

A Regular Meeting of the City Commission of the City of Apalachicola was held on Tuesday, March 4, 2008 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 Frank Cook, City Administrator Betty Webb, City Clerk Lee Mathes, Grants Manager Cindi Giametta, City Attorney Pat Floyd, Chief of Police Bobby Varnes, ESG Todd Baldwin, BDI Ken Hatcher

Visitors: Beverly Hewitt, Joe Taylor, Anita Grove, Sally Williamson, Ginger Creamer, Charma Burkhalter, Craig Gibson, Janice Mathis, Van Mathis, Ethan Mathis, Paul Witt, Mark VanAmburgh, Mark Creamer, Dan Garlick, Roy Solomon, Margie Solomon, David Adlerstein

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

### **RECOGNITION OF VISITORS**

\* Sherman Thomas – not present

\* Avenue K Name Change (no citizen response) – Ms. Webb stated letters were sent to residents on Avenue K to get their opinion on changing the name of the street, but no letters were returned with a response.

### **APPROVAL OF MINUTES**

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

Motion carried 4 to 0.

Voting Aye: Webb, Cook, Elliott, Mayor Johnson

Voting Nay: None

### **TRAFFIC SAFETY TEAM REPORT**

Ms. Webb stated main discussion at meeting was downtown handicap parking issues. Ms. Webb stated that VMS will be at next Traffic Safety Team meeting to discuss this issue further. Prado project has started.

### **BASKERVILLE-DONOVAN ENGINEERS REPORT**

Ken Hatcher updated Commission on ongoing projects. Work has begun on Lafayette Park and Battery Park piers. Bid openings for Veteran's Park Phase II and Battery Park Phase II will be held on Friday.

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**1<sup>ST</sup> READING ORDINANCE NO. 2008-01 (LAND DEVELOPMENT CODE CHANGES)**

Ms. Giametta stated this ordinance allows the Planning & Zoning Board to be the architectural review board for the entire City, not just the historic district; addresses the appeals process; and defines the difference between an appeal and complaint.

Attorney Floyd read ordinance by title as follows:

AN ORDINANCE AMENDING ORDINANCE NUMBER 91-7; PROVIDING FOR ESTABLISHING ZONING REGULATIONS AND LAND DEVELOPMENT CODE FOR THE CITY OF APALACHICOLA, FLORIDA; PROVIDING FOR AMENDMENT OF SECTION III (ENFORCEMENT AND ADMINISTRATION) AND SECTION IV (HISTORICAL AND CULTURAL PRESERVATION REGULATIONS), AND SECTION II (LANGUAGE AND DEFINITIONS) PURSUANT TO THE AUTHORITY CONTAINED IN SECTION 163, F.S.; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

Motion to approve 1<sup>st</sup> reading of Ordinance No. 2008-01 made by Commissioner Elliott, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Cook, Elliott, Webb, Mayor Johnson

Voting Nay: None

### **ESG REPORT**

Todd Baldwin updated Commission on monthly report. Mr. Baldwin stated there are no compliance issues, water quality reports came back satisfactory, and the leak detective equipment will be here Thursday to try to detect a leak on the main line. Run times have doubled due to problem with Air Vac system.

Mayor Johnson asked Mr. Baldwin when ESG's last on the job was.

Mr. Baldwin stated ESG will not renew contract as of June 30<sup>th</sup>.

Ms. Webb stated she is getting operating budget numbers from ESG to see if it will be feasible for the City to operate the water and sewer system, or contract with another company again.

Discussion held concerning wastewater plant operations and upgrades that have to be done to the wastewater treatment plant.

Ms. Webb stated she will have information compiled to address at special meeting later in the month.

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### **BUILDING OFFICIAL REPORT**

Motion to confirm Planning & Zoning February minutes made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Cook, Webb, Elliott, Mayor Johnson

Voting Nay: None

### **GRANTS MANAGER REPORT**

Ms. Giametta stated there is still one vacancy on Board of Adjustment that needs to be filled. No applications have been received for vacancy.

### **POLICE DEPARTMENT REPORT**

Chief Varnes stated he would like to redo the police department's current policy and procedure manual.

Mayor Johnson stated that Chief Varnes should work with Attorney Floyd on this to make sure that all legalities are met.

Motion to authorize Chief Varnes to work with Attorney Floyd in redoing the police department's police and procedure manual made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Webb, Elliott, Cook, Mayor Johnson

Voting Nay: None

Chief Varnes stated the City still has possession of the K-9 dog. The dog is not certified, and the Sheriff's Department does not want the dog. There is a small department in Georgia that has shown interest in the dog. Chief Varnes stated he recommends giving the K-9 dog to the Georgia department.

Motion to give K-9 dog to the small police department in Georgia made by Commissioner Webb, second by Commissioner Elliott.

Motion carried 4 to 0.

Voting Aye: Webb, Elliott, Cook, Mayor Johnson

Voting Nay: None

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### **CITY ADMINISTRATOR REPORT**

Ms. Webb presented Board with monthly report. Ms. Webb stated if anyone has any questions just give her a call.

Ms. Webb read proclamation to the Chamber of Commerce for nominating City for the Dozen Distinctive Destination Award. Ms. Webb presented proclamation to Anita Grove and Joe Taylor.

## **ATTORNEY FLOYD REPORT**

Attorney Floyd updated Commission on Florida Park Service Agreement and B&S litigation.

Attorney Floyd stated no agreement could be reached with Harry Arnold regarding Avenue F & Market Street property.

Ms. Webb stated that the old Family Dollar Store is an alternate site for fire station, and Mr. Willis is willing to work with City.

Attorney Floyd updated Commission on Corps of Engineers case. Attorney Floyd stated case will be discussed in Jacksonville on March 14<sup>th</sup> and feels it is in the City's best interest if he attends.

Motion to authorize Attorney Floyd to travel to Jacksonville for March 14<sup>th</sup> meeting on court case made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Cook, Webb, Elliott, Mayor Johnson

Voting Nay: None

Motion to approve Attorney Floyd's invoice for \$8,704 made by Commissioner Webb, second by Commissioner Cook.

Motion carried 4 to 0.

Voting Aye: Webb, Elliott, Cook, Mayor Johnson

Voting Nay: None

## **VISITORS AND COMMENTS**

\* Ginger Creamer recognized by the Commission. Ms. Creamer is asking for funding for First Responders for supplies. Ms. Creamer stated there is no funding in Fire Department budget for First Responders. Ms. Creamer is asking for \$10,000 for supplies and fuel for First Responders.

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Mayor Johnson asked why this service was not funded through the hospital tax.

Ms. Webb stated she is not sure what can be paid through the hospital tax, but will find out some information.

Mayor Johnson stated he would like for Ms. Webb to see what the City can put towards the First Responders, and for Ms. Webb to contact the hospital administrator to find out about the First Responders using a portion of the hospital tax.

Ms. Webb stated the City could pull about \$1,500 to \$2,000 from reserves to help get them started on stocking some supplies.

Motion to pull \$1,500 from reserves and put in First Responder's account to help with supplies made by Commissioner Cook, second by Commissioner Webb.

Motion carried 4 to 0.

Voting Aye: Elliott, Cook, Webb, Mayor Johnson

Voting Nay: None

Ms. Creamer asked about the status of the fire station.

Ms. Webb stated the \$250,000 construction money is good until October 18, 2008. State will not approve fire station to be put on Avenue F & 8<sup>th</sup> Street site.

\* Joe Taylor stated the Art Walk will be held on April 5<sup>th</sup>. No streets or sidewalks will be blocked for this event. Also, the City will host the Plein Air Paint Out on May 8<sup>th</sup> – May 18<sup>th</sup>.

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

Motion carried 4 to 0.

Voting Aye: Cook, Webb, Elliott, Mayor Johnson

Voting Nay: None

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk

