

A Public Hearing and Regular Meeting of the City Commission of the City of Apalachicola were held on Tuesday, December 2, 2008 at 6:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

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

Visitors: Beverly Hewitt, Karla Ambos, Shirley Taylor, Joe Taylor, Sally Williamson, Anita Grove, Marjorie Solomon, Candace Springer, Ed Springer, George Watkins, David Adlerstein, Curt Blair, Susan Clementson, Gail Johnson, Jim Silva, Kate Hartman, Ralph Richards, Carrie Kienzle, Carol Barfield, Clarice Powell

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

PUBLIC HEARING – ORDINANCE NO. 2008-07 – SCIPIO CREEK

Attorney Floyd read Ordinance 2008-07 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, AMENDING ORDINANCE NUMBER 88-4 BY AMENDING SECTION 3-B:a, FIXING AND DESIGNATING THE RULES, REGULATIONS AND FEES TO BE CHARGED FOR THE USE OF SCIPIO CREEK MOORING BASIN; ALLOWING A ONE-YEAR EXTENSION TO THE GRANDFATHERED STATUS; AND ALLOWING FOR AN EFFECTIVE DATE.

No public comment.

Public hearing closed.

REGULAR MEETING

ADOPTION DECISION – ORDINANCE NO. 2008-07 – SCIPIO CREEK

Motion to adopt Ordinance No. 2008-07 made by Commissioner Webb, second by Commissioner Elliott.

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Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

APPROVAL OF MINUTES

Motion to approve November minutes made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

APPROVAL OF BILL LIST

Motion to approve September and October bill list made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

ADOPTION MAYOR'S PROCLAMATION – LOVE CENTER

Attorney Floyd read proclamation in its entirety.

Motion to adopt Mayor's Proclamation honoring Love Center's pastors Leonard and Sheila Martin and proclaiming that Friday, December 19, 2008 is the Love & Worship Center Church "Pastor Appreciation Day" made by Commissioner Webb, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

TRAFFIC SAFETY TEAM REPORT

Ms. Webb stated a meeting was held last month. Traffic Safety Team has been merged with Franklin County so funding would be more favorable for projects. Traffic Safety Team is continuing to seek members throughout the County. No projects are currently on the table, but the downtown parking issue and steps in front of the Grill are being reviewed by Traffic Safety Team.

CHAMBER OF COMMERCE REPORT

Anita Grove presented monthly Chamber of Commerce Report.

No Commissioner's comments.

LIBRARY BOARD REPORT

Susan Clementson presented monthly Library Board Report. Ms. Clementson stated the Library is now operating within its monthly income.

Mayor Johnson asked if Ann Sizemore had resigned.

Ms. Clementson stated that Ms. Sizemore's hours had been cut due to lack of funds, and Ms. Sizemore chose to resign. Available library positions will be advertised in the near future.

POLICE DEPARTMENT REPORT

Chief Varnes reported on number of calls, arrests, and traffic accidents. Chief Varnes stated that numerous golf cart warnings have also been issued.

CITY ADMINISTRATOR REPORT

Ms. Webb presented monthly report to Commission. Ms. Webb reported that as of this time, no State allocations will be available to help with sewer project loan. Ms. Webb stated she plans on meeting with representatives to see what can be done. Ms. Webb stated that no one has applied for the Revolving Loan cycle, but will continue accepting applications for one more month to see if any participants apply. Ms. Webb reported that the City has removed one sunken vessel from Scipio Creek, and is focusing on

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removing the other vessels. Ms. Webb stated the State cannot reach the owner of Captain Fuzz.

WATER & SEWER DEPARTMENT REPORT

William Cox reported stated the City was in compliance for November, Fred Babb has taken over Alvin Martina's position, and meter reading schedule has been resolved.

Mayor Johnson stated he has received numerous calls regarding water bills this month.

Mr. Cox stated the crew got off schedule and did not read in the correct order, but matter has been resolved.

BUILDING DEPARTMENT REPORT

Gene Osburn stated he gone through downtown area, and found several violations on businesses other than signage. Mr. Osburn stated he will note violations for each business, present each business owner with a letter stating violations and give time frame to correct problems, and present each business owner with copy of ordinance that addresses violations. Mr. Osburn stated he issued a stop work order today, and also discussed the nuisance ordinance with Attorney Floyd.

Mayor Johnson stated he was hoping to have the revised nuisance ordinance completed by end of the year, but that time frame is not going to happen.

Attorney Floyd stated the ordinance is 90% complete.

Mr. Osburn stated the law enforcement was the main issue that needed to be addressed in the ordinance.

Ms. Webb stated she would like to submit a copy of the ordinance to the Adopt-A- Block committee so they will understand the procedure.

Motion to confirm planning and zoning minutes made by Commissioner Cook, second by Commissioner Elliott.

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Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

GRANTS MANAGER REPORT

Cindi Giametta stated the City has received grant for Holy Family in the amount of \$1.8 million.

Ms. Giametta stated the FCT contracts for James Holmes property and Bob Peterson property is ready for Mayor's signature.

Attorney Floyd stated all the appraisals have been completed, and everything is in order.

Motion to authorize Mayor Johnson to sign FCT contracts for James Holmes property and Bob Peterson property made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

Ms. Giametta stated that FCT funds have also been awarded to purchase the McLemore property. No appraisals have been done at this time, but needs approval to proceed with process.

Attorney Floyd stated at this time all that is needed is for the Board to approve to proceed with process to purchase McLemore property and get appraisals done. No contracts have been drafted for this property as of this time.

Curt Blair stated he thought FCT funds were to be used to purchase waterfront property not inland property. Mr. Blair stated he was his understanding that the Commission voted not to pursue any commercial inland properties.

Attorney Floyd stated the McLemore property was already on the acquisition list. The Watkins or Williamson properties were not funded.

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Mr. Blair stated the City is buying all the available inland commercial developmental property. Mr. Blair stated that concerns him.

Ms. Webb stated it was discussed that the City would not pursue any inland properties, but the McLemore property ties in with the State Park area around the Three Serviceman Statute.

Attorney Floyd stated the property priority list is discussed and approved in a public meeting.

Motion to approve to proceed with McLemore property purchase made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Elliott, Webb, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb reported on BDI monthly project status report. Ms. Webb stated that the Public Works department is working on winter time projects.

Joe Taylor thanked Wilbur Bellew and entire City staff for working on downtown Christmas celebration. Mr. Taylor stated that Mr. Bellew was there until the last person left, and that was very much appreciated.

Commissioner Webb commended Wilbur Bellew on his hard work and dedication to the City.

Ms. Webb stated that the \$500,000 available funds should be enough to complete treatment plant project. Hopes to have everything completed by March 2009

Joe Taylor thanked Commissioner Webb for sponsoring three children for art class held on Saturday, November 29th.

Marjorie Solomon expressed concern about number of fire hydrants in downtown area. Ms. Solomon stated most of the fire hydrants are either gone or not working. Ms. Solomon commended the Fire Department on their work on the Apalachicola State Bank fire.

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Ms. Webb stated that when new water lines were installed, DOT would not allow the City to dig up roadway to install new hydrants. No new hydrants were installed between Avenues D and E on Market Street.

Beverly Hewitt stated the City is desperate need of a ladder truck. Everyone needs to support the Fire Department so they have the essential equipment. Ms. Hewitt stated the Fire Department did a fantastic job on working the Apalachicola State Bank fire.

Ms. Webb stated she has discussed a ladder truck with Chief Simmons. Ms. Webb stated that MSBU funds will be used to purchase a truck to replace an existing truck, and the City can apply for the Assistance to Fire Fighters Grant to purchase a ladder truck. Ms. Webb stated of the existing hydrants, she is not aware of any hydrants not working.

Mr. Cox stated that although there are no hydrants on Commerce Street, all the available hydrants are within legal limits to all buildings. Hydrants can be found on Market Street and Water Street.

Commissioner Webb stated the City needs to look into installing more hydrants in downtown area.

FRANKLIN PROMISE

Mayor Johnson stated \$2,675.00 was raised towards the food pantry. Mayor Johnson presented Clarice Powell with donations received.

Ms. Powell thanked everyone for their contribution.

ATTORNEY FLOYD REPORT

* Sherman Thomas – case is completed and has been dismissed.

* Joanne Walker – insurance company is continuing to evaluate case – a notice has been received from Terrance Walker's attorney – recommends the City reimburse for bond amount because deductible is \$2,500.

Ms. Webb stated everything will run through the insurance company. The City will not write a check directly to Joanne Walker.

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Motion to reimburse for bond amount made by Commissioner Cook, second by Commissioner Elliott

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

* Adrienne Joseph – property has been sold and City should be receiving full pay out on her revolving loan.

Motion to approve Attorney Floyd's invoice in the amount of \$5,032 made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

OTHER VISITORS & COMMENTS

* Anita Grove announced that the Chamber of Commerce luncheon will be held tomorrow at the Grill.

* Carol Barfield thanked Mayor Johnson for his volunteer work for High Five.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk

