

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, June 5, 2018 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 Anita Grove, City Administrator Lee Mathes, City Clerk Deborah Guillotte, Attorney Pat Floyd, City Planner Cindy Clark, Officer Timmy Davis

Visitors: Debbie Belcher, Diane Brewer, Joe Taylor, Jamie Liang, George Coon, Leslie Coon, Jim Bachrach, Augusta West, Creighton Brown, Holly Brown, Despina George, Carrie Kienzle, Kathy Rushmore, Jim Brown, Fred Vogt, Rich Hall, Greg Phillips, Kari Williams, Sarah Hines, Riley Cooper, Lynn Spohrer

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

REGULAR MEETING

RECOGNITION OF VISITORS

1. Jack Brewer – Replacement of Palm Trees on City ROW – Not present.
2. Kari Williams – Adoption Decision Resolution 2018-06

Sarah Hines introduced herself as the new Florida Department of Health Administrator serving Gulf and Franklin Counties.

Kari Williams outlined Resolution 2018-06.

Riley Cooper, 8th Grade Student, talked about the importance of the SWAT Program and requests prohibiting tobacco in public parks with playgrounds.

Attorney Floyd read Resolution 2018-06 in its entirety.

Motion to adopt Resolution 2018-06 made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

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

Voting Nay: None

3. Augusta West – Main Street Update

Jim Bachrach and Augusta West outlined July 3rd celebration events stating that Halsey Beshears will be the featured speaker.

APPROVAL OF MAY MINUTES

Mayor Johnson stated in the May 8th minutes relating to the Philaco Club leasing of the old library is in conflict with the resolution passed December 8, 2015 which states the City shall make no commitment to any person, group or entity with respect to any long-term lease, rental, or improvement to or of the to-be-vacated library building pending further planning and consideration of the restoration of Gorrie Square. Mayor Johnson stated the word Lease is the issue and recommends a motion be made changing the word Lease to License.

Attorney Floyd stated license can be given to someone to do certain functions at a particular place, which is like a lease but not the same legal commitment and there is more control by the City and recommends motion to correct agreement to be a License Agreement. Attorney Floyd stated he would like to give Philaco Club first right of refusal to be able to move to a different facility.

Discussion held.

Motion to correct May 8th minutes changing Philaco Club Lease to Philaco Club License and proceed with license that is terminable at the discretion of the City with a six months' notice and approving all May minutes made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0

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

Voting Nay: None

APPROVAL OF BILL LIST

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

Motion carried 5 to 0

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

Voting Nay: None

CHANGE JULY REGULAR MEETING FROM 3RD TO 10TH

Motion to approve July regular meeting be changed from July 3rd to July 10, 2018 made by Commissioner Bartley, second by Commissioner Ash

Motion carried 5 to 0

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

Voting Nay: None

1st READING ORDINANCE NO. 2018-02 – LDC AMENDMENTS

Attorney Floyd read Ordinance No. 2018-02 by title as follows:

AN ORDINANCE AMENDING ORDINANCE 91-7 WHICH ADOPTS THE CITY OF APALACHICOLA LAND DEVELOPMENT CODE REVISING SECTION II (DEFINITIONS) BY ADDING NEW DEFINITION FOR LARGE SCALE COMMERCIAL ACTIVITY; PROVIDING FOR REVISIONS IN SECTION IV (ZONING DISTRICTS AND REGULATIONS) BY REPLACING SECTION 8(d), ADDING SECTIONS 8(h) – 8(m), AND AMENDING C-1, C-2, C-4, RF; ADDING NEW SECTION XI (PARKING MITIGATION); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

Motion to approve first reading of Ordinance No. 2018-02 and proceed with adoption process made by Commissioner Grove, second by Commissioner Ash.

Motion carried 5 to 0

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

Voting Nay: None

CONSIDERATION OF INFRASTRUCTURE NEEDS FOR THE CDBG GRANT APPLICATION

Debbie Belcher stated at the first CDBG public hearing, the Commission accepted the recommendation of the citizen advisory task force to apply for housing if there were no urgent infrastructure needs that could be funded in the neighborhood revitalization category. After meeting with staff, Ms. Belcher recommends the following for neighborhood revitalization: 1) Repair and/or replace three sewer manholes, the most expensive one located on Fred Meyer, 2) Replace storm water drain pipes on Fred Meyer and 19th Avenue and also replace old galvanized water lines for 3 homes, and 3) purchase radio read water meters for Housing Authority area.

Mayor Johnson asked why purchase meters for Housing Authority.

Ms. Mathes stated Housing Authority meters were not included in the 1200 that were replaced. Ms. Mathes stated CDBG will not pay for engineering for neighborhood revitalization projects, but there is money in the infrastructure line items.

Cindy Clark stated there are some storm water projects that could also be added.

Ms. Belcher asked Commission if they wanted to apply for neighborhood revitalization or housing category. Ms. Belcher stated the City could possibly get \$25,000 SHIP funds to use for housing match.

Discussion held.

Motion to authorize Ms. Belcher to apply for CDBG Neighborhood Revitalization Category made by Commissioner Ash, second by Commissioner Grove.

Motion carried 5 to 0

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

Voting Nay: None

Ms. Belcher stated her main focus will be manhole and water line replacement and/or repairs.

Creighton Brown stated if possible, the sewer line at the Johnson Complex needs replacing also.

PLANNING & ZONING

Cindy Clark reviewed monthly planning report.

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

Motion carried 5 to 0

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

Voting Nay: None

Ms. Clark gave update on TRIUMPH project submittals, parking mitigation, and short term rentals in residential district.

Mayor Johnson asked Commissioner Grove if Tree Committee would consider having the people that put together the landscaping on Hwy 98, hold a training session for City staff on proper way to trim the palm trees. Inmates are currently trimming trees incorrectly causing the trees to die.

CITY ADMINISTRATOR

Ms. Mathes stated she researched the process for increasing the MSBU revenue. Ms. Mathes stated the City would need to submit a letter to the County Commission asking permission to hold a mail in ballot election for the increase. Process would need to be completed by December 2018 in order to take effect for FY 19/20. Increasing the fire tax within the Apalachicola fire district would generate approximately \$40,000 more in revenue.

Motion to authorize Ms. Mathes to proceed with MSBU fee increase process for the Apalachicola Fire District made by Commissioner Grove, second by Commissioner Ash.

Motion carried 5 to 0

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

Voting Nay: None

ATTORNEY FLOYD

1) Attorney Floyd gave update on the FL/GA litigation and Johnny Byrd property purchase.

2) Attorney Floyd reported on Hale Smith violation stating Inovia was to submit information within 10 days. Attorney Floyd responded stating the City needed the information previously requested by the Floodplain Administrator which was a flood plain management permit, stormwater plan, and attenuation calculations.

Discussion held.

Mayor Johnson requests a letter be sent to Hale Smith from the Flood Plain Administrator stating they are in violation of city ordinance.

Motion to authorize Ms. Mathes, Flood Plain Administrator to send letter of violation to Mr. Smith made by Commissioner Grove, second by Commissioner Elliott.

Motion carried 5 to 0

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

Voting Nay: None

3) Attorney Floyd stated he is trying to finalize agreement for grape growing project.

OTHER VISITORS AND COMMENTS

1) Leslie Coon stated there are bad leaks at Scipio Creek and Farmers Market.

Ms. Mathes stated she will follow up with the repairs.

2) Lynn Wilson-Spohrer updated Commission on Raney House Grant and also invited Commission to a luncheon Saturday at her home.

MAYOR & COMMISSIONER'S COMMENTS

1) Commissioner Elliott asked if the portion of 11th Street that runs in front of old Nichols office could be named in honor of Dr. Photis Nichols.

Commissioner Grove recommended the Recreation Committee come up with guidelines of naming streets, monuments, etc. in honor of someone and report back to Commission with their recommendations.

Motion to authorize Recreation Committee come up with guidelines of naming streets and monuments in honor of someone and report back to Commission made by Commissioner Grove, second by Commissioner Ash.

Motion carried 5 to 0

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

Voting Nay: None

2) Commissioner Grove updated Commission on City Manager selection process.

3) Commissioner Grove stated she has been receiving calls regarding the trolley inside the residential areas. Commissioner Grove stated commercial activity is not allowed in the residential areas. Mayor Johnson stated they are public streets.

4) Commissioner Ash inquired about new fire truck.

Commissioner Grove stated it should be delivered in October.

5) Mayor Johnson stated the Commission voted to place an ad to receive bids for sale of old fire station. Mayor Johnson stated Diane Brewer has volunteered her time and suggests the City use a broker for sale of assortment of certain properties.

Diane Brewer reviewed the process of how a broker would work with sale of city properties.

Mayor Johnson recommends cancelling the bid process.

Attorney Floyd stated a motion to cancel process and return bids unopened is what needs to be done, but the City does have the right to reject all bids. Attorney Floyd stated an ad would have to be placed in papers and website stating bid has been cancelled.

Commissioner Grove stated she understands that starting June 1, 2018, the City will be fined \$100 a day, due to being out of compliance with TTHM.

Mayor Johnson stated the sale of these properties has nothing to do with being in default with the water issue.

Discussion held.

Commissioner Ash inquired how long the brokerage process would take.

Ms. Brewer stated hopefully get sales by the end of year.

Cindy Clark states it would be helpful to list the LDC regulations on each property.

Motion to cancel previous advertisement/bids for sale of the old fire stations and authorize Diane Brewer to volunteer her time and assistance with the sale of city properties through a broker made by Commissioner Bartley, second Commissioner Ash.

Motion carried 5 to 0

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

Voting Nay: None

6) Mayor Johnson would like to recognize and honor the 1968 Chapman High School Football Championship Team on their 50th anniversary by placing signage on each end of the City limits, adopt a Resolution and possible banquet. This will be discussed further.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk