

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, July 8, 2014 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 Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, City Attorney Pat Floyd, Officer Pam Lewis

Visitors: Wilbur Bellew, Lee Ann Bellew, Richard Delp, Liz Kelsey, George Watkins, E. D. Watson, Jeral Hall, Chase Richards, Caty Greene, Ann Seaton, Leslie Coon, George Coon, Carrie Kienzle, Susan Clementson, Joe Taylor

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

Mayor Johnson presented Wilbur Bellew with Code Enforcement Badge.

### **APPROVAL OF MINUTES**

Motion to approve May and June minutes made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

### **APPROVAL OF BILL LIST**

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

Motion carried 5 to 0.

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

Voting Nay: None

### **HIRING OF NEW POLICE OFFICER**

Officer Lewis read letter from Chief Varnes recommending Chase Richards for position.

Motion to hire Chase Richards to fill police officer vacancy made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

**SET SPECIAL MEETING TO TENTATIVELY SET MILLAGE RATE**

Commission set special meeting date for Tuesday, July 15, 2014 at 12:00 Noon.

**PLANNING & ZONING**

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

Motion carried 5 to 0.

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

Voting Nay: None

**CITY ADMINISTRATOR**

1. Ms. Webb announced that John Gorrie was selected as one of the 2014 inductees of the Florida Inventors Hall of Fame.

2. Ms. Webb stated that CDBG is requiring a program application review policy due to the previous complaint filed with the Scipio Creek Project. Ms. Webb stated the City was not found at fault, but State is asking that the City adopt a policy to be sure all information on future CDBG applications is verified by City before submitted by grant writer.

Attorney Floyd stated an investigation was completed, and there was no misrepresentation or fault on behalf of the City.

Motion to adopt Policy 2013/14.007 Small Cities CDBG Program Application Review as outlined by Ms. Webb made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

3. Emergency Management Plan – Ms. Webb reported that the issue raised by EOC to Chief Watkins concerning relocation of fire trucks during events is addressed in the City's plan – EOC has a copy. The plan needs updates since it was adopted in 2011. Those updates will be done after the debris management process is completed.

4. Tree Ordinance – Ms. Webb presented draft ordinance with proposed changes for Commission review. Ms. Webb stated the draft ordinance with proposed changes will also go before the Tree Committee and will be presented back to the Commission at a later time for adoption process.

5. FDOT Grant – Ms. Webb stated she has received a cost estimate from Cathey Construction for Phase II of the project to replace palm trees along Hwy 98. Ms. Webb stated the proposal is for \$31,430.68 and landscaping estimate is \$12,500 from Butch Rowell who will be working with Cathey Construction. Ms. Webb stated Cathey Construction will piggy back existing contract.

Motion to approve change order as outlined made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

6. Rick Delp gave update on Wet Weather Holding Pond Project.

7. Ms. Webb stated the City has been issued the notice to proceed to Royal American on the Battery Park Project. Construction should begin shortly, but will all be cleaned up by Seafood Festival.

8. Ms. Webb submitted Attorney Floyd's invoice for payment.

Motion to authorize payment for Attorney Floyd's invoice made by Commissioner Bartley, second by Commissioner Elliott.

Commissioner Ash stated the attorney's expense is now over budget, and the Commission needs some sort of estimate of what legal expenses will be over the next 3 months.

Attorney Floyd stated expenses should be approximately the same as it was for this month.

Commissioner Ash stated a budget amendment will be needed.

Ms. Webb stated she will meet with Attorney Floyd, Commissioner Ash, and Lee Mathes to discuss legal expenses.

Motion carried 5 to 0.

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

Voting Nay: None

**ATTORNEY FLOYD**

Attorney Floyd gave update on BP Claim, Family Dollar, and Cameron lawsuit.

**OTHER VISITORS & COMMENTS**

1. Leslie Coon stated at the old High School there are hallways in need of repair, hallways are blocked with numerous boxes, and food boxes in outside area need to be removed.

Joe Taylor stated this is a Franklin's Promise issue and will be addressed.

Mayor Johnson stated the City has a contract with Franklin's Promise so these complaints should have went before them, but if no satisfaction is given then come back before the Commission to address issues.

2. Joe Taylor stated the July 3<sup>rd</sup> Celebration was a huge success and City staff did a fantastic job.

**MAYOR & COMMISSIONER'S COMMENTS**

1. Commissioner Ash stated she appreciates Main Street, City staff, and all the countless volunteers for all the hard work put forth for the July 3<sup>rd</sup> celebration.

2. Attorney Floyd stated apparently in the alleyway behind the Coombs House Inn, some of the buildings have extended into the alleyway which has caused a shift of the traffic flow further west into the private property owned by Fredrick Voyt. Mr. Voyt reports that he has no problem with the continued use for traffic flow but would like an agreement to be executed to maintain his ownership. Attorney Floyd stated he has found no problems with the agreement Mr. Voyt presented, and needs authorization for Mayor to sign agreement.

Ms. Webb stated the biggest concern of the property owner was the location of the power pole, but they are ok with just going around the pole.

Commissioner Ash stated the property owner is granting the City the right to use their property.

Motion to authorize Mayor Johnson to sign agreement as outlined by Attorney Floyd made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

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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