feels it is important to get their input on the matter, and she will have another meeting with the advisory board tomorrow.

Ms. Webb stated that USDA is going to help the City compile the information needed for the consumptive permit. Ms. Webb stated the treatment plants (water & sewer) have been in compliance for the whole month of July.

Ms. Webb informed the Commission that she and Chief Varnes will be starting random drug testing for employees in the near future.

Ms. Webb stated that Grady Leavins has asked about leasing property from the City where he parks his trucks. Property is located right across from Hendels Field.

Mayor Johnson stated he does not want to lease any property the City may need in the future. Mayor Johnson stated he does not want to lock the City into a long term lease.

Ms. Webb stated he seems to be working now the way it is. Ms. Webb stated it may satisfy him if we just give him the assurance that he can still use City property to park his trucks like he has done for years.

Attorney Floyd stated he could lease the property on a month to month basis.

Commissioner Cook stated he does not want to do anything different.

Commissioner Webb stated that Mr. Leavins should come before the Board and submit his plans for use of the property.

Motion to allow Grady Leavins to continue to use City property across from Hendels Field to park trucks and City give Mr. Leavins 30 day advance notice if property is going to be needed for any event made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

BUILDING DEPARTMENT REPORT

Motion to confirm Board of Adjustment and Planning & Zoning minutes made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

GRANTS MANAGER REPORT

Ms. Giametta stated City reapplied for Elder Care grant at Holy Family and \$86,000 was awarded for Phase 4 for Battery Park.

Mayor Johnson asked when the City would know about the award for Elder Care.

Ms. Giametta stated it won't be until October.

REPORT ON PROJECT ACTIVITY

Ms. Webb submitted BDI project status report.

Ms. Webb stated that Marine Contracting is moving into Veteran's Park this week, and a big portion of the park will be blocked off.

Ms. Webb stated that H. G. Harders is asking for an extension until the end of September to complete Battery Park pier.

Motion to authorize extension to H. G. Harders until end of September to complete Battery Park pier made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb stated the Holy Family grant application looked really good, and hopes the City can get funding this time.

Ms. Webb stated that Mr. Osburn has been reviewing the Nuisance Ordinance, and will be coming before the Board with some recommended changes.

Attorney Floyd stated that if Marine Contracting is going to be using Veteran's Park, they need to have it barricaded off really well.

Ms. Webb stated the contractor will block off the needed area, and also the Chief of Police will make sure the area is properly barricaded.

Joe Taylor asked how long the park will be barricaded off because of fall events.

Ms. Webb stated the City will work with the fall events to make everything work.

ATTORNEY'S REPORT

- * Lease agreement with Division of Park Services has been finalized.
- * Updated Commission on Corps of Engineers litigation.
- * The USDA grant for the police/fire station has been submitted except for the contract between the engineer and architect.
- * Supervisor of Election Request – Attorney Floyd stated the Supervisor of Elections is requesting the City extend the run off time period from two weeks to four weeks because two weeks is not enough time to get ballots prepared. Attorney Floyd stated another alternative is to completely eliminate run off election.

Ms. Webb stated the City currently operates under the State Election Laws. Ms. Webb stated she can contact area cities and see what their election policies are. Ms. Webb stated she recommends to extend the run off time period from two weeks to four weeks.

Attorney Floyd stated whatever is decided, a charter change is required. Attorney Floyd stated he will research the charter change process.

- * Hunting on City Property – Attorney Floyd stated the FWC is having difficulty fining people for hunting on City property that was purchased with FCT funds. If City allows hunting, the management plan will have to be changed because hunting is not considered a passive recreation.

Ms. Webb stated fishing is allowed.

Chief Varnes stated people are hunting on City property the extra two weeks that is allowed if it is on private property. The FWC is stating that hunters are using City property to hunt the two extra weeks to avoid a ticket.

Attorney Floyd stated he will research matter some more.

Mayor Johnson stated the City doesn't need to be doing anything that would encourage law breakers.

- * FCT – Attorney Floyd stated that Ellen Cunningham needed to address some policies.

Ms. Webb stated FCT policies can't be addressed until EAR process is completed.

Motion to approve payment for Attorney Floyd's invoice made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

OTHER VISITORS & COMMENTS

None

MAYOR & COMMISSIONER'S COMMENTS

* Commissioner Elliott stated the Three Serviceman Statue would not be possible without Jimmy Mosconis and he would like to honor him by naming 4th Street to Water Street Jimmy Mosconis Avenue and naming July 12th as Jimmy Mosconis Day.

Ms. Webb stated a plaque has already been ordered and a proclamation can be done. Ms. Webb stated she and Commissioner Elliott will create special signage for street sign.

Mayor Johnson stated it is up to the Chamber of Commerce and the City to let people know where the statue is located.

Beverly Hewitt stated better signage needs to be done to direct people to the statue.

Commissioner Cook stated the State is fixing signs to direct people to the statue.

Mayor Johnson stated the City is working a list to formally thank people who worked on the project.

* Mayor Johnson recommends to delay revisions on water front zoning until economic development plan is finalized and send instruction to Planning & Zoning to hold off on any revisions.

Motion to delay revisions on water front zoning until economic development plan is finalized and for Planning & Zoning to hold off on any revisions made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 3 to 1.

Voting Aye: Elliott, Webb, Mayor Johnson

Voting Nay: Cook

Ms. Webb stated there are inconsistencies in the development for waterfront in the comp plan that need to be addressed.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk