

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, July 5, 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 Administrator Lee Mathes, City Clerk Deborah Guillotte, Lieutenant Pam Lewis, Attorney Pat Floyd

Visitors: Joe Taylor, J.P. Barber, Anita Grove, Gene Rutherford, Teresa Rutherford, Mindy Parker, Michael Bailey, Diane Brewer, Mark Milliken, Elizabeth Milliken, Robert Zingarelli, Misty Berryman, Dennis Winterringer, Jimmy Lashley, Sr., Jimmy Lashley, Bernard Simmons, Utah Hardy, Walter Robinson, Jim Bachrach

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

RECOGNITION OF VISITORS:

J.P. Barber – Donate Shrimp Boat to City for Possible Future Museum – J.P. Barber stated he would like to donate his shrimp boat to the City for possible use as a museum.

Commissioner Bartley stated he was very interested in this possibility.

Jim Bachrach stated Main Street has been researching grants to accommodate this request and will update Mayor Johnson as information is received.

Mayor Johnson encouraged Main Street to proceed with research for grant for boat restoration and keep him informed.

Misty Berryman – Franklin County Mitigation Assistance Plan – Misty Berryman outlined Franklin County Mitigation Assistance Plan and distributed copies of a Franklin County Flood Survey to audience and Commission and ask copies be put at City Hall to assist with public distribution. Ms. Berryman stated survey is also available on the Franklin County website.

Anita Grove – Installation of “Drains to the Bay” Plaques – Anita Grove distributed a photocopy of the “Drains to the Bay” plaques and map of plaque locations to the Commission. Ms. Grove stated DEP will be purchasing and installing about 75 to 100 of the plaques in Apalachicola to help educate citizens not to dump oil, cleaning supplies, etc into city storm drains. This will be no cost to the City.

Mayor Johnson stated this is a good idea and feel free to move forward with this project.

APPROVAL OF JUNE MINUTES:

Motion to approve June minutes made by Commissioner Cook, second by Commissioner Bartley.

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Motion carried: 5 to 0

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

Voting Naye: None

APPROVAL OF MAY BILL LIST:

Motion to approve May bill list made by Commissioner Ash, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Naye: None

ADOPTION DECISION RESOLUTION 2016-10 – TRANSIENT DOCKAGE FEES:

Attorney Floyd read Resolution 2016-10 in its entirety.

Motion to adopt Resolution 2016-10 made by Commissioner Elliott, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Naye: None

SISTER CITIES INTERNATIONAL MEMBERSHIP - Mayor Johnson stated Sister Cities International information was distributed in Commission packets, and requests approval for membership fee of \$175.00/year to Sister Cities International. Mayor Johnson explained the program is a web based link to be able to connect and interact with what other governmental agencies and communities are doing and get relationships with them.

Motion to approve membership fee made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Naye: None

CONFIRM FRANKLIN COUNTY DIXIE YOUTH LEAGUE BASEBALL/SOFTBALL DONATION

Motion to confirm \$5,000.00 donation to Franklin County Dixie Youth League Baseball/Softball with funds coming out of reserve if necessary made by Commissioner Bartley, second by Commissioner Cook.

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Motion carried: 5 to 0

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

Voting Nay: None

INDEPENDENT CONSULTANT AGREEMENT REGARDING BTW SERVICES, INC

Attorney Floyd stated he and Ms. Webb have both reviewed agreement, and recommends Commission consider approval condition upon approval by Division of Retirement to make sure there will be no conflict with Ms. Webb entering into an agreement with the City.

Mayor Johnson stated it was approved at last meeting contingent upon language correction with final draft to be brought back before the Commission.

Discussion held.

Commission agreed to wait for Division of Retirement review before giving final approval.

**REPAIR YARD – TRAVEL LIFT AGREEMENT – MIKE THRASHER d/b/a
APALACHICOLA MARINA**

Attorney Floyd stated contract has been completed with changes. Attorney Floyd explained that Mr. Thrasher would like to have an office at the Harbor Master House during business hours; however it has not been agreed upon the financial details of the contract given the different scope of services that would be provided. Attorney Floyd stated it was originally agreed for Mr. Thrasher to operate the travel lift and repair yard contingent upon obtaining the proper insurance and licenses; however Mr. Thrasher is now requesting to live in the Harbor Master house which would have to be approved by the City Commission.

Mayor Johnson stated he had been contacted by numerous people and would like to stay with what was previously approved.

Mr. Thrasher stated if he could not live at the Harbor Master house, it would not warrant him to pursue the contract due to the traveling cost.

Commissioner Elliott stated he has no problem with Mr. Thrasher living in the Harbor Master house.

Commissioner Bartley asked if the Harbor Master house was zoned for a permanent residence.

Joe Taylor stated speaking as a Planning & Zoning board member, this issue would have to be looked into further before a decision can be made.

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Commissioner Elliott recommends Mr. Thrasher receive 100% of the proceeds from boat lift and repair yard, get a schedule of operating days, and address living at the Harbor Master house at a later time.

Motion to approve Mike Thrasher receive 100% proceeds from boat lift and repair yard and get a schedule of operating days made by Commissioner Elliott, second by Commissioner Cook.

Attorney Floyd clarified that Commissioner Elliott is offering Mike Thrasher an agreement to work and operate the boat lift and repair yard at 100% profit, without taking into the harbor house at all, and will discuss residence after further review.

Commissioner Elliott stated yes.

Motion not carried: 2 to 3

Voting Aye: Cook, Elliott

Voting Nay: Ash, Bartley, Mayor Johnson

Mr. Thrasher stated he could operate the boat lift and repair yard without living in the Harbor Master house due to cost of traveling back and forth.

PLANNING & ZONING:

Encroachment Agreement – LR DEV Apalachicola – 116 Avenue E – Carport & Parking Pad

Gene Rutherford stated he had requested a drive way and parking pad out of pervious concrete for his home at 116 Avenue E. Planning & Zoning has approved contingent upon encroachment agreement by City.

Attorney Floyd stated this is the same thing as someone having a structure on City right of way and it does need an encroachment even though it is pervious material.

Discussion held.

Joe Taylor stated that the pervious concrete material at Buy Rite did cause a change in the water flow on surrounding properties.

Motion to approve encroachment contingent upon type of material used for parking pad and drive way and go back to Planning & Zoning if needed made by Commissioner Elliott, second by Commissioner Cook.

Motion carried: 4 to 1
Voting Aye: Bartley, Cook, Elliott, Mayor Johnson
Voting Nay: Ash
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Confirm May Minutes:

Motion to confirm May Planning and Zoning minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried: 5 to 0
Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson
Voting Nay: None

CITY ADMINISTRATOR:

BP Project Update List - Ms. Mathes stated she has an updated BP project list that was requested at last meeting. Copies are available for citizens.

Commissioner Ash stated the A/C in the Work Force area needs addressing.

Ms. Mathes will get with Joe Taylor regarding this issue.

City's Rental Agreement – Ms. Mathes stated that currently governmental entities are charged half the rental rate for City facilities. Ms. Mathes recommends this fee be waived for governmental entities.

Motion to approve to waive rental fee for City facilities for governmental entities made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0
Voting Aye: Ash, Bartley, Cook, Elliott, Mayor Johnson
Voting Nay: None

Special Meeting – Tentative Millage and Workshop on Policies and Procedures –

Commission set meeting for Wednesday, July 20th at 6:00 PM.

Pat Floyd Invoice - Ms. Mathes requests approval for payment for Attorney Floyd's Invoice.

Motion to approve payment for Attorney Floyd's 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

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ATTORNEY FLOYD:

Attorney Floyd updated Commission on Denton Cove, FL/GA water litigation, shelling program, Maritime Museum Agreement, and code enforcement issues he is working on with Mr. Bellew.

OTHER VISITORS & COMMENTS:

Jimmy Lashley, Jr. voiced his concerns regarding the new shelling program. Mr. Lashley feels all oystermen should be eligible to shell.

Mayor Johnson stated that the City is just the payroll agency, not the administrator of the program.

Ms. Mathes stated DACS has eliminated CareerSource which means the City will administer the grant. DACS will only pay \$50/yard and there will only be one person per boat who will get paid. There are currently 389 shellers on the payroll system. Ms. Mathes stated she will call Kal Knickerbocker to get further information regarding qualifications.

Jimmy Lashley, Sr., stated he had shelled in the earlier program, but wasn't able to shell in the last couple programs. Mr. Lashley stated every oysterman should be able to shell, not just certain people. Mr. Lashley continued stating if all oystermen can't shell, he would like to see the money go back to the State.

Mayor Johnson stated he did not know how to respond to that comment.

Bernard Simmons, Sr., stated Sylvester Williams Park needs work. Mr. Simmons stated the fence is locked so the playground area is inaccessible; grass needs cutting, weeds on the fence need cutting, and basically cleaned up so kids can play in the park.

Ms. Mathes stated the gates are locked due to sinkholes in the basketball court. Ms. Mathes will get with Public Works to address issues.

Mayor Johnson stated Sylvester Williams Park was upgraded with a FRDAP grant a few years back, but even after all the improvements the park was not used to its full potential. Mayor Johnson asked that if the City fixes the park, then use the park.

MAYOR & COMMISSIONER'S COMMENTS:

1. Commissioner Bartley requests that the stop sign on 8th Street and Avenue H be eliminated due to very little traffic in this area.

Lieutenant Lewis requests that the stop sign on corner of MLK and 10th Street be eliminated as well.

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Motion to remove stops signs on 8th Street & Avenue H and MLK & 10th Street made by Commissioner Bartley, second by Commissioner Cook.

Motion carried: 5 to 0

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

Voting Nay: None

2. Commissioner Elliott reiterated his concerns about the shrimpers not being able to pull their boats out at the Mill Pond. Commissioner Elliott would like to look into the possibility of some of the City employees possibly getting certified and pulling out the boats.

Commissioner Ash recommends Commissioner Elliott get together a proposal and bring back before the Commission.

3. Mayor Johnson stated the current vehicle policy prohibits City vehicles from having tinted windows. Mayor Johnson stated that Greg Harris has requested his vehicle windows be tinted due to safety issues of the sun rays and causing skin cancer.

Commissioner Ash stated if we did it for one vehicle, we would have to do for all, therefore, we would need to change the policy.

Motion to amend vehicle policy to allow legal tint color on city vehicles made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried: 5 to 0

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

Voting Nay: None

Mayor Johnson stated the City Administrator and City Clerk salaries were not increased when promotions were given, therefore recommends Commission approve pay increase.

Motion to approve City Administrator and City Clerk Promotion Pay made by Commissioner Cook, second by Commissioner Elliott.

Commissioner Ash request the Commission wait and discuss at meeting addressing personnel policies on July 20th to make sure everything is done in line and new personnel policies are revised and in place.

Motion carried: 5 to 0

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

Voting Nay: None

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There being no further business meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk