

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, May 5, 2015 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, City Attorney Pat Floyd, Chief of Police Bobby Varnes

Visitors: Tommy Robinson, Kathy Robinson, Jaime Liang, John Weaver, Terry Weaver, Grayson Shepard, Greg Wynot, Callie Wynot, Jay Chesley, Lisa Chesley, Bryce Ward, Karen Ward, Karen Ventimiglia, Brant S. Banks, Dennis Winterringer, Bobby Miller, George Coon, Joey Taranto, Gina Taranto, Krystal Hernandez, Lindsay Bockelman, Mark Vail, Sarah Robinson, Charles Sawyer, Curt Blair, Ron Harris, Jane Harris, Mike Seibert, Carol Seibert, A.L. Speed, Paulette Moss, Beverly Coxwell, Debbie Belcher, Valerie Kidney, Lindsey Poloronis, Warrenetta Key, Vernice T. Watson, Chris Robinson, Jennifer Robinson, Tom Daly, Beth Wright, Uta Hardy, Josie Rosenbaum, Mark Friedman, Toni Taranto, Paula Martina, Brett Martina

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

RECOGNITION OF VISITORS

1. Curt Blair – TDC

Mr. Blair outlined how TDC funding is obtained and how funds are allocated for various projects and non-profit organizations.

2. Krystal Shuler Hernandez – 17th St. Affordable Housing Development

Jaime Liang read from materials which outlines history of Denton Coves developers. Ms. Liang continued stating proper notification was not given to the public regarding this project, project was first presented as an “affordable housing” development but in reality is a “low income housing” development, and inquired if a housing needs assessment was done before approval was given.

Mayor Johnson stated he personally performed a housing needs assessment. Mayor Johnson stated he contacted Apalachicola Housing Authority, Heritage Villas, and Southern Villas and was informed there was a long waiting list for all locations.

Mayor Johnson outlined both City Commission meetings and Planning & Zoning meetings starting from 2012 to present where this project was an agenda item and was discussed. Mayor Johnson further stated that minutes and agendas are posted on line or available at City Hall.

Greg Wynot distributed article to Commission which outlines history of Denton Coves developers and asked Commission to please read this article before moving forward. Mr. Wynot addressed his concerns with this project and requested a copy of all paperwork relating to the project. Mr. Wynot continued stating that there is already ample low income housing units available in Apalachicola, and the City should focus on projects that attract more jobs for people.

Mark Friedman stated there are other City owned properties that can be used for this project. Mr. Friedman stated the Denton Cove project doesn't meet the affordable housing income requirements by information that has been gathered and distributed this to the Commission asking that they please look at the information. Mr. Friedman addressed discrepancies relating to the project.

Gina Taranto stated the Denton Cove project is not an affordable housing project. Ms. Taranto stated the project was originally presented to target teachers, correctional officers, etc. but teachers and correctional officers have to high an income to qualify. Ms. Taranto continued stating this project is low income housing, and Apalachicola already has more low income housing units than both Carrabelle and Eastpoint combined. Ms. Taranto addressed concerns regarding the improper flow of the 17th Street ditch, and adding 52 housing units which would create a greater problem.

Krystal Hernandez stated that the City needs to focus on projects that will bring jobs to Apalachicola and not more low income housing.

Callie Wynot offered suggestions of what the neighborhood would like to see at the property at the old high school site like a nice playground for the kids or something like a YMCA.

Paula Martina stated that if this project were to move forward, then everyone's property value in the surrounding area of this project would drastically decline. Mrs. Martina also stated that this is low income and not affordable income housing.

Citizens' comments received.

David Adlerstein asked Commissioner Ash why she voted against this project at an earlier meeting.

Commissioner Ash stated she had not properly reviewed all the materials, and felt like more information was needed in order for her to make a sound decision.

Ms. Liang asked how the Commission proceeds at this point.

Commissioner Ash stated the Commission will look at it this further before moving forward.

Attorney Floyd stated he would review all the paperwork and contracts.

Mayor Johnson asked Attorney Floyd to review this matter and report back to the Commission.

Motion to authorize Attorney Floyd to review Denton Cove project documents and report back to Commission made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

Attorney Floyd asked Mark Friedman for a copy of all his informational materials.

Adoption Decision – Ordinance 2015-01 – Noise Ordinance

Attorney Floyd read Ordinance No. 2015-01 by title as follows:

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA REGULATING AND PROHIBITING THE EMISSION OF HARMFUL NOISE; DECLARING SAID NOISES TO BE DETRIMENTAL TO THE PUBLIC HEALTH, COMFORT, CONVENIENCE, SAFETY, WELFARE AND PROSPERITY OF THE RESIDENTS OF SAID CITY; ESTABLISHING AND DEFINING CERTAIN TERMS; ESTABLISHING AND PROVIDING FOR CERTAIN EXCEPTIONS; PROHIBITING THE MAKING, CAUSING OR ALLOWING OF SAID NOISES WHICH CAUSE A NOISE DISTURBANCE OR EXCEED CERTAIN SOUND LEVELS; PROVIDING FOR TECHNIQUES TO BE USED IN MEASURING LEVELS OF SAID NOISE AND THE ESTABLISHMENT OF SAID LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR ADDITIONAL CIVIL REMEDIES AND CITATIONS; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PARTS THEREFROM IN CONFLICT HERewith; PROVIDING FOR SPECIAL PERMITS; PROVIDING FOR APPEALS OF SPECIAL PERMITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Attorney Floyd stated that verbiage was added in Section 3 – Exceptions.

Motion to adopt Ordinance No. 2015-01 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 MINUTES

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

Motion carried 5 to 0

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

Voting Aye: None

PLANNING AND ZONING

Motion to confirm March Planning and Zoning minutes made by Commissioner Cook, 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 distributed Plein Air event information to be held Friday, May 8th at Riverfront Park.

2. Ms. Mathes reported there are two vacancies on Board of Adjustment and recommends appointing Dennis Winterringer to fill one of the vacancies.

Motion to appoint Dennis Winterringer to Board of Adjustment made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0

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

Voting Aye: None

3. Ms. Mathes reported that complaints have been received regarding trash under the bridge. DOT will be installing no dumping signs at the area within the next 30 to 60 days.

4. Ms. Mathes distributed map marking potential site for relocation of Dog Park. Ms. Mathes stated the area is the Bodiford property located on Water Street and the area across from Bodiford property adjacent to the public parking lot.

5. Ms. Mathes distributed draft copy of Ordinance 2015-03 (911 Emergency Address) to the Commission and stated that first reading will be in June.

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

Motion carried 5 to 0

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

Voting Aye: None

ATTORNEY FLOYD

Attorney Floyd gave update on the State of Florida versus State of Georgia litigation.

Attorney Floyd stated he mailed letter of termination of contract to Waste Pro.

OTHER VISITORS & COMMENTS

No comments.

MAYOR & COMMISSIONER'S COMMENTS

No comments.

There being no further business meeting adjourned.

Van W. Johnson Sr., Mayor

Deborah Guillotte, Assistant City Clerk