

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, September 8, 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, Attorney Pat Floyd, Chief of Police Bobby Varnes, Grants Manager Gene Osburn, Building Official Gene Osburn, Street Supervisor Marvin Croom, Public Works Foreman Wilbur Bellew, Water & Sewer Foreman William Cox, Harbor Master Jim Silva

Visitors: Richard Delp, Matthew Quinn, Sally Williamson, Jack Husband, Liz Kelsey, Nita Morgan, Joe Taylor, Anita Grove, Ralph Richards, Leon Bloodworth, George Watkins, Roy Solomon, Margie Solomon, Beverly Hewitt, Karla Ambos, Dieter Ambos, Dixie Partington, Caty Greene, David Adlerstein, Justin Messer, Michael Say, Susan Clementson, Lynn Wilson, Bill Spohrer, Gail Gerrard, Ralph Richards, Mark Currenton, Michael Shuler

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

APPROVAL OF AUGUST MINUTES

Motion to approve August minutes made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

APPROVAL OF JULY BILL LIST

Motion to approve July bill list made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

1ST READING OF ORDINANCE 2009-01 – ROAD CLOSURE REQUEST FOR SPECIAL EVENTS

Attorney Floyd read Ordinance No. 2009-01 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, ADOPTING RULES AND PROCEDURES TO REGULATE REQUESTS FOR ROADWAY CLOSINGS DURING SPECIAL EVENTS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve 1st reading of Ordinance No. 2009-01 and advertise for public hearing made by Commissioner Cook, second by Commissioner Elliott.

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Motion carried 5 to 0.

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

Voting Nay: None

SEAFOOD FESTIVAL ROAD CLOSURE – RESOLUTION 2009-10

Attorney Floyd read Resolution 2009-10 by title as follows:

A RESOLUTION BY THE CITY OF APALACHICOLA REQUESTING US HIGHWAY 98 BE CLOSED DURING THE PERIOD OF THE FLORIDA SEAFOOD FESTIVAL PARADE ON SATURDAY, NOVEMBER 7, 2009 AND AGREEING TO ASSIST IN TRAFFIC CONTROL DURING SUCH PERIOD OF RE-ROUTING.

Motion to adopt Resolution 2009-10 to close necessary roads for Seafood Festival Parade and to close necessary areas around Battery Park made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

CHAMBER OF COMMERCE REPORT

Anita Grove submitted written report to Commission.

TRAFFIC SAFETY TEAM REPORT

Bob Dieter not present. Will present report at September 15, 2009 meeting.

LIBRARY REPORT

Caty Greene submitted written report to Commission. Ms. Greene is requesting approximately \$35,000 from Apalachicola Library Trust Account for capital improvements.

Attorney Floyd stated he will have to research provisions of Key will documents to see if proposed capital improvement items are allowable expenses. Attorney Floyd stated he will address matter at September 15, 2009 meeting.

PLANNING & ZONING REPORT

Leon Bloodworth stated Bruce Hall has resigned from the Planning & Zoning Board, and he would like to recommend that Dieter Ambos be transferred from the Board of Adjustment to the Planning & Zoning Board.

Ms. Webb stated that Michael Shuler, Lynn Wilson Spohrer, and Dieter Ambos are the 3 applicants.

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Commissioner Webb stated that each applicant should be given the opportunity to speak before the Commission and tell why they should be appointed to the board.

Mayor Johnson recommends that copies of applications be given to Commission and readdress at September 15, 2009 meeting.

FIRE DEPARTMENT REPORT

George Watkins submitted written report to Commission. Mr. Watkins stated that St. George Island Fire Department is going to let the fire department have a loaner truck while repairs are being made to truck #2. The City would be required to have the truck covered under the City's insurance while it was in the fire department's possession.

Ms. Webb stated an agreement will be drawn up and signed between the Apalachicola Fire Department and St. George Island Fire Department, and the City will cover the loaner truck while it is in our possession.

POLICE DEPARTMENT REPORT

Chief Bobby Varnes submitted verbal report.

CITY ADMINISTRATOR REPORT

* CRA Plan – Ms. Webb submitted final draft of CRA policy for review only. A copy of the map will be provided tomorrow.

* Motion to approve and authorize payment of Attorney Floyd's invoice made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

* Engineers Progress Report – Ms. Webb stated a motion is needed to award contractors bid for reuse project.

Richard Delp, Baskerville Donovan, recommends to award bid to Royal American contingent upon SRF funding and DEP permit application approval. Mr. Delp stated that Royal American's bid totaled \$7,569,186.80.

Mayor Johnson asked if any local sub-contractors would be used on the job.

Royal American representative stated that local labor and local sub-contractors would be used as much as possible.

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Attorney Floyd stated that BDI has recommended Royal American for reuse project and City needs to approve contingent upon SRF funding, FCT approval, and DEP permit application.

Motion to accept bid and award contract to Royal American in the amount of \$7,569,186.80 contingent upon SRF funding, FCT approval, DEP permit application approval and requesting that local labor and local sub-contractors be utilized as much as possible made by Commissioner Webb, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

GRANTS MANAGER REPORT

Cindi Giametta stated that a public hearing was held at the 6th Street Recreation Center to receive public input to determine what FRDAP projects the City should apply for. It was determined to apply for a grant for Lafayette Park, and apply for a grant for Battery Park complex.

Motion to authorize Ms. Giametta to apply for FRDAP grant for both Lafayette Park and Battery Park complex made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

ATTORNEY FLOYD REPORT

* Steve James – Case has been withdrawn, and Mr. James will send a release.

* Anderson Williams – Hearing has been rescheduled for this month.

* Bill McCartney – Projects and compensation will be addressed individually by the Commission on a case by case basis.

Commissioner Cook stated we may have to furnish some type of certification that he is indeed working for the City of Apalachicola.

* Reuse Project – Contract must be secured by the end of the month in order to secure stimulus money.

OTHER VISITORS & COMMENTS

* Ralph Richards – Mr. Richards commented on the plaque at Riverfront Park. Mr. Richards stated there has been a boat tied up at the Scipio Creek work dock for some time.

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Ms. Webb stated there is a sign posted that no overnight mooring at the work dock is allowed.

Jim Silva stated that boats can use access the other end of the dock.

Mayor Johnson stated that Mr. Silva needs to follow the ordinance and not allow overnight mooring at the work dock.

Mr. Richards stated there are also live aboards at Scipio Creek. Live aboards are not allowed at Scipio Creek.

Mayor Johnson stated the Harbor Master has been instructed to enforce the ordinance.

Ms. Webb stated she will meet with Mr. Silva.

* Dixie Partington stated she is willing to serve on the Revolving Loan Committee.

Ms. Webb stated board vacancies will be addressed at September 15, 2009 meeting.

* Matthew Quinn stated he is still waiting for a Scipio Creek agreement, and he needs help moving his boat from the work dock to his assigned slip.

Mayor Johnson asked Mr. Quinn what he wants the City to do regarding moving his boat.

Mr. Quinn stated the City put him in this situation.

Mayor Johnson stated the City can assign a slip, but cannot use public funds to assist Mr. Quinn move his boat into the slip. Mayor Johnson stated the Harbor Master will have to move Mr. Quinn off the work dock.

Mr. Quinn stated he lives on his boat.

Attorney Floyd stated that live aboards are prohibited in Scipio Creek and that would be violating the ordinance.

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk

