

MINUTES OF THE REGULAR MEETING OF THE CITY OF APALACHICOLA CITY COMMISSION HELD  
TUESDAY, OCTOBER 6, 2020, 6:00 P.M. AT THE APALCHICOLA COMMUNITY CENTER

**CALL TO ORDER**

Mayor Begos called the meeting to order at 6:00 pm and Commissioner Ash gave the invocation followed by the Pledge of Allegiance.

**AGENDA ADOPTION**

Commissioner Ash made a motion to approve the Agenda. Commissioner Grove seconded and the motion carried 5-0.

**MAYOR AND COMMISSIONER COMMENTS**

1) COVID issues – Mayor Begos stated he would like to keep the Emergency Proclamation to wear face masks and asked that the City of Apalachicola citizens continue wearing their face masks for everyone’s protection.

Commissioner Elliott made a motion to leave the City’s Emergency Proclamation mandate to wear face masks in place until further notice. Commissioner George seconded and the motion carried 5-0.

Discussion held on the number of people that can gather in one place (inside), public input from citizens during meetings, a better way of streaming open meetings and getting better equipment, and rental of city buildings and when this would be available again.

2) Visioning Session – Keith Bowers, FAMU Small Business Development Center- not present. Mayor Begos stated that Mr. Bowers would talk to each commissioner on a one-on-one basis, so they can tell their interests and he will teach them how to prioritize projects and how to be more productive. Mr. Bowers would then like to meet with them at a public meeting and to review the plan that Commissioners had give him during their individual meetings.

3) Chris Holley – H20 Solutions – Mayor Begos requested approval to extend Mr. Holley’s contract for services.

Commissioner Ash made a motion to extend Chris Holley’s (H20 Solutions) contract and to approve signature of extended term. Commissioner George seconded and the motion carried 5-0.

Discussion held on the following: 1) city phones get a call with a strange recording, this needs to be researched and repaired; 2) department reports monthly to commissioners; 3) Resilience grant deadline November 7<sup>th</sup> and application not completed; 4) McLemore appeal being rescheduled, so we can move forward to resolve the issue – Attorney Banks stated that both attorneys’ opinions were the same in the ultimate outcome and she would be glad to give a formal summary and announcement of this at the next meeting. They both were also of the opinion there was no further action to be taken – to be scheduled for next month’s agenda; 4) Scipio Creek project update on replacement and removal of pilings and update on electrical project and quotes – Kevin Martina gave an update of the Scipio Creek pilings project; 5) property on 10<sup>th</sup> Street, is title clear on this property so the City might use for affordable housing; 6) workshop for surplus property to be scheduled; 7) City Committees not having regularly scheduled meetings and the meetings need to be properly noticed; and 8) Committee Board openings need to be posted on website.

**CITY MANAGER COMMUNICATIONS**

1) Mr. Wade updated the Commission with his visit from FEMA representatives and the Florida Division of Emergency Management viewing damages from Hurricane Sally. We looked at City buildings, sewer and stormwater system, and any issues that were from Hurricane Sally. The representatives will be reviewing this information gathered and get back with the City with their report.

**ATTORNEY KRISTY BRANCH BANKS COMMUNICATIONS**

No comments.

**FINANCE DIRECTOR COMMUNICATIONS**

1) August 2020 Financials – Mr. Bebeau reviewed the August 2020 finance report.

**PUBLIC COMMENT**

Citizen concerns of storm water issues between 8<sup>th</sup> and 10<sup>th</sup> Street and 14<sup>th</sup> and 15<sup>th</sup> Street: the drains are stopped up and yards flooding. Mayor Begos stated that the City has started the process of repairing these storm water issues, and with the enormous amount of rain we received, that it had nowhere else to go with the ground already being so saturated.

**CONSENT AGENDA**

Mayor Begos presented the Consent Agenda and asked if any items should be removed, before consideration of a motion.

Meeting Minutes Adoption – To adopt the July 21, 2020 Special Meeting, August 18, 2020 Special Meeting, September 17, 2020 Special Meeting, September 29, 2020 Special Meeting, and September 8, 2020 Regular Meeting Minutes.

Commissioner Elliott made a motion to approve the Consent Agenda, with the removal of the September 8, 2020 Regular Meeting Minutes. Commissioner Ash seconded and the motion carried 5-0.

**UNFINISHED BUSINESS**  
**A. CDBG-DR GRANTS**

Mayor Begos gave an update that the City had hoped to “piggyback” on the Gulf County application for grant management, but the Department of Economic Opportunity (DEO) will not confirm that the process we followed would meet all federal guidelines. The City may need to publish its own Request for Qualifications (RFQ) to cover all bases. The City is also seeking advice from Andy Easton, who has extensive experience in water and sewer projects. The first round of applications includes \$111 million, which is available for general infrastructure repair; the minimum grant is \$250,000. Staff recommendation is to publish the City’s own RFQ for (Grant Writing, Program Management, and Consulting Services.) The deadline for the CDBG-DR grant application submittal is

November 30, 2020. The CDBG-DR grant is for damaged properties from Hurricane Michael and mitigating future damage of these properties. Discussion held. There will be a workshop on Tuesday, October 13<sup>th</sup> at 5:00 pm, to discuss prioritizing the grants by repairs most needed. Chris Holley requested that the selection committee (Mr. Wade, Mr. Holley, and Mr. Bebeau) be added to the motion.

Commissioner Grove made a motion to immediately publish the RFQ for Grant Writing, Program Management, and Consulting Services, and also appoint the selection committee consisting of Mr. Wade, Mr. Holley, Mr. Bebeau, and other applicable staff. Commissioner George seconded and the motion carried 5-0.

**UNFINISHED BUSINESS**  
**B. AREA OF CRITICAL STATE CONCERN PRESENTATION BY JULIE DENNIS**

Julie Dennis, with Ovid Solutions and Kate Doluche, with Southern Group, reviewed the City’s Area of Critical State Concern Work Plan, which was completed June 2020, and discussed how it will help legislative or grant requests. Discussion held.

Commissioner Grove made a motion to adopt the City’s Area of Critical State Concern Work Plan. Commissioner Elliott seconded and the motion carried 5-0.

**UNFINISHED BUSINESS**  
**C. APALACHICOLA COMMUNITY REDEVELOPMENT ASSOCIATION/ CO-CHAIR POSITION**

Mayor Begos stated that Jeff Lockley, a current CRA member, was originally recommended as the CRA Vice-Chair, but declined. After reconsideration, Mr. Lockley stated that he would like to take the position.

Commissioner Elliott made a motion to appoint Jeff Lockley to the CRA Vice-Chair position. Commissioner Grove seconded and the motion carried 4-1. Commissioner George opposed.

**UNFINISHED BUSINESS**  
**D. OLD LIBRARY/POTENTIAL PHILACO CLUB LEASE**

Commissioner George gave an update of the ongoing, Philaco Club, potential lease of the old Library. Attorney Banks reviewed the Attorney General findings and legal guidance she had researched, gave her opinion of the lease of municipal properties, and said the city may enter into the lease if it finds that the proposed lease is in the best interest of the city. Discussion held.

Commissioner Grove made a motion to offer a five (5) year lease with the Philaco Club at the old Library, and proposed use by a 501c3, believing this is in the best interest of the City property for public benefit, and that they will need to meet with Mr. Wade to finalize the terms. Commissioner Elliott seconded and the motion carried 5-0.

**NEW BUSINESS**  
**A. TREE ORDINANCE / REVISIONS**

Mr. Wade stated he researched the Florida legislature. A law was passed that limits the ability of local governments to regulate tree removal. Mr. Wade reviewed proposed changes to the Tree Ordinance, and other changes, that would make our Ordinance clearer and fairer to citizens.

Commissioner Elliott made a motion to proceed with the adoption process of the Tree Ordinance revisions. Mayor Begos seconded. Discussion held.

Commissioner Elliott made a motion to proceed with the adoption process of the Tree Ordinance revisions. Mayor Begos seconded and the motion failed 2-3. Commissioners Grove, George and Ash opposed. Further discussion held.

Commissioner Ash made a motion to give Mr. Wade the authority to make decisions regarding the removal of trees in emergency situations. Commissioner Elliott seconded and the motion passed 4-1. Commissioner Grove opposed.

**NEW BUSINESS**

**B. SEWER SYSTEM DAMAGE/POTENTIAL FINES**

Mayor Begos stated that in recent weeks, water and sewer identified a number of properties where vacuum system “candy canes” or drain plugs were damaged or removed; in some cases this was done intentionally. These openings send tremendous amounts of water into the system and contribute to shut-downs and public health issues. Mayor Begos requested approval of the Storm Water System Damage Proclamation, which gives verbal warnings for the first incident; the City would then increase the fines for repeated, intentional damage. Chief Varnes stated that citizens should be educated on this before putting it into effect.

Commissioner Elliott made a motion to move forward with the Stormwater System Damage Proclamation. Commissioner Grove seconded and the motion carried 5-0.

**NEW BUSINESS**

**C. CONTRACT AWARD/LAFAYETTE PARK PIER BIDS**

Mr. Wade stated that notice to receive sealed bids were advertised and the City received three bids as follows: Inland Construction & Engineering - \$344,644.66; H.G. Harders & Sons - \$362,083.70; and R.J. Gorman Marine - \$449,184.94. Mayor Begos stated that the low bidder’s Florida license had expired, that FEMA bid requirements were not completely followed, and that we had to notify minorities, so the City will need to repeat the bid process of the Lafayette Park Pier.

**ADJOURNMENT**

There being no further business, Commissioner Elliott made a motion to adjourn the meeting at 8:45. Commissioner Ash seconded and the motion carried 5-0.

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Kevin Begos, Mayor

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Deborah Guillotte, City Clerk