

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, January 2, 2009 at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Val Webb, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, Building Official Gene Osburn, City Attorney Pat Floyd, Chief of Police Bobby Varnes, Water & Sewer Operations William Cox

Visitors: Ken Hatcher, Wilbur Bellew, George Coon, Anita Grove, Geoffrey Hewell, Sally Williamson, Shirley Walker, Beverly Hewitt, Joe Taylor, Diane Dieter, Bob Dieter, Carol Kienzle, Susan Clementson, Jack Husband, Mark Knapke, Paulette Moss, Nadine Kahn, Jim Waddell, Lois Swoboda, Otis Walker

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

RECOGNITION OF VISITORS

* Helen Tudor – Request permission to remove sidewalk at 82 6th Street – Gene Osburn stated that Ms. Tudor has gone through the Planning & Zoning process for the architectural plans and Planning & Zoning has approved the plans. Ms. Tudor would like to do some landscaping and requests permission to remove the sidewalk along 6th Street to the next property line.

Motion to grant permission to Helen Tudor to remove the sidewalk along the 6th Street side at 82 6th Street for landscaping purposes made by Commissioner Cook, second by Commissioner Bartley.

Ms. Webb stated that because of the brick pavers, a hold harmless agreement should also be signed.

Commissioner Cook amended motion to include Ms. Tudor signing hold harmless agreement.

Motion carried 4 to 1.

Voting Aye: Webb, Bartley, Cook, Mayor Johnson

Voting Nay: Elliot

APPROVAL OF MINUTES

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

Motion carried 5 to 0.

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

Voting Nay: None

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Approval of Bill List

Motion to approve November and December bill list made by Commissioner Cook, second by Commissioner Webb.

Motion carried.

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

Voting Nay: None

LOCAL ARTS AGENCY

Joe Taylor presented information on Local Arts Agency. Mr. Taylor explained that if the City goes in with the County to form a Local Arts Agency, grants can be applied through DCA for art programs. The Local Arts Agency will not be a City run organization; the City will just be part of the organization.

Ms. Webb explained that the City's History Cultural Board will work in conjunction with this agency.

Mr. Taylor stated he would like to temporarily house the Local Arts Agency in the Sponge Exchange.

Attorney Floyd asked if there will be some sort of an agreement.

Mr. Taylor stated at some point, an agreement will need to be done.

Anita Grove stated that Franklin County could serve its citizens better by forming our own Local Arts Agency.

Mr. Taylor stated names from the City's History Cultural Board along with County wide names will form the Local Arts Agency.

Commissioner Elliott asked who will oversee the Agency.

Mr. Taylor stated the overseer will be the City's History Cultural Board.

Motion to approve the use of the Sponge Exchange as a start up for the Local Arts Agency made by Commissioner Elliott .

Motion carried 5 to 0.

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

Voting Nay: None

TRAFFIC SAFETY TEAM

Bob Dieter stated monthly meetings are still being held, and is still encouraging countywide participation.

CHAMBER OF COMMERCE REPORT

Anita Grove presented monthly report to Commission. Ms. Grove stated that there have been some businesses to close and heard there was aid available for small businesses but is not sure of the details.

Ms. Webb stated she will look into the Revolving Loan guidelines to see if it can be used to help businesses.

Ms. Grove stated that GCCC would like to hold classes in Franklin County.

LIBRARY REPORT

Susan Clementson presented monthly report to the Commission. Ms. Clementson stated the Library Board would like directional signs placed at Hwy 98 & 6th Street and Avenue C & 5th Street. The Library Board would like to start using \$700/month of the Key Estate interest to purchase \$500 for books and \$200 for supplies.

Motion to authorize Library Board to use \$700/month of Key Estate interest to purchase books and supplies made by Commissioner Cook, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

POLICE DEPARTMENT REPORT

Mayor Johnson read letter commending Officer Chet Turner on a recent arrest.

Chief Varnes stated he will give letter to Officer Turner, and put a copy of letter in his personnel file.

CITY ADMINISTRATOR REPORT

* Ranger Mike Kinett introduced Mark Knapke as part of Orman House operations.

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* Ms. Webb stated the Franklin County project for the Apalachee Planning Council Economic Development is the airport industrial park. Ms. Webb stated this could be the start of water and sewer infrastructure in that area.

* Ms. Webb stated she is working on updating the City's website.

* Ms. Webb stated that J. P. Barber has requested to be added to the Scipio Creek grandfathered list for one year.

Motion to add J. P. Barber to the Scipio Creek grandfathered list for one year made by Commissioner Webb, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

* Ms. Webb stated the Police/Fire Station project has been down sized and she needs authorization for Mayor to sign revised application and for her to submit revised application. The project has been downsized to around \$600,000 – \$650,000 range.

Motion for Mayor Johnson to sign revised USDA application for Police/Fire Station and for Ms. Webb to submit application made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

* Ms. Webb stated the CRA bylaws are ready for adoption.

Attorney Floyd stated these bylaws were formulated by the CRA.

Motion to approve bylaws that been formulated by the CRA made by Commissioner Cook, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

* Ms. Webb updated Board on recent meeting with School Board regarding lease of Gym, Field House, football field, and baseball field.

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Jim Waddell stated the City of Carrabelle ran into a lot of unexpected expense when they leased buildings from the School Board.

Ms. Betty stated the leases need to be finalized as soon as possible, and a special meeting can be called if necessary.

Attorney Floyd stated the City can accept the idea of entering into an agreement with the School Board at this time until further information is finalized.

Motion approving the City's acceptance of the idea of entering into an agreement with the School Board under the same type terms as the City of Carrabelle made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

* Project Impact – Ms. Webb outlined the Project Impact program and recommendations for personnel – Project Impact is not contingent upon the City obtaining possession of the Gym – all that is needed is \$30,00 matching funds that is already in the budget for recreation.

Attorney Floyd stated he would like to review grant before it is signed.

Ms. Webb stated the Board could approve agreement contingent upon Attorney Floyd's review.

Motion to approve Project Impact recommendations for personnel as outlined by Ms. Webb, and authorize agreement contingent upon Attorney Floyd's and Ms. Webb's final approval made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

* Ms. Webb stated that contracts for the engineering firms are being finalized.

WATER & SEWER DEPARTMENT REPORT

William Cox stated there were no compliance issues for November and December in water or wastewater. Larry Smith has replaced Timmy Polonis.

Ms. Webb stated that because of the time frame, Mr. Smith was hired from previously submitted applications.

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Motion to hire Larry Smith made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

Ms. Webb stated that the Class B operator has resigned but DEP has given the City an extension until the end of January with option to extend.

Mr. Cox reported on various projects the water and sewer department is working on.

BUILDING DEPARTMENT

Mr. Osburn stated he has nothing to report.

GRANTS MANAGER

Cindi Giametta stated she has nothing to report.

Attorney Floyd stated the FCT projects are moving along and should be able to finish up within a couple of months.

Changing name of Veteran's Park discussed.

PROJECT ACTIVITY

Baskerville Donovan – Ms. Webb updated the Board on continuing projects.

ATTORNEY FLOYD REPORT

* Teat Case – Attorney Floyd stated the Teats have filed a petition to request a hearing before the permit to the treatment plant is issued. No administrative hearing has been set at this time.

* Water Street Hotel/Baskerville Donovan Invoices – Attorney Floyd stated an agreement has been reached regarding payment of invoices – Curt Blair will pay \$5,000 and the City will pay \$3,980.00 for work that was actually done for the City.

Motion to approve agreement and authorize Mayor Johnson to sign agreement made by Commissioner Webb, second by Commissioner Cook.

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Motion carried 5 to 0.

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

Voting Nay: None

* Joanne Walker – Attorney Floyd stated case is being resolved through the insurance company. Before any monies are actually paid, the insurance company is working with Terrance Walker and his attorney to resolve this matter. Attorney Floyd stated he has spoke with Mr. Walker's attorney and the insurance adjuster, and they both want to resolve matters all at one time. Insurance adjuster has contacted Mr. Walker's attorney.

Otis Walker stated he own property at the end of 10th Street that the City is using. Mr. Walker stated there are a softball field and a road on his property.

Ms. Webb stated the only thing that was on City property was bleachers and an overhang. The bleachers have been removed, and the overhang should be removed shortly. The City did not make the road, the County did.

Mr. Walker stated he was informed by County Commissioner Noah Lockley that the City told the County to go ahead and make the road way.

Ms. Webb she can make a request to the County for the County to remove the asphalt.

Attorney Floyd stated the County should also prepare the property back to its original state.

Motion to authorize Ms. Webb to contact the County to remove the asphalt and prepare the property back to its original state for property located on 10th Street by Sylvester Williams Park which is owned by Otis Walker made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

Commissioner Webb stated she has been in contact with Joanne Walker and she would like Attorney Floyd to contact Ms. Walker and give her an update.

* Attorney Floyd updated Board on Corp of Engineer case.

OTHER VISITORS & COMMENTS

* Geoffrey Hewell stated nothing has been done regarding repairs to Nichols' old building.

Ms. Webb stated that Callie Nichols is trying to obtain funds to repair the building.

MAYOR & COMMISSIONER'S COMMENTS

* Mayor Johnson stated that if anyone has any old sports artifacts, they are being collected for a sports museum.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk