

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, FEBRUARY 2, 2021, 6:00 PM, AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Kevin Begos
Commissioner Anita Grove
Commissioner Adrian Elliott
Commissioner Despina George
Commissioner Brenda Ash

Travis Wade, City Manager
Deborah Guillotte, City Clerk
Leo Bebeau, Finance Director
Kristy Branch-Banks, Attorney

CALL TO ORDER

Mayor Begos called the meeting to order and Commissioner Ash gave the invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Elliott made a motion to approve the Agenda. Commissioner Grove seconded and the motion carried 5-0. Discussion held by Commissioner George about the use of a speaker card statement that was on the Agenda. Mayor Begos stated we do not use speaker cards.

MAYOR AND COMMISSIONERS REPORTS AND COMMUNICATIONS

CDBG-DR update – Mayor Begos stated that Gouras will be here Thursday, February 4, 2021, 2 – 5 pm, at the Holy Family Senior Center, for the public to ask about the CDBG-DR application process.

Water system update – Mayor Begos gave an update of the current consent order with DEP and the tthm’s issue; identifying and correcting raw water; flushing of hydrants; and a different type carbon filter system.

Discussion held on the following: Visioning Session meeting, the Conduct issues by the Commission and the Roberts Rules of Conduct; audio minutes updated online; Scipio Creek Committee members and Scipio Creek meetings; and the dilapidated fish station at Scipio Creek was torn down and the possibility of replacing with a storage building.

CITY MANAGER COMMUNICATIONS

Special Meeting – Shade Meeting for Grieg Lawsuit – February 9, 2021, at 5:00 pm at the Community Center - Mr. Wade read the Notice of the Special Shade Meeting – Mr. Wade requested that the meeting time be moved to a different time, preferably 4:00 pm. The meeting time was changed to Thursday, February 9, 2021, at 4:00 pm, at the Community Center.

Planning & Zoning – Alternate Member – Mr. Wade stated that the alternate member has not attended any meetings since appointed to the board on March 3, 2021. Mr. Wade stated this alternate member has not resigned or moved, he just hasn’t attended meetings, and he is requesting direction on how to proceed.

Citizen Memorials – Parks and Recreation Committee – Ms. Mount-Simmons gave an update of the September 2018 meeting, where the Parks and Recreation had brought before them the Citizen Memorialization Guidelines for naming streets and monuments in honor of deceased citizens. Ms. Mount-Simmons stated that there was never clarification or action taken by the Commission on whether these guidelines were approved.

ATTORNEY KRISTY BRANCH BANKS COMMUNICATION

Resignation – Attorney Banks thanked the Commission for their individual communication on her resignation last week. Attorney Banks stated she will continue to work with the City, until we have retained a new attorney and requested that the Commission accept her resignation.

Commissioner Ash made a motion to accept Attorney Banks resignation. Commissioner Elliott seconded and the motion carried 5-0. Discussion by all Commissioners thanking Attorney Banks for all her work with the City. Discussion on the conduct of the Commission.

Draft Ordinance – Encroachment – Attorney Banks reviewed the proposed Ordinance to establish permissible encroachments into City right-of-way, which includes heavy vegetation and pervious parking. Commissioner Ash stated that we need to make sure this Ordinance conforms to the Land Development Code.

Attorney Banks requested a joint workshop with Planning & Zoning and the City Commission on fences. Mr. Wade will get with Mr. Ingle and set up the meeting for March 2, 2021 at 5:00 pm.

Finance Director, Leo Bebeau - Communications

Mr. Bebeau does not have a financial report, but requests that the Commission get with him if they have any questions. Mr. Bebeau gave a FEMA Grants update. Mayor Begos stated the City has pending financial investments, between 15 and 20 million dollars, over the next five years.

PRESENTATIONS

Sandra Brooke – Apalachicola Bay Systems Initiative update – Ms. Sandra Brooke gave a brief review of how ABSI is seeking to gain insight into the root causes of decline of the Bay’s ecosystem and the deterioration of oyster reefs. ABSI will then development a management and restoration plan for the oyster reefs and the health of the Bay. The full plan can be seen at: https://marinelab.fsu.edu/media/3323/69-fsucm1_triumph_absi.dpf.

Elinor Mount-Simmons – Adopt-A-Park – Ms. Mount-Simmons presented the proposed Adopt-a-Park Program, per the request of the Commission. Discussion held on supervision of the volunteers and if this is

required by our insurance company, staff will clarify. Commissioners requested a waiver be reviewed by our Attorney; the City should get verification from the insurance company, as to whether volunteers are covered; first come, first serve basis, by date, of adopting a park; and garbage bags, other items being furnished by the City. Ms. Mount-Simmons suggests if anyone wants to add something – please email her and she will revise.

PUBLIC COMMENT

Public comments included: Fire Station demolition/parking lot drawing (D. Brewer); fence violation; code enforcement issues and process of those violations (past and current); HCA minutes; Black History festival cancelled due to pandemic; Living Black Legends Panel for the month of February will be on display at the HCA building.

UNFINISHED BUSINESS

A. 10TH STREET PROPERTY SALE

Mayor Begos stated he received a copy of the signed agreement between Robert Davis and the City that was not in the City’s revolving loan file, and the agreement clearly stated that the City must sell the property. Discussion held on getting an appraisal, listing the property for sale, and how the monies collected after the sale would be distributed. To be discussed at the next meeting.

UNFINISHED BUSINESS

B. OLD LIBRARY POTENTIAL LEASE

The Philaco Club has been trying to lease the old library building for a while, and the City is now trying to come up with a rental amount and terms from Philaco. Mayor Begos had a list of other city properties and their rental fees to review. Discussion on renovations and whether the City has FEMA or insurance money. Mr. Bebeau stated we have insurance monies around \$19,000 that can be spent on any project. Commissioner Elliott made a motion to table this issue pending correspondence from the Philaco Club about the repairs, and then enter into a lease once determined. Commissioner Ash seconded and the motion carried 5-0. Discussion held.

NEW BUSINESS

A. CITY ENGINEERING SERVICES

Mr. Bebeau suggests we look at qualifying engineering firms to do work for the City, since we are in the process of obtaining future various grants. The City would continue using Dewberry Engineering, but would not be limited to that firm. I would request that the City issue an RFP that meets CDBG-DR guidelines for other qualified engineering firms. Discussion.

Commissioner Grove made a motion to issue an RFP that meets CDBG-DR guidelines for other qualified engineering firms. Commissioner George seconded and the motion carried 5-0.

NEW BUSINESS
B. CITY ATTORNEY SELECTION PROCESS

Attorney Banks has resigned and the City must choose a new attorney. The City is currently using as contractors - Evan Rosenthal of Nabors, Giblin and Dan Hartman, whom Attorney Banks and City staff have had good experience. Mr. Dan Hartman, in person, and Mr. Evan Rosenthal, via phone, introduced themselves and gave a brief background of their job history. Discussion held.

Commissioner George made a motion to issue an RFQ for legal services to appoint the next city attorney. Commissioner Grove seconded and the motion carried 3-2. Mayor Begos and Commissioner Ash opposed.

CONSENT AGENDA

- A. **Meeting Minutes Adoption:** January 5, 2021 Regular Meeting; January 19, 2021 Special Meeting (4pm); January 19, 2021 Special Meeting (5pm) Special Meeting Minutes
- B. **Planning & Zoning Minutes** – January 11, 2021

Commissioner Elliott made a motion to approve the Consent Agenda. Commissioner George seconded and the motion carried 5-0.

DEPARTMENT REPORTS

ADJOURNMENT

Commissioner George stated that the Addendum to the Agenda of the Surplus Property List (adding the trolley and approving the list) was not discussed. Discussion.

Commissioner Elliott made a motion to table this item until the next meeting. Mayor Begos seconded and the motion carried 5-0.

With no further business Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 5-0.