

Public hearings and a Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, April 8, 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, Deputy Clerk Deborah Guillotte, City Attorney Pat Floyd, Officer Pam Lewis

Visitors: Liz Kelsey, Mike Stanley, Anita Grove, Sally Williamson, Jim and Ann Harris, Greg Harris, Johnny Harris, Jimmy and Connie Harris, William Key, Jim Bachrach, David Adlerstein, Brenda Cummings, Ann Seaton, Clarice Powell, Jerry Weber, Harrison and Bonnie Jones, Carol Barfield, Noah Lockley, Sherman Thomas

Public Hearings opened by Mayor Johnson followed prayer and pledge.

SECOND PUBLIC HEARING - ORDINANCE NO. 2014-01 – CRA BOARD APPOINTMENTS

Betty Webb read Ordinance No. 2014-01 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THOSE PROVISIONS OF ORDINANCE NUMBER 2008-04 PERTAINING TO THE APPOINTMENT OF BOARD MEMBERS OF THE APALACHICOLA COMMUNITY REDEVELOPMENT AGENCY; REPLACING THE EXISTING SEVEN MEMBER BOARD WITH AN EIGHT MEMBER BOARD; ESTABLISHING STAGGERED TERMS TO SERVE TWO-YEAR AND FOUR-YEAR TERMS; DESIGNATING BOARD MEMBER SLOTS TO BE FILLED; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

No citizen comments received.

SECOND PUBLIC HEARING – ORDINANCE NO 2014-02 – GOLF CART ORDINANCE

Attorney Floyd read Ordinance 2014-02 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THOSE PROVISIONS OF ORDINANCE NUMBER 2009-05 (AS AMENDED BY RODINANCE NO. 2010-01) IN PART WITH REFERENCE TO SECTION 5. HOURS OF OPERATION AND SECTION 3. REGARDING THE EQUIPMENT ON SAID GOLF CART TO PERMIT IN ACCORDANCE WITH FLORIDA STATUTES SECTION 316.212 PROPERLY EQUIPPED GOLF CARTS TO OPERATE ON THE DESIGNATED STREETS WITHIN THE ORDINANCE DURING THE HOURS BETWEEN SUNSET AND SUNRISE; PROVIDING FOR THE CONTINUED VALIDITY AND ENFORCEMENT OF ALL OTHER PROVISIONS OF ORDINANCE NO. 2009-05 AS AMENDED AND PROVIDING THAT TO THE EXTENT OF CONFLICT THIS ORDINANCE SHALL SUPERSEDE AND TAKE PRIORITY OVER CONFLICTING PROVISIONS OF OTHER ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. David Adlerstein asked if brake lights were required.

Attorney Floyd stated statute reads that after sunset brake lights are required.

No further comments received.

Public hearing closed.

REGULAR MEETING

ADOPTION DECISION – ORDINANCE NO. 2014-01 – CRA BOARD APPOINTMENTS

Attorney Floyd read Ordinance No. 2014-01 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THOSE PROVISIONS OF ORDINANCE NUMBER 2008-04 PERTAINING TO THE APPOINTMENT OF BOARD MEMBERS OF THE APALACHICOLA COMMUNITY REDEVELOPMENT AGENCY; REPLACING THE EXISTING SEVEN MEMBER BOARD WITH AN EIGHT MEMBER BOARD; ESTABLISHING STAGGERED TERMS TO SERVE TWO-YEAR AND FOUR-YEAR TERMS; DESIGNATING BOARD MEMBER SLOTS TO BE FILLED; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

Motion to adopt Ordinance No. 2014-01 – CRA Board Appointments made by Commissioner Cook, second by Commissioner Ash.

Motion carried 5 to 0.

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

Voting Nay: None

ADOPTION DECISION – ORDINANCE NO. 2014-02 – GOLF CART ORDINANCE

Attorney Floyd read Ordinance No. 2014-01 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THOSE PROVISIONS OF ORDINANCE NUMBER 2009-05 (AS AMENDED BY RODINANCE NO. 2010-01) IN PART WITH REFERENCE TO SECTION 5. HOURS OF OPERATION AND SECTION 3. REGARDING THE EQUIPMENT ON SAID GOLF CART TO PERMIT IN ACCORDANCE WITH FLORIDA STATUTES SECTION 316.212 PROPERLY EQUIPPED GOLF CARTS TO OPERATE ON THE DESIGNATED STREETS WITHIN THE ORDINANCE DURING THE HOURS BETWEEN SUNSET AND SUNRISE; PROVIDING FOR THE CONTINUED VALIDITY AND ENFORCEMENT OF ALL OTHER PROVISIONS OF ORDINANCE NO. 2009-05 AS AMENDED AND PROVIDING THAT TO THE EXTENT OF CONFLICT THIS ORDINANCE SHALL SUPERSEDE AND TAKE PRIORITY OVER CONFLICTING PROVISIONS OF OTHER ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2014-02 – Golf Cart Ordinance made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

APPROVAL OF MINUTES

Motion to approve March Minutes made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

APPROVAL OF BILL LIST

Motion to approve February and March bill list approved by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

WASTE PRO RATE INCREASE

Ms. Webb reported she had received written letter from Waste Pro requesting rate increase.

Commissioner Bartley not in favor of rate increase.

Commissioner Elliott not in favor of rate increase.

Ms. Webb requests a letter be written by Attorney Floyd to put Waste Pro on notice to address the lack of pickup of yard trash service in the City of Apalachicola.

Motion to send letter to Waste Pro made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

4 WAY STOP REQUEST

Ms. Webb reported that requests were made to put 4 way stops at Commerce St. and Avenue D, Commerce St. and Avenue E and 11th St. and Avenue F.

Commissioner Ash asked if speed bumps were necessary on 13th and 14th Street.

Discussion held.

Requested that the 4 way stop requests be brought to Community Pride to be discussed and talked about at another meeting.

PLANNING AND ZONING REPORT

Ms. Webb stated that some things in land development code are being reviewed for future changes.

No further comment.

CITY ADMINISTRATOR REPORT

1. Ms. Webb reported that the bids for the Wet Weather/Reject Storage Pond Project have been received, Gulf Coast Utility Contractors was low bid at \$638,077.50, recommendation to award has been made by BDI.

Mike Stanley from BDI stated that Gulf Coast Utility Contractor is a very reputable business and will do a great job for the city.

Motion to approve Gulf Coast Utility Contractor for the Wet Weather/Reject Storage Pond Project made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

2. Ms. Webb reported that Dan Tonsmeire came before the commission last month and made a request that the City of Apalachicola pursue the Blue Way Designation. Ms. Webb stated that she has reviewed this information and recommends that the City proceed.

Motion to proceed with process for Blue Way Designation made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

3. Motion to approve payment for Attorney Floyd Marsh invoice made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

ATTORNEY FLOYD REPORT

Attorney Floyd reported on the BP complaint and stated that attorneys are changing to Colson Hicks Firm and we need signature concurring to this change to proceed as their client under the new firm name. There is no money involved in this change, it is still on a contingency basis.

Motion to approve Colson Hicks Firm for the City of Apalachicola made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

OTHER VISITORS AND COMMENTS

1. Mr. Jerry Weber spoke up about people representing his neighborhood at the end of 7th Street. He stated people speed and throw trash out everywhere. Mr. Weber gave the commission photos of offences being committed in the neighborhood and asked that something needs to be done about this. Mr. Weber asked that the end of 7th Street be closed and made available for emergency vehicles and walking path.

Discussion held.

Attorney Floyd will research this and have for next city commission meeting.

Mayor Johnson asked that this also be brought to the Community Pride for review.

2. Mr. Noah Lockley stated that there are too many stop signs in town and that city needs to take some out.

Mr. William Key agreed that there are too many stop signs in town.

Ms. Carol Barfield agreed that there are too many stop signs in town and too many speed bumps in neighborhood areas. Ms. Barfield stated if there is a problem with speeding, write tickets.

Mr. Harrison Jones agreed that there are too many stop signs and speed bumps in his neighborhood. Mr. Jones stated that Bay Avenue had stop signs and that they are now gone. Mr. Jones asked how this was done.

Ms. Webb stated that citizens filed complaints with the Commission and that they agreed to have them removed.

Mayor Johnson stated he would have Chief Bobby Varnes look into this.

Commissioner Elliott asked if the city has workable radars in the police department.

Officer Lewis stated they do and that everyone is certified to use a radar gun.

Board agreed to have this topic be part of Community Pride discussion.

3. Commissioner Elliott asked what was going on with Greg Harris's promotion to street supervisor.

Ms. Webb stated that she is getting together different options and that will present at the next meeting.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, Deputy Clerk