

A Public Hearing and Regular Meeting of the Apalachicola City Commissioner was held on Tuesday, June 4, 2024, at 6 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, Commissioner Duncan, City Manager Travis Wade, City Attorney Dan Hartman, Finance Director Lee Mathes, City Clerk Sheneidra Cummings, and Chief of Police Bobby Varnes.

### **AGENDA ADOPTION**

A motion was made by Commissioner Grove to amend the agenda removing New Business item(s) number 1, 1<sup>st</sup> Reading of Ordinance 2024-03: Repeal Provision; and item number 5, Short-Term Rental Enforcement. Motion was seconded by Commissioner Elliot. None opposed. Motion carried 5-0.

### **PRESENTATION**

Bill Williams, FCSO Care Coordinator presented the Commission with an offer to partner with the Franklin County Sheriff's Office on a Public-Private Partnership (P3). Mr. Williams also asked the Commission to appoint a Commissioner to sit on the P3 Board/Committee. Mr. Williams expressed the primary focus of this initiative and partnership is to address the need of workforce housing in Franklin County, facilitate public-private enterprise(s) develop infrastructure to accommodate economic development in the County. Mr. Williams also expressed the importance of the Cities and County providing input and direction when it comes to the economic development component and will provide an update to the Commission within 60-90 days on the next step in the process.

Discussion Held.

Commissioner Duncan commends Mr. Williams and the FCSO to

Commissioner Grove suggests having the land held within a trust to avoid the risk of losing the housing inventory due

A motion was made by Commissioner Grove to appoint Commissioner Elliott to sit on the proposed Public-Private Partnership Committee. Motion was seconded by Commissioner Duncan, with Commissioner Duncan being an alternate appointee, if/when needed. None Opposed. No Discussion. Motion carried 5-0.

### **PUBLIC HEARING**

2<sup>nd</sup> Reading: Ordinance 2024-02, Access Ordinance

Attorney Hartman read Ordinance on record by title: AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, PROVIDING FOR THE REGULATION OF ACCESS TO CITY OWNED, CONTROLLED OR LEASED PROPERTY; PROVIDING FOR PURPOSE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

**PUBLIC HEARING COMMENTS:**

La'Raela Coxwell commented.  
Dave Watts commented.  
Mason Bean commented.  
Karen Kessel commented.  
Bonnie Davis commented.  
Donna Knutson commented.  
Michaelynn Watts commented.

Attorney Hartman addressed the various concerns presented by the public and assured them that the passing of Ordinance 2024-02 would not override the terms within their lease agreements. Attorney Hartman also explained the primary focus of the ordinance, made recommendation(s) for the Commission's consideration on how to best serve the tenants of this building as well as to provide security for Staff etc.

Discussion held.

Majority of the Commissioners were in support of adopting Ordinance 2024-02, Commissioner George was not in support.

**Public Hearing closed.**

**PUBLIC COMMENTS**

Mr. Jim Gander commented on restricted access to businesses on Leslie Street.

Discussion held.

Jhaki Davis, a Domestic Violence Counselor at Refuge House commented and provided contact information for public outreach.

La'Raela Coxwell commented on the lack of public awareness regarding grants.

Alex Skovronsky commented on Wildfire Mitigation Grant opportunity

**NEW BUSINESS**Sylvester Williams Park

Mayor Ash and County Commissioner Anthony Croom presented the Commission with a conceptual plan and offered to partner with the County to revitalize the park. Mayor Ash informed the public that the name of the park will remain; and that it would be the "Sylvester Williams County Park". Commissioner Croom informed the Commission, that if the partnership is accepted that the County would assume full maintenance responsibility of the grounds and that the park would be included in the County's Parks and Recreation Dept upcoming budget which would provide funding for the revitalization and enhancements throughout the park. Commissioner Croom introduced their Finance staff member Erin to provide more information on the grant opportunities via Florida Recreation Development Program (FRDAP) and the requirement of needing a long-term lease in place for the County to apply for grant funding for the park in the upcoming FRDAP cycle.

The County's Finance Staff, Erin informed the Commission of the FRDAP grant requirements, including but limited to, requiring the County to have effective site control; A lease agreement that extends for 30 years from the date of application; must not be revocable, at will be the Grantee (the City); must not prohibit the proposed use(s) of the site; and must grant the applicant the authority to dedicate to the property for a minimum of twenty-five years after the project is complete. County Staff recommends a 40-year lease of the site and included that the County would fund the required boundary survey that is required to move forward with the FRDAP application process.

**PUBLIC COMMENTS**

Greg Perkins commented.

Nakita Williams commented.

Elinor Mount-Simmons, Park & Rec Committee Member, commented.

Warnetta Key commented.

Delores Hayward-Croom Commented.

Valentina Webb commented.

No further public comments.

The Commission expressed full support of the County leasing the recreational space and inquired about signage and restrooms. Commissioner Croom stated that there will be restrooms on-site, that the County would fully manage and maintain the upkeep of the park and that the existing courts, fields, play structures, and signage(s) will be enhanced.

A motion was made by Commissioner Duncan to accept the recommendation from County Commissioner Athony Croom to lease the Sylvester Williams Park to Franklin County for a term of 40-years to oversee the revitalization and maintenance of the park. Motion seconded by Commissioner Grove. Discussion, Commissioner George spoke highly of Sylvester Williams and

expressed full support of the revitalization of the park. Commissioner George also recommended that City Attorney Hartman work with the County Attorney Michael Shuler to establish a management plan along with the 40-year lease agreement. Attorney Hartman agreed and ensured the Commission that he would work with the County and report back to the Commission with a lease agreement/management plan that details the roles and responsibilities of the County and the City, with the City maintaining ownership of the recreational space. Commissioner Elliott expressed full support and asked County Commissioner Croom to also consider 6<sup>th</sup> Street park as well. Commissioner Grove expressed full support. Motion carried 5-0, none opposed.

Discussion held and PUBLIC COMMENTS continued.

### **NEW BUSINESS**

#### Holy Family Planting

Lynn Wilder informed the Commission that Keeping Franklin County Beautiful non-profit organization has been awarded \$20,000 from the Keep America Beautiful Grant, to be used along the MLK Jr. corridor improvement. Ms. Wilder presented the Commission with preliminary plans that included landscaping the grounds of Holy Family, funding a mural, replacing benched with ADA compliant seating along the site, as well as a possible enclosure for the garbage bins. Ms. Wilder asked the Commission for their support to proceed on the plans and to work with the City Manager, Val Webb and the community to start utilizing the funding before the deadline in November 2024.

Mayor Ash clarified Ms. Wilder's request that she is seeking approval from the Commission to be able to use the awarded funding from the grant for improvements at the Holy Family site/area. Mrs. Wilder included that the mural location would be in the MLK Jr. area.

Discussion held.

Commissioner Grove was in support of the site improvements and expressed concern along the MLK Jr. area in regard to mural placement and historic structures. Commissioner Grove encouraged Mrs. Wilder to work closely with Manager Wade and the Senior Center Staff for appropriate placement.

Commissioner Elliott was in support and expressed concern about the landscape renderings of the Holy Family site presented by Mrs. Wilder and inquired if they had been contrasted with the proposed scope of work for the exterior of the AAHM. Commissioner Elliott also expressed concern about the north side of the H.F. grounds where vehicles park and festivals are held, stating that she would not like to see anything placed or planted that would obstruct parking, festival installments, utilization of the open field(s), access for larger trucks and/or utility vehicles.

Commissioner Duncan expressed gratitude to Ms. Wilder and the Keeping Franklin County Beautiful Org. for identifying this area to contribute funding to and expressed full support for their efforts.

Commissioner George expressed support and raised one concern about the proposed location of the garden area stating that, the location conflict with the existing utilities, manholes, utility posts and the clearance requirement posted on the electrical box etc. Commissioner George liked the idea of having the garden placed behind the kitchen area; however, she suggested they find a viable location for the garden that wouldn't interfere with the existing utility structures. Commissioner

George also clarified with MS. Wilder about whether the mural placement is intended for the H.F. site/building. Mrs. Wilder clarified that they would follow the proper steps for approval of the mural and that is not intended for the H.F. site; nonetheless, the location will be discussed more in detail in the upcoming weeks.

Val Webb informed the Commission that the proposed location for the mural would be on private property across from Aj's Restaurant and will be created on a fence versus a building. Mrs. Webb also stated that the artwork will be befitting to the community and completed with integrity.

A motion was made by Commissioner George to authorize Lynn Wilder on behalf of Franklin County Beautiful to work with the City Manager to develop a plan for a portion of their grant work to go towards improvements at the Holy Family property. Motion was seconded by Commissioner Grove. None opposed. Motion carried, 5-0.

#### **PROJECT IMPACT GRANT APPLICATION REQUEST**

A motion was made by Commissioner Grove to approve the grant application for project Impact funding, seconded by Commissioner George. No discussion. None opposed. Motion carried, 5-0.

#### **HCA MATCH SUPPORT RESOLUTION 2024-04**

Resolution read in its entirety by Grant Coordinator Sarah Borque.

A motion was made by Commissioner George to adopt Resolution 2024-04, seconded by Commissioner Grove. None opposed. Motion carried, 5-0.

#### **FRANKLIN COUNTY EMERGENCY MANAGEMENT PLAN RESOLUTION 2024-05**

Resolution read in its entirety by Attorney Hartman.

A motion was made by Commissioner Grove to adopt Resolution 2024-05, seconded by Commissioner George. None opposed. Motion carried, 5-0.

#### **BRING ME A BOOK- FRANKLIN (FORGOTTEN COAST)**

Michaelynn and Dave Watts presented the Commission with an update on the status and progress of the organization and informed the Commission and public of their name change. Mrs. Watts re-introduced the organization as, Bring Me A Book-Forgotten Coast. Mrs. Watts also provided the Commission with the names and titles of new and existing members. Mr. Watts also commented on the access of tenants and asked the Commission to find a viable solution for their tenants and security of Staff.

Discussion held.

Mayor Ash and Commissioner George commended Dave and Michaelynn Watts for their contribution and dedication to improving literacy among children throughout the City and Gulf Coast.

Commissioner George wants to accommodate BMABFC as much as possible and volunteered to assist with the pick-up and moving of BMABFC deliveries if/when needed. Commissioner George also offered to solicit additional assistance from the Community if needed.

Commissioner Elliott presented BMABFC with a solution for their parcel deliveries. Commissioner Elliott suggested that the organization elect to have delivery notifications directly from carrier and to alert City Staff on any deliveries that are in-route to be delivered so that appropriate accommodations can be made. Commissioner Elliott also suggested having an agreement in place to specify that, if books are delivered to City Hall that a BMABFC Member would come and retrieve said package within 48 hours and to schedule a time with City Manager or City Clerk to be escorted, when needed.

City Manager Wade informed the Commission that he and Ms. Kessel discussed this matter prior to the meeting and came to an agreement on where the boxes could be placed until she arranges for pick-up.

Mayor Ash assured BMABFC that she would work diligently with City Staff and Ms. Kessel to get the issue resolved.

#### **CRITICAL ASSET FLOOD MITIGATION GRANT AWARD from Resilient Florida**

Grant Coordinator Sarah Borque informed the Commission that the City has been awarded a grant in the amount of \$2,039,500 to identify drainage projects in the City which has been documented; however, not funded by other sources. Funds will be used to address known nuisance flooding, drainage issues in over 25 locations throughout the City.

A motion was made by Commissioner Grove to procure Bay Media Services to assist Grant Coordinator in the grant administration of the project at an hourly rate of \$65/hour, as needed, and to be paid completely out of grant proceeds; and with the responsibility of procurement and coordination with engineer(s) and City Staff. Motion seconded by Commissioner George. None opposed. Motion carried, 5-0.

#### **COASTAL RELIANCE PLANNING GRANT AWARD from DEP**

Grant Coordinator Sarah Borque informed the Commission that the City had received \$67,000 for the Adaptation Action Plan & Preparation. Stating that the grant will allow the City to prepare a plan of action to adapt to vulnerabilities identified in the ongoing 2024 Vulnerability Analysis update. Adaptation recommendations can be found in the board action request.

A motion was made by Commissioner Grove to authorize the subcontract with Bay Media Services for \$67,000 with the funds to be completely taken out of grant proceeds. Motion seconded by Commissioner Duncan. Discussion, Commissioner Grove commented. No further discussion, Motion carried, 5-0.

**2<sup>nd</sup> READING OF ORDINANCE 2024-02, ACCESS ORDINANCE**

Motion to adopt Ordinance 2024-02 was made by Commissioner Elliott, seconded by Commissioner Duncan. No discussion. Motion carried, 4-1. Commissioner George opposed.

**GRANT APPROVAL POLICY**

Manager Wade asked for clarification on a previous direction made by the Commission at their April 2022 Meeting, which authorize CM Wade to apply for grants contingent upon various conditions, further instructing the City Manager to get permission from the Commission before applying for grants if, and when, said conditions are not met. Manger Wade asked the Commission to allow City Staff to apply for grants, providing that notification of submission be presented to the Commission at the following Commission meeting. Manager Wade explained his request stating that, due to the additional time restraint(s) it may impose on applying for various grants and being able to maximize Staff's time during the application process. Manager Wade further requested that the Commission redact the former requirement for him to inform the Commission prior to grant application submission and grant him the discretion to apply. City Manager also asked the Commission to formalize its directive into a policy.

Discussion held.

Commissioner George was not in support.

Commissioner Grove was in support of authorizing staff to apply for grants without having prior approval from the Commissioner.

A motion was made by Commissioner Grove to authorize Manager Wade to draft a grant polity to present to the Commission for final vetting at the July meeting, which would language from the motion made by Commissioner Grove at the April 5<sup>th</sup>, 2022, meeting regarding direction given to Staff, as well as granting authority for Manager Wade, Grant Coordinator(s) to apply for grants. Motion seconded by Commissioner Duncan. Discussion, Commissioner Elliott commented. Commissioner Grove agreed to expound on her motion with Commissioner Elliott's recommendation, to strike condition #1, and the "prior to submission" verbiage from condition #3. None opposed. Motion carried 4-1. Commissioner George opposed.

**PUBLIC COMMENT**

Bonnie Davis commented on the department checklist(s) that were presented to the Commissioner and stated that Staff done a good job compiling the information. Mrs. Davis informed the Commission of an error on page 61 & 62 of Agenda, regarding the Planning & Zoning Application for Development Approval document, page 2, number 2. Mrs. Davis went on to explain to the Commission that according to Fl 109.48, site-plan approval application is required to be submitted to the Planning & Zoning Board 30 days prior to the scheduled monthly meeting, not 10 days prior.

**BUILDING, CODE ENFORCEMENT, & PLANNING DEPT CHECKLIST**

Manager Wade presented the department checklist(s) to the Commission.

Discussion held.

### **MAYOR AND COMMISSIONER COMMENTS**

Commissioner Grove presented the Board with a copy of the grant that Erin submitted for the county for TRIUMPH funding in the amount of \$750,000 to upgrade all emergency communications. Commissioner Grove requested to have Tracy Buzbee and Felicity with Gouras & Associates to come to the July meeting and update Commission on the status on various ongoing Disaster Mitigation grant projects, as well as the grant funded projects proposed for Waterstreet. Commissioner Grove also informed the Board of another grant opportunity through the Dept. of Agriculture Div. of Forestry, i.e., the Urban and Community Capacity Grant that is due in July 2024. Commissioner Grove recommended that the Tree Committee start to work on the grant formulate the project narrative, scope of work, budget plan, and budget narrative for the Grant; and to work with the Staff/ Grant Coordinator to complete and submit the application and provide an update at the July commission meeting. Commissioner Grove did express that there is a match required for this grant and that the City had money in its Reforestation Fund to utilize.

Commissioner Duncan, no comment.

Commissioner Elliott expressed concern about shading at Batter Park, and asked Staff to look into some shade options especially for the steel equipment that is known to get extremely hot during peak daylight hours and may pose a hazard to the children. Commissioner Elliott also informed the Board that numerous businesses downtown have informally proposed to replace old signage in the downtown area left over from the MainStreet organization. Commissioner Elliott also shared some complaints that she received regarding the Splash Pad and its maintenance. City Manager Wade responded. Commissioner Elliott suggest that we price out non-slip padding for the Splash Pad to include in the upcoming 24-25 FY Budget.

Commissioner George appreciated public comments made by Mrs. Coxwell. Commissioner George also brought up the ongoing improvements to Lafayette Park and suggested to meet with Manager Wade and Attorney Hartman to settle any discrepancies that may be preventing progress, and referenced the Park Plan that was approved by the Commission and would like to see projects move forward.

Mayor Ash updated the Commission and public that the welcome signs funded by the TDC were installed and thanked TDC and Staff. Mayor Ash inquired with Attorney Hartman about re-establishing the CRA and asked Attorney Hartman to present the Commission with information on reimplementation and process of reestablishing such. Attorney Hartman agreed to report back to the Commission the process of reestablishing the CRA statutorily. Attorney Hartman reminded the Commissioner that they must bear in mind is the base year, which would dictate whether the CRA is able to generate revenue. Further explaining that if the Commission decides to re-establish during a peak year in the real estate market, it would be years of no-income projected; however, if



they decide to re-establish during a low/down market, any increase would be revenue minus the first year of growth. Mayor Ash insisted that the Commission keep that opportunity available and present amongst the Board.

#### **CITY MANAGER COMMUNICATIONS**

Report presented by Manager Wade. Manager Wade asked for direction on a tenant who has been occupying the approved leased space, however, has not sign a lease agreement. Manager Wade also informed the Commission that the tenant is currently delinquent on rent, based upon the time the organization took possession of the space after the Commissions approval to lease. Attorney Hartman commented that this is straight forward monetary default on the terms of the lease and recommended providing tenant with a 3-day Notice and urged the Commission to authorize him to provide that notice to be able to evict tenant legally, if needed. The Commission authorized Manager Wade issue a 3-day notice, to be drafted by Attorney Hartman. Manager Wade also updated the Commission on Leslie Street.

Discussion held.

Commissioner George reminded Staff of her request for ARPA updates and discussed the projects presented by Manager Wade in his report. Commissioner George also stated that the list provided did not include all projects discussed by the Commission.

Further discussion held.

Mayor Ash urged Commissioner George and Manager Wade to schedule a meeting to resolve any conflict with the list of projects provided by Manager Wade. Commissioner George agreed to meeting with Manager Wade and will make the corrections with Manager Wade and present it at the July meeting.

#### **FINANCE DIRECTOR COMMUNICATIONS**

Report presented by Lee Mathes.

#### **ATTORNEY COMMUNICATIONS**

Updated the Commission on the Denton Cove regarding the lawsuit that was filed on behalf of the City. Attorney Hartman also informed the Commission that he has yet to receive an offer from Mr. Davis in regard to property on 10<sup>th</sup> Street. Attorney Hartman advised the Commission to order an updated appraisal of the property and once they approve the price and process, Staff could move forward with the surplus process and have the property listed. Attorney Hartman also commented about nuisance issues throughout the City and expressed that the City's Code defines "nuisance" and encouraged residents to file complaint(s) with Code Enforcement Officer to be resolved.

Commissioner Grove asked Attorney Hartman to move forward with the Encroachment Ordinance /Policy and present it to the Commission for their review. Attorney Hartman agreed to have a draft back to the Commission at an upcoming meeting.

Discussion held.

No further comments.

**CONSENT AGENDA**

Motion made by Commissioner Grove to approve the Consent Agenda(s), seconded by Commissioner George. Motion carried 5-0.

**DEPARTMENT REPORTS**

Included in agenda packet.

**ADJOURNMENT**

Motion to adjourn made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 5-0.

Meeting adjourned.

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Brenda Ash, Mayor

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Sheneidra Cummings, City Clerk