

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, March 8, 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 Mitchell Bartley, Commissioner Frank Cook, City Clerk Lee Mathes, Assistant City Clerk Deborah Guillotte, Chief Bobby Varnes, Attorney Pat Floyd

Visitors: David Meyer, Rick Delp- BDI, Anita Grove, Caty Greene, David Adlerstein, Vonda Richardson, Sandra Thompson, Dr. Dreamal Worthen, Karen Hoff, Creighton Brown, Holly Brown, Pete Olson, Coral Sprouse, Tina Robertson, Briana Wheatly, Willoughby Marshall, Marie Marshall, Kathy Robinson, Uta Hardy, Jan Thomas, Fred Vogt, Diane Brewer, Bonnie Fulmer, Paul McAbee, George Coon, Leslie Coon, Despina George, Ron Dierolf, Beth Wright, Gladys Gatlin, Josh Stephens, Gene Smith, Barbara Smith, Valentina Webb, Philip Jones, Bobby Miller, Charlie Kienzle, Carrie Kienzle, Dennis Winterringer, Celia Winterringer, Charles Elliott, Linda Thompson, George Watkins, Larry Witt, P. Richardson, Edwards Michaels, Jodie Rosenbaum, Peter Galvant

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

### **RECOGNITION OF VISITORS**

#### **a. Gladys Gatlin Volunteer - Award from Area Agency on Aging**

Mayor Johnson recognized Ms. Gladys Gatlin for volunteering with the Area Agency on Aging and presented her with an award for her outstanding commitment to the community.

#### **b. Dr. Dreamal Worthen, - FAMU Extension Agency Requesting Use of Old Fire Station for the Proposed Jobs Incubator Program**

Ms. Vonda Richardson explained the concept of FAMU's Cooperative Extension Program (CEP) on helping the City of Apalachicola leaders along with their fellow leaders throughout Franklin County development, manage and sustain an incubator/accelerator at the Old Fire House on Water Street.

Ms. Sandra Thompson stated that herself, Dr. Dreamal Worthen and Vonda Richardson have written a grant to USDA for \$250,000.00 for a two year period. Funding of this money will cover: Salary of a Project Coordinator and Program Assistant (both preferably local) and Consultant expertise (i.e. incubator, accelerator) to help in the development and management.

Dr. Dreamal Worthen gave a quick overview of the CEP proposal and stated how excited she was to have the opportunity if allowed to have this program in Apalachicola.

Ms. Richardson stated if agreed upon for the location, they would have to repair and have work done to the fire station before they start the program. In the meantime, we will continue to solicit funds from USDA to help the program in getting businesses loans and grants to help run this.

## **Regular Meeting – 3/8/2016 – Page 2**

Commissioner Ash asked to give definition of incubator and accelerator program.

Ms. Richardson stated the **incubator** is designed to build capacity for people wanting to start a business or immersing a business ran from their home. We build capacity by providing a basic office space, resources, tele-communications, expertise in subject matter interested in, including training matrix of different things. The **accelerator** is similar, but it is for individuals who are beyond immersing, probably generating a little or a lot of income but not yet at level to go on their own. Therefore, what we would do for those individuals are expos and identify a specific fund they can access like venture capital funds, social capital and things like that. These businesses would receive a different type of assistance that would help them to launch quicker.

Bobby Miller stated he feels the fire station for the incubator/accelerator program is a great idea but the City should look into the flood zone issues before final location is set.

Citizen comments received.

Mayor Johnson stated that we will look into this and see if the fire house is buildable and if not we will find something.

Mayor Johnson stated he has a vision to leverage those dollars from CRA and put together application for BP funding and that funding will go towards purchasing land or existing buildings in the traditional commercial zoning as part of the CRA and those boundaries have already been established. We will then build or renovate buildings that we can in turn lease out to the people that are coming out of the incubator so they can actually have a store front.

Motion to approve fire station site for the incubator/accelerator program with the condition of a flood and flood zone study completed made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Aye: None

### **c. Shirley Taylor – Appointment to Library Board**

Ms. Shirley Taylor stated the Library Board had two positions open and that Jody S. Rosenbaum and Lynn Wilson Spohrer had applied.

Motion to appoint Jody S. Rosenbaum and Lynn Wilson Spohrer to the Library Board made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Aye: None

**Regular Meeting – 3/8/16 – Page 3**

**d. Larry Witt – Apalachicola Motor Coach Park**

Mr. Larry Witt stated he has a project opportunity to put a motor home park within walking distance of the business district of Apalachicola. Mr. Witt stated he is asking for guidance on how to get this project moving forward.

Attorney Floyd informed Mr. Witt the City Commission is not the correct procedure. Planning & Zoning is the place to start, and if you disagree with their decision then there is a proper appeal process that must be adhered to. Attorney Floyd stated with no disrespect that Mr. Witt was not here procedurally correct and it would be detrimental to his and the City's cause to hear this at this particular time.

**APPROVAL OF JANUARY AND FEBRUARY MINUTES**

Motion to approve January and February minutes made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Aye: None

**APPROVAL OF JANUARY BILL LIST**

Motion to approve January bill list made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Aye: None

**ADOPTION DECISION RESOLUTION 2016-04 – FLORIDA LAND ACQUISITION TRUST FUND**

Attorney Floyd read Resolution 2016-04 in its entirety.

Motion to adopt Resolution 2016-04 made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried: 5 to 0

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

Voting Aye: None

**ADOPTION DECISION RESOLUTION 2016-05 – CONFIRMING OFFICIAL CITY MAP**

Attorney Floyd read Resolution 2016-05 in its entirety.

Motion to adopt Resolution 2016-05 made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nye: None

**FIRST READING – ORDINANCE 2016-01 – LAND DEVELOPMENT CODE AMENDMENTS**

Attorney Floyd read Ordinance 2016-01 by title as follows:

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA AMENDING THE LAND DEVELOPMENT CODE OF THE CITY MAKING FINDINGS OF FACT AND ESTABLISHING MINIMUM ARCHITECTURAL, AESTHETIC AND SAFETY STANDARDS FOR SINGLE-FAMILY DWELLINGS WITHIN THE CITY; PROVIDING FOR IMPLEMENTATION OF RESTRICTIONS IN SUBDIVISIONS AND THE HISTORIC DISTRICT TO THE EXTENT RESTRICTIONS AND/OR COVENANTS ARE LESS RESTRICTIVE THAN THOSE PROVIDED HEREIN; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve first reading of Ordinance 2016-01 and proceed with adoption process made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nye: None

Jan Thomas distributed a letter from Ms. Diane Brewer in reference to this Ordinance to the City Commission.

**DECISION ON PROPOSAL – APALACHICOLA FISH & SEAFOOD, LLC HARBOR MASTER HOUSE LEASE**

Mayor Johnson pulled item from agenda.

**BID AWARD – ELLIS VAN VLEET MANHOLE REPAIR**

Phillip Jones with Preble-Rish, Inc. stated 2 bids were received for the Ellis Van Vleet project: North Florida Construction, Inc. \$246,968.53 and Marshall Brothers Construction & Engineering, Inc. \$239,100.00. Mr. Jones recommends awarding bid to Marshall Brothers Construction and Engineering, Inc.

Motion to award bid to Marshall Brothers Construction for Ellis Van Vleet project made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

**EMO ARCHITECTS – APPROVAL OF AMENDMENT TO TASK ORDER**

Commissioner Ash questioned if the final cost of construction is less than the agreed amount of \$837,122, then the percentage amount should be based on the lesser amount of final construction cost.

Discussion held.

Motion to approve allocation for amended task order contingent upon more research made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

**WILLIAM MCCARTNEY CONTRACT**

Commissioner Ash inquired where funding is coming from to pay Dr. McCartney for his services.

Commissioner Bartley stated he knows Dr. McCartney is a very educated and capable man but he doesn't agree with \$85.00 an hour.

Dr. McCartney stated he has donated a lot of free time to the City in the past because he loves Apalachicola, but if there is a problem with the \$85.00/hour then we might be able to negotiate a deal.

Dr. McCartney stated the BP and the Legislative funds will need someone actually on site to help get these monies whether it is me or someone else, but we definitely need someone to do a lot of leg work.

**Regular Meeting – 3/8/16 – Page 6**

Mayor Johnson stated that the City is going to have to put some money in to get some monies back. Mayor Johnson asked the board if they want to move forward with the contract with Dr. McCartney in trying to get BP funds.

Discussion held.

Dr. McCartney stated he would agree to cut the hourly rate in half and with the receipt of external funds that come to the City based on his particular efforts then the second half of the hourly rate would be paid.

Motion to approve Dr. McCartney's contract for \$42.50 an hour with remaining to be paid when funds are received and also contingent upon both parties agreeing to terms of contract made by Commissioner Elliott, second by Commissioner Ash.

Motion carried 4 to 1.

Voting Aye: Elliott, Ash, Cook, Mayor Johnson

Voting Nay: Bartley

Attorney Floyd stated he will amend contract to reflect \$42.50/hour with condition that Dr. McCartney will be paid second half of hourly rate when funds have been received.

Mayor Johnson reminded Attorney Floyd to also add the Strike Funds in his contract draft.

**BDI CONTRACT – CDBG SEWER EXTENSION PROJECT**

Richard Delp requests approval for BDI Contract on CDBG Sewer Extension Project.

Motion to approve BDI Contract for CDBG Sewer Extension Project made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

**MEMORANDUM OF AGREEMENT – DEPARTMENT OF ECONOMIC OPPORTUNITY**

Item tabled until April meeting.

**PLANNING AND ZONING**

**a. Confirm January Minutes**

Motion to confirm January Planning & Zoning minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Aye: None

**CITY CLERK**

1. Ms. Mathes gave update on Community Center and Battery Park playground repairs.

2. Ms. Mathes gave update on Senior Care Program. Because Wakulla County has pulled out of Franklin County, the County Commission has to appoint a new lead agency to take over providing services. Liberty County is the lead agency temporarily until a new agency can be appointed. Meals on Wheels is still being done out of Holy Family but that is the only activity at this time. Starting March 14<sup>th</sup>, Franklin's Promise will start a program that will run Monday – Friday from 11AM – 2PM daily. Hot meals and activities will begin on that date.

Commissioner Ash asked how much does the County allocate to the City to provide senior services.

Ms. Mathes stated the City gets \$17,000 annually from Franklin County. Funds are requested on a quarterly basis.

Comments received.

3. Ms. Mathes stated that Quen Lamb with Veterans Business Outreach Center at Gulf Coast State College would like to use the Community Center for Community Enrichment Classes on March 24, March 31, April 7, April 14, 2016, from 5:15 to 8:45 pm. Ms. Mathes requests to waive the rental fee.

Motion to waive Community Center rental fee for above dates to allow Gulf Coast to conduct Community Enrichment classes made by Commissioner Elliott, second by Commissioner Cook

Motion carried 5 to 0.

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

Voting Nay: None

**Regular Meeting – 3/8/16 – Page 8**

4. Ms. Mathes reported that \$150,000 was allocated from the BP funds for the Ellis Van Vleet manhole repair. Ms. Mathes stated because bids came in at \$239,000, she and Ms. Webb are working to get emergency assistance funds from DEP.

5. Motion to approve payment for Attorney Floyd invoice made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

**ATTORNEY FLOYD**

Attorney Floyd updated Commission on rental agreement with George Floyd and Denton Cove litigation.

Attorney Floyd stated in honor of his brother, he requests a section of the new library be dedicated in memory of Bars Floyd to encourage and promote youth education and development through our outdoor sports resources in the Apalachicola area. Attorney Floyd requests it be named the Bars Floyd Youth Outdoor Sports Memorial.

Motion to dedicate a section of the new library to the Bars Floyd Youth Outdoor Sports Memorial made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

**OTHER VISITORS & COMMENTS**

1. George Watkins asked about the status of travel lift operator contract for Scipio Creek.

Attorney Floyd stated he has a draft and will get with him and Commissioner Elliott.

Commissioner Elliott stated there is a problem with the flywheel.

Discussion held.

Mayor Johnson asked Ms. Mathes to get Tommy Harris to look at this and see if he can repair.

2. Leslie Coon commented on the lighting in the Bowery area and would like to see more lighting in this area.



**Regular Meeting – 3/8/16 – Page 9**

Ms. Coon stated she has applied for two board appointments, CRA and P&Z, and asked why she had not been contacted or appointed.

Mayor Johnson stated he would like to see someone from the BOA move to P&Z, and CRA has specific positions that need filling.

Ms. Coon inquired why the city is offering a 3 year lease to the Apalachicola Fish & Seafood, LLC, at the Harbor House for free when other business owners have to buy or rent to have a business here.

Mayor Johnson stated that item was pulled from the agenda because it is no longer needed.

**MAYOR & COMMISSIONER'S COMMENTS**

No comments.

There being no further business meeting adjourned.

---

Van W. Johnson, Sr., Mayor

---

Deborah Guillotte, Assistant City Clerk