

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, August 2, 2016 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 Lee Mathes, City Clerk Deborah Guillotte, Chief of Police Bobby Varnes, Attorney Pat Floyd

Visitors: Dave Plavcan, Anita Grove, Diane Brewer, Richard Delp, Darius Johnson, Chris Clark, Cindy Clark, Mel Livingston, Deborah Belcher, Mindy Parker, Willoughby Marshall, Marie Marshall, Beth Wright, David Adlerstein, William Collins, Cindy Summerhill, Joe Taylor, Debbie Roumelis, John Lee, David Meyer

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

RECOGNITION OF VISITORS

a) **Franklin's Promise Coalition – Presentation from Conservation Corps** – Joe Taylor outlined Conservation Corps program including projects that were completed on behalf of the City. Mr. Taylor thanked the City for all of the support given to the Conservation Corps.

Will Collins, Conservation Corps participant, stated he will be moving to Tallahassee to attend college and wanted to personally thank Mayor Johnson, Mr. Joe Taylor and the Corps Program for allowing him this opportunity.

b) **Encroachment Agreement Request – 280 Water Street – Chris & Cindy Clark** – Chris Clark distributed information outlining encroachment requests. Ms. Clark stated they are requesting encroachment agreements to replace an awning that was originally on the building with something more compatible with what already exists on the west end of the block; and construct a 8' 6" wide elevated deck over the Avenue G public sidewalk at 280 Water Street. Ms. Clark stated this is all contingent upon P&Z's approval at next week's meeting. Ms. Clark stated they are also requesting to remove approximately 120 square feet of concrete on the Avenue G sidewalk to provide a percolation area for storm water runoff from the roof. The percolation strip will match adjacent area on the west end of block and will provide storm water percolation via directed gutter through soil and the size is 40 feet by 3 feet wide equaling a total of 120 square feet.

Commissioner Ash inquired if the second request would have to go before P&Z.

Cindy Clark stated the sidewalk is a direct City issue, but the awning and deck would have to go before Planning and Zoning.

Commissioner Ash asked if Commission could vote on an encroachment before it goes to P&Z.

Attorney Floyd stated yes contingent upon P&Z decision as in the past. Attorney Floyd inquired about sidewalk.

Ms. Clark stated the design is a little different, the one on the west end of the block goes directly to the curb. We are proposing to not go entirely to the curb and leave a 2' passage pedestrian walkway.

Motion to approve encroachment contingent upon P&Z approval of construction and materials made by Commissioner Cook, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

APPROVAL OF JULY MINUTES

Commissioner Ash stated in July 5th minutes on pages 2, 3 and 4, under the motion carried that voting aye is stated twice instead of voting nay and this needs to be corrected.

Motion to approve July 5th minutes with above corrections made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

Motion to approve July 20th special meeting minutes made by Commissioner Ash, second by Commissioner Elliott

Motion carried: 5 to 0

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

Voting Nay: None

APPROVAL OF JUNE BILL LIST

Motion to approve June 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

CONTRACT AWARD – CDBG Sewer Extension Project - Debbie Roumelis requests approval of engineer's recommendation for the CDBG Septic Tank Abatement, Bobby Cato Lift Station Upgrade and Water System Improvement be awarded to North Florida Construction.

Commissioner Bartley inquired if you live in the area the sewer is going into, it is a state statutory law to hook if available.

Ms. Roumelis stated it is law that you hook to it.

Attorney Floyd inquired if they miss this opportunity will it cost more to hook up later.

Ms. Roumelis stated they would have to pay for the septic tank abandonment, plumbing cost from where the line leaves the house going to the septic tank to the street and the City will not waive the \$1,850.00 sewer tap fee. There are a few that are not eligible for this, but have been told this.

Motion to award CDBG Sewer Extension Project Contract Award to North Florida Construction made by Commissioner Cook, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

a) Adoption Decision – Resolution 2016-11 – EEO Policy – Ms. Roumelis stated this Resolution is in reference to Employment actions and genetic information.

Attorney Floyd read Resolution 2016-11 by title as follows:

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA, STATING POLICY OF EQUAL EMPLOYMENT OPPORTUNITY, ADOPTING AN EQUAL OPPORTUNITY EMPLOYMENT POLICY AND PROCEDURES, SUPERSEDING PREVIOUS OR CONFLICTING POLICIES, AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

Motion to adopt Resolution No. 2016-11 made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Nay: None

b) Adoption Decision – Policy No. 2016-02 - Procurement Policy – Ms. Roumelis stated she included everything to do with disabilities including ADA/Section 504 and Title IV Accessibility and Nondiscrimination Policy and Plan.

Motion to adopt Procurement Policy No. 2016-02 made by Commissioner Ash, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

c) Adoption Decision – Policy No. 2016-03 – ADA/Section 504/Title VI Accessibility/Nondiscrimination Policy

Motion to adopt Policy No. 2016-03 ADA/Section 504/Title VI Accessibility and Nondiscrimination Policy and Plan made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

d) Adoption Decision – Policy No. 2016-04 - ADA/Section 504/Title VI Self Evaluation/Accessibility Transition Plan

Motion to adopt Policy No. 2016-04 – ADA/Section 504/ Title VI Self-Evaluation and Accessibility Transition Plan made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

PLANNING AND ZONING

Motion to confirm June Planning and Zoning minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

CITY ADMINISTRATOR

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

Motion carried: 5 to 0

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

Voting Nay: None

CITY ATTORNEY

a) Attorney Floyd gave update on Denton Cove case.

Attorney Floyd requests an Executive Client Session Meeting for Thursday, August 4, 2016, at 6:00 pm, to discuss litigation on the Denton Cove case.

Motion to approve request for Executive Client Session for Denton Cove on Thursday, August 4, 2016, at 6:00 pm made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

b) Attorney Floyd gave update on BTW Consultant, Inc. agreement stating confirmation has not yet been received from Division of Retirement.

c) Attorney Floyd thanked everyone for their prayers after his mother's passing.

OTHER VISITORS & COMMENTS

a) Beth Wright on behalf of the Franklin County Democratic Executive Committee announced a fish fry and meet and greet republican/democratic candidate event that will be held on Saturday, August 27, 2016 at 6:00 pm at Riverfront Park.

b) Joe Taylor wanted to acknowledge Conservation Corps participants Holden Foley and Carl Giametta.

c) John Lee wanted to thank the Chief and police department for their help with the downtown area issues. Mr. Lee stated the City has some ordinances that are in conflict with this issue and

he suggests Commission appointing a committee to review the ordinances and make recommendations back to the Commission. Mr. Lee stated he would be willing to be on the committee.

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Mayor Johnson stated Commission needs to look at revising ordinance on drinking on public sidewalks, hours of operation, etc. Mayor Johnson stated he would like the board members make a list of someone they would like on this committee and bring to September meeting.

Commissioner Ash stated the Chief of Police or officer should be on this committee.

MAYOR & COMMISSIONER'S COMMENTS

a) Commissioner Bartley stated he was contacted about turning the lights on at the Bill Martina field at the old high school for kids to play soccer.

Ms. Mathes will check into this to see what can be done.

b) Commissioner Ash inquired about Sylvester Williams Park.

Ms. Mathes stated the concrete was taken up at basketball court due to sink holes, cleaned up the playground and installed new sand, grass mowed and weeds cut off fence. The fence is still around area where basketball court because of the sink holes that were there, but the rest of the park is safe.

Commissioner Ash asked what the resolution is for the sink holes.

Mayor Johnson stated to make it stable, the whole garbage area will have to be dug up and new fill put in the hole; otherwise it will continue to have sink holes. Mayor Johnson stated he has had the family come to him about other ideas at the park and they will be getting a plan together and presenting to Commission.

c) Mayor Johnson stated he would like to know the status of residents hooking into the reuse system.

Ms. Mathes stated to her knowledge there is no piping ran for this in the residential areas.

Richard Delp stated there is a main that runs on 14th and comes down Avenue B, 6th Street, Avenue M, it runs in a square to hit all public parks in the city. Anyone that lives right where existing line is run can pay a tap fee and put in a backflow system.

Mayor Johnson asked Ms. Mathes to advertise and spread the word to see who might be interested in using the re-use water system.

d) Mayor Johnson stated he had a resident contact him about a culvert she needed installed and that Greg had told her he could not install at the time because we had no fill dirt. Mayor Johnson asked if we have any land that could be used for fill dirt.

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Ms. Mathes stated she had talked with Ms. Webb and there might be some land out by the sewer plant we could use for fill dirt.

e) Mayor Johnson announced he was invited to Washington DC to meet the Secretary of US Department of Agriculture and asked Ms. Mathes to make sure funds were included in the upcoming budget for this trip.

f) Mayor Johnson stated Cindy Summerhill, Grants Manager, came to work with the City as a clerk and acquired the grant manager position without being compensated. One of the grants she works with is the 21st Century Project Impact grants that has \$6,400 in it for admin money and recommends Ms. Summerhill receive half of admin funds.

Motion to approve Cindy Summerhill receive pay raise of \$3,200 made by Commissioner Bartley, second by Commissioner, Cook.

There being no further business meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk