

A Workshop Meeting of the Apalachicola City Commissioner was held on Tuesday, May 21, 2024, at 4 p.m., at the former Apalachicola Municipal Library located at 74 6<sup>th</sup> Street., Apalachicola, FL.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Despina George, Commissioner Elliott, City Manager Travis Wade, City Attorney Dan Hartman, City Clerk Sheneidra Cummings, and Chief of Police Bobby Varnes.

## PUBLIC COMMENT

No public comment.

Manager Wade provided a basis for the Rules of Procedure Workshop. Recommendations that were submitted by Mayor Ash and Commissioner George were presented by Mayor Ash and briefly discussed.

Discussion held.

The Commission addressed each Rule based on the recommendations as follows:

### Rule 1: Meetings

All Commissioners agreed with Manager Wade's change of address for the meeting location to 74 6<sup>th</sup> Street.

**Consensus on Rule 1: Update Rule #1 to reflect the address of the new meeting location i.e., 74 6<sup>th</sup> Street, Apalachicola, FL.**

### Rule 2: Regular Meetings

Commissioner George disagrees with changing the meeting time to 4pm. Commissioner Grove did not oppose the 4pm meeting time nor did she agree to change the meetings to 6pm. Commissioner Elliott, Mayor Ash would like to continue to hold meetings at 4pm.

**Consensus on Rule 2: The Commission was split, and they agreed to discuss it further at an upcoming Commission meeting and codify it once a determination is made.**

Rule 3: Special Meetings

Attorney Hartman provided legal insight and suggested that the same process for regular meetings be followed for special meetings, affirming that, the additional requirement for special meetings be provided a forty-eight (48) notice to all Commission members prior to Special Meeting being held. Regarding the last sentence of Rule 3, "Notice shall be posted at City Hall".

Commissioner George suggested that any notice of a Special Meeting should also be posted on the City's website including the posting of a Special Meeting Agenda.

Discussion held.

Commissioner Grove suggested rephrasing the last sentence of Rule 3 to include having a draft agenda e.g., "Appropriate notice of Special Meeting and draft Agenda shall be posted at City Hall and posted on the City's website."

Commissioner Elliott suggested the same verbiage be added to the second to the last sentence of Rule 4 as well stating that the verbiage should be consistent for Regular, Special and Emergency Meetings.

None opposed the rephrasing/addition made by Commissioner Grove and Commissioner Elliott.

**Consensus on Rule 3: rephrase last sentence to state: "Appropriate notice of Special Meeting and draft Agenda shall be posted at City Hall and posted on the City's website."**

Rule 4: Emergency Meetings

**Consensus on Rule 4: rephrase second to the last sentence to state: "Appropriate notice of Emergency Meeting and draft Agenda shall be posted at City Hall and posted on the City's website."**

Rule 5-9

No suggestions were presented or discussed.

Rule 10

Commissioner George suggested that Item 10(b) be updated to reflect the deadline referenced in Rule 26(f).

Discussion held. No Commissioner opposed Commissioner George's suggestion.

Rule 11-13

No suggestions were presented or discussed.

Rule 14: Ordinances

Attorney Hartman suggests reaching out to the State i.e. Florida League of Cities to inquire about the workshop requirements that are referenced in this rule to amend the Land Development Code. Attorney Hartman stated that the Rules of Procedure will take precedent over City policy if/where the two conflict.

Discussion Held.

Mayor Ash directed Attorney Hartman and Commissioner Grove to gather information from the Florida League of Cities and/or the appropriate State dept. to determine if requirement(s) can be amended due to this area being considered an area of critical state concern.

Commissioner George clarified her suggestion(s) for Rule 14. Commissioner George stated that the current policy requiring several P & Z workshops to be held before amending the Land Development Code should be specified in Rule 14.

Discussion held.

**Consensus on Rule 14: Attorney Hartman and Commissioner Grove will reach out to the appropriate State dept. and determine what is required to amend a Land Development Code and present that information to the Board to determine if the existing workshop requirement(s) could be amended.**

Rule 15-25

No suggestions were presented or discussed.

Rule 26: Preparation of Agendas

**For item (a):** Commissioner George suggested amending item (a) to reflect the Commission's current meeting order. Commissioner George also agreed with Mayor Ash's recommendation(s) for items (d) & (f). Commissioner George also recommended having an addendum to the agendas for items that need to be added to the agenda after it has been distributed to members and posted on the City's website.

Commissioner Elliott suggested striking through item (a), stating that item (a) conflicts with Rule 27, Agendas- Order of Business. Further stating that removing item (a) would resolve the conflict between Rule 26(a) and Rule 27.

**For item (b):** None opposed Manager Wade's recommendations.

**For item (d):** Mayor Ash suggested adding the word "only" before, in the event of an emergency phrase. Stating that item (b) would read, "The City Manager and any Commission member may, only, in the event of an emergency, place items on the Agenda after the above deadline.

**For item (f):** Commissioner Elliott suggested identifying a distribution date for the agenda by amending item (f) to read, "Agendas and all necessary background materials will be delivered to the members no later than 5:00 pm on the Friday prior to the Friday before the next meeting, i.e., eleven (11) days prior to the meeting date via notification by electronic mail and posted on the City's website." Commissioner Elliott also stated that amending Rule 26(f) satisfies the distribution discrepancy discussed in Rule(s) 3, 4, & 5.

Mayor Ash recommended adding the phrase, "of an emergency" before the statement, "an item may be placed on the agenda after it has gone to the City Commission, a Supplemental Agenda will be issued no less than 24 hours prior to all meetings." Suggesting that the last sentence of Rule 26(f) reads: In the event of an emergency, an item must be placed on the Agenda after it has gone to the City Commission, and a Supplemental Agenda will be issued no less than 24 hours prior to all meetings.

**Consensus on Rule 26**

**(a) Strikethrough Item (a).**

**(b) Add Manager's Wade's suggestion, "distribution of the agenda" and remove the strikethrough phrase, "next meeting". Item (b) should read as follows: Deadline for**

items to be placed on the Agenda is no later than 12:00 noon on the Tuesday before the distribution of the Agenda.

(d) Add Mayor Ash's recommendations to include the word, "only". Item (d) should read as follows: The City Manager or any Commission member may, only in the event of an emergency, place items on the Agenda after the above deadline.

(f) Accept Commissioner's Elliott's and Mayor Ash's recommendations. Item (f) should read as follows: Agendas and all necessary background materials will be delivered to the members no later than 5:00 pm on the Friday prior to the Friday before the next meeting, i.e., eleven (11) days prior to the meeting date via notification by electronic mail and posted on the City's website. In the event of an emergency, an item must be placed on the Agenda after it has gone to the City Commission. A Supplemental Agenda will be issued no later than 24 hours prior to all meetings.

(g) Add Manager's Wade's suggestion in the first sentence, "distribution of the agenda" and remove the strikethrough phrase, "next regular City Commission meeting". Item (g) should read as follows: A request from a citizen to be placed on the Agenda shall be received in writing, on the Board Request Form provided by the City Clerk, no later than the close of business on the Monday of the week preceding the distribution of the Agenda, and include information and/or back-up documentation on the subject they want to discuss.

Rule 27: Agendas-Order of Business

Consensus on Rule 27: The Commission agreed to amend Rule 27 to reflect the current order of business i.e.,

- I. Call to Order
  - Invocation and Pledge of Allegiance
- II. Agenda Adoption
- III. Presentation, Awards, Recognitions
- IV. Public Comment
- V. New Business
- VI. Unfinished Business
- VII. Mayor and Commissioner Comments
- VIII. City Manager Communications
- IX. Finance Director Communications
- X. Attorney Communications
- XI. Consent Agenda
- XII. Department Reports

**Adjournment**

None opposed to adhering to the current order of business.

For item (g): Public Comment, Commissioner George suggested reinstating the 5-minute time limit.

Discussion held.

Mayor Ash agrees with the 3-minute time limit.

Commissioner Grove was not opposed to either time limit.

Commissioner Elliott agrees with the 3-minute time limit.

**Consensus for Rule 27(g): Commissioner Grove, Commissioner Elliott and Mayor Ash would like to keep the public speaking time limit to 3-minutes. Commissioner George opposed.**

Rule 28

Each proposed edit submitted by Manager Wade was discussed.

Discussion held.

In paragraph 1, sentence 5, the Commission recommend rejecting Manager Wade's recommendation to include: "at the request of the City Commission, City Attorney, or City Manager".

In paragraph 1, sentence 6, the Commission recommended keeping the strikethrough verbiage: "Committees shall not attempt to manage the administrative operations of the City."

In paragraph 1, sentence 7, accepted Manager Wade's recommendation: "Committees have no administrative, fiscal, or enforcement authority." Commission agreed to strike through the remainder of sentence 4.

**Consensus on Rule 28 Paragraph 1 should read as follows: The City Commission may form ad hoc or special committees from time to time. Citizen advisory boards and committees may be created and dissolved by Resolution, Ordinance, or other act adopted by the City Commission. All members shall serve at the pleasure of the City Commission. The mission of advisory boards and committees shall be to examine**

various policy issues referred by the City Commission, staff, or as determined in the work plan. Committees shall provide guidance to the City Commission in the development of policy recommendations. Committees shall not attempt to manage the administrative operations of the City. Committees have no administrative, fiscal, or enforcement authority.

Item (b), sentence 2: Accepted Manager Wade's recommendation.

**Consensus on Item (b): Should read as follows: Appointment to citizen advisory boards/committee shall be by roll call vote during a regular City Commission meeting. Board/Committee members must be residents of the City of Apalachicola.**

Item (c), sentence 3: Accepted Manager Wade's recommendation removing the strikethrough language and included the updated address for all meetings i.e., 74 6<sup>th</sup> Street. The Commission also decided to strike through "the news media shall be notified" and leaving, "appropriate notice shall be posted at City Hall" and added "website".

**Consensus on Item (c): Should read as follows: All citizen advisory boards/committees or other bodies shall meet at 74 6<sup>th</sup> Street, Apalachicola, Florida, or other public buildings within the City after required public notice is given. Generally, committee meetings should be scheduled on days other than days of the City Commission meetings. Appropriate notice shall be posted at City Hall and on the City's website. All meetings shall comply with state law regarding public meetings.**

Item (d): Accepted Manager Wade's recommendation.

Discussion held.

Commissioner Elliott agreed with Manager Wade's recommendation(s).

Commissioner Grove agreed with Manager Wade's recommendation(s).

Commissioner George opposed Manager Wade's recommendation(s).

**Consensus on Item(d): Should read as follows: Committee Chairs and Committee Vice-Chairs shall be elected by the membership, and both shall serve for a term of one (1) year or for a different term as the City Commission may decide. No member shall serve more than two (2) consecutive terms as Chair. Committee members shall be approved by the City Commission and may not serve on more than one committee unless service is required by law. Committee meetings may be called by the Chair,**

**Vice-Chair, Mayor, or the City Manager when sufficient business or timing is appropriate. Such meetings shall have an Agenda published to each Committee member, when possible, at least seventy-two (72) hours in advance. If the Committee Chair is unwilling or unable to call committee meetings, the Vice-Chair may call the meeting.**

**Item (i):** Accepted Manager Wade's recommendation.

Commissioner Elliott agreed with Manager Wade's recommendation(s).

Commissioner Grove agreed with Manager Wade's recommendation(s).

Commissioner George opposed Manager Wade's recommendation(s).

**Consensus on Item(i): Should read as follows: Appointees' personal and business affairs conducted within the City of Apalachicola must be in substantial compliance with all City regulatory and taxing authorities' rules and regulations. Appointees deemed to be in chronic violation of any City rules, regulations policies, the Florida Code of Ethics, or Florida's Sunshine Law, may be disallowed from membership or removed from citizen advisory boards or committees by a majority vote of the City Commission.**

The City Commission ended the Workshop with (2) rules that required additional discussion, information, and/or action at the upcoming Commission meeting. The first being Rule #2, deciding on a time for the Regular Meetings; and second, Rule #14, further research to be conducted by Attorney Hartman and Commissioner Grove and presented at the July meeting.

Attorney Hartman suggested that the Commission move forward with the edits by placing it on the July meeting Agenda and vote to move forward to 1<sup>st</sup> Reading of a Rules of Procedure Ordinance, under unfinished business.

Commissioner George stated that any change of the City's Ordinances requires a super majority vote, and that all recommendations made at this meeting can be altered by Commissioner Duncan's vote.

No further comments.

Motion to adjourn Rules of Procedure Workshop Meeting was made by Commissioner Elliott, seconded by Commissioner Grove. Non opposed. Motion carried, 3-0.

Workshop adjourned.





Brenda Ash, Mayor



Sheheindra Cummings, City Clerk