

A public hearing and regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, March 2, 2010 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, Grants Manager Cindi Giametta, Chief of Police Bobby Varnes, Street Department Superintendent Marvin Croom, Public Works Supervisor Wilbur Bellew, Water & Sewer Supervisor William Cox

Visitors: Jim Waddell, Bobby Miller, Beverly Hewitt, Jerry Hall, Bruce Ballister, George Pruett, Jay Abbott, Ginger Creamer, Craig Gibson, George Watkins, Sally Williamson, Bob Dieter, Diane Dieter, Ron Gemstar, Alfia Mirabella, Anita Grove, Robert Jenkins, Richard Delp, Cindy Clark, Liz Kelsey, Charma Buckhalter, Fonda Davis, David Walker, Marisa Getter, mark Goodwin, John Hankin, Cindy Hankin, Steve Rash, Joe Taylor, Karen Cox-Dennis, Toni Taranto, Amanda Nalley, Karla Ambos, Dieter Ambos, George Coon, Clarice Powell, Caty Greene, Jean Fitzgerald, David Mills, Jimmy Lashley, David Adlerstein, Barbara Holmes, Harry Holmes, Valerie Miller, Carl Mayo, Lee Ann Bellew, Cindy Summerhill, Tommy Summerhill, Lora Lee Sutton, Albert Floyd, Gayle Johnson, Thomas Daly, Kenneth Wilson

Public hearing opened by Mayor Johnson followed by prayer and pledge.

PUBLIC HEARING – CDBG – SCIPIO CREEK HAUL OUT SLIP

Bruce Ballister stated this is the second public hearing for the CDBG grant portion of the Scipio Creek Haul Out Slip project. Mr. Ballister presented Commission with a financial spreadsheet that detailed funding sources and expense line items (see attached spreadsheet). Mr. Ballister stated the City has \$200,000 available funds through the Revolving Loan Program.

Steve Rash, owner of Water Street Seafood, stated he has been in Apalachicola for almost 27 years and his business employees approximately 50 people. Mr. Rash stated that Scipio Creek Marina is in bad need of repair. Mr. Rash stated this grant will help repair the infrastructure problems and also give boats a place to haul out their boats and work on them. Mr. Rash stated that he lost two boats last week to Panama City where the facilities were much better. Mr. Rash stated without the needed repairs made to Scipio Creek, Water Street Seafood will lose jobs and therefore fishermen will lose jobs. Without fishermen, Water Street Seafood will go out of business. Mr. Rash stated he is asking the Commission to support the fishing industry in Apalachicola.

Commissioner Elliott asked how often boats had to be pulled out for repair or maintenance.

Mr. Rash stated that on average, a boat is hauled out twice a year. As the boat gets older, it may require to be hauled out more than a newer boat. Mr. Rash stated that there is not enough space at his place of business for boats to get fuel, get ice, and unload. Without these needed necessities, the business cannot operate to its full potential.

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Commissioner Elliott asked what the average size of a boat is.

Mr. Rash stated the average size is around 40 feet.

Commissioner Elliott stated he recently saw a haul out slip that would pick up the boats.

Mr. Rash stated that they make haul out slips big enough to pull out tug boats.

Commissioner Ash asked if the City has done their part for the CDBG grant portion.

Mr. Ballister stated the CDBG application has to be repackaged, and hopes to have the package submitted to DCA by March 15th.

No further comments, public hearing closed.

PUBLIC HEARING – WATER SUPPLY PLAN – RESOLUTION 2010-02

Attorney Floyd stated this public hearing is to receive any comments regarding the transmittal of the Water Supply Plan resolution to DCA.

Cindy Clark stated the state statutes regarding comprehensive plan amendments has been modified somewhat. The City should have submitted the Water Supply Plan by resolution, not an ordinance. This public hearing is just procedural.

No public comment, public hearing closed.

REGULAR MEETING

Ms. Mathes presented Cindy Summerhill with Certified Municipal Clerk plaque and pin.

Mayor Johnson presented Kenneth Wilson with Public Work Employee of the Month award.

FIR HYDRANT DISCUSSION

Richard Delp, Baskerville-Donovan engineer, explained the fire hydrant system and how it works with the current water system. Mr. Delp explained that insurance companies require each home to be within 1,000 feet of a fire hydrant. In the commercial district there are fire hydrants within 300 feet of each business, and in the residential district there are fire hydrants within 500 feet of residences. The fire hydrant plan than exist now was approved in 2002.

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Discussion held concerning the removal of fire hydrants, and the water pressure that is available for the existing hydrants.

George Watkins, Fire Chief, asked if there were any maps that showed where all the current hydrants are located on the new system.

William Cox stated the maps are located at the plant, but the maps are not entirely correct.

David Adlerstein asked why the hydrants were removed in 2002.

Mr. Delp stated the City chose to reduce the number of fire hydrants, but the City still meets the fire protection standards.

Tom Daly stated the historic district poses a big fire threat with all the wooden structure homes.

Beverly Hewitt stated there is only one hydrant on Market Street.

Mr. Watkins asked if there were maps available that showed the location of hydrants in the County.

Mr. Delp stated that BDI has a map of hydrants located in the County area.

Mr. Adlerstein asked how could reducing the hydrant number bring a cost saving.

Mr. Delp stated the pipelines were very brittle and new hydrants were installed where new lines were run. The efforts were to reduce the costs of the project to stay within budget.

Mayor Johnson asked based on the design standards, is the City covered for fire protection.

Mr. Delp stated there is a hydrant located within 500 feet of each residence.

Discussion continued regarding the removal of fire hydrants.

Bobby Miller recommends the City hire an engineering firm to access the current fire system, see what upgrades are needed, and see what costs are involved.

James Waddell, Inovia, stated he gave Ms. Webb a cost for scope of work that involved hydrant testing to make sure hydrants worked properly. Mr. Waddell reviewed flow and pressure testing methods.

Caty Greene asked who was testing the fire hydrants.

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Mayor Johnson stated nobody was testing the fire hydrants.

Mr. Cox stated that every hydrant has now been tested.

Ms. Greene asked if the hydrants will continue to be tested.

Mayor Johnson stated that all hydrants will not be tested on a regular basis.

Karen Cox-Dennis asked how many hydrants were replaced in the last two weeks.

Mr. Cox stated five total hydrants have been replaced.

Discussion held concerning fire hydrant pressure.

Jay Abbott, St. George Island Fire Chief, stated fire hydrants needed to be tested, painted, and lubed annually. DEP can fine the City if fire hydrants are not maintained properly. Mr. Abbott stated he has driven around town and there is not a hydrant every 600 feet. Meters are available for testing hydrant flow. The water department should be doing annual maintenance and flushing the hydrants on a regular basis. Mr. Abbot provided information from the Fire Marshall's office and ISO regarding fire hydrant regulations. Mr. Abbott also stated that 500 gallons per minute is the correct hydrant flow.

Mayor Johnson asked what the City's current hydrant flow is.

Mr. Abbott recommends the City study the rules and regulations for fire hydrants. The City does not want ISO to come in until the system is up to par.

Commissioner Bartley asked why the City is having all these problems.

Mr. Watkins stated the Fire Department could use more pumper trucks. The Fire Department does not have a need for a ladder truck at this point.

Mr. Abbott suggests forming a committee and letting the committee come up with suggestions on what needs to be done to correct this problem.

Commissioner Elliott asked if there were any communication problems at the fire on February 8th.

Mr. Watkins stated there was a little communication problem.

Jerry Hall stated he has heard there are hydrants not working, and that the City is working on the problems.

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Mr. Cox stated that hydrant repair parts should be here next week.

Ms. Cox-Dennis expressed concerns regarding fire hydrants.

New fire/police station and fire truck purchase discussed.

Anita Grove stated the City needs to put a new fire truck in the budget and increase the fire department budget.

Mr. Miller thanked the Fire Department for saving his house. Mr. Miller stated the Fire Department budget needs to be addressed. To solve this problem, the City should start with an engineer and move in that direction.

Mayor Johnson stated the Fire Department has an existing budget. Mayor Johnson stated he would like to see Chief Watkins administer the Fire Department budget instead of going through the Clerk's office.

Mr. Abbott asked if the City could enforce a MSBU tax like the County does.

David Walker stated the City needs to set a productive time line, set up a committee, and set specific goals to correct this problem.

Hydrant discussion closed.

ADOPTION DECISION – RESOLUTION 2010-02 – WATER SUPPLY PLAN

Motion to revoke Ordinance 2009-04 and adopt Resolution 2010-02 made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

ADOPTION DECISION – RESOLUTION 2010-03 – TOBACCO PRODUCTS PLACEMENT

Motion to adopt Resolution 2010-03 made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 5 to 0.

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

Voting Nay: None

APPROVAL OF MINUTES

Motion to approve February minutes made by Commissioner Bartley, second by Commissioner Cook.

Commissioner Ash asked the status of the School Board Lease.

Attorney Floyd outlined status of School Board Lease. Attorney Floyd stated there is some discrepancy over who owns what property. Attorney Floyd stated he sent a letter stating to just deed the property that the School Board originally agreed to deed, and other areas can be worked out at a later time. Mayor Johnson would have to initial that change in the lease.

Motion carried 5 to 0.

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

Voting Nay: None

Motion to authorize Mayor Johnson to initial change in lease and resubmit back to the School Board made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

Commissioner Ash asked the status of land swap with County.

Mayor Johnson stated the City made a counter offer and is waiting on a response from the County. The City offered four lots and getting credit for some other lots.

Commissioner Ash asked how this affects what the hospital is trying to accomplish.

Mayor Johnson stated the original deal fell through, and are now waiting on the County's response.

APPROVAL OF BILL LIST

Motion to approve January bill list made by Commissioner Elliott, second by Commissioner Cook.

Commissioner Ash about two vendors listed on the bill list.

Ms. Mathes explained vendor expenses.

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Motion carried 5 to 0.

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

Voting Nay: None

CHAMBER OF COMMERCE REPORT

Anita Grove submitted written report to Commission.

TRAFFIC SAFETY TEAM REPORT

Bob Dieter submitted verbal report. Mr. Dieter stated that Dieter Ambos, representing the CRA, came to the meeting requesting a sidewalk on MLK and also on Avenue M. Mr. Dieter stated he would like support from the Commission and inform DOT that sidewalks are needed in those areas.

Mayor Johnson stated this has been discussed with CRA and Traffic Safety Team.

Motion to support sidewalk project on MKL and Avenue M made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

LIBRARY REPORT

Caty Greene submitted written report to Commission.

PLANNING & ZONING REPORT

Tom Daly stated a public hearing was held concerning John Croom petition to extend bar hours for one hour. Tammi Ray, owner of AJ's Bar & Grill, is not in favor of extending the hours and no other bar owners in town showed up in favor of extending the hours. The Police Department feels extending the hours would cause more noise in the area. Mr. Daly stated that Ms. Ray pointed out that City owned facilities should have the same hours as bar hours and on special occasions, like Seafood Festival or New Years Eve, extend the hours. Mr. Daly stated that Planning & Zoning has selected a group of architects to assist the Planning & Zoning Board, but a fee schedule has not yet been finalized.

Mt. Zion church sign discussed.

Ms. Webb stated that Gene Osburn is bringing this item up at the Planning & Zoning meeting next week.

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Sally Williamson submitted verbal report as well.

Motion to approve \$200,000 Revolving Loan allocation for CDBG Scipio Creek Haul Out Slip Project made by Commissioner Bartley.

Mr. Adlerstein asked those funds will be paid back.

Ms. Webb stated those funds would not be replenished back into the fund, but instead will be used to help fund an economic development project.

Motion seconded by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

Commissioner Ash asked if there is a list posted somewhere of what is required to pull a permit.

Ms. Webb stated the Land Development Code is posted on the website, and that defines what requires a permit.

Commissioner Ash stated most people are not going to read the Land Development Code to see if they need a permit, and what is required to pull one.

Ms. Webb stated that would be a good project for the Planning & Zoning Board to work on. Currently there is a checklist that is attached to each permit application so people will know what needs to be submitted with the completed application.

Mr. Daly stated anything structural that can be seen from the exterior has to be permitted.

FIRE DEPARTMENT REPORT

George Watkins submitted written report.

William Cox stated hydrant parts should be in by the end of next week. Also two more hydrants need to be replaced, one on Fred Meyer and one on Bay City Road.

Mr. Watkins stated the Fire Department could use a bigger pumper truck. Mr. Watkins stated he feels this would solve a lot of the water problem.

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Mayor Johnson stated let Ms. Webb and Ms. Mathes get some information to see how much can be allotted for a fire truck payment.

Motion to authorize Fire Chief to submit the Fire Department budget made by Commissioner Bartley, second by Commissioner Cook.

Motion carried.

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

Voting Nay: None

Mayor Johnson asked Mr. Watkins what his thought were on forming a committee for the Fire Department.

Mr. Watkins stated he will have to look into it.

Anita Grove questioned inlay pumps and inquired about installing extra hydrants in downtown area. Ms. Grove asked if all the non working hydrants were bagged.

Mr. Cox stated out of service tags have been put on the hydrants that don't work.

Ms. Grove asked about the fake hydrants that are in the downtown area. The hydrants were a fundraiser for the Humane Society, but people confuse them for real hydrants.

Motion to prohibit fake hydrants made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

James Waddell stated he is ready to start work on the fire hydrant assessment.

CITY ADMINISTRATOR REPORT

Motion to adopt National Women's Health Week Proclamation made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0.

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

Voting Nay: None

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Motion to approve Attorney Floyd payment made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Lee H. Mathes, City Clerk