

A public hearing and regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, February 2, 2010 at 6:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Brenda Ash, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, City Attorney Pat Floyd, Grants Manager Cindi Giametta, Building Inspector Gene Osburn, Water & Sewer Foreman William Cox, Public Works Foreman Wilbur Bellew, Chief of Police Bobby Varnes

Visitors: Liz Kelsey, Barbara Sanders, Craig Gibson, Sally Williamson, Bill McCartney, John Solomon, George Watkins, Anita Grove, Dieter Ambos, Clarice Powell, Joe Taylor, Chuck Culvert, Curt Blair, Michael Shuler, Cindy Clark, Geoffrey Hewell, George Coon, Bob Dieter, David Mills, Caty Greene, David Adlerstein

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

PUBLIC HEARING – CRA PLAN – RESOLUTION 2010-01

Attorney Floyd outlined purpose of public hearing and contents of resolution.

Barbara Sander, Franklin County School Board attorney, stated the Franklin County School Board supports the CRA Plan.

Attorney Floyd stated the City has been trying to obtain the lease from the School Board for the High School property. Attorney Floyd outlined history and actions taken to try to obtain the lease.

Mayor Johnson stated this public hearing was to discuss CRA Plan, and that topic will be discussed during the regular meeting.

No further public comment concerning CRA Plan. Public hearing closed, and regular meeting opened.

REGULAR MEETING

* Curt Blair – City owned lots adjacent to Weems Hospital – Curt Blair stated work has begun on the Carrabelle clinic, and planning has begun for a new Apalachicola facility. The hospital has the opportunity to apply for a USDA loan, but one condition of the loan is the hospital has to have possession of all the lots. Currently, the City owns the property that a major portion of the driveway out front sits on. The County Commission has come up with a proposal for the City whereby the City would swap the property by the hospital for County owned parcels throughout the City.

Commissioner Barley asked if the swap has to be advertised.

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Michael Shuler, County attorney, stated the County approved to advertise at their meeting this morning.

Mayor Johnson asked Ms. Webb to explain property swap.

Ms. Webb outlined County owned property throughout the City that might be of use to the City.

Mayor Johnson asked if the County owns any full lots in the City.

Ms. Webb stated the County owns some off of 24th Avenue.

Mayor Johnson stated he would like the City to look at full lots for the swap.

Commissioner Bartley stated that Curt Blair is trying to get this taken care of as soon as possible so they won't lose the opportunity for the loan.

Mayor Johnson stated he just wants to make sure the City swaps something of equal value.

Mr. Shuler stated the County has to hold public hearings anyway, so the City could outline properties the City would be interested in the swap. Someone from the City would need to be at the County meeting to make sure the swap is what the City wants.

Ms. Webb stated she can identify County owned lots, and then the Commission can decide on what they want to swap.

Attorney Floyd asked if an appraisal has been done.

Mr. Shuler stated not to his knowledge. In the past, the County took the property appraised value determined by the Property Appraiser.

Attorney Floyd stated advertisement would be a proposal for an equal exchange and any other lots the City might be interested in.

Mr. Shuler stated there should not be a problem adding in any additional lots.

Attorney Floyd stated there is a proposed exchange of lots between the County and City to accomplish this goal for the hospital. This does not mean the County will agree with what the City has proposed. The public hearing advertisement will advertise additional lots.

Mr. Shuler stated the County is interested in reassembling the lots at Washington Square.

Ms. Webb stated it can be one joint advertisement.

Attorney Floyd stated the City will join the County in their advertisement.

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Motion to advertise proposed property exchange jointly with the County with additional lots added made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb will give Mr. Shuler a map of the County owned lots the City is interested in the swap.

* Barbara Sanders – School Board Lease – Ms. Sanders stated the School Board wanted to offer the same type of lease to Apalachicola that was offered to Carrabelle.

Attorney Floyd outlined the changes that the City wanted to make to lease.

Ms. Sanders stated she will have to present proposed changes to the School Board. Ms. Sanders stated the main discrepancy is who owns the right of way. The School Board feels they own all the land including the right of way. Ms. Sanders stated the School Board has signed the deed and that she can go to the School Board and say the City won't accept the proposed lease, but wants the deed. Ms. Sanders stated the School Board wants to hold onto all real property, and wants the lease to be like what was done with the City of Carrabelle.

Ms. Webb stated the City had given the school the right of ways, streets, avenues, and use of property.

Discussion held.

Commissioner Cook stated this needs to get done.

Motion to move forward contingent upon Attorney Floyd approval in language made by Commissioner Cook, second by Commissioner Bartley.

Attorney Floyd stated a motion is not necessary at this time. He and Ms. Sanders will work out details of lease, and will bring back to Commission.

Commissioner Cook rescinded motion. Commissioner Bartley rescinded second.

* John Solomon – Florida Seafood Festival – Mr. Solomon gave report on this year's festival.

Mr. Shuler stated that Mr. Solomon has done an excellent job as Florida Seafood Festival President.

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* Clarice Powell & Joe Taylor – Ms. Powell and Mr. Taylor outlined Bay Aid Franklin County project. Franklin County has been declared disaster area by Governor. Mr. Taylor stated they would like to hold a concert in Riverfront Park over Memorial Day weekend.

Commissioner Bartley asked if this will be a yearly event.

Mr. Taylor stated he hopes the event can become a yearly event.

Mayor Johnson stated that Franklin Promise is the associated that will be affiliated with the Bay Aid Franklin County project.

Motion to allow Ms. Powell and Mr. Taylor to schedule concert in Riverfront Park over Memorial Day weekend and come back at later time with plans for final approval made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

Commissioner Bartley asked if monies would be used to help pay electric bill and such for oystermen.

Mr. Taylor stated that is the hope for the project.

ADOPTION DECISION – RESOLUTION 2010-01 – CRA PLAN

Motion to adopt Resolution 2010-01 adopting CRA Plan made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Cook, Ash, Bartley, Mayor Johnson

Voting Nay: None

WATER SUPPLY PLAN – RESOLUTION 2010-02

Cindy Clark stated the City adopted Water Supply Plan like comp plan amendments are adopted. DCA wants the City to transmit Water Supply Plan before adoption. Ms. Clark stated the City needs to rescind the ordinance adopting the Water Supply Plan, and adopt resolution to transmit Water Supply Plan to DCA.

Attorney Floyd stated according to Rebecca Jetton, a transmittal was required first. The City adopted the ordinance before transmittal to DCA. The Board needs to begin publication to rescind ordinance and move forward with resolution approving changes so that it can be transmitted to DCA.

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Motion to start process of rescinding ordinance and adopt Resolution 2010-02 made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

APPROVAL OF MINUTES

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

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

APPROVAL OF BILLS

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

Motion carried.

Voting Aye: Cook, Ash, Bartley, Mayor Johnson

Voting Nay: None

CHAMBER OF COMMERCE REPORT

Anita Grove submitted written report.

TRAFFIC SAFETY TEAM REPORT

Bob Dieter stated he has no report at this time.

LIBRARY REPORT

Caty Greene submitted written report.

PLANNING & ZONING REPORT

Sally Williamson submitted verbal report.

Ms. Webb stated that Planning & Zoning will be holding a public hearing addressing John Croom's request this Monday at 6:00 PM.

FIRE DEPARTMENT REPORT

George Watkins submitted verbal report.

POLICE DEPARTMENT REPORT

Chief Varnes submitted verbal report.

Chief Varnes stated that Officer Croom will be conducting the Buckle Up Program and that he will be having several checkpoints throughout the City.

CITY ADMINISTRATOR REPORT

* Ms. Webb submitted written department reports to Board.

* Ms. Webb stated an Agenda Request Form has been created. Ms. Webb outlined contents of form.

Attorney Floyd stated the 3 minute time limit is not unreasonable and should be applied to everybody.

Motion to approve Agenda Request Form made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

* Motion to confirm utility truck purchase in the amount of \$21,800 to be paid out of LOGT funds made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

* Ms. Webb stated she had discussion with County Commissioner Lockley concerning 24th Avenue paving. Ms. Webb stated they addressed sections of the street that were in worse shape, but the City would have to pay for striping the street. The cost would be \$2,500 and would be paid from LOGT funds.

Motion to approve \$2,500 expense to stripe 24th Avenue with expense to be paid out of LOGT funds made by Commissioner Bartley.

Commissioner Ash asked when the County will start paving.

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Ms. Webb stated she has not received word from the County when the paving will begin.

Motion seconded by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

* Ms. Webb stated the USDA loan was closed yesterday and that payment will be made to Mike Willis tomorrow along with a signed satisfaction of mortgage. Contractor will commence work on February 8th.

* Ms. Webb stated that Project Impact has made card packages. They are selling them for \$5/pack and all proceeds will go towards recovery efforts in Haiti. Ms. Webb stated that attendance is up, and the program is being run when school is closed.

* Motion to authorize payment of Attorney Floyd's invoice in the amount of \$4,752.00 made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0

Voting Aye: Cook, Ash, Bartley, Mayor Johnson

Voting Nay: None

* Ms. Webb address GPS grant for all emergency vehicles.

Ms. Clark stated the City is concentrating on funding for the fire trucks at this point.

* Ms. Webb outlined BDI project activity report.

* Ms. Webb stated that Preble-Rish has completed survey on Schroeder property. Jim Waddell will be here on Thursday to address storm water issues. Camera work will be done on Thursday, and a report will be submitted after work is completed.

* Ms. Webb stated that Planning & Zoning is meeting with architects on Monday, February 8th to address fee schedule.

* Sally Williamson asked about the Senior Care Program.

Ms. Webb stated all the City is doing at this point is keeping the program moving. Advisory Board still needs to be created. A representative from the Commission needs to be on the Advisory Board.

Mayor Johnson asked about the initial pot of money that will be coming to the City.

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Ms. Webb stated Senior Care has 6 different funding sources.

* Ms. Webb stated the Apalachicola/Chattahoochee Flint River Stakeholders meeting will be held in the Cotton Warehouse on February 25th & 26th.

WATER & SEWER DEPARTMENT REPORT

William Cox stated there were no compliance issues in water or waste water. Mr. Cox submitted verbal report.

STREET DEPARTMENT

Marvin Croom not present.

PUBLIC WORKS DEPARTMENT REPORT

Wilbur Bellew stated that Robert Osburn is this month's Public Works Employee of the Month. Mr. Bellew submitted verbal report.

BUILDING DEPARTMENT REPORT

Gene Osburn submitted verbal report.

GRANTS MANAGER REPORT

Cindi Giametta stated that Bruce Ballister needs to hold a CDBG task force meeting. Ms. Giametta stated she recommends to appoint the Planning & Zoning Board as the CDBG Task Force.

Motion to appoint the Planning & Zoning Board as the CDBG Task Force made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Bartley, Ash, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb stated that Royal American is working at hiring 2 local people for the reuse project.

ATTORNEY FLOYD REPORT

* Attorney Floyd stated he submitted terminology to Ms. Sanders office in July regarding the School Board lease. City has not received lease or deed. He and Ms. Sanders will work out language.

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* Attorney Floyd updated Board on ACOE litigation.

* Attorney Floyd stated a motion is needed to approve property payment to Willis, Inc in the amount of \$545,065.32 (interest is included in payment). Attorney Floyd stated interest was not something that was included in purchase price in loan. There will be about a \$38,000 shortfall in funds. Also, a motion is needed directing the City Administrator to notify USDA that the City will cover the shortfall.

Ms. Webb stated that when all monies are pulled together, she doesn't feel the shortfall will be that large.

Attorney Floyd stated a letter has to be written to USDA stating the City is aware of a shortfall, and that the City will provide the funds.

Ms. Webb stated the contract can be modified and take away what we need to. The City can do some of the work ourselves.

Commissioner Ash asked what the shortage is, and where the funds are coming from to cover the shortage.

Ms. Webb stated the Board can authorize her and Commissioner Ash to work together and come up with a solution to cover the shortfall.

Motion to authorize Ms. Webb and Commissioner Ash to work together to come up with solution to cover shortfall, and authorize Ms. Webb to submit a letter to USDA stating the City will cover the shortfall made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Cook, Bartley, Mayor Johnson

Voting Nay: None

OTHER VISITORS & COMMENTS

* Geoffrey Hewell asked about the lights at Lafayette Park.

Ms. Giametta stated she has applied for a FRDAP grant to replace the lights at Lafayette Park, but has not heard the status.

Ms. Webb stated a majority of the lights are out at one end, so an electrician will also have to look at the problem.

* Motion to authorize payment to Willis, Inc. for property payment in the amount of \$545,065.32 made by Commissioner Bartley, second by Commissioner Cook.

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Motion carried 4 to 0.

Voting Aye: Ash, Cook, Bartley, Mayor Johnson

Voting Nay: None

MAYOR & COMMISSIONER'S COMMENTS

* Commissioner Ash she needs approval for the annual African History Festival to be held on February 20th. Event will be held around the 6th Street Recreation area from 10 AM – 8 PM and the parade will run from the old high school down MLK to 6th Street Recreation Center.

Motion to approve festival made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Bartley, Ash, Mayor Johnson

Voting Nay: None

* Commissioner Ash clarified comments that were made during the past week, and stated she does not take her position lightly when she was elected by the people.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk