A Public Hearing and Special Meeting of the City Commission of the City of Apalachicola were held on Tuesday, September 15, 2009 at 6:00 PM in 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

Visitors: Dan Garlick, Helen Tudor, Sally Williamson, Tom Brocato, Martha P. Ward, Pam Nobles, Anita Grove, Tom Daly, Caty Greene, Dixie Partington, Jerry Hall, Selena Noblit, Paul Noblit, Beverly Hewitt, Brenda Ash, Dieter Ambos, David Adlerstein, Karla Ambos, Tammie Ray Hutchinson

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

PUBLIC HEARING – FY 2009-2010 BUDGET

Commissioner Cook read the following announcement:

CITY OF APALACHICOLA 2009-2010 FISCAL YEAR BUDGET INFORMATION:

GENERAL FUND:	2,088,145
ENTERPRISE FUND:	1,602,250
TOTAL BUDGET:	3,690,395

PROPOSED MILLAGE RATE: 7.31
ROLLED BACK RATE: 7.19
PROPOSED MILLAGE RATE IS A 1.67% INCREASE FROM THE ROLLED BACK RATE.

THE SECOND PUBLIC HEARING AND SPECIAL MEETING FOR FINAL ADOPTION OF THE 2009-2010 FISCAL YEAR BUDGET IS BEING HELD ON TUESDAY, SEPTEMBER 29, 2009 AT 6:00 PM IN THE COMMUNITY CENTER.

Dieter Ambos asked what the proposed millage rate was.

Ms. Mathes stated it is proposed at 7.31 mills.

No further public comment.

Public hearing closed.

SPECIAL MEETING

TENTATIVELY ADOPT FY 2009-2010 MILLAGE RATE – RESOLUTION 2009-11

Ms. Webb read Resolution 2009-11 by title as follows:

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY FOR THE

FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010, STATING THE PERCENTAGE BY WHICH THE MILLAGE RATE TO BE LEVIED EXCEEDS THE ROLLED BACK RATE; AND PROVIDING AN EFFECTIVE DATE.

Mayor Johnson read statement from Richard Dosik, Budget Committee member, to be inserted into the minutes:

BUDGET STRATEGY

The economic circumstances in which the 09-10 budget was prepared was pretty much the same in Apalachicola as in the rest of the world. The bursting of the real estate bubble and subsequent recession cut sharply into revenue while expenditure tended to remain at a level reflecting the enthusiasms of the boom years. Governments usually seek to adjust to adverse circumstances by taking measures on both fronts – cutting spending and raising revenue.

Apalach's budget takes a different approach by seeking to place the entire burden of adjustment on the revenue side. Both expenses and revenues remain at the $2.0 million level reached last year. Not only are total expenses untouched but there seems to have been virtually no change of any consequence in individual line items of expenditure. The only department showing a sharp increase is Administrative Operations (about $200,000 for salaries); the only department whole budget is significantly lower than last year is City Hall (nearly $100,000 for salaries). To balance the budget it was necessary to raise the millage rate by more than 20% to the legal maximum.

If the recession proves short-lived and both the national and Apalach economies start growing again, the strategy of maintaining expenditures will have been a wise one. People, projects and politicians will have been protected from unnecessary disruption. On the other hand, if the recovery is late and/or slow, it will not be possible to avoid cutting expenditures next year and the required cuts could well be more difficult than if a start had been made on cutting expenditure in this year's budget.

RS Dosik
9/4/09

Motion to tentatively adopt Resolution 2009-11 made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Elliott, Webb, Cook, Mayor Johnson
Voting Nay: None

1ST READING ORDINANCE NO. 2009-02 – TENTATIVELY ADOPT FY 2009-2010 BUDGET

Ms. Webb read Ordinance No. 2009-02 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA ADOPTING THE 2009-2010 FISCAL YEAR BUDGET

Motion to approve 1st reading of Ordinance 2009-02 tentatively adopting the 2009-2010 fiscal year budget and authorize to advertise for second public hearing and final adoption made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 4 to 0.
Voting Aye: Webb, Cook, Elliott, Mayor Johnson
Voting Nay: None

1ST READING ORDINANCE NO. 2009-03 – POLICE/FIRE STATION USDA BOND

Ms. Webb read Ordinance 2009-03 by title as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA PROVIDING FOR THE CONSTRUCTION OF CERTAIN CAPITAL IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF NOT EXCEEDING $506,500 CAPITAL IMPROVEMENT REVENUE BONDS TO FINANCE A PORTION OF THE COST THEREOF; PLEDGING A LIEN ON THE PLEDGED REVENUES TO SECURE THE PAYMENT THEREOF; PROVIDING FOR THE ISSUANCE OF TEMPORARY BOND ANTICIPATION NOTES; PROVIDNG FOR THE RIGHTS OF THE HOLDERS OF SUCH BONDS; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH AND PROVIDING AN EFFECTIVE DATE.

Motion to approve 1st reading of Ordinance 2009-03 and authorize to advertise for second public hearing and final adoption made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Cook, Elliott, Webb, Mayor Johnson
Voting Nay: None

DAN GARLICK – REPRESENTING HELEN TUDOR – CHAPMAN HOUSE

Dan Garlick stated that Ms. Tudor is requesting an encroachment for landscaping and parking that will be on City right of way. Mr. Garlick outlined where landscaping and parking would be placed on City right of way. Mr. Garlick stated project has already been approved by Planning & Zoning Board, but Planning & Zoning Board could not approve or disapprove the encroachment.

Ms. Webb stated the City has a standard encroachment agreement that will need to be signed.

Motion to allow parking and landscaping encroachments on City right of way contingent upon signing encroachment agreement made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Elliott, Webb, Cook, Mayor Johnson
Voting Nay: None

TOM BROCATO – COMMUNITY PRIDE SALE ITEMS

Tom Brocato presented $300 check to Mayor for sale of items thus far. Mr. Brocato would like permission to sell items at Seafood Festival.

Motion to authorize Tom Brocato to sell community pride items at the Seafood Festival made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Webb, Cook, Elliott, Mayor Johnson
Voting Nay: None

Commissioner Cook thanked Mr. Brocato for his effort he is putting into this program.

TRAFFIC SAFETY TEAM REPORT

Mayor Johnson stated that Mr. Dieter sent him a lengthy email on Traffic Safety Team projects. Mayor Johnson stated that DOT is considering placing a round-a-bout at the intersection of Hwy 98 and Avenue E. Mayor Johnson stated a public hearing needs to be held before any decision is made. Mayor Johnson stated that residents want a traffic light installed at the intersection, but DOT is not going to install the traffic light.

Dixie Partington stated the proposed round-a-bout would eliminate approximately 10 downtown parking spaces. Ms. Partington also stated that the only way DOT would consider installing a traffic light would be if more traffic fatalities to occur.

Ms. Webb stated she will be attending the Traffic Safety Team meeting tomorrow, and will find out how quickly they want to hold a public hearing.

BOARD VACANCIES

Mayor Johnson recommends appointing Michael Shuler to Planning & Zoning Board.

Motion to appoint Michael Shuler to Planning & Zoning Board made by Commissioner Webb.

Motion died for lack of second.

Motion to transfer Dieter Ambos from Board of Adjustment to Planning and Zoning Board made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 4 to 0.
Voting Aye: Cook, Elliott, Webb, Mayor Johnson
Voting Nay: None

Ms. Webb stated she will advertise for the vacancy on Board of Adjustment. Ms. Webb also stated that Mr. Ambos can continue serving on the CRA Board as well.

Motion to appoint Dixie Partington to the Revolving Loan Committee made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 4 to 0.
Voting Aye: Elliott, Webb, Cook, Mayor Johnson
Voting Nay: None

Brenda Ash stated the CRA Board recommends Richard Davis and Anita Grove to fill those vacancies.

Motion to appoint Richard Davis and Anita Grove to the CRA Board made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Webb, Cook, Elliott, Mayor Johnson
Voting Nay: None

OTHER BUSINESS

* Dixie Partington congratulated Commissioner Cook on his re-election. Ms. Partington also presented pictures of granite benches that will be made by Rose Coy. Benches can be installed in the parks.

Commissioner Cook stated bench design should go before Planning & Zoning before approved.

Sally Williamson stated there was no quorum on Monday, so Planning & Zoning meeting has been rescheduled for September 21st.

* Karla Ambos requests permission to continue Community Gardens.

Motion to continue Community Gardens for 2 more years made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.
Voting Aye: Cook, Elliott, Webb, Mayor Johnson
Voting Nay: None

There being no further business, meeting adjourned.

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk