

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, June 2, 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 Mitchell Bartley, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, Building Official Gene Osburn, Chief of Police Bobby Varnes, Public Works Foreman Wilbur Bellew, Street Supervisor Marvin Croom, Water & Sewer Foreman William Cox, Harbor Master Jim Silva, Project Impact Faye Johnson

Visitors: Sally Williamson, Ellen Cunningham, Carrie Kienzle, Susan Clementson, Anita Grove, Ralph Richards, Kate Hartman, Bob Dieter, Diane Dieter, Geoffrey Hewell, George Coon, Lee Norris, Bruce Ballister, Pam Nobles, Tom Brocato, Catharine Greene, Beverly Hewitt, Joe Taylor, Tom Daly, Lois Swoba

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

### **RECOGNITION OF VISITORS**

\* Faye Johnson – Project Impact – Ms. Johnson gave Commission an update on Project Impact Program.

\* Ellen Cunningham – FCT – Ms. Cunningham stated the Commission needs to approve contract to purchase Lee McLemore property. Ms. Cunningham stated she hopes to close by the end of July.

Mayor Johnson thanked Ellen Cunningham and Cindi Giametta for all their hard work on this project.

Motion to authorize Mayor Johnson to sign contract to purchase Lee McLemore property through FCT made by Commissioner Webb, second by Commissioner Bartley.

Motion carried.

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

Voting Nay: None

\* Bruce Ballister – ARPC – Mr. Ballister discussed funding proposal for Scipio Creek Development and various different funding sources. Mr. Ballister stated the Commission needs to approve a \$15,000 service contract to allow ARPC and the City to work together to obtain CDBG ED funding.

Mayor Johnson stated a feasibility study was done through TDC funds, but nothing has been done since then.

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Motion to approve \$15,000 service contract with ARPC made by Commissioner Cook.

Commissioner Webb asked where the City was going to obtain the \$15,000 needed for the contract.

Ms. Webb stated the City has some avenues for funding through OTTED and TDC.

Commissioner Elliott asked if this will compliment the haul out slip project.

Ms. Webb stated the City currently does not have funds to pay for the entire project.

Motion seconded by Commissioner Bartley.

Motion carried.

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

Voting Nay: None

\* Tom Brocato – Mr. Brocato presented Commission with a City flag. Mr. Brocato stated Apalachicola Physical Therapy is funding the City Flag Project and all proceeds will go towards the Community Pride Program. Flags are \$30/each and are available at Apalachicola Physical Therapy.

Motion to approve and support City Flag Project made by Commissioner Cook, second by Commissioner Webb.

Motion carried.

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

Voting Nay: None

Ms. Webb stated she will write resolution to show Commission support.

**APPROVAL OF MINUTES**

Motion to approve May minutes made by Commissioner Elliott, second by Commissioner Webb.

Motion carried.

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

Voting Nay: None

**APPROVAL OF BILL LIST**

Motion to approve April bill list made by Commissioner Webb, second by Commissioner Cook.

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Motion carried.

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

Voting Nay: None

**PLANNING & ZONING REPORT**

Tom Daly gave update on Planning & Zoning priorities. Mr. Daly stated topics of discussion have been sign ordinance, committee for Riverfront Park, tree ordinance, street closures, and preliminary approval of Apalachicola State Bank new plans.

**TRAFFIC SAFETY TEAM REPORT**

Bob Dieter gave monthly report. Mr. Dieter stated Traffic Safety Team has been studying traffic safety in downtown area, pedestrian traffic at Grill corner, and reducing speed limit even further in the central business district.

Ms. Webb stated that 25 MPH speed limit signs have been ordered, and when signs arrive, an advertisement will be put in the paper, and the new signs will be installed.

William Cox stated that when cars park in front of the Fairpoint building on the corner of 4<sup>th</sup> Street and Avenue E, you cannot see around the cars in order to pull out onto Avenue E.

Mr. Dieter stated there has been some discussion about installing a 4 way stop sign at the intersection of 4<sup>th</sup> Street and Avenue D by the Armory.

Ms. Webb stated that 12<sup>th</sup> Street and Prado are County streets. Ms. Webb stated if the Commission chooses, she can make a recommendation to the County to lower the speed limit to 25 MPH on those streets also.

Motion to authorize Ms. Webb to make recommendation to the County to lower the speed limit to 25 MPH on 12 Street and Prado made by Commissioner Webb, second by Commissioner Bartley.

Motion carried.

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

Voting Nay: None

Commissioner Elliott stated there are some green bulbs going out at the 12<sup>th</sup> Street traffic light.

Ms. Webb stated the City is in the process of getting replacement bulbs.

Tom Daly stated there is a lot of pedestrian traffic by Riverfront Park, and speeding is a problem down Water Street.

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Mr. Dieter stated that putting in adequate marked crosswalks with advance notice will help eliminate a lot of the pedestrian traffic problems in the downtown area.

**CHAMBER OF COMMERCE REPORT**

Anita Grove submitted monthly report to Commission.

No Commission comment.

**LIBRARY REPORT**

Catharine Greene submitted monthly report to Commission.

No Commission comment.

**POLICE DEPARTMENT REPORT**

Chief Varnes submitted monthly report to Commission.

Beverly Hewitt commended the Police Department for all their hard work.

**CITY ADMINISTRATOR REPORT**

Ms. Webb submitted monthly report to Commission.

Mayor Johnson asked Chief Varnes for an update on the Neighborhood Watch Program.

Chief Varnes stated the next meeting will be June 15<sup>th</sup> at 6:00 PM at the 6<sup>th</sup> Street Recreation Center. Chief Varnes stated the Police Department could use many volunteers for this program.

Geoffrey Hewell stated the Neighborhood Watch Program is a really good thing. It is about neighbors watching out for neighbors. Mr. Hewell asked if the Gorier Museum was closing.

Ms. Webb stated she had heard that the Gorier Museum will remain open.

Mayor Johnson asked about status of Revolving Loan Program.

Ms. Webb stated a meeting is scheduled for this Thursday. Ms. Webb stated this is the 3<sup>rd</sup> attempt to try to hold a meeting.

Ms. Webb stated the people from University of Georgia were here, and they made some beautification suggestions for Riverfront Park. They felt the other benches would fit better with park, and they are going to do a drawing of the park, one with trees, and one without trees.

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Ms. Webb stated that Gene Osburn is in the process of taking down all illegal signs that are on City ROW.

**WATER & SEWER DEPARTMENT REPORT**

William Cox stated there were no compliance issues last month.

**STREET DEPARTMENT REPORT**

Marvin Croom stated there are no issues at this time unless Commission has questions.

No Commission comment.

**PUBLIC WORKS DEPARTMENT REPORT**

Wilbur Bellew stated there are no issues at this time.

No Commission comment.

**BUILDING DEPARTMENT REPORT**

Gene Osburn stated that Planning & Zoning minutes will need approval at July meeting because the Planning & Zoning Board has yet to approve them. Mr. Osburn stated that 2 structures have been erected without obtaining a permit.

**GRANTS MANAGER REPORT**

Cindi Giametta stated the Holy Family restricted covenant is ready for signature.

Attorney Floyd stated he has reviewed the restricted covenant document and has made a few amendments.

Motion to approve restricted covenant with Attorney Floyd's amendments made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried.

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

Voting Nay: None

**PROJECT ACTIVITY REPORT**

Ms. Webb submitted BDI's monthly activity report.

**ATTORNEY FLOYD REPORT**

\* ACOE – Attorney Floyd updated Commission on litigation.

\* ECT – Police/Fire Station – Attorney Floyd stated ECT has one signed contract and is ready for City to sign community service agreement.

Motion to approve and authorize signature for ECT community service agreement made by Commissioner Bartley, second by Commissioner Webb.

Motion carried.

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

Voting Nay: None

Attorney Floyd the AIA agreement can be modified for the police/fire station project. Attorney Floyd stated that Ms. Webb is going to propose to Mr. Willis to extend the time frame for payment of building because originally funds should have been received by July.

Ms. Webb stated that the extension will not hold up construction progress, but AIA agreement will be needed as soon as possible.

Attorney Floyd stated AIA agreement will be completed this week, and Commission can call special meeting to get agreement approved.

\* John Croom – Attorney Floyd stated that John Croom is refinancing with Superior Bank, and wants the City to be the subordinate.

\* WWI Project – Attorney Floyd gave update on Class 1 liability for treatment plant.

Ms. Webb stated that DEP wants the City to do the wet weather holding pond and get out of the surface water discharge. Ms. Webb stated she is working on trying to get a grant for this instead of a loan.

\* Andy Williams – Attorney Floyd stated worker's comp case is in process of being approved by the Judge. There are some final medical bills that still need to be paid.

\* Terrance Walker – Attorney Floyd stated case has been finalized, and the City has received the \$1,250.

\* Steve James – Attorney Floyd stated that depositions will be going on tomorrow. The morning session has been cancelled, but the afternoon session is still scheduled.

\* Kitty Ann and Captain Fuzz – Attorney Floyd stated that releases have been done.

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Ms. Webb stated she has someone who will take the Captain Fuzz once the release agreement is signed.

Attorney Floyd stated he has received rental rates of various marinas.

Ms. Webb stated the Battery Park Committee will hold a meeting tomorrow at 4:00 PM.

\* Attorney Floyd stated the Revolving Loan application has been revised.

\* School Board – Attorney Floyd updated Commission on obtaining AHS complex.

Faye Johnson stated she just attended the School Board meeting and there was no decision made. Ms. Johnson stated there was some confusion about there the contract was, and how much land the City wanted. Ms. Johnson stated the School Board did make comments about wanting to give the buildings to the City.

**OTHER VISITORS AND COMMENTS**

\* Ralph Richards asked what happened to the plaque that was at Riverfront Park.

Ms. Webb stated the City has the plaque, and it has been restored. The plaque can be put back at Riverfront Park.

**MAYOR & COMMISSIONER'S COMMENTS**

\* Commissioner Elliott asked about the status of Captain Fuzz.

Ms. Webb stated just as soon as she receives the faxed agreement, the boat can be turned over.

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