

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, April 6, 2010 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, Building Inspector Gene Osburn, Chief of Police Bobby Varnes, Street Superintendent Marvin Croom, Public Works Foreman Wilbur Bellew, Water & Sewer Foreman William Cox

Visitors: George Coon, Liz Kelsey, Steve Bonifay, Anita Grove, Clarice Powell, Arta Quattlebaum, Cody McCrag, Dixie Partington, Jerry Hall, Sally Williamson, Geoffrey Hewell, Beverly Hewitt, Jim Waddell, Joe Taylor, Caty Greene, Judi Stokowski, Margie Solomon, Susan Clementson, David Adlerstein, Faye Johnson, Tasia Jones, Tracy Ross, Jay Abbott, John Hankin, Tydron Wynn, Barry Hand, Adreenah Wynn, Zackary Jones, D'Andre Robinson, George Watkins, Michael Shuler.

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

#### **RECOGNITION OF VISITORS**

\* Dixie Partington – Ms. Partington expressed concern over events held in Cotton Warehouse. Ms. Partington feels that the City is competing against downtown businesses because of certain events that are held in the Cotton Warehouse.

#### **APPROVAL OF MINUTES**

Mayor Johnson stated there is one correction that needs to be made. In the minutes it is stated that fire hydrants will not be tested. Mayor Johnson stated that fire hydrants will be tested on a regular basis.

Motion to approve March minutes with above correction made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

#### **APPROVAL OF BILL LIST**

Motion to approve February bill list made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

**REVOLVING LOAN COMMITTEE RECOMMENDATION – ANNA MARIA CANNATELLA**

Ms. Webb stated that Anna Maria Cannatella is requesting an additional \$10,000. Because the mortgage has been recorded at \$50,000, the mortgage will have to be changed corrected.

Jerry Hall asked what type of business Ms. Cannatella was opening.

Ms. Webb stated she thought it was an art gallery.

Motion to approve Anna Maria Cannatella request for additional \$10,000 made by Commissioner Ash.

Commissioner Ash asked if the total amount of the loan is \$60,000.

Ms. Webb the total amount outstanding is now \$60,000. It is a 10 year loan at 4% interest.

Motion seconded by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

**CHAMBER OF COMMERCE REPORT**

Anita Grove submitted written report. Ms. Grove pointed out that the Gulf Coast Workforce Board will be holding a workshop on Thursday at the Courthouse from 10-12 noon.

Mayor Johnson asked Ms. Webb is someone from the City would be attending the workshop.

Ms. Webb stated that Cindi Giametta will be attending.

Mayor Johnson stated that maybe the City could get someone to help out in the Library or help with keeping the gym open at night and weekends.

**TRAFFIC SAFETY TEAM REPORT**

Bob Dieter not present.

**LIBRARY REPORT**

Caty Greene submitted written report.

**PLANNING & ZONING REPORT**

Sally Williamson submitted verbal report.

**POLICE DEPARTMENT REPORT**

Chief Varnes submitted verbal report.

John Hankin asked Chief Varnes how long it takes to have an abandoned car removed.

Chief Varnes stated about 10 days.

Mr. Hankin stated there is a car he knows of that has been there a good month.

Chief Varnes stated he will take care of it.

**CITY ADMINISTRATOR REPORT**

\* Ms. Webb submitted department written reports.

\* Ms. Webb stated that Richard Davis has stepped down from CRA and recommends Marisa Getter to fill the vacancy.

Motion to appoint Marisa Getter to CRA Board made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

\* Ms. Webb stated the History, Culture, and Arts Group wants to add Patty Chastin, Faye Johnson, Caty Greene, and Mike Kenney to the board.

Motion to appoint Patty Chastin, Faye Johnson, Caty Greene, and Mike Kenney to History, Culture, and Arts Board made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 5 to 0.

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

Voting Nay: None

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\* Ms. Webb stated that John Gore has stepped down from CRA and recommends Roderick Robinson to fill the vacancy.

Motion to appoint Roderick Robinson to CRA Board made by Commissioner Cook, second by Commissioner Bartley.

Attorney Floyd stated that Commissioner Ash will recue herself.

Motion carried 4 to 0.

Voting Aye: Bartley, Elliott, Cook, Mayor Johnson

Voting Nay: None

\* Ms. Webb stated that Harry Arnold is taking the initiative to getting the fake fire hydrants removed from the downtown area.

\* Ms. Webb stated that rental fees have been officially set for all City rental properties except for the high school. Ms. Webb stated she has spoken with Barbara Sanders, and all signed documents should be hand by Friday.

Attorney Floyd stated he wants to see a copy of the deed.

Jerry Hall stated he would like to rent the Cotton Warehouse for \$2,500/month for a long term lease.

Judy Stokowski asked if the Cotton Warehouse met ADA requirements.

Anita Grove asked if the City could charge for the use of Lafayette Park and reinvest that money back into the park. Ms. Grove also stated that she receives a lot of requests to hold weddings in the Cotton Warehouse.

\* Ms. Webb stated she received letter from the County and the County has agreed to the proposed land swap for the hospital.

Michael Shuler stated the County will hold the public hearing, and a City representative will need to attend the meeting on the City's behalf.

Motion to approve land swap with County for hospital development made by Commissioner Bartley, second by Commissioner Elliott.

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Motion carried 5 to 0.

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

Voting Nay: None

\* Ms. Webb stated the Senior Services Program is moving forward. Ms. Webb introduced Tracy Ross to the Board.

Mayor Johnson asked if the work force program can fill some vacant slots for the Senior Services program.

Ms. Webb stated the Tiger's Program is also interested in working.

Mayor Johnson recognized the Tiger's Program participants who are in attendance at the meeting.

Ms. Webb stated adjustments are still be made to the program so that the maximum amount of funding can be received.

\* Ms. Webb stated that Faye Johnson with Project Impact has a report.

Faye Johnson submitted written report to the Board. Ms. Johnson stated she needs 2 grant amendments signed. One amendment is to add non-school day activities to the budget, and the second amendment is to change the qualifications for site coordinator from a 4 year degree to a 2 year degree.

Mayor Johnson asked in the event the City can't get a work force person, can project impact keep the gym open.

Ms. Johnson stated project impact could, but would require another amendment. Ms. Johnson stated those participants using the gym would also have to be actively involved in the program.

Mayor Johnson asked if recreation funds could be used.

Ms. Webb stated she would have to check with Ms. Mathes to see if funds are available.

Ms. Webb stated that applicants have been interviewed for the site coordinator/paraprofessional positions available and recommends Barbara Lockley and Danielle Layne as co-site coordinator/paraprofessionals.

Motion to approve amendment to add non-school day activities to budget, approve amendment to change qualifications for site coordinator from 4 year degree to a 2 year degree, and hire Barbara

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Lockley and Danielle Layne as co-site coordinators/paraprofessionals made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

\* Ms. Webb stated that currently project impact, Senior Services, and Panhandle Players are the only ones utilizing the high school. Franklin's Promise Coalition has a proposal to present to the Commission.

Clarice Powell outlined the Community Service Center of Franklin County program. Ms. Powell stated the high school location would provide a central location for various organizations that share the same collective client base.

Ms. Webb stated that they would like to lease the front area, resource area, and the A wing. Ms. Webb stated no one is looking to make a profit, just cover the expenses.

Joe Taylor stated in order to make the Community Service Center work, at least 20 partners would need to make a 1 year lease commitment.

Mayor Johnson asked if this would be a partnership between the City and Franklin Promise.

Ms. Webb stated the City would lease the space to Franklin Promise, and Franklin Promise would in turn lease out space to the various agencies. Franklin Promise would be responsible for any painting or anything like that would need to be done. The recreational component of the high school would have its own entrance.

Ms. Powell stated computers will be available for a computer lab to be used for the literacy program.

Ms. Stokowski asked if the high school met ADA requirements.

Ms. Webb stated yes.

Mr. Taylor stated all the tenants will share expenses. Franklin Promise is not going to charge rent to the partners.

Discussion held.

Ms. Webb stated that Senior Services will relocate to Holy Family once that project is complete.

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Ms. Stokowski stated that City government is not in direct competition with the local businesses. Businesses have to pay rent, and giving free office space will cut some businesses income. Ms. Stokowski stated she feels the property will have to be rezoned for commercial use.

Ms. Webb stated the proposal presented covers the initial intent for the high school use and recommends moving forward.

Attorney Floyd asked if there was an agreement prepared.

Mr. Taylor stated no agreement has been prepared at this time.

Ms. Webb stated agreement has not been finalized with Franklin Promise Coalition.

Attorney Floyd stated the City needs to make sure the agreement includes wording regarding sub-tenants and that all partners comply with insurance requirements.

Ms. Webb stated she will forward agreement to Attorney Floyd once it is complete.

Attorney Floyd stated the Commission can approve the concept at this time.

Mayor Johnson stepped out of meeting at this time. Mayor Pro-Tem Elliott conducted meeting.

Motion to approve concept with Franklin's Promise Coalition contingent upon Attorney Floyd approving agreement made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 3 to 1.

Voting Aye: Cook, Bartley, Mayor Pro-Tem Elliott

Voting Nay: Ash

Commissioner Ash stated she voted nay due to additional questions she needs answered.

\* Ms. Webb updated Commission on BDI projects.

Mayor Johnson returned to meeting.

\* Motion to approve Attorney Floyd invoice and authorize payment made by Commissioner Cook, second by Commissioner Bartley.

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Motion carried 5 to 0.

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

Voting Nay: None

**FIRE DEPARTMENT REPORT**

George Watkins submitted verbal report.

Anita Grove stated she would like to see more money budgeted towards the fire department.

Commissioner Cook stated the fire department needs a bigger pumper tanker truck.

**WATER & SEWER DEPARTMENT REPORT**

William Cox stated there were no compliance issues for water or waste water for March and that every fire hydrant is fully operational at this time.

James Waddell updated Commission on hydrant pressure testing project. Mr. Waddell stated the data collection phase of the project is complete. Mr. Waddell stated there is adequate pressure at the fire hydrants.

Mayor Johnson stated the City has pressure at the fire hydrants, and a bigger fire hose.

Jay Abbott stated a hydrant should run for 2 hours in order to get the right flow count.

Mayor Johnson stated the City is trusting Mr. Waddell to do a good job in testing the hydrants.

**STREET DEPARTMENT REPORT**

Marvin Croom submitted verbal report.

Commissioner Bartley asked about the status of the 11<sup>th</sup> Street ditch.

Mr. Croom stated the Street Department is working on this project.

Ms. Webb stated that the Street Department has been working very hard on addressing and correcting the storm water issues.

Beverly Hewitt asked about the Prado and Sunset Circle area.



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Ms. Webb stated that area is being looked at as an outfall area.

**PUBLIC WORKS DEPARTMENT**

Mayor Johnson presented Tracy Stanley with Public Works Employee of the Month Award.

Mr. Stanley not present.

Wilbur Bellew gave verbal report.

**BUILDING DEPARTMENT REPORT**

Gene Osburn stated February Planning & Zoning minutes need to be approved.

Board confirmed minutes.

Discussion held concerning drainage problem at 124 5<sup>th</sup> Street (Glen Kazmerack).

Jim Waddell stated that the house being constructed at Block 19, Lot 1 was filled in only enough to build the house. The entire block is very low and needs to be restructured for drainage. Elevation grades of the lots need to be heightened.

Mayor Johnson stated Mr. Kazmerack's mother calls him daily on this problem, and the City is going to come up with a game plan to correct this problem.

Drainage issues discussed.

Attorney Floyd stated the City needs to be careful and not create any legal issues

John Hankin stated that new construction cannot impact the neighbors.

**GRANTS MANAGER**

Cindi Giametta not present.

**CITY CLERK REPORT**

Lee Mathes presented the golf cart decals.

Mayor Johnson stated the golf cart application fees needs to be simplified.

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Attorney Floyd reviewed the current golf cart application. Attorney Floyd stated the application can be simplified.

Commissioner Bartley stated that according to Florida Statutes, a person doesn't have to have a driver's license to operate a golf cart.

Chief Varnes stated he needs direction on what the Commission wants him to do about the driver's license issue.

David Adlerstein asked if an officer would have probable cause to stop a golf cart.

Chief Varnes stated that golf carts can be stopped if there is probable cause.

Ms. Webb stated that maybe waivers could be issued to those who don't have a driver's license.

Mayor Johnson instructed Chief Varnes to enforce the ordinance until the driver's license issue can be further addressed.

**ATTORNEY FLOYD REPORT**

Attorney Floyd updated Commission on Franklin County School Board lease agreement; Planning & Zoning architect agreements, and ACOE litigation.

**OTHER VISITORS & COMMENTS**

Jay Abbott stated removing the fake fire hydrants should be directed to the Humane Society. Mr. Abbott stated that if Apalachicola is going to do fire works for July 4<sup>th</sup>, the City is required to have a fire technician on site.

There being no further business, meeting adjourned.

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk

