

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD
TUESDAY, MAY 4, 2021, 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Pro-Tem Brenda Ash Travis Wade, City Manager
 Commissioner Anita Grove Leo Bebeau, Finance Director
 Commissioner Despina George Dan Hartman, Attorney
 Commissioner Adriane Elliott

ABSENT: Mayor Kevin Begos Deborah Guillotte, City Clerk

CALL TO ORDER

Mayor Pro-Tem Ash called the meeting to order at 5:00 pm and gave the invocation followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Elliott made a motion to approve the Agenda. Commissioner George seconded. Mr. Wade requested that the Agenda be revised to include the Planning and Zoning minutes, included in the packet, but not listed on the Agenda.

Commissioner Elliott amended the motion to approve the Agenda with the addendum of the April 2021, Planning and Zoning minutes to the Consent Agenda. Commissioner Grove seconded and the motion carried 4-0.

UNFINISHED BUSINESS
1. FRANKLIN COUNTY COMMUNITY DEVELOPMENT & LAND TRUST CORPORATION – CITY LOTS

Mr. Cliff Butler with Franklin County Community Development & Land Trust Corporation (FCCD<C) would like to swap one 60 foot wide lot valued at \$24,000 donated by the County, for four 30 foot wide lots valued at \$6,000 each (\$24,000 total value), for future affordable housing property.

UNFINISHED BUSINESS
2. FENCE ORDINANCE REVISIONS

Attorney Hartman reviewed the revised fence ordinance, with input from both the citizens and City Commission in a past workshop. Discussion held. Commissioner Elliott would like to request the height of a fence for front yard be changed from 4 feet to 5 feet. Commissioner Grove has concerns about keeping fences and structures out of the City's

right-of-way. The overall consensus of the Commission tonight, is to leave the proposed ordinance as is. Citizens comments consisted of: 1) a prior ordinance which may have incorporated the historic guidelines into the Land Development Code; and 2) fence permits expiring after a year. Attorney Hartman will review and make a few changes as discussed and bring back before the Commission.

NEW BUSINESS

1. REQUEST SPECIAL MEETING ON MAY 18, 2021, AT 3PM TO DISCUSS A COMMITMENT BY THE CITY TO DONATE 24 LOTS (MAKING 12 BUILDABLE LOTS) TO FCCD<C

Cliff Butler is requesting that the City Commission have a special meeting on May 18, 2021, at 3:00pm, to discuss in more depth the City donating 24 Lots to FCCD<C.

Commissioner Elliott made a motion to schedule a special meeting on May 18, 2021, at 3pm, to discuss a partnership and commitment from the City to donate twenty four lots to the FCCD<C. Commissioner Grove seconded and the motion carried 4-0.

NEW BUSINESS

2. CATY GREENE – MATCHING GRANT FUNDS FOR RANEY HOUSE GRANT

Caty Green reviewed and requested \$15,000 from the City, to go towards the matching funds for the Division of Historic Grant for the Raney House restoration, due June 1, 2021. Mr. Bebeau gave his financial opinion of the Grant match, stating this match would be allocated in the 2021-2022 FY.

Commissioner George made a motion to allocate \$15,000, in the budget for the upcoming 2021-2022 fiscal year, towards the match for the Raney House Restoration Grant. Commissioner Grove seconded and the motion carried 4-0.

Commissioner George made an amended motion to approve \$15,000 towards the match for the Raney House Restoration Grant. Commissioner Grove seconded and the motion carried 4-0.

NEW BUSINESS

3. REQUEST BOARD APPROVAL TO ALLOW THE HCA TO APPLY FOR THE AMERICAN RESCUE PLAN: HUMANITIES ORGANIZATIONS NATIONAL ENDOWMENT FOR THE HUMANITIES

Commissioner Grove reviewed the National Endowment for Humanities Grant, stating that any institutions closed due to COVID, and now experiencing income issues would be eligible. Mr. Bebeau stated that the grant application should be filed by the City, because the HCA is a City advisory board, not a separate entity.

Commissioner Elliott made a motion to approve the request to apply for the American Rescue Plan Humanities Organizations National Endowment Grant. Commissioner Grove seconded and the motion carried 4-0.

PUBLIC COMMENT

Citizen comments consisted of: 1) City owned property for sale on 6th Street and 15th Street – City needs to consider not selling; 2) 159 Avenue B - city's right-of-way, fire hydrants and safety issues – Commission requested that Attorney Hartman research the fire hydrant statute and get with Mr. Wade. Attorney Hartman informed the Commission, that he has been involved in this issue with the City Manager – Attorney Hartman recommends providing additional time, and for the City Manager and Ms. Brewer to meet, discuss and agree on any further changes to the area. If they fail to agree, he has explained to Ms. Brewer this is City r-o-w and is up to the City to maintain and make all fire hydrants accessible – Mayor Pro-Tem Ash recommends researching and developing a Landscape Ordinance; 3) ongoing non-compliant fence and action to be taken by the City – referred to Attorney Hartman for continued research; 4) non-working fire hydrants; 5) and City garbage/trash services coming up for bid.

MAYOR AND COMMISSIONER COMMENTS

City owned Property for sale – Mayor Pro-Tem Ash inquired about City real estate properties to be sold, and the Commission discussed options to be taken for this project. Mayor Pro-Tem Ash requested that Sheneidra Cummings research and get the addresses and value of the properties from the Tax Assessor's office on all City properties. Attorney Hartman will research the sale of the properties and make sure all is legal.

Duke Energy EV Station Relocation – Mr. Wade stated that Duke Energy requests permission to remove the fast charger on Commerce Street and place two chargers at the public parking lot on Market Street. This issue was tabled until next month's meeting.

Discussion held on the following: 1) Re-opening of City buildings and having a safety plan and hold harmless/waiver agreement for renters to sign; 2) fire hydrants; 3) needed infrastructure funding and notification to the Commission when received; 4) garbage/trash

service RFP – alley and street side pickup to be quoted; 5) Lafayette Park Pier progress – Mr. Bebeau gave an update.

CITY MANAGER COMMUNICATIONS

Surplus Properties Auction update – Mr. Wade has the contract from auctioneer to review for signature and the removal of the vehicles should start and the auction will begin soon.

CDBG-MIT – Mr. Wade stated this is the newest mitigation round from the CDBG from HUD through the Department of Equal Opportunity (DEO), and the deadline for submission is July 9, 2021. He will prepare a proposal for funding of part of the Wastewater Treatment Plant, which would move the headworks out of the flood zone.

DEP In-Kind Proposal – Mr. Wade stated that for the In-Kind of the DEP fine, he has requested that the City use the replacement of 30 fire hydrants, starting with the most eight crucial hydrants previously discussed. DEP requests this project be completed within 180 days from the date of approval of this request.

ATTORNEY DAN HARTMAN COMMUNICATIONS

Attorney Hartman gave an update on the following: 1) the two executive orders regarding COVID 19 Emergency Orders by municipalities on restrictions of mask requirements and business occupancy restrictions. Cities cannot have any further Ordinances on these issues, but can request limits on numbers of occupancy in their buildings. Attorney Hartman stated that the City is not required to rent their buildings or parks, but if they do, they should have a hold harmless agreement/waiver signed by the person renting and anyone attending the events. Mr. Wade and Attorney Hartman will review the issue and come up with a plan to make sure we are covered under liability.

FINANCE DIRECTOR LEO BEBEAU COMMUNICATIONS

Mr. Bebeau discussed the following: 1) sale and disposal of City properties and their best use for the City; 2) Executive Orders and private businesses requirements and regulations in their businesses is solely up to business owner; and 3) Battery Park and V-Pier settlements with insurance with Hurricane Michael.

HMGP – We received notice that the vacuum station on Market Street has moved forward with cost, mitigation, and public service analysis. All financials have been approved with the exception of demolition of existing structures on properties (approximately \$10,000),

which have been removed from the grant project. Both the generators and stormwater projects are still in status review. Avenue “G” between Commerce and Water Street project has started back and to be complete by June 30, 2021.

USDA – This project is moving forward, and we have reached an agreement allowing the right-of-way and easement.

NPS – This project is still in review, but no decisions made on Old City Hall or the HCA building.

AUDIT – Mr. Moran was at City Hall and everything he requested from staff will be due by Friday, May 14th.

Budget – Mr. Bebeau will be getting with Commissioners, and staff to talk about capital and personnel requirements, so we can move forward with the budget process.

Seawall – The seawall project was developed in a grant that included restrooms at Battery Park years ago. After a long search, the City located plans and Dewberry received these plans last week and are working on these construction plans to go out for bid.

Roof – Mr. Bebeau stated we have state approved contractors bids for roofs at the Holy Family, Community Center, Gazebo at Lafayette Park, old Library and damage on the Pavilion at Battery Park Pier.

Leslie Street – Mr. Bebeau stated this is still tied up at their determination, that old pipes didn’t happen with Hurricane Sally, but they are looking at the roadway damage. The cost of this project is about \$500,000.

Bodiford Park – We have funding from FEMA to replace the picnic tables.

Splash Pad – We have funding from FEMA to replace the benches and canopy.

DEPARTMENT REPORTS

CONSENT AGENDA

Meeting Minutes Adoption – April 6, 2021 Special Meeting; April 6, 2021 Regular Meeting and April 14, 2021 Special Meeting Minutes.

Commissioner Elliott made a motion to approve the Consent Agenda, which includes the Planning and Zoning Minutes. Discussion held on Planning and Zoning minutes, the property on 10th Street that has a fence around the complete property, which is two lots. Attorney Hartman stated that the minutes are being reviewed for accuracy, not that the

Commission is making a decision. Attorney Hartman stated if someone has a concern with a Planning and Zoning action, they should go to the next P&Z meeting to discuss the issue. Mr. Wade will follow up with the Building Department, Tammy Owens. Attorney Hartman stated that this applicant should go through the appeal process, if there is a misunderstanding. Commissioner George seconded and the motion carried 4-0.

ADJOURNMENT

With no further business, Commission George made a motion to adjourn the meeting. Commissioner Grove seconded and the motion carried 4-0.

Brenda Ash, Mayor Pro-Tem

Deborah Guillotte, City Clerk