

MINUTES OF THE REGULAR MEETING OF THE CITY OF APALACHICOLA CITY COMMISSION HELD TUESDAY,
NOVEMBER 6, 2018, 6:00 P.M. AT THE APALACHICOLA COMMUNITY CENTER

PRESENT: Mayor Van W. Johnson, Sr.
Mayor Pro Tem Brenda Ash
Commissioner Jimmy Elliott
Commissioner Mitchell Bartley
Commissioner Anita Grove

Ron Nalley, City Manager
Lee Mathes, Director of Administrative Services
Deborah Guillotte, City Clerk
Bobby Varnes, Chief of Police
Pat Floyd, City Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Van Johnson called the meeting to order at 6:00 pm and Attorney Pat Floyd gave the invocation. Council members led the pledge of allegiance.

APPROVE THE AGENDA

Mayor Johnson stated if there is anything to add or delete to the agenda, now is the time to do so.

Commissioner Jimmy Elliott made a motion to approve the Agenda. Commissioner Anita Grove seconded and the motion carried 5-0.

MAYOR'S COMMUNICATIONS

- Commissioner Bartley commended the city staff for all the hard work they did during and after Hurricane Michael. Commissioner Bartley also thanked all the citizens for all their help, cooperation and patience.
- Commissioner Grove stated the 911 dispatch console was destroyed by lightning earlier this year and is in the process of being updated. Dispatch is texting all volunteer firefighters at this time until console is repaired. Commissioner Grove reported the FCC license expired in 2014 and County is working on getting this corrected.
- Commissioner Elliott commended all businesses that helped out cooking and feeding workers and citizens after the storm. Commissioner Elliott wanted to also thank all citizens for all their help.

- Mayor Johnson would like Attorney Floyd and Police Chief Varnes to review and update the Noise Ordinance specifically to music (bands) in commercial district being too loud for residents who live above businesses.
- Mayor Johnson requests the City do a Resolution commending the Chamber of Commerce Directors for the great job they did putting together the Florida Seafood Festival after the storm.

CITY MANAGER COMMUNICATIONS

- **Public Property Auction** - Mr. Nalley gave updated report on the progress of the city property auction. Mr. Nalley stated he will bring the revised contract to the December meeting. Mr. Nalley reported the City Property Auction will be postponed until February 2019, due to the storm and the holidays coming up.
- **DEP Suspension of Water and Sewer Infrastructure Loan Payments** – Mr. Nalley reported that Department of Environmental Protection (DEP) is offering to assist communities recovering from Hurricane Michael, in suspending water and sewer wastewater facility loan repayments and interest accrual for two years. Mr. Nalley reported he talked with the Department of Environmental Protection and the City of Apalachicola does not qualify for this program, due to our past loan extensions and debt default. The City will continue to work to resolve the sewer loan debt default and discuss the restructuring of the loan with DEP as discussed in the last couple months.
- **Hurricane Michael Report** – Mr. Nalley reported that utility bills due by November 10th reflects a 37 day billing cycle. Utility bills stated billing cycle is from 9/17 to 10/24. Mr. Nalley reported due to dealing with effects sustained from Hurricane Michael, approximately 200 meters were estimated based on last month's usage. Mr. Nalley reported no late fees were charged for utility bills due in October and no late fees will be charged on utility bills that are due in November. Mr. Nalley stated if anyone is having a problem with their account, please come to City Hall so that problems can be addressed and corrected and bring proof of repairs or pictures of damage. Mr. Nalley stated that no late charges were charged for October and no late fees will be charged for November.

Mr. Nalley gave a quick fact overview of Hurricane Michael stating the City of Apalachicola declared a State of Emergency through Proclamation on October 8, 2018 at 5 PM. Mr. Nalley stated a full event report for Hurricane Michael will be developed and distributed within the next six months. Mr. Nalley wants to thank everyone for all their work during these long hours of this major event, especially Chief Bobby Varnes and Jill Rourke who worked with myself and Emergency Management.

- Mr. Nalley reported the City's TTHM levels were in compliance this quarter and hope that this will continue.
- Mr. Nalley announced City Hall is now located at the Mayor Van Johnson Complex (Old High School), 192 Coach Wagoner Blvd, in the front office.

COMMISSION LIASON REPORTS & COMMENTS

- Attorney Floyd reported Chris Moore filed a Motion to Dismiss. The Hale Smith hearing scheduled for October 9, 2018 was cancelled due to Hurricane Michael, but will be rescheduled.
- Attorney Floyd stated the Debris Removal and Debris Monitoring contracts were all approved, and cleanup is progressing.
- Attorney Floyd commented due to the impact of Hurricane Michael and the City being deemed an Area of Critical State Concern, the TRIUMPH board requests the City resubmit the Infrastructure application.

PUBLIC COMMENT

Mayor Johnson opened the floor for public comment.

- Tamim Choudhury with U.S. Small Business Administration reviewed the process for SBA Disaster Loan Assistance by the Federal Government. Mr. Choudhury stated they are set up in Disaster Recovery Area in Carrabelle and are ready to help anyone in any way possible from 8 AM until 7 PM. Mr. Choudhury distributed pamphlets to City Commission and citizens.
- Jaime Liang stated that citizens didn't know the status of the DEP loan default and is concerned that citizens don't get information about things happening in the City.
- Irenstine Bouie expressed concern over utility bill increases.
- Leslie Coon inquired why there were extra days added to the water bills and most of the time meters are not being read.

Ms. Mathes reviewed the billing cycle dates and stated if anyone has any problems with their bill to please let City Hall know so issue can be addressed. Ms. Mathes stated there is a flyer on table at door for anyone to take and review.

- David Adlerstein inquired about the status of the non-profit fund to help someone in need and does the City have any data of the average billing increase.

Attorney Floyd reported the non-profit fund is ready for contribution to help with the assistance of water bills.

- Chris Moore inquired why bill list doesn't have legal services listed.

Ms. Mathes stated these are expenses approved during the budget process and if this amount goes over approved amount then budget amendment is done.

- Robin Vroegop inquired if the City will have the money to make the State Revolving Loan payment in December and what is the amount of the payment would this affect the sale of the property.

Mr. Nalley stated the City would be making a payment to DEP on the State Revolving Loan payment in the amount of approximately \$235,000 in December 2018. The City is still in the process of restructuring the loan so at this time we don't have an exact amount. Mr. Nalley also stated this will have no affect on the sale of the property.

- Robin Vroegop inquired if the City has received the draft audit report from Carr, Riggs & Ingram.

Ms. Mathes stated draft audit report has not been received at this time, but hope to have it within the next 10 days.

- Amy Hersey asked how someone applies to the non-profit fund for water bill assistance.

Attorney Floyd stated there is a process and citizens can go to City Hall for qualifications.

Commissioner Ash commented you have to apply at the Career Source office located at the Apalachicola Community Center.

- Amy Hersey inquired how to obtain a copy of the City's organizational chart.

Mr. Nalley stated you can find that information in the budget section on the website.

CONSENT AGENDA

Mayor Van Johnson presented the Consent Agenda and asked if any items should be removed before called for action.

- Meeting Minutes Adoption - Adopt the October 2, 2018 Regular Meeting Minutes.
- Bill List Approval - Approve the September 2018 Bill List
- Planning & Zoning Minutes Confirmation - Confirm the September 2018 Planning and Zoning Minutes
- UPS Hold Harmless License Agreement - To Approve the Hold Harmless Agreement License Agreement with UPS and Authorize the City Manager to Execute the Agreement.

Commissioner Brenda Ash made a motion to approve the Consent Agenda. Commissioner Mitchell Bartley seconded and the motion carried 5-0.

NEW BUSINESS

A. ORDINANCE 2018-05 AMENDING THE FISCAL YEAR 2017-2018 ANNUAL BUDGET – FIRST READING

Attorney Floyd read Ordinance 2018-05 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THE FISCAL YEAR 2017-2018 BUDGET.

Commissioner Brenda Ash made a motion to Approve the First Reading of Ordinance 2018-05 and Proceed with the Adoption Process. Commissioner Anita Grove seconded and the motion carried 5-0.

NEW BUSINESS

B. PROCLAMATION DECLARING NOVEMBER 24, 2018 AS SMALL BUSINESS SATURDAY

Attorney Floyd read Proclamation for Small Business Saturday in its entirety.

Commissioner Mitchell Bartley made a motion to Approve Proclamation Declaring November 24, 2018 as Small Business Saturday. Commissioner Anita Grove seconded and the motion carried 5-0.

NEW BUSINESS

C. ORDINANCE 2018-06 – FLOATING STRUCTURE ORDINANCE – FIRST READING

Attorney Floyd read Ordinance 2018-06 by title as follows:

AN ORDINANCE OF THE CITY OF APALACHICOLA CITY COMMISSIONERS AMENDING CHAPTER 5 OF THE CITY CODE; PROVIDING RESTRICTIONS ON THE ANCHORING OR MOORING OR UTILIZATION FOR HABITATION OF FLOATING STRUCTURES; REQUIRING A LICENSE AND ADMINISTRATIVE FEE; REQUIRING IDENTIFICATION ON FLOATING STRUCTURES; ESTABLISHING PENALTIES; AUTHORIZING THE REMOVAL OF FLOATING STRUCTURES; PROHIBITING THE SALE, DISTRIBUTION OR CONSUMPTION OF ALCOHOLIC BEVERAGES ON OR IN CONNECTION WITH FLOATING STRUCTURES; PROVIDING FOR THE SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Commissioner Anita Grove made a motion to approve the First Reading of Ordinance 2018-06 City of Apalachicola Floating Structure Ordinance and Proceed with the Adoption Process. Commissioner Jimmy Elliott seconded and motion carried 5-0.

NEW BUSINESS

D. RESOLUTION 2018-12 ESTABLISHING AN AUDIT COMMITTEE, ESTABLISHING THE DUTIES OF THE AUDIT COMMITTEE, AND PROVIDING AN IMMEDIATE EFFECTIVE DATE

Mr. Nalley reviewed Florida Statutes, Section 218.391, establishing required procedures for the selection of auditors to perform the annual financial audits required by Section 218-39.

1. Commissioner Anita Grove made a motion to approve Resolution 2018-12, establishing the duties of the Audit Committee, and Providing an Immediate Effective Date. Commissioner Brenda Ash seconded and motion carried 5-0.

2. Commissioner Jimmy Elliott made a motion to appoint the following Members to the Audit Committee for Two – Year Terms: Commissioner Anita Grove, Commissioner Brenda Ash, Ron Nalley, Despina George, and Diane Brewer. Commissioner Mitchell Bartley seconded and motion carried 5 – 0.

ADJOURN THE MEETING

With no further business, Commissioner Mitchell Bartley made a motion to adjourn the meeting at 7:30 p.m. Commissioner Jimmy Elliott seconded and motion carried 5-0.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk