

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, February 5, 2008 at 6:00 PM in the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Mitchell Bartley, Commissioner Val Webb, Commissioner Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, Attorney Pat Floyd, Chief of Police Bobby Varnes, ESG Todd Baldwin, BDI Ken Hatcher and Dave Hemphill

Visitors: John Sink, Sally Williamson, Marcia Thomas, Beverly Hewitt, Liz Kelsey, Anita Grove, Joe Taylor, Geoffrey Hewell, Robert Davis, Eleanor Mount Simmons, Sherman Thomas, Tommy Ward, Walter Robinson

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

### **RECOGNITION OF VISITORS**

\* John Sink recognized by the Commission. Mr. Sink, Chairman of the Franklin County Housing Board, updated the Commission on the County's Affordable Housing Project status. Mr. Sink outlined what is considered affordable housing in Franklin County. Mr. Sink reviewed surplus lands for affordable housing and the Florida Community Land Trust Institute.

Mayor Johnson asked if all counties in Florida were required to appoint a Housing Board.

Mr. Sink stated it is now a requirement of all counties.

Ms. Webb stated that the Planning & Zoning Board is working on the affordable housing issue in Apalachicola, and the City has a map outlining what areas are available for affordable housing.

\* Marcia Thomas recognized by the Commission. Ms. Thomas stated she is requesting that Avenue K be changed to Dr. Charles Watson Clark Avenue.

Mayor Johnson asked Ms. Thomas if she is requesting the whole street be changed.

Ms. Thomas stated she would like the whole street to be changed.

Commissioner Webb asked how many people's address would have to change.

Ms. Thomas stated she is not sure how many people's address would change.

Commissioner Bartley suggested to send letters out to residents on Avenue K to get their opinion.

Commissioner Cook stated he is concerned that if the City keeps changing street names, the City will have all named streets and no number streets. Commissioner Cook stated the City might want to consider to start naming buildings after individuals instead of renaming streets.

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Mayor Johnson stated a policy needs to be written that will guide the Commission.

Commissioner Cook stated the policy he would recommend is to start naming parks and buildings after individuals instead of streets.

Motion to send letters to residents on Avenue K to get their opinion on name change made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Bartley, Webb, Cook, Mayor Johnson

Voting Nay: None

\* Tommy Ward recognized by Commission. Mr. Ward stated the Department of Agriculture has received a grant and is considering moving the shell barge out of Scipio Creek into the main channel. The grant is in excess of \$250,000. Mr. Ward stated he wanted to update the Commission on the progress and still hopes the Commission offers its support. Mr. Ward stated moving the shell barge out of the marina will hopefully create more slips in the marina. Mr. Ward stated that the Scipio Creek Task Force and needs to have DACS and Commission on board for this project.

Ms. Webb stated the City has been awarded grant for Scipio Creek haul out slip, and the City has some TDC money. Ms. Webb stated she would like to discuss plans with Mr. Ward.

Mayor Johnson stated the City will be a partner with the Scipio Creek Task Force and DACS to provide upgrades to Scipio Creek, move barge, put roads in, and build docks.

Attorney Floyd stated he wanted to clarify that all the property will be City property, and not State property.

Mr. Ward stated all the property will be the City's.

Motion to support the Scipio Creek Task Force and move forward with Scipio Creek project made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Bartley, Mayor Johnson

Voting Nay: None

\*Eleanor Mount Simmons recognized by the Commission. Ms. Simmons stated that H'Cola has planned its 5<sup>th</sup> Annual African-American History Festival for Friday, February 15<sup>th</sup> through Sunday February 17<sup>th</sup>. Ms. Simmons is requesting the use of Franklin Square for February 15<sup>th</sup> – 17<sup>th</sup> which includes the Recreation Center, tennis courts and basketball court; blocking 6<sup>th</sup> Street from Avenue K to Avenue M and Avenue L from 6<sup>th</sup> Street to 7<sup>th</sup> Street for the festival; blocking

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6<sup>th</sup> Street east to MLK Avnue, MLK Avenue north to 10<sup>th</sup> Street, 10<sup>th</sup> Street west Avenue M, and Avenue M south to 6<sup>th</sup> Street from 9:00 – 11:00 AM for the parade.

Motion to approve H'Cola African American History Festival for February 15<sup>th</sup> – 17<sup>th</sup> made by Commissioner Webb, second by Commissioner Bartley.

Motion carried 4 to 0.

Voting Aye: Cook, Bartley, Webb, Mayor Johnson

Voting Nay: None

**APPROVAL OF MINUTES**

Motion to approve January 2008 minutes made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Bartley, Webb, Cook, Mayor Johnson

Voting Nay: None

**APPROVAL OF BILLS**

Motion to approve January 2008 bill list made by Commissioner Cook, second by Commissioner Bartley.

Motion carried.

Voting Aye: Webb, Cook, Bartley, Mayor Johnson

Voting Nay: None

**TRAFFIC SAFETY TEAM REPORT**

Ms. Webb stated that speed bumps were discussed to be installed at 11<sup>th</sup> Street housing projects and on 22<sup>nd</sup> and Earl King.

Motion to install speed bumps at 11<sup>th</sup> Street housing projects and at 22<sup>nd</sup> and Earl King Street made by Commissioner Cook, second by Commissioner Webb.

Motion carried.

Voting Aye: Cook, Bartley, Webb, Mayor Johnson

Voting Nay: None

**BASKERVILLE-DONOVAN ENGINEERS REPORT**

Ken Hatcher updated Commission on ongoing projects. Mr. Hatcher stated permits have been submitted to DOT for Reuse Project, and Commission will need to adopt a new ordinance for

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cross connection in the near future; Panhandle Construction was low bidder for Prado Intersection Project, agreement has been prepared, and anticipation date to start is March 1.

Commissioner Bartley asked if there will be any roads torn up on the Reuse Project.

Mr. Hatcher some roads will be affected. There is a map that shows what roads will be affected.

Dave Hemphill stated that Andris Dock and Avenue C Dock were not improved projects. Docks were put back as original docks. Repairs on Battery Park Pier and Lafayette Park Pier should be started by February 18<sup>th</sup>, and Battery Park Phase II and Veterans Park seawall will go to bid on February 28<sup>th</sup>.

Mayor Johnson stated he would like to ask Commission for a motion to not allow any more projects by BDI until current projects are completed.

Motion to not allow BDI to undertake any more projects until current projects are completed made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Bartley, Webb, Cook, Mayor Johnson

Voting Nay: None

Geoffrey Hewell stated he has not ever seen anything like this. Projects keep being put off.

Mr. Hemphill stated projects could not start until FEMA and other State agencies approved everything.

**ESG REPORT**

Todd Baldwin stated everything is in compliance. Chemical budget is being hit pretty hard. Mr. Baldwin outlined current problems with air vac system, and stated valve is going to be repaired tonight.

**BUILDING OFFICIAL REPORT**

Cindi Giametta stated a public hearing will be held on February 11<sup>th</sup> to consider changing zoning from R1 to OR for 2 lots on corner of 12<sup>th</sup> and Avenue F.

Mayor Johnson asked Ms. Giametta to make sure Planning & Zoning gets all the needed information to make an informed decision.

Motion to confirm January 14<sup>th</sup> Planning & Zoning minutes made by Commissioner Cook, second by Commissioner Webb.

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Motion carried 4 to 0.

Voting Aye: Webb, Cook, Bartley, Mayor Johnson

Voting Nay: None

**GRANTS MANAGER REPORT**

Motion to appoint Ann Sizemore to Board of Adjustment made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Cook, Bartley, Webb, Mayor Johnson

Voting Nay: None

Attorney Floyd stated he would like to review Ordinance No. 2008-01 (Land Development Code Changes) before Commission has first reading.

Motion to allow Attorney Floyd to review Ordinance No. 2008-01 and readdress at next regular meeting made by Commissioner Bartley, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Cook, Bartley, Webb, Mayor Johnson

Voting Nay: None

**POLICE DEPARTMENT REPORT**

No report given.

**CITY ADMINISTRATOR REPORT**

Ms. Webb submitted monthly project update report to Commission.

**ATTORNEY FLOYD REPORT**

Attorney Floyd presented Commission with Palm Beach Post article regarding Corps of Engineers Water War highlighting David Adlerstein's article regarding water situation; Attorney Floyd updated Commission on Willie Baucham case stating complaint was dismissed in September 2007, but is trying to get materials together outlining judgement; updated Commission on B&S Utilities litigation; may need to hold executive session at later date to discuss Sherman Thomas case.

Mayor Johnson asked if there was any way the City could get back our attorney's fees for any of these law suits.

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Attorney Floyd stated there are some statutes that can provide some assistance, but will have to check further.

### **OTHER VISITORS AND COMMENTS**

\* Anita Grove stated she would like to request to close Water Street from Avenue D to Avenue E for annual boat show in April.

Motion to approve road closure for boat show made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Bartley, Webb, Cook, Mayor Johnson

Voting Nay: None

\* Geoffrey Hewell asked for an update on Fire Station.

Attorney Floyd stated he is still talking with Harry Arnold trying to work out land swap.

Ms. Webb stated nothing more can be done until land swap is completed.

\* Sherman Thomas asked if the apartments at Heritage Villas were check out for fire exits.

Ms. Webb stated she will discuss matter with building official.

### **MAYOR & COMMISSIONER'S COMMENTS**

\* Attorney Floyd stated he has been working on the final copy of the lease agreement with Park Service. City has done it's part for agreement.

\* Mayor Johnson invited everyone to come to the Gibson Inn on Thursday morning at 10:30 AM for an important announcement.

\* Mayor Johnson asked about the Visioning Project.

Ms. Webb stated she thought it would be best to have Commission appoint committee, but have someone do the design. If the City does not get funding, this would be the lease expensive way.

Mayor Johnson stated something needs to get going on this.

Ms. Webb stated that she and Commissioner Cook will get together and come up with a plan.

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Motion to adjourn made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Bartley, Mayor Johnson

Voting Nay: None

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk