

A public hearing and regular meeting of the City Commission of the City of Apalachicola was held on Thursday, November 17, 2016 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 Lee Mathes, City Attorney Pat Floyd, Chief of Police Bobby Varnes, Revena Ramsey

Visitors: David Meyer, Wilbur Bellew, Marie Marshall, Willoughby Marshall, Diane Brewer, Richard Davis, Joe Taylor, John Lee, Despina George, Cindy Clark, Ramona Cobb, Chris Clark, Holly Brown, Creighton Brown, Holden Foley, Karl Giametta

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

PUBLIC HEARING – ORDINANCE 2016-03 – FY 1516 BUDGET AMENDMENT

Ms. Mathes stated the budget amendment is mandated by Florida Statutes and this amends the budget to make numbers per actual revenues and expenses.

No public comment.

Mayor Johnson closed public hearing and opened regular meeting.

REGULAR MEETING

ADOPTION DECISION – ORDINANCE 2016-03 – FY 15/16 BUDGET AMENDMENT

Attorney Floyd read Ordinance 2016-03 in its entirety.

Motion to adopt Ordinance 2016-03 made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

RECOGNITION OF VISITORS

1. Jeff & Cydell Lockley – Tree Removal – 103 Earl King Street

Jeff and Cydell Lockley not present. Wilbur Bellew outlined details stating that Mr. Lockley came before Commission on October 4th. Commission sent Mr. Lockley to Planning & Zoning on October 10th but permit was denied.

Commissioner Ash asked to see photos of tree and location in regards to Mr. Lockley's home.

Attorney Floyd stated because Mr. Lockley is not present, then Commission is not required to take any action.

2. Richard & Daphne Davis – Honey Hole Liquors – 15 Minute Parking

Mr. Davis stated he contacted City Hall inquiring about placement of signs, and was told there would be no problem.

Ms. Mathes stated she spoke with Mr. Davis and told him because the Post Office had 15 minute parking, then she felt there would be no problem because business was not located on the main street. Ms. Mathes stated she didn't realize that it would cause a problem or that it would break any rules. Ms. Mathes stated that Commissioner Bartley was questioning the parking and asked that it be put on the agenda for discussion.

Cindy Clark stated there is nothing in the LDC that prohibits 15 minute parking in front of a business.

Mr. Davis asked that if he can't keep the 15 minute parking spaces, then allow him to keep the handicap accessible parking space on the corner.

Mayor Johnson stated he would like to entertain a motion from the Commission to allow Mr. Davis to keep his 15 minute parking spaces in front of the Honey Hole.

Attorney Floyd suggests that Mr. Davis do what he deems necessary and reasonable, and the City will follow through with placing something in LDC regarding timed parking spaces in front of businesses.

APPROVAL OF MINUTES

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

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

APPROVAL OF BILL LIST

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

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

ADOPTION DECISION – RESOLUTION 2016-17 – WATER METER FINANCING

Ms. Mathes stated the finance company financing the water meter change out program requests a resolution outlining terms of loan.

Attorney Floyd read Resolution 2016-17 in its entirety.

Motion to adopt Resolution 2016-17 made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

Marie Marshall inquired about the boil water notice.

Ms. Mathes stated water samples came back good, and boil water notice has been lifted as of 11:00 this morning. Ms. Mathes stated she is inquiring about a public notice alert system to notify residents of such issues.

Ms. Marshall inquired about the TTHM problem.

Ms. Mathes stated the electrician should be completing work within a couple of weeks, then the company that installs the mixers will complete the job.

SMALL BUSINESS SATURDAY PROCLAMATION

Attorney Floyd read Small Business Saturday Proclamation in its entirety.

Motion to approve Small Business Saturday Proclamation made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

FDOT TRAFFIC SIGNAL MAINTENANCE & COMPENSATION AGREEMENT

Ms. Mathes stated this agreement covers the caution light, traffic light, and 12th Street school light. FDOT has assumed more responsible for maintenance of lights. Motion is needed to approve agreement in order for City to get reimbursed for traffic signals.

Motion to approve FDOT Traffic Signal Maintenance & Compensation Agreement made by Commissioner Elliott, second by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

WASTE PRO DISPOSAL FEE INCREASE

Ms. Mathes stated Waste Pro has been absorbing the increased disposal fee for some time, but now they are going to bill the City for the increased fee. Ms. Mathes stated if the Commission chooses not to pass costs onto customer, then it will basically eat up the garbage administration revenue. Ms. Mathes stated this is not a rate increase, but strictly an increase to cover the disposal fee. Ms. Mathes stated she will work with Mr. Bellew on creating a flyer to send to residents, put notice on utility bills, and also put notice in paper. Ms. Mathes stated the County now charges the City for delivering anything to the land fill that is a mixed pile. The County is trying to encourage residents to utilize the free amnesty days. Ms. Mathes also stated that Waste Pro is requesting leaves be bagged.

Motion to approve 23% disposal fee increase made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

APPOINTMENT OF RECREATION COMMITTEE

Mayor Johnson stated that at last meeting he requested that each Commissioner appoint an individual to the Recreation Committee.

Diane Brewer asked how many members the committee will have and how will it be publicized. There may be some individuals who are interested, but don't know they need to contact a Commissioner to ask to be appointed.

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Item tabled till next meeting.

PLANNING & ZONING

Motion to confirm September 12th and September 26th Planning & Zoning minutes made by Commissioner Ash, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Elliott, Mayor Johnson

Voting Nay: None

CITY ADMINISTRATOR

Motion to approve Attorney Floyd invoice payment made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Ash, Mayor Johnson

Voting Nay: None

ATTORNEY FLOYD

Attorney Floyd updated Commission on FL vs GA water war litigation.

OTHER VISITORS & COMMENTS

1. John Lee spoke in regards to his complaints about open containers on City right of way in downtown area. Mr. Lee stated this has been an ongoing problem, and feels the laws are not being enforced.

Discussion held.

Mayor Johnson stated provisions are being made to the existing ordinance regarding this issue, but everything is a process and it takes time.

MAYOR & COMMISSIONER'S COMMENTS

1. Attorney Floyd stated the attorney letters are complete for the lease agreements for the water meter financing and excavator. The library warranty deed has been extended for another year to allow time for construction. Attorney Floyd updated Commission on status of Affordable Housing Ownership Program with Conservation Corps.

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Public comment received.

Joe Taylor stated a list of deliverables has been provided.

2. Mayor Johnson stated that FAMU has received a grant to staff someone to run the Incubator Program but they are in need of an office space until funding for old fire station renovations can be found.

3. Mayor Johnson stated that Diane Brewer previously presented to the Commission a proposal in the amount of \$13,800 for a survey for the Historic Squares.

Commissioner Ash stated she would like to receive an additional quote.

Motion to order survey of Historic Squares after receiving an additional quote made by Commissioner Ash, second by Commissioner Cook.

Ms. Brewer stated the additional quote needs to cover the same material as the original quote so the quotes can be comparable.

Mayor Johnson asked Ms. Brewer is she could get the additional quote, and once completed submit to the City.

Ms. Brewer stated she will obtain the additional quote.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: None

4. Mayor Johnson requests the Main Street Trolley to be covered under the City's insurance policy.

Commissioner Ash asked who owns the trolley and who is responsible for the maintenance and upkeep.

Mayor Johnson directed Commissioner Ash to Jim Bachrach and Augusta West.

Mayor Johnson asked Ms. Mathes to inquire the costs of adding the trolley onto the City's insurance policy.

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There being further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee Mathes, City Administrator