

A Public Hearing, Workshop, and Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, August 4, 2009 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, Chief of Police Bobby Varnes, Building Official Gene Osburn, City Attorney Pat Floyd, Fire Chief George Watkins, Harbor Master Jim Silva

Visitors: Jim Waddell, Bruce Ballister, Matthew Quinn, Sally Williamson, Geoffrey Hewell, Nita Morgan, Clarice Powell, Lee Norris, Brenda Ash, Bill McCartney, Anita Grove, Dixie Partington, Jerry Hall, Susan Clementson, Carrie Kienzle, Andy Williams, Joe Taylor, Faye Johnson, Dieter Ambos, Caty Greene, David Adlerstein, Willoughby Marshall, Marie Marshall, Kate Hartman, Ralph Richards, George Coon, Gail Johnson

Public hearing opened by Mayor Johnson followed by prayer and pledge.

#### **PUBLIC HEARING – SCIPIO CREEK MARINA EDA GRANT**

Bruce Ballister outlined Scipio Creek Marina EDA Grant. Mr. Ballister stated that Steve Rash, owner of Water Street Seafood, has committed to being the participating party to the CDBG grant.

Mayor Johnson asked if contracts had been signed.

Mr. Ballister stated that two signed copies will be sent, and the City will be returning one copy.

Jerry Hall stated the grant had two elements – a fish market and ice plant.

Mr. Ballister stated it is a fish market and loading facility, not an ice plant. Mr. Ballister stated this is the 2<sup>nd</sup> required public hearing, and that Steve Rash is the participating party because Water Street Seafood employs enough people to meet all the grant requirements.

Ms. Webb stated the haul out slip has been relocated over next to the boat ramp by Two J's property.

Geoffrey Hewell inquired about blue prints.

Discussion held and citizen comments received.

Public hearing closed.

**WORKSHOP – FAIR HOUSING WORKSHOP**

Mayor Johnson opened workshop.

Bruce Ballister stated the fair housing workshop is a requirement for the CDBG grant for Scipio Creek. Mr. Ballister explained Fair Housing Act.

No citizen comments.

Workshop closed.

**REGULAR MEETING**

Regular meeting opened by Mayor Johnson.

**RESOLUTION 2009-06**

Resolution 2009-06 title is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, AUTHORIZING THE MAYOR TO MAKE APPLICATION TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR APPROVAL, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Attorney Floyd read resolution 2009-06 in its entirety.

Motion to adopt resolution 2009-06 made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

**RECOGNITION OF VISITORS**

\* Matthew Quinn – dockage at Scipio Creek – Mr. Quinn stated he has a commercial shrimp boat that he is rebuilding, but he needs a place to dock the boat. Mr. Quinn stated he was promised by Mr. Silva that when something became available in Scipio Creek that he could move in there, but nothing has been done at this point. Mr. Quinn stated he was originally docked at the Avenue E dock, but was forced to leave by Chief Varnes and Gene Osburn. Mr. Quinn has moved his boat up the river, but is still

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being told to move the boat. Mr. Quinn stated he would love to stay in Apalachicola, but he desperately needs a place to moor his boat.

Mayor Johnson asked if this was the boat that was blocking the repair dock.

Ms. Webb stated this is the same boat.

Mayor Johnson asked Jim Silva if there are any slips available.

Mr. Silva stated he believes there are one or two slips available, but there is a waiting list.

Mayor Johnson asked what position is Mr. Quinn on the list.

Mr. Silva stated Mr. Quinn is not on the waiting list.

Mayor Johnson stated he realizes there is a shortage of slips, and asked if there was any place he could dock his boat.

Ms. Webb stated this is the first she has heard about Mr. Quinn asking to be placed in Scipio Creek.

Mayor Johnson recommends that Mr. Silva and Ms. Webb meet with Mr. Quinn to work out an arrangement for him to dock his boat.

\* Brenda Ash – Ms. Ash stated that H'Cola is making two requests . The first is requesting the Commission roll back the millage rate on property taxes, and the second is requesting the Commission adopt a resolution strongly opposing the proposed rate increase sought by Progress Energy.

**APPROVAL OF JUNE & JULY MINUTES**

Motion to approve June and July minutes made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

**APPROVAL OF MAY & JUNE BILL LIST**

Motion to approve May and June bill list made by Commissioner Webb, second by Commissioner Cook.

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Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

**CHAMBER OF COMMERCE REPORT**

Anita Grove submitted written report to Commission. Ms. Grove stated the Oyster Roast has been relocated to Gardens, Inc., but would like to close a section of road between Avenue F & Avenue G.

Sally Williamson stated that Planning & Zoning will be discussing road closures at the meeting on Monday night.

Ms. Grove stated the Oyster Roast is scheduled for November 6<sup>th</sup>.

Jerry Hall stated no other businesses will be affected.

Motion to approve Oyster Roast for November 6<sup>th</sup>, and allow section of road between Avenue F & Avenue G be closed for event made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

Road closure ordinance discussed.

**TRAFFIC SAFETY TEAM REPORT**

Ms. Webb stated all the 25 MPH signs have been installed.

Dixie Partington stated the Traffic Safety Team needs advance notice when road closings take place.

**LIBRARY REPORT**

Caty Greene submitted written report to Commission. Ms. Greene stated the Library is very interested in moving into the County District Offices located by ABC School.

Mayor Johnson asked if the City has heard anything from the County on that building.

Ms. Webb stated that Alan Pierce is supposed to let her know something by the end of the week.

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Mayor Johnson asked if the deed for the high school has been transferred.

Ms. Webb stated that Barbara Sanders has been out the whole month of July, but the survey approval has been given to Preble Rish. Ms. Sanders has all the needed materials.

Mayor Johnson stated he is glad the Library has taken an interest in the District Office building.

Ms. Greene stated the Project Impact Program brought a lot of kids into the Library over the summer.

**PLANNING & ZONING REPORT**

Sally Williamson stated items for discussion have been street closing ordinance, Dr. Tutor house renovation, and Apalachicola State Bank storm water.

**FIRE DEPARTMENT REPORT**

George Watkins submitted written report to Commission. Mr. Watkins stated the Fire Department is working on a retirement dinner for Bert Simmons, and the cost to repair truck #2 is around \$12,000.

Mayor Johnson asked if leasing a fire truck is a possibility.

Ms. Webb stated she is waiting to see if the City was approved through the Fire Fighters Assistance Grant. Ms. Webb stated she has brought the fire department to the attention of the Community Pride, and everyone is willing to help raise money. Ms. Webb stated the scrap metal from the Captain Fuzz will also go towards the fire department.

Sally Williamson stated she feels the City should write a letter to the County supporting the MSBU fee increase.

Motion to authorize Ms. Webb write resolution opposing proposed rate increase sought by Progress Energy, and write letter supporting MSBU fee increase made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

Ralph Richards stated a lot of people can't afford the MSBU fee increase.

Mayor Johnson stated MSBU complaints needed to be addressed to the County.

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Commissioner Elliott stated the better your rating, the lower your house insurance will be.

Geoffrey Hewell congratulated George Watkins on his fundraising efforts, and thinks it is a great idea the fire department get the people involved.

**POLICE DEPARTMENT REPORT**

Chief Varnes submitted verbal report to Commission.

Caty Greene stated there is a lot of golf cart and 4-wheeler traffic in her neighborhood.

**CITY ADMINISTRATOR REPORT**

\* Water Only Meters – Ms. Webb stated she has had several requests for a water only meter. Water only meters are not permitted as long as the City is making plans to phase them out. The City is about two years away from offering the water reuse program to residents. The permit allows water only meters, but only if the Commission approves them.

Commission will take into consideration and discuss at a later time.

\* Bruce Hall – Ms. Webb stated that Bruce Hall has resigned from the Planning & Zoning Board. Michael Shuler and Lynn Wilson-Spohrer have both applied for vacancy. Ms. Webb stated there are also two vacancies on the Revolving Loan Committee.

\* Ms. Webb reviewed BDI project activity.

\* Motion to approve payment for Attorney Floyd July invoice made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

Kate Hartman stated the reuse project has been advertised.

\* Faye Johnson submitted written report to Commission.

**WATER & SEWER REPORT**

No report given.

**STREET DEPARTMENT**

No report given.

**PUBLIC WORKS DEPARTMENT**

No report given.

**BUILDING DEPARTMENT REPORT**

Gene Osburn submitted written report.

**GRANTS MANAGER REPORT**

Cindi Giametta updated Commission on projects. Ms. Giametta stated things are moving forward on Holy Family; ECT is working on police/fire station; Inovia is working with Bruce Ballister on Scipio Creek project; applied for a grant for a fire truck; Library is in the pot again this year for library construction; no word on Williamson property purchase.

**ATTORNEY FLOYD REPORT**

- \* WWTP Permit Order – Review drafts from DEP.
- \* Charlie Williamson – Working through submerged land use part of purchase agreement.
- \* Ms. Webb and Attorney Floyd have reviewed Scipio Creek and Battery Park ordinances, and Scipio Creek Committee and Battery Park Committee are coming up with suggestions for ordinances.
- \* Ditch Witch lease agreement has been finalized.
- \* Captain Fuzz has been removed, and Ms. Webb is working on getting the Kitty Ann removed.

Ms. Webb stated she has worked out an arrangement to get the Kitty Ann removed.

- \* Received favorable judgment on ACOE litigation.

**OTHER VISITORS AND COMMENTS**

- \* Ralph Richards stated the roof on the Battery Park gazebo needs repaired.

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Ms. Webb stated if Mr. Richards can get the materials, the City will repair the roof.

Mr. Richards asked how far the City limits extend.

Attorney Floyd stated the City's jurisdiction goes to the other side of the bridge, but now sure how far it goes up the river. Attorney Floyd stated he would think the area across from Scipio Creek would be the City limits.

Ms. Webb stated she will contact David Cole and will follow up with that.

Mr. Richards asked if live aboards were allowed at Scipio Creek.

Jim Silva stated he has no problems with people living on boats at Battery Park or Scipio Creek. Mr. Silva stated there is less vandalism if there are some people that live on the boats.

Ms. Webb stated she thinks Scipio Creek is just for working boats with no live aboard clause, but will double check the ordinance.

**MAYOR & COMMISSIONER'S COMMENTS**

\* Commissioner Elliott stated there are numerous leaking pipes at Scipio Creek.

Ms. Webb stated new pipes are included in the new infrastructure in the grant that Bruce Ballister is working on.

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



