

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, June 2, 2015 at 6:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Frank Cook, Commissioner Mitchell Bartley, Commissioner Brenda Ash, Commissioner Jimmy Elliott, City Administrator Betty Webb, City Clerk Lee Mathes, Assistant City Clerk Deborah Guillotte, Attorney Pat Floyd, Officer Wesley Creamer

Visitors: Edward Watson, Tim Mills, Dennis Winterringer, Sally Williamson, Gina Taranto, Barry Hand, Jay Chesley, Lisa Chesley, Susan Clementson, Sarah Robinson, Charlie Sawyer, Tommy Robinson, Kathy Robinson, Uta Hardy, Jim Bachrach, Callie Nichols, Greg Wynot, Anita Grove, Michael Clayton, Denise Clayton, Cindy Clark, Lynn Wilson, Charles Kienzle, Carrie Kienzle, George Coon, Joe Taylor, Allyson Speed, Karen Ventimiglia, David Adlerstein, Robert Overton, Jody Rosenbaum, Constance Peck, Jeff Sharkey

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

RECOGNITION OF VISITORS

1. Denton Cove Project - Developer Representatives

Jeff Sharkey outlined Denton Cove Project slated to be located on 17th Street and Avenue L.

Commissioner Elliott asked how the security will be handled at this facility.

Mr. Starkey stated that there would be one to two management personnel living onsite and also it is a fenced community.

Commissioner Ash asked if Mr. Sharkey could explain more on the property tax issue the latter law versus the current law.

Mr. Sharkey gave a short summary of the past property tax (ad valorem tax) bill and the updated bill that was revised in 2014.

Ms. Gina Taranto stated that when this project was first discussed with the School Board and the City Commission it was researched for housing teachers, police officers and firemen and you are tonight saying it is for the seafood industry and service workers.

Mr. Sharkey explained the income requirements for the affordable housing development.

Carrie Kienzle asked if the proposed site is the only property that could be used for this affordable housing project or could other properties have been used.

Mr. Sharkey stated that they had looked at a variety of properties, and there were some considerations in terms of financing and this property meet our needs.

Uta Hardy asked who would be managing Denton Cove.

Mr. Sharkey stated it is a Windover Management Company and plans are to hire onsite manager from Apalachicola.

Sally Williamson asked how the income qualifications are determined.

Mr. Sharkey stated this is calculated and set by the federal government.

George Coon stated he is a local architect in Apalachicola and the designs for the Denton Cove Project were drawn up by out of town architects and that the plans do not even look like Apalachicola scenery. Mr. Coon also stated that Mr. Sharkey had stated earlier that they would try to do all their hiring for the project locally but why was the architect not hired locally?

Mr. Sharkey stated that they would make design fit for Apalachicola.

Callie Nichols stated she is concerned that if the purchase price was \$100.00 and the impact fee was \$177,000.00, and the \$177,000.00 has to be in a column designated impact fees so that our land here is more attractive to the State of Florida for awarding the project here, isn't that not being deceitful to the State of Florida. I feel the State has been deceived because if it is a purchase price it should say that because impact fees are for sewer, water, etc.

Discussion held.

2. Denton Cove Project – Greg Wynot

Greg Wynot asked if local construction workers will be used to build this project and if we could get it in writing. Mr. Wynot also asked what the restrictions are on placing residents in the apartments and how they will be picked.

Mr. Sharkey stated that Apalachicola residents first, Franklin County second and after that residents from other places will be considered.

Mr. Wynot asked Attorney Floyd what he had found when reviewing the paperwork on this project and the answers to questions on Jamie Liang's letter that was given to him at May 5th meeting.

Attorney Floyd distributed the letter with the answers in writing to the City Commission, Mr. Sharkey, and Mr. Wynot. Attorney Floyd read each of the questions and gave analysis to what was found.

Mr. Wynot asked the City Commission if an assessment had been made about the need for this project.

Attorney Floyd stated that the Planning and Zoning Board addresses these issues before permits are issued on any property.

Mr. Wynot stated that he has a signed petition against Denton Cove Project and distributed a copy to the City Commission board. Mr. Wynot stated that the City of Apalachicola could probably get this project drawn out to a long term situation if approved. Mr. Wynot does not want this to happen. Mr. Wynot thanks the City Commission for their time.

3. July 3rd Celebration – Jim Bachrach

Jim Bachrach outlined the July 3rd Celebration event.

4. Sawyer Lane Paving – Robert Overton

Robert Overton stated he is concerned about Sawyer Lane (which is an alley) being paved. Mr. Overton discussed his concern about 17th Street, which Sawyer Lane comes off of, is a very busy street and that the Denton Cove Project would make Sawyer Lane even busier if paved. Mr. Overton does not feel this alley should be paved due to drainage problems, speeding, and children in the area.

Commissioner Cook stated interior lots which are not serviced by streets do have to be addressed at some point. Commissioner Cook stated if we pave one alley everyone will want their alley paved and there has to be a solution worked out about this issue. Commissioner Cook made a recommendation we set up a group of members getting suggestions on this area and any other alleys with this same issue before they do anything on Sawyer Lane alley.

Discussion held.

Mayor Johnson read email received from Ed Davis in favor of paving Sawyer Lane.

Ms. Mathes stated that there has been a request made to add Veterans Lane back onto the paving list.

Motion to select citizens in Apalachicola for a committee to talk about lanes and alleys (service roads) whether to pave or not pave and how it will affect private properties made by Commissioner Cook, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

APPROVAL OF MINUTES

Motion to approve May minutes made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

APPROVAL OF BILL LIST

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

Motion carried: 5 to 0

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

Voting Nay: None

FIRST READING – ORDINANCE 2015-03 – POSTING 911 EMERGENCY ADDRESS

Attorney Floyd read Ordinance 2015-03 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA ADOPTING A UNIFORM SYSTEM THAT REQUIRES THE POSTING OF THE ASSIGNED 911 EMERGENCY ADDRESS FOR BUILDINGS WITH ACCESS FROM OFFICIALLY NAMED ROADS AND STREETS WITHIN THE JURISDICTION OF THE CITY OF APALACHICOLA, FLORIDA; PROVIDE FOR ENFORCEMENT; PROVING FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Williamson expressed concern about EMS GPS system not recognizing some 911 addresses.

Officer Wesley Creamer stated if a 911 call is placed on a land line, the address will be appear on the screen for dispatch to tell them, but if call is placed by a cell phone then it goes through a tower on Commerce Street and we do not have access by GPS.

Motion to authorize to proceed with adoption process of Ordinance 2015-03 made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

ADOPT RESOLUTION 2015-03 – CULTURAL AFFAIRS ARTS & EDUCATION PROGRAM (HCA SCHOOL OF ART)

Attorney Floyd read Resolution 2015-03 in its entirety.

Motion to adopt Resolution 2015-03 made by Commissioner Cook, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

ADOPT RESOLUTION 2015-04 – CULTURAL FACILITIES PROGRAM

Attorney Floyd read Resolution 2015-04 in its entirety.

Ms. Webb made a correction that the amount should be \$200,000 not \$120,000.

Motion to adopt Resolution 2015-04 with correction to change grant amount to \$200,000 made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Nay: None

APPROVAL OF PROCLAMATION – ELECTION

Attorney Floyd read Mayor's Election Proclamation in its entirety.

Motion to approve Mayor's Election Proclamation made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Nay: None

GARBAGE/TRASH RFP

Ms. Mathes reported Waste Pro was the only RFP received. Ms. Mathes introduced Lloyd Childree, District Manager, and Greg James of Waste Pro to Commission. Ms. Mathes that Waste Pro service has improved over the past six weeks. Ms. Mathes stated she would like at this time for her and Attorney Floyd meet with Mr. Childree and Mr. James to negotiate issues before going forward.

Commissioner Bartley stated that there is a problem with trash and garbage, but that Mr. James is doing the best he can with what he has to work with.

Mr. Childree stated he has been manager over Apalachicola for 4 months now and is familiar with this problem. Mr. Childree stated that there are some codes being broken that makes it hard to do their job and this is one of the things to be worked out with other issues included. Mr. Childree continued stating he has been riding the routes with employees so he can get a better understanding of the issues.

Discussion held.

Mayor Johnson asked Ms. Mathes what portion of garbage bill goes toward trash. Mayor Johnson inquired if a cost analysis had been done on the City doing the trash pickup.

Ms. Mathes stated the cost is about \$5.50 per household for trash and that she has not at this time calculated to see if it is cost efficient for the City to buy a truck and pick up trash but she will look into this.

Discussion held.

Attorney Floyd stated he had looked over the bid letter and that everything was to the point on what they were going to do and how they were going to address the problems.

Mr. Childree asked since he has been coming down in the last few weeks if the complaints slowed down.

Ms. Mathes stated the complaints have come down tremendously since he and Mr. James have been checking in with the office.

PLANNING AND ZONING

Ms. Lynn Wilson Spohrer discussed an issue with downtown squares not having alleys, buildings having zero lot lines, and buildings having no method of egress and how it makes development difficult. Ms. Spohrer stated that she is in the process of making her building handicap accessible and she figured out how to do this, but she now needs permission for a 19” step out from out her door from the owner.

Mayor Johnson asked if this was approved by P&Z board.

Ms. Spohrer stated that it was approved by P&Z board to proceed and I just need permission for the owner of the park (which is the city) to give me the 19” step out (landing). I agreed to give disproportionate land, a foot of all my width which is 15 feet, give to the park free if I can get this 19” landing.

Ms. Webb stated she wasn't in attendance at the P&Z meeting but spoke with Ms. Ramsey and was told it was approved contingent upon City Commission approval and donor of the park property granting permission to do this, because at the time this was presented to P&Z it was for a door and ramp. Ms. Webb explained Planning & Zoning's motion approved it a certain way and that is why we are here now to seek an okay from City Commission. Ms. Webb stated she had talked with the donor of the property who is out of town but will be back at beginning of next week. Ms. Webb suggested to Ms. Spohrer that she go back to P&Z and address as two different issues, one with the door and one with the platform if she chooses to go that route. Since that time Ms. Spohrer and I have had a discussion about possibly trying to work out an agreement so the City could have access to the park from Market Street as well as Commerce Street and that is where the 15 feet along the building comes into the discussion.

Discussion held.

Attorney Floyd suggested P&Z discuss the whole area as it relates to this property.

Joe Taylor outlined that Main Street is talking with consultants about unoccupied vacant properties and how they are used in downtown areas.

Attorney Floyd stated that Ms. Spohrer should do what she feels she needs to legally do to obtain insurance coverage and the rest of it can be brought back to P&Z.

Mrs. Spohrer stated she is on the agenda for P&Z June 8, 2015, and will separate it and ask for the 19" on the ground, no ramp.

CITY CLERK

Ms. Mathes stated that in 1989 FWC gave the City of Apalachicola a permit to maintain the waterway for no-wake signage and we have just received a letter from them stating they are going to take the permit over as of July 1, 2015, if we have no objections.

Motion to not respond to notice by FWC so FWC will take over maintenance of waterways made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Nay: None

Ms. Mathes stated she has an amendment to the original workforce shelling contract extending contract to October 31, 2015.

Motion to accept proposal to extend workforce shelling contract to October 31, 2015, made by Commissioner Bartley, second by Commissioner Cook.

Regular Meeting – 6/2/15 – Page 8

Motion carried: 5 to 0

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

Voting Nay: None

ATTORNEY FLOYD

Attorney Floyd read and made changes to the extended workforce contract.

Motion to accept changes as outlined by Attorney Floyd made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Nay: None

Mayor Johnson introduced Ms. Bonnie Davis, retired attorney and stated she had offered to help the City in any way.

There being no further business meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, Asst. City Clerk