

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, May 5, 2009 at 6:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Frank Cook, Commissioner Jimmy Elliott, Commissioner Val Webb, City Administrator Betty Webb, Grants Manager Cindi Giametta, Building Official Gene Osburn, City Attorney Pat Floyd, Harbor Master Jim Silva, Street Supervisor Marvin Croom, Water & Sewer Department William Cox

Visitors: Bob Dieter, Diane Dieter, Sally Williamson, Jim Waddell, Candace Springer, Caty Greene, Dixie Partington, Jerry Hall, Charley Kienzle, Roy Solomon, Marjorie Solomon, Carrie Kienzle, Anita Grove, Joyce Estes, Kate Hartman, Beverly Hewitt, Clarice Powell, Tom Daly, Janice Mathis, Van Mathis, David Adlerstein, Daryl McKinley, Gayle Gerard

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

RECOGNITION OF VISITORS

* Bobby Miller – Height restriction in City – Mayor Johnson stated that Mr. Miller was unable to attend meeting tonight, but requests that any future height variances go to referendum.

APPROVAL OF MINUTES

Motion to approve April minutes made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

RESOLUTION 2009-03

Attorney Floyd read Resolution 2009-03 in its entirety.

Motion to adopt Resolution 2009-03 (Philaco Club Women's Club Recognition) made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

TRAFFIC SAFETY TEAM REPORT

Bob Dieter stated he has been looking at 16th Street & Avenue E intersection with Jim Waddell.

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Jim Waddell stated he has been talking with DOT about correcting flooding problem at 16th Street & Avenue E intersection, and hopefully within the next month DOT will have an answer. Mr. Waddell stated that DOT is also looking at the pedestrian traffic at the Grill corner and entire downtown area. These items will be discussed at the next traffic safety meeting.

CHAMBER OF COMMERCE

Anita Grove submitted monthly report to Commission.

LIBRARY REPORT

Caty Greene submitted monthly report to Commission.

POLICE DEPARTMENT REPORT

Lt. Pam Lewis submitted monthly report to Commission. Lt. Lewis stated there will be a neighborhood watch meeting on May 11th at 6:00 PM at the 6th Street Recreation Center.

CITY ADMINISTRATOR REPORT

* Ms. Webb stated the Forgotten Coast Cultural Coalition requests permission to close the portion of Water Street directly in front of the Cotton Warehouse for the 2009 Plein Air Paint-Out Family Art Day to be held on May 17th from 9AM to 5PM.

Motion to grant permission to close portion of Water Street as outlined by Ms. Webb made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

* Ms. Webb stated the Battery Park Committee will meet on May 12th at 4:00 to discuss issues brought up at previous meetings.

* Ms. Webb stated she received notification from the Health Department that the water testing at Battery Park came back with good results.

Attorney Floyd stated the City may have to look at placement of bond or insurance to prevent City from getting “stuck” with sunken boats in the marinas.

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* Ms. Webb stated Attorney Floyd's April invoice is \$6,816.00.

Motion to approve payment of Attorney Floyd's April invoice made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

WATER & SEWER DEPARTMENT REPORT

William Cox submitted written report in Commission Monthly Report packet. Mr. Cox stated there were no compliance issues in April.

STREET DEPARTMENT REPORT

Marvin Croom submitted written report in Commission Monthly Report packet.

PUBLIC WORKS DEPARTMENT REPORT

Wilbur Bellew not present. Report submitted in Commission Monthly Report packet.

BUILDING DEPARTMENT REPORT

Motion to confirm Planning & Zoning and Board of Adjustment minutes made by Commissioner Webb, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

Gene Osburn stated he will be addressing sign issues this week.

* Commissioner Cook discussed Riverfront Park.

Motion for all City projects and all signs to go through Planning & Zoning for discussion made by Commissioner Cook, second by Commissioner Elliott.

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Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

* Janice Mathis stated the First Responders needs a gate at the end of Riverfront Park to access Ward's dock.

* Daryl McKinley discussed violation of Clean Water Act.

GRANTS MANAGER REPORT

* Motion to award Avenue G Stormwater Project bid to Polaronis Construction, Inc. for \$190,610.76 made by Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

Ms. Giametta informed Commission that she and Ms. Webb met with Bailey, Bishop, and Lane regarding the Holy Family project.

James Waddell stated he was asked in January to look into the Holy Family project by Commissioner Webb, and that he has invested a lot of time on this project.

Ms. Giametta stated the Stan Mayfield grant agreement and confidentiality agreement was ready for signatures.

PROJECT ACTIVITY

Ms. Webb submitted BDI written report to Commission.

ATTORNEY FLOYD REPORT

* Captain Fuzz – Attorney Floyd stated the owner of the Captain Fuzz is willing to sign letter of release.

* Boat on Scipio Creek Dock - Attorney Floyd stated that Ms. Webb is working on possible funding in getting the boat removed off the dock.

* Anderson Williams Worker's Comp Case – Attorney Floyd stated he is waiting on final documents.

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* ACOE – Attorney Floyd stated he has a meeting with the judge on Monday at 9:30 AM.

VISITORS & OTHER COMMENTS

* Carrie Kienzle – Ms. Kienzle made announcement regarding the annual Tour of Homes.

* Commissioner Elliott asked if the City had any benches that could be placed on Lafayette Park pier.

* Commissioner Webb stated the City needed directional signs for Veteran’s Memorial Park.

* Ralph Richards stated three pilings are needed at the work dock.

* Attorney Floyd stated a motion is needed for the signing of the Stan Mayfield grant agreement and confidentiality agreement.

Motion to authorize the Stan Mayfield grant agreement and confidentiality agreement be signed made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk