

A workshop and regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, January 4, 2011 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 Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, City Attorney Pat Floyd, Officer Pam Lewis

Visitors: Geoffrey Hewell, Steve Bonifay, Joe Taylor, Carolina Weiler, Richard Delp, Mike Standley, Margie Solomon, Nita Morgan, John Hawkins, Anita Grove, Lisa Spooner, Sally Williamson, Dieter Ambos, Paulette Moss, Carrie Kienzle, David Adlerstein, Caty Greene, Clarice Powell, Cindy Clark, George Watkins, Tom Daly

Workshop opened by Mayor Johnson followed by prayer and pledge.

### **WORKSHOP – DOT SIDEWALK PROJECT**

Ms. Webb outlined proposed project. Ms. Webb stated if the City proceeded with project, engineering would begin in 2012 and construction in 2015. DOT wanted the City to hold public workshops to get citizens input to see if there was enough interest to proceed with project. Ms. Webb stated the sidewalk would run on Avenue M from Market Street to 12<sup>th</sup> Street and on MLK Blvd. from 5<sup>th</sup> Street to 14<sup>th</sup> Street.

Dieter Ambos stated the CRA supports the sidewalk project.

Ms. Webb stated the side of the street the sidewalk would be put on has not been determined at this time.

No further comments. Workshop adjourned.

### **REGULAR MEETING**

#### **APPROVAL OF MINUTES**

Motion to approve December minutes made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

**APPROVAL OF BILL LIST**

Motion to approve November bill list made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

**FIRST READING – ORDINANCE 2010-05 – TREE ORDINANCE**

Attorney Floyd read Ordinance 2010-05 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA ADOPTING A TREE ORDINANCE; PROVIDING FOR IT'S INCLUSION IN THE LAND DEVELOPMENT CODE OF THE CITY OF APALACHICOLA, FLORIDA; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Johnson explained purpose of tree ordinance.

Public comment received.

Motion to proceed with ordinance adoption process made by Commissioner Cook, second by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

**HARBOR MASTER LEASE**

Ms. Webb stated it is time to renew the U. S. Fish & Wildlife lease for the Harbor Master House. U. S. Fish & Wildlife is asking for a 10 year lease. Ms. Webb stated she would like to meet with Attorney Floyd to examine some of the things in the lease before it is approved.

Tom Daly asked if they would be interested in moving into a more accessible location if one is found.

Ms. Webb stated they might be interested in moving.

**REPRESENTATIVE APPOINTMENT TO APALACHEE REGIONAL PLANNING COUNCIL**

Motion to appoint Commissioner Cook as City's representative to the Apalachee Regional Planning Council made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

**CHAMBER OF COMMERCE REPORT**

Anita Grove submitted written report to Commission.

**TRAFFIC SAFETY TEAM REPORT**

No representative present.

**LIBRARY REPORT**

Caty Greene submitted written report to Commission.

**PLANNING & ZONING REPORT**

Tom Daly submitted verbal report. Mr. Daly stated that some joint workshops will be needed to discuss the Maritime Museum and the proposed funeral home. Mr. Daly stated the Curt Blair has resigned, and the Commission needs to appoint a replacement.

Mayor Johnson stated vacancy will be filled at February meeting when all applicants can be contacted to see who is interested in filling the vacancy.

**FIRE DEPARTMENT REPORT**

George Watkins submitted verbal report to the Commission.

**POLICE DEPARTMENT REPORT**

Officer Pam Lewis submitted verbal report to the Commission.

**CITY ADMINISTRATOR REPORT**

Ms. Webb stated the Water Supply Plan Ordinance is ready for public hearing and adoption. Ms. Webb stated she has to compile further information before Commission can readdress the

planning & zoning architect issue. Ms. Webb stated the City is working in conjunction with merchants and H'Cola to better celebrate African American History month.

Motion to proceed with DOT Sidewalk Project made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

Motion to authorize payment for Attorney Floyd's invoice made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

### **WATER & SEWER DEPARTMENT REPORT**

No representative present.

### **STREET DEPARTMENT**

No representative present.

### **PUBLIC WORKS DEPARTMENT**

No representative present.

### **CITY CLERK REPORT**

Lee Mathes had nothing to report.

### **ATTORNEY FLOYD REPORT**

Attorney Floyd updated Commission on County land swap and deeds and ACOE litigation.

Mayor Johnson asked Attorney Floyd how the City proceeds with changing utility companies.

Attorney Floyd stated the City can start with not renewing the franchise.

Tom Daly stated Talquin Electric may be interested.

Attorney Floyd stated a letter can be written instructing Progress Energy that the City is in the process of terminating the franchise agreement and demand that the transmission be put under ground.

Tom Daly stated that Patrenos will be at the Courthouse to discuss Progress Energy issue.

Commissioner Ash asked Attorney Floyd the status of the Holy Family contract.

Attorney Floyd stated it should be finished this week.

Commissioner Ash asked about the Nuisance Ordinance status.

Attorney Floyd stated the nuisance ordinance is good and effective. It just needs to be enforced.

Commissioner Ash stated there are issues with overgrown properties.

Mayor Johnson stated Attorney Floyd was to restructure ordinance for easier enforcement.

Ms. Webb stated complaints she has received, she turns them over to the Police Department, and the Police Department turns it over to the State Attorney's Office.

Commissioner Ash asked what the procedure for getting overgrown properties cleaned up was.

Attorney Floyd stated the City would clean up the property, and then put a lien on the property for the amount of the clean up cost, but the City is not in a position to do that.

Nuisance ordinance discussed.

Ms. Webb recommends that each Commissioner and Attorney Floyd review ordinance and see if solutions can be reached on issues addressed. Ms. Webb stated that Planning & Zoning should also review ordinance.

### **OTHER VISITORS & COMMENTS**

Joe Taylor thanked the City employees for donating to the Franklin Promise.

Tom Daly stated he is still very interested in pursuing the Deputy City Administrator position.

Mayor Johnson stated if and when the City chooses to proceed with this position, the City would have to go through the correct process.

**MAYOR & COMMISSIONER'S COMMENTS**

No comments.

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