

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, July 6, 2010 at 6:00 PM in the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Brenda Ash, Commissioner Mitchell Bartley, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, Chief of Police Bobby Varnes, City Attorney Pat Floyd, Water & Sewer Foreman William Cox

Visitors: Liz Kelsey, Bob Dieter, Matthew Quinn, Tonya Farmer, Steve Bonifay, Ken Schroeder, Geoffrey Hewell, John Croom, Maria Jane Vause, Anita Grove, Karla Ambos, Dieter Ambos, Michael O'Neal, Timothy Davis, Caty Greene, Clarice Powell, George Coon, David Adlerstein, Joe Taylor

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

RECOGNITION OF VISITORS

* John Croom – Extend bar hours on holidays and special occasions – Mr. Croom stated he thought he was on the agenda to extend bar hours on Friday and Saturday night. Mr. Croom stated he would like Commission to consider option of extending hours on Friday and Saturday nights by one hour.

Mayor Johnson stated this request has already been sent through planning and zoning.

Dieter Ambos stated a public hearing was held on this request, and planning and zoning voted no unanimously to the request.

Mayor Johnson stated a public hearing was held and Commission confirmed planning and zoning actions. Business is located in mix use zoning, and the residents were complaining about the noise.

Mr. Croom stated that if he was allowed to stay open an extra hour it would be a blessing because the people would be inside the building and not outside creating trouble. Mr. Croom asked when a request to extend bar hours could be made again.

Mayor Johnson stated a citizen can make a request any time.

* Ken Schroeder – Update on drainage improvement project at Ave F & 6th Street – Mr. Schroeder stated he would like an update on the drainage improvement project at Avenue F & 6th Street. Mr. Schroeder stated the City's failure to act is costing him financial damage.

Ms. Webb stated that before C. W. Roberts leaves town, the work will be completed.

Mr. Schroeder stated he needs help now.

Commissioner Ash asked if there is anyone who the City can contact to get a more definite time on when the project will be completed.

Ms. Webb stated she will contact the head man at C. W. Roberts to see if the curbing can be done first before any other paving is done.

Maria Jane Vause asked what determines a special occasion for bars to remain open an additional hour.

Mayor Johnson stated special occasions are determined on a case by case basis.

Ms. Webb stated that she and Chief Varnes will address special occasions on a case by case basis.

* Matthew Quinn – Incident at Scipio Creek Mooring Basin – Mr. Quinn outlined incident that occurred at Scipio Creek Mooring Basin in February and request Mayor Johnson to review his information.

Mayor Johnson informed Mr. Quinn that the City has a procedure in which a citizen can file a written complaint and Mr. Quinn should go through that process. Mayor Johnson also informed Mr. Quinn that he can file a complaint with FDLE. This is in the hands of the judicial system.

CHAMBER OF COMMERCE REPORT

Anita Grove submitted written report.

TRAFFIC SAFETY TEAM REPORT

Bob Dieter submitted verbal report. Mr. Dieter stated the decision on MLK & Avenue M sidewalk won't be made until September. Mr. Dieter stated the Traffic Safety Team has some concerns about the Avenue D & Market Street intersection. FDOT would want to eliminate some parking spaces to make intersection safer. Mr. Dieter stated the Traffic Safety Team recommends eliminating some parking spaces in front of Verandas and the Orman Building.

Mayor Johnson stated if the City could get the merchants to start using the City parking lot and let the customers use the parking spaces in front of the businesses, then eliminating the parking spaces won't have the much of an impact on businesses.

Anita Grove stated she hasn't had any luck with merchants using the City parking lot, but will ask the merchants again.

Mr. Dieter stated this problem needs to be addressed immediately. A decision doesn't need to be made tonight, but within the next couple of months.

Commissioner Elliott asked if the parking spaces could be made into motorcycle parking only spaces.

Mayor Johnson stated the Traffic Safety Team will direct the Commission on the necessary action.

Mr. Dieter asked about the status of the Bay Avenue & Avenue C sidewalk.

Ms. Webb stated the City has advertised for an engineer.

LIBRARY REPORT

Caty Greene submitted written report.

PLANNING & ZONING REPORT

Dieter Ambos submitted verbal report.

Mayor Johnson asked what the hold up is on the Holy Family review.

Mr. Dieter stated he was not aware that the review was being held up, but will talk with Leon Bloodworth to find out what the problem is.

Motion to confirm June planning and zoning minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Bartley, Mayor Johnson

Voting Nay: None

FIRE DEPARTMENT REPORT

No report given.

POLICE DEPARTMENT REPORT

Chief Bobby Varnes submitted verbal report.

Mr. Croom asked Chief Varnes if there was anything he could do to help get people off the streets in front of his business.

Chief Varnes stated the police has to handle that situation.

Attorney Floyd advised Mr. Croom to check with the building department about installing “No Loitering” signs in front of his business.

Ms. Vause stated that underage kids stand on the corner drinking and selling drugs every Friday and Saturday night.

Chief Varnes stated the police department will take care of that problem.

Attorney Floyd stated that Chief Varnes has requested a Loitering Ordinance.

Motion to authorize Attorney Floyd to read Ordinance 2010-02 by title for first reading made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Elliott, Mayor Johnson

Voting Nay: None

Attorney Floyd read Ordinance 2010-02 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, PROHIBITING LOITERING IN A PUBLIC PLACE OR ON PUBLIC RIGHT-OF-WAY IN SUCH A MANNER TO OBSTRUCT OR INTERFERE WITH THE FREE AND UNINTERRUPTED PASSAGE OF VEHICLE AND PEDESTRIAN TRAFFIC; DEFINITIONS AS USED IN THIS ORDINANCE; POLICE ORDER TO DISPERSE; AND ESTABLISHING AN EFFECTIVE DATE.

Motion to approve first reading of Ordinance 2010-02 made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Bartley, Elliott, Ash, Mayor Johnson

Voting Nay: None

Ms. Vause asked if she had to get special permission to stay open from 1-3 AM for a restaurant on Friday and Saturday nights to serve breakfast. No alcohol will be served.

Mayor Johnson stated that the business is located in a residential area.

CITY ADMINISTRATOR REPORT

* Ms. Webb updated Commission on Work Force employees.

* Ms. Webb updated Commission on TDC allocations.

Commissioner Ash stated that TDC has allocated \$50,000 to the City. Commissioner Ash outlined TDC approved projects.

Motion to approve payment of Attorney Floyd's invoice for \$13,648.00 made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Elliott, Ash, Bartley, Mayor Johnson

Voting Nay: None

* Ms. Webb submitted proposed plan to help preserve Apalachicola against oil spill.

Ms. Webb and Attorney Floyd discussed proposed plan.

Motion to approve to proceed with plan, hold town information session, approve the submittal of grant applications together with the preparation and submittal of the grants for the items on the equipment and materials sheet and approve for preparation and submittal of claims for BP expenditures made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Elliott, Mayor Johnson

Voting Nay: None

Commission set Town Hall Meeting for July 13th at 6:00 PM to be held at the Apalachicola Community Center.

WATER & SEWER DEPARTMENT REPORT

William Cox did not have anything to report.

STREET DEPARTMENT

No report given.

PUBLIC WORKS DEPARTMENT

No report given.

BUILDING DEPARTMENT REPORT

No report given.

GRANTS MANAGER REPORT

Cindi Giametta stated she has obtained additional funding for Scipio Creek Project – \$1.8 million from EDA and \$460,000 from CDBG. Ms. Giametta also stated she has found funding source to make Cotton Warehouse handicap accessible.

Motion to authorize Ms. Giametta to proceed with additional funding sources for Scipio Creek and Cotton Warehouse made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

CITY CLERK REPORT

Lee Mathes had no report.

ATTORNEY FLOYD REPORT

* CRA Resolution – Attorney Floyd stated he will submit in resolution form.

Mr. Ambos stated this needs to be resolved. Resolution seems to be the right way to go.

* Attorney Floyd updated Commission on ACOE litigation.

OTHER VISITORS AND COMMENTS

* Joe Taylor updated Commission on Franklin Promise activities and History, Culture, & Arts and Arts and Medicine activities.

* Commissioner Ash stated an extra fee should be charged to extend hours for City rental facilities.

Ms. Webb stated that Chief Varnes has the right to shut down the facility if problems occur.

Commissioner Bartley stated the City should charge \$50 extra to extend hours.

* Commissioner Ash asked if a list of projects and contracts could be compiled so items can be readdressed before budget time.

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There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk