

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, November 8, 2011 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, Attorney Pat Floyd, Chief of Police Bobby Varnes

Visitors: Liz Kelsey, Harry Bell, Anita Grove, Mike Standley, Geoffrey Hewell, Norma Hewell, Shaun Donahoe, George Coon, Sally Williamson, Clarice Powell, Leon Bloodworth, Tom Daly, Karla Ambos, Dieter Ambos, Charlie Kienzle, Carrie Kienzle, Uta Hardy, Susan Clementson, Robin Vroegop, Caty Greene, Joe Taylor, Paulette Moss, Ethel Jefferson, Linda Langston, Jackie Lawhon, Harry Arnold

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

### **RECOGNITION OF VISITORS**

\* Jackie Lawhon – City of Sopchoppy City Clerk – Ms. Lawhon presented Master Municipal Clerk award to Lee Mathes.

### **APPROVAL OF MINUTES**

Motion to approve October minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

### **APPROVAL OF BILL LIST**

Motion to approve September bill list made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

### **NAMING NEW FIRE STATION**

Ms. Webb stated the Fire Department wanted to name the fire station portion of the new police/fire station after Newman Marshall. The Police Department still wanted to name the police station portion after slain officer Fred Babb.

Motion to name Fire Department after Newman Marshall and continue to name Police Department after Fred Babb made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Ash, Bartley, Mayor Johnson

Voting Nay: None

**ALLEYWAY PAVING – 120' BEHIND OLD FAIRPOINT TELEPHONE OFFICE BUILDING**

Ms. Webb stated that an application has been submitted from Sacred Heart to Planning & Zoning to pave 120' behind the old Fairpoint telephone office building located on the corner of 4<sup>th</sup> Street and Hwy 98. Ms. Webb stated that Planning & Zoning recommended approval to allow paving if all storm water permitting requirements are met or use some type of pervious type material so as not to cause storm water problem. Ms. Webb stated that Planning & Zoning did not want paving to cause problems with the surrounding property owners.

Harry Bell, representative from Sacred Heart, stated that building will be used for a pediatric clinic. Paving the alleyway will allow for better access in and out of the alley.

Ms. Webb recommends having the City's storm water engineer review proposed paving to make sure all requirements are being met if a pervious material is not used.

Attorney Floyd stated that Sacred Heart will also be required to maintain the paving and will have to sign a hold harmless agreement for the paving.

Ms. Webb stated there are also water and sewer lines that run in the alley. If paving has to be torn up to repair any lines, then Sacred Heart will be required to repave with no expense to the City.

Commissioner Cook stated the City already has a lot of drainage problems in that area so the City just needs to let the engineer look at it to make sure new problems are not being created. Also, it needs to be understood that the alleyway is still City owned property. Commissioner Cook stated he has a problem with giving up use of an alleyway to conduct business.

Harry Arnold stated the alleyway will be used to exit the property only.

Leon Bloodworth stated they will only have ingress and egress into the alley.

Ms. Webb stated main entrance would be on 4<sup>th</sup> Street.

Motion to approve alleyway paving contingent upon storm water engineer determination or use a pervious material, and completion of a hold harmless agreement made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

### **PLANNING & ZONING REPORT**

Tom Daly gave verbal report.

Motion to confirm September Planning & Zoning minutes made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

Motion to confirm September BOA minutes made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Ash, Bartley, Mayor Johnson

Voting Nay: None

### **CITY ADMINISTRATOR REPORT**

Ms. Webb submitted monthly department reports.

Ms. Webb gave history with situation regarding a Housing Authority employee and the Division of Retirement.

Motion to authorize Ms. Webb to proceed with communications with Division of Retirement and Housing Authority to get matter resolved made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Ash, Bartley, Cook, Mayor Johnson

Voting Nay: None

Ms. Webb stated a special meeting will probably have to be called because matter has to be finalized by December 1<sup>st</sup>.

Motion to authorize Attorney Floyd payment for October services made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 4 to 0.

Voting Aye: Bartley, Cook, Ash, Mayor Johnson

Voting Nay: None

#### **ATTORNEY FLOYD REPORT**

Attorney Floyd updated Commission on ACOE litigation.

#### **OTHER VISITORS & COMMENTS**

\* Charlie Kienzle asked what if the City was going to sell or use the old fire station.

Ms. Webb stated currently the old fire station is housing Holy Family project materials.

#### **MAYOR & COMMISSIONER'S COMMENTS**

\* Commissioner Bartley stated he has received complaints that state troopers are stopping people on back roads.

Chief Varnes stated Highway Patrol has authority to patrol anywhere.

\* Ms. Webb announced that November 7<sup>th</sup> was Mayor Johnson's birthday.

\* Commissioner Ash asked Ms. Webb the status of obtaining contracts for City buildings.

Ms. Webb stated that she and Commissioner Ash just needs to get together to address this issue.

Commissioner Ash stated that she and Ms. Webb will try to meet next week.

\* Mayor Johnson stated that Board/Committee appointments and Planning & Zoning Architects will be addressed at next regular meeting.

\* Mayor Johnson stated that Alisha Hand and Melissa West would like to hold a pajama party in the Community Center on Friday December 2<sup>nd</sup> to 9 AM Saturday December 3<sup>rd</sup>. The purpose of the slumber party is to educate girls of choices that lead to pregnancy.

Board approved pajama party and waiver of use fee.

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