

A Workshop, Public Hearing, and Regular Meeting of the City Commission of the City of Apalachicola were held on Tuesday, October 6, 2009 starting at 5:00 PM in 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, Commissioner Elect Brenda Ash, 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, Street Supervisor Marvin Croom, Public Works Foreman Wilbur Bellew, Water & Sewer Foreman William Cox

Visitors: Leon Bloodworth, Tom Daly, Diane Dieter, Bob Dieter, Jim Waddell, Bill McCartney, Johnathan Harris, Beverly Hewitt, Dixie Partington, Jerry Hall, Sherman Thomas, Cindy Clark, Dieter Ambos, Karla Ambos, Michael Shuler, George Coon, Geoffrey Hewell, Marie Marshall, Willoughby Marshall, Bill Spohrer, Lynn Wilson Spohrer, Joe Taylor, Anita Grove, Carrie Kienzle, Charlie Kienzle, Gail Johnson, Liz Kelsey, Kate Hartman, Curt Blair, Adrienne Elliott, Elinor Mount Simmons, Andrea Register, Pam Allbritton, Sandy Hengle, Greg Jones, Roderick Robinson, Jack Husbands, Deanna Simmons, David Adlerstein, Linda Gibson, O. H. Walker, Ken Schroeder, Lisa Hooker, Stanley Rudd, Mark Sittig, Fonda Davis

Workshop opened by Mayor Johnson followed by prayer and pledge.

WORKSHOP – 5:00 PM – (1) TRAFFIC & PEDESTRIAN ISSUES ON MARKET STREET BETWEEN AVENUE D & AVENUE E; (2) TRAFFIC RELATED LOCAL ISSUES AS IT PERTAINS TO THE EAR

Bob Dieter, Chairman of Traffic Safety Team, stated a workshop has been requested with FDOT to discuss the traffic and pedestrian issues on Market Street between Avenue D and Avenue E. FDOT is proposing a round-a-bout in the major intersection in the downtown area. Mr. Dieter stated that Johnathan Harris and Stanley Rudd are present to discuss traffic and pedestrian issues.

Cindy Clark outlined Local Issue 3 – declining level of service standard on Hwy 98 through downtown as outlined in the EAR. Recommendations in EAR are as follows:

- * Work with FDOT to determine the severity of the congestion problem on US 98 between CR 384 and the Apalachicola Bridge and how serious this condition will become in the future
- * Evaluate traffic impacts of any proposed development as well as any reasonable potential for reducing future impacts through transportation alternatives, such as sidewalk connections to a recently completed satellite parking area and bikeways
- * Evaluate the need for turn lanes

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- * Possibly modify LOS standards on this section of road to accommodate the lower standard that the roadway is operating under
- * Petition DOT for a LOS waiver
- * Review parking on Hwy 98, better identify existing parking resources and review and revise existing parking regulations
- * Update Level of Service Standards on existing local and state roads
- * Identify Regional Evacuation Routes
- * Update Traffic Circulation maps showing LOS (peak hour) and better identify facilities both for existing and future land use maps

Stanley Rudd presented power point presentation on round-a-bout at Avenue E and Market Street intersection.

Jerry Hall expressed concern about delivery trucks being unable to make deliveries to downtown businesses if round-a-bout is installed.

Lynn Wilson Spohrer stated that delivery trucks should use side roads instead of parking in the middle of Avenue E to make their deliveries.

Discussion held concerning delivery trucks in downtown area, layout of round-a-bout and traffic flow in round-a-bout, and possibility of big semi trucks being unable to maneuver in round-a-bout.

Workshop closed and public hearing opened.

PUBLIC HEARING – 6:00 PM – ORDINANCE 2009-01 – ROAD CLOSURES

Anita Grove had several concerns regarding ordinance. Ms. Grove stated because she hosts so many Chamber of Commerce events, she will be greatly affected by this ordinance. Ms. Grove expressed concern of the road closing procedures that would be required.

Mayor Johnson recommends that adoption of ordinance be tabled at this time until Planning & Zoning can readdress the wording in the ordinance. Planning & Zoning will discuss ordinance at Monday night's meeting.

REGULAR MEETING – OLD BUSINESS

COMMISSIONER ELLIOTT AWARD

Mark Sittig, Florida League of Cities, presented Commissioner Elliott with a 25 year service award for his tenure as a City of Apalachicola City Commissioner.

Commissioner Elliott accepted award and received a standing ovation. Commissioner Elliott thanked everyone for allowing him the serve the citizens of the City of Apalachicola.

APPROVAL OF SEPTEMBER MINUTES

Motion to approve September minutes made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 5 to 0.

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

Voting Nay: None

APPROVAL OF AUGUST BILL LIST

Motion to approve August bill list made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

2ND READING & ADOPTION DECISION – ORDINANCE 2009-01

Motion to send Ordinance 2009-01 back to Planning & Zoning to readdress wording in ordinance made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

SWEARING IN OF NEW COMMISSIONERS

Commissioner Webb gave farewell speech.

Attorney Floyd sworn in Commissioner Elect Frank Cook with the following oath of office:

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I, FRANK COOK, DO SOLEMNLY SWEAR THAT I WILL SUPPORT, PROTECT AND DEFEND THE CONSTITUTION OF THE GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA AND THAT I AM DULY QUALIFIED TO HOLD OFFICE UNDER THE LAWS OF THE STATE OF FLORIDA AND THE CHARTER OF THE CITY OF APALACHICOLA AND THAT I WILL WELL AND FAITHFULLY PERFORM THE DUTIES OF CITY COMMISSIONER SEAT 3 OF THE SAID CITY UPON WHICH I AM ABOUT TO ENTER, SO HELP ME GOD.

Roderick Robinson sworn in Commissioner Elect Brenda Ash with the following oath of office:

I, BRENDA ASH, TO SOLEMNLY SWEAR THAT I WILL SUPPORT, PROTECT AND DEFEND THE CONSTITUTION OF THE GOVERNMENT OF THE UNITED STATES AND THE STATE OF FLORIDA AND THAT I AM DULY QUALIFIED TO HOLD OFFICE UNDER THE LAWS OF THE STATE OF FLORIDA AND THE CHARTER OF THE CITY OF APALACHICOLA AND THAT I WILL WELL AND FAITHFULLY PERFORM THE DUTIES OF CITY COMMISSIONER SEAT 4 OF THE SAID CITY UPON WHICH I AM ABOUT TO ENTER, SO HELP ME GOD.

RECOGNITION OF VISITORS

* Pam Allbritton – Big Bend Hospice 5 Wishes Presentation – Ms. Allbritton gave verbal presentation on Hospice 5 Wishes program.

* Ken Schroeder – Storm Water – Avenue F & Avenue G Street – Mr. Schroeder outlined storm water problem at his property located on the corner of 6th Street and Avenue F. Mr. Schroeder stated he continues to have serious problems with water run-off due to various factors. Mr. Schroeder stated he has mailed the Commission numerous letters regarding this matter, but has yet to receive a response.

Mayor Johnson assured Mr. Schroeder that is the City is aware of the storm water problems, and the City has a plan to try to fix some of the problems.

Ms. Webb addressed storm water issues. Ms. Webb stated that if every citizens pays a \$1 storm water utility fee, that would generate approximately \$20,000/year that could be used to solve some storm water problems. Ms. Webb stated Ken Schroeder, Mark Goodwin, and the Methodist Church are the biggest priorities right now. Ms. Webb is requesting to transfer \$25,000 out of reserves to solve some of the problems. Ms. Webb stated the City can fix some of the problems, but there are some projects where professional help will be needed.

Mayor Johnson stated on a short term basis, we can use reserve money to fix the priority problems, but the City needs to start charging a storm water utility fee so the City can address the long term problems.

Ms. Webb stated the \$25,000 won't fix all the problems, but will certainly put a big dent into the problems.

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Mayor Johnson stated the City has a 5 year storm water plan, but no money to fix any of the problems. Mayor Johnson recommends authorizing Ms. Webb to take \$25,000 out of reserves to address storm water issues, and set up a workshop to discuss storm water utility fee.

Motion to authorize Ms. Webb to transfer \$25,000 from reserves to fix priority storm water problems made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

Ms. Webb stated she will set up a workshop date for sometime this month.

* O. H. Walker – Storm Water – Avenue F to Avenue G between 7th & 8th Street – Mr. Walker stated there are 4 storm water drains in this area that have not been maintained. If the drains were cleaned out, then water would drain out of his yard.

Mayor Johnson stated the City is trying to alleviate the problem. The City knows where the problems are, and we are trying to fix them.

Mr. Walker asked the Commission if there has been any residential property that has been rezoned to commercial within the last 3 years.

* Linda Gibson – Refuge House Domestic Violence Awareness Month Motorcade – Ms. Gibson stated that October is Domestic Violence Awareness Month. Ms. Gibson would like to run a motorcade on October 24, 2009 starting at the old Franklin County School building, move toward town on Hwy 98, turn onto Avenue B and arrive at Lafayette Park. Ms. Gibson would like to use the Lafayette Park gazebo to conclude the event.

Ms. Webb stated that Lafayette Park is available that day. Ms. Webb stated the Commission would have to approve the motorcade from Hwy 98 to Lafayette Park and approve the event; permission would have to be obtained from the County to start motorcade at old Chapman School; and a resolution would have to be adopted if motorcade stopped traffic on Hwy 98 – Ms. Webb stated she would contact DOT to see if a resolution was needed if motorcade intermingled with regular traffic flow.

Motion to start process to allow motorcade to be held on October 24, 2009 and adopt resolution if needed to allow motorcade on Hwy 98 made by Commissioner Bartley, second by Commissioner Elliott.

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Motion carried 5 to 0.

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

Voting Nay: None

* Sherman Thomas stated he requested to be put on tonight's agenda, but is not on the agenda.

Mayor Van Johnson asked Mr. Thomas what he needed to address to the Commission.

Mr. Thomas stated he did not have his notes with him at this time, but would address the Commission on a later date.

ARCHITECT REQUEST FOR PROPOSALS

Ms. Webb stated that all that is needed tonight is to open the proposals, and recommends allowing herself, Commissioner Cook, and Leon Bloodworth come up with a scoring sheet and game plan.

Motion to accept and open proposals, and authorize Ms. Webb to meet with Commissioner Cook and Leon Bloodworth to review proposals, devise a scoring sheet, and action plan to proceed made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

The following architect proposals were received:

JRA Architects, Inc.

MLD Architects, Inc.

The Associates Architects, LLC

George Coon and Frank Lucas

EMO Architects, Inc.

Johnson Peterson Architects

4M Design Group PA

CRA Architects

Willoughby Marshall

SURPLUS PROPERTY BID AWARDS

Cindi Giametta opened surplus property bids as follows:

Walter Robinson	2002 Ford Expedition	\$455.00
	1996 Crown Victoria	\$100.00

Jeffrey Banks	1996 Crown Victoria	\$500.00
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Raymond Mayfield	\$2,500 for all six vehicles or \$2,000 for five vehicles minus dump truck	
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Ms. Webb stated the dump truck had been removed from the surplus property list.

Motion to accept Raymond Mayfield’s surplus property bid for \$2,000 for all five vehicles made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

RESOLUTION 2009-12 – MAYOR PRO-TEM AND COMMISSIONER DEPARTMENTS

Mayor Johnson outlined appointment of Mayor Pro-Tem and Commissioner Departments as follows:

Commissioner Elliott – Mayor Pro-Tem and Public Works Department

Commissioner Bartley – Street Department

Commissioner Cook – Fire Department

Commissioner Ash – Finance Department

Motion to adopt Resolution 2009-12 appointing Mayor Pro-Tem and Commissioner Departments made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

CHAMBER OF COMMERCE REPORT

Anita Grove submitted written report to Commission.

Ms. Grove stated she needs to get approval for road closure for tree lighting ceremony.

Motion to authorize road closure (Water Street & Avenue E intersection) for Christmas tree lighting ceremony on November 27, 2009 made by Commissioner Cook, second by Commissioner Ash.

Motion carried.

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

Voting Nay: None

TRAFFIC SAFETY TEAM REPORT

Bob Dieter stated there was a public hearing held earlier to discuss proposed round-a-bout at Avenue E and Market Street intersection. Mr. Dieter stated that speeding is still a problem, even with lower speed limit.

Ms. Webb stated we are trying to order more speed limit signs. Ms. Webb also stated that some speed limit signs are being relocated to other areas.

Geoffrey Hewell addressed speed limit on Water Street and lack of speed limit signs.

LIBRARY REPORT

Carrie Kienzle submitted written report to Commission. Ms. Kienzle stated that Gulf State Bank has negotiated a 12 month CD rate at 1.75% for the Library Trust money. Ms. Kienzle also stated the Library has requested \$35,000 for capital improvements such as computers, shelving, carts and racks, and new A/C unit.

Attorney Floyd stated Ms. Webb can make an administrative decision on the CD.

Ms. Webb stated she cannot find anywhere in writing about how the Library Trust money is to be spent.

Motion to transfer \$35,000 from Library Trust Fund for capital improvements made by Commissioner Ash, second by Commissioner Bartley.

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Motion carried 5 to 0.

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

Voting Nay: None

Ms. Webb stated the Library has received 2 bids for A/C unit: Air-Con \$5,500 and Ronnie Ray \$5,350.

Ms. Webb stated the A/C bid needs to be awarded tonight.

Mayor Johnson recommends rebidding A/C replacement to get more local bids.

Commissioner Ash stated that Ronnie Ray installed the A/C unit at her church, and they had to hire someone else to correct all the problems.

PLANNING & ZONING REPORT

No report given.

FIRE DEPARTMENT REPORT

Ms. Webb stated Chief Watkins could not be present due to family death.

Assistant Chief Fonda Davis gave verbal fire report. Mr. Davis stated repair costs on truck #2 are going to be more than anticipated.

Ms. Webb stated the St. George Island Fire Department has loaned a truck to the department while repairs are being done to truck #2.

POLICE DEPARTMENT

Chief Bobby Varnes gave verbal report to Commission. Chief Varnes stated department will crack down on speeding and start issuing more tickets.

CITY ADMINISTRATOR REPORT

Ms. Webb submitted written report to Commission.

Ms. Webb stated a joint workshop with Planning & Zoning to discuss Water Supply Plan is scheduled for Monday, October 12, 2009 at 6:30 PM.

Ms. Webb outlined BDI project status report.

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Mayor Johnson stated he was approached by County Commissioner Noah Lockley about the City helping with funding for paving project.

Ms. Webb stated the City is saving the LOGT money for a new Street Department building. Ms. Webb stated the City paid \$200,000 towards the last paving project.

James Waddell addressed revamping 24th Avenue & Bobby Cato manholes and lift station. Mr. Waddell stated he thinks the City should be eligible for a CDBG grant to help with repairs.

Ms. Giametta stated she will contact Debbie Belcher to see if the City can qualify for another CDBG grant at this time.

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

Motion carried 5 to 0.

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

Voting Nay: None

Ms. Webb stated there are vacancies on BOA, Revolving Loan, and CRA boards. Michael Shuler, Lynn Wilson Spohrer, and Marissa Getter are the applications on file at this time.

Mayor Johnson recommends appointing Sherman Thomas to BOA.

Motion to appoint Sherman Thomas to Board of Adjustment made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 5 to 0.

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

Voting Nay: None

Mayor Johnson recommends to appoint Commissioner Elliott as City's liaison to History, Culture, and Arts Board; Commissioner Cook as City's liaison to CRA and Revolving Loan Boards; and Commissioner Ash as City's liaison to Library Board and TDC.

Motion to appoint Commissioner Elliott as liaison to History, Culture, and Arts Board; Commissioner Cook as liaison to CRA and Revolving Loan Boards; and Commissioner Ash as liaison to Library Board and TDC made by Commissioner Bartley, second by Commissioner Elliott.

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Motion carried 5 to 0.

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

Voting Nay: None

WATER & SEWER DEPARTMENT REPORT

William Cox stated there were no compliance issues for water or wastewater. Mr. Cox commended City staff for all their hard work during the heavy rains.

PUBLIC WORKS DEPARTMENT

Wilbur Bellew gave verbal report. Mr. Bellew stated the Public Works Department helped out with sewer problems during heavy rains.

BUILDING DEPARTMENT REPORT

Gene Osburn submitted written report.

GRANTS MANAGER REPORT

Ms. Giametta stated she needs a motion to authorize Mayor to sign FCT Option to Purchase for Williamson property. Ms. Giametta stated George Floyd has agreed to renovate the structure. Ms. Giametta outlined uses for the building.

Motion to authorize Mayor Johnson to sign FCT Option to Purchase for Williamson property made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

Ms. Giametta stated she is hoping to finalize task order for Bailey, Bishop, and Lane soon so work can begin on Holy Family.

ATTORNEY FLOYD REPORT

Attorney Floyd updated Commission on Police/Fire Station closing, Anderson Williams workers comp case, ACOE, and WWTP Reuse Project.

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Attorney Floyd stated he needs to hold an attorney/client session on Tuesday, October 13th followed by a special meeting to discuss Reuse Project.

Mayor Johnson suggests holding attorney/client session Monday, October 12th at 5:00 PM.

Attorney Floyd stated he will have to check his calendar.

Mayor Johnson stated to tentatively set attorney/client session at 5:00 PM on October 12th with special meeting immediately following.

OTHER VISITORS AND COMMENTS

* Bill McCartney, stated he has worked out an agreement with the City to be City's program development coordinator. Mr. McCartney stated he will submit monthly progress reports, and will work on individual task orders as authorized by Ms. Webb.

* Lisa Hooker stated she is wanting to open a golf cart rental business at the old Pendleton's gas station. Ms. Hooker stated the current golf cart ordinance prohibits golf cart rentals, and would like the ordinance reworded to allow rentals. Ms. Hooker stated her rental business would only have five golf carts.

Mayor Johnson stated matter should go before the Traffic Safety Team first.

Attorney Floyd informed the Commission that the ordinance would have to be changed to reflect rentals.

Ms. Webb stated the Traffic Safety Team meets on October 21st at 12:00 noon. Ms. Webb stated she will update Mr. Dieter on Ms. Hooker's request before the meeting.

MAYOR & COMMISSIONER'S COMMENTS

* Commissioner Elliott asked Anita Grove if there was a method to determine the average age of the tourists that visit Apalachicola.

Ms. Grove stated she can determine web site visits and visits inside the Chamber, but doesn't have a way to keep up with age groups.

* Commissioner Bartley commended all City employees for their extra hard work and dedication during the heavy rains.

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* Commissioner Elliott also commended employees for hard work and dedication.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk