

REGULAR MEETING
APALACHICOLA CITY COMMISSION
TUESDAY, FEBRUARY 4, 2025 – 6:00PM
FORMER APALACHICOLA MUNICIPAL LIBRARY
74 6TH STREET, APALACHICOLA, FLORIDA 32320

AGENDA

You are welcome to comment on any matter under consideration by the Apalachicola City Commission when recognized to do so by the Mayor. Once recognized please rise to the podium, state your name for the record and adhere to the five-minute time limit for public comment. Comments may also be sent by email to the City Manager or to Commissioners.

- I. Call to Order**
 - Invocation
 - Pledge of Allegiance

- II. Agenda Adoption**

- III. PUBLIC HEARING: 2ND Reading Ordinance 2024-07**

- IV. Public Comment**

- V. New Business**
 - 1. Old Gym/Matchbox
 - 2. Lafayette Park Tree Planting Bid Award
 - 3. Avenue H Parking Lot

- VI. Unfinished Business**
 - 1. Tree Ordinance
 - 2. Gibson Parking Plan
 - 3. 2nd Reading & Adoption: FWC No Wake Ordinance 2024-07

- VII. Mayor and Commissioner Comments**

- VIII. City Manager Communications - Report Attached**

- IX. Finance Director Communications - Report Attached**

- X. Attorney Communications**

XI. Consent Agenda-

XII. Department Reports – Included in Agenda Packet

Adjournment

Any person who desires to appeal any decision at this meeting will need a record of the proceeding and for this purpose, may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting.

ORDINANCE 2024 – 07

AN ORDINANCE RELATING TO CITY OF APALACHICOLA; AMENDING BOATING RESTRICTIONS/REGULATIONS FOR THE SCIPIO CREEK AREA; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, boating safety concerns were brought to the attention of City of Apalachicola officials around Scipio Creek within the Apalachicola River; and

WHEREAS, Florida Statutes § 327.46(1)(b) authorizes the City of Apalachicola to establish boating safety zones by ordinance without additional agency approval; and

WHEREAS, the City of Apalachicola has elected to establish Idle Speed No Wake boating safety zones within the Apalachicola River.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF APALACHICOLA, FLORIDA:

SECTION I. City of Apalachicola Ordinance 2024-056 establishes the following boating restrictions.

1. Pursuant to Florida Administrative Code Chapter 68D-23.103, “Idle Speed No Wake” and “Idle Speed” may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow. 2. Idle Speed No Wake boating safety zone from shoreline to shoreline, on Scipio Creek, southeast of a line that passes through approximate point (29° 43’51.48”N, 84° 59’7.65”W) perpendicular to the centerline of the waterway, and northwest of a line that passes through approximate point (29° 44’6.42”N, 84° 59’42.65”W) perpendicular to the centerline of the waterway, as depicted in the attached Exhibit A.

SECTION 2. PENALTY. The provisions of this section may be enforced by any law enforcement officer as defined in Section 943.10, Florida Statutes. Pursuant to Section 327.73, Florida Statutes, any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided for allowable county court costs for boating infractions. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 3. REFERENCE TO OTHER AUTHORITY. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 4. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the City of Apalachicola. The sections of this ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “article”, or any other appropriate word.

Section 5. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective upon completion of the following: approved and adopted pursuant to the City of Apalachicola’s procedure, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes and upon posting of the regulatory markers.

This Ordinance was read and adopted on _____, 2025. Motion to adopt Ordinance was made by Commissioner _____, second by Commissioner _____.

Voting Aye:

Voting Nay:

**FOR THE CITY COMMISSION OF THE
CITY OF APALACHICOLA**

Brenda Ash, Mayor

ATTEST:

Sheneidra Cummings, City Clerk

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: Old Gym

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 1
Department: Administration
Contact: Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: Helen Willis approached me and asked if the City would be interested in selling the old gym (behind the City Hall complex) to her for the Matchbox program. If the Commission is interested in pursuing this, please give me direction to acquire a survey of the property (with specific instructions regarding the parcel to be created...i.e., whether to include the field house, entire parking lot or partial, etc.), to acquire an appraisal after the completion of the survey, to negotiate with Ms. Willis regarding the sale of the property, and for Attorney Hartman to bring that proposed agreement to the Commission for approval at a future meeting.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

FUNDING SOURCE: N/A

ATTACHMENTS: GIS view of the subject properties with two options for the survey.

STAFF'S COMMENTS AND RECOMMENDATIONS:



**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: Lafayette Park Tree Planting Project - Bid Award

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 2
Department: Grants
Contact: Bree Robinson
Presenter: Travis Wade/Bree Robinson

BRIEF SUMMARY:

An application requesting funding for the planting of 34 trees in Lafayette Park was submitted 7/18/24 and the City received notification of award 12/2/24. The award was \$10,000 in conjunction with a City match of \$10,000, equaling a total project budget of \$20,000.

The agreement has not yet been received from FDACS, but it is expected in early to mid-February. FDACS staff has stated that the City could go ahead and complete our procurement process ahead of the agreement execution, but no contracts can be signed and no money can be spent until after agreement execution.

City staff completed the City procurement process and competitively bid out the project based on availability, references, and price. 3 bids were received as follows:

- PSG Concrete & Excavation, LLC - \$34,910.00
- Gaskin - \$68,594.00
- Gulf Coast Landscaping & Supply - \$12,140.00

City staff recommends awarding the lowest bid, and only bid within budget, to Gulf Coast Landscaping & Supply. If awarded, as soon as the agreement is executed then City staff will secure a contract with Gulf Coast Landscaping & Supply for the earliest available planting dates.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Motion to award the Lafayette Park Tree Planting Project to Gulf Coast Landscaping & Supply, contingent upon execution of the grant program agreement.

FUNDING SOURCE:

Florida Forest Service (FFS), a division of Florida Department of Agriculture and Consumer Services (FDACS) – Urban and Community Forestry – Capacity Grant Program (UCF-C)

ATTACHMENTS:

N/A – bid documents available in City Hall.

STAFF'S COMMENTS AND RECOMMENDATIONS:

Recommend to approve contingent upon agreement between City and FDACS being executed.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: Avenue H Parking Lot

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 3
Department: Administration
Contact: Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: The Legislature approved the City's appropriation request to fund a parking lot in the Avenue H right of way between Water Street and Commerce Street. The funding was for \$135,000. Quotes were obtained for gravel parking and asphalt parking at the location. The gravel parking quote is \$112,983.00, and the quote for asphalt parking is \$148,483.00. See the specifics for each quote below:

OPTION #1: Gravel parking and traffic lanes (100ft x 160ft)

Work scope includes the following:

Mobilization
Layout
Testing
Maintenance of Traffic
Clear & Grub
Earthwork (excavation, fill, grading, etc.)
4" of gravel (#57 stone)
Installation of geotextile fabric under gravel
Parking Bumpers (39 each)
Sod (sf per estimate provided to contractor)

TOTAL AMOUNT: \$112,983.00

OPTION #2: Asphalt traffic lanes (13ft wide) with gravel parking per sketch provided

Work scope includes the same as above with the following modifications:

3" Asphalt paving at traffic lanes per sketch provided
6" LRB under pavement
12" LBR 40 subgrade under base @ pavement
Pavement markings – 2 directions arrows each way and a stop bar at exit

TOTAL AMOUNT: \$148,483.00

RECOMMENDED MOTION AND REQUESTED ACTIONS: Select Option 1 or 2 and direct staff to draft and publish and RFP for these services.

FUNDING SOURCE:
Legislative Appropriation

ATTACHMENTS:
Photo of location

STAFF'S COMMENTS AND RECOMMENDATIONS:



Right of Way

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: Tree Ordinance

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 1
Department: Administration
Contact: Travis Wade/Scott Davis, Tree Committee Chair
Presenter: Dan Hartman/Travis Wade

BRIEF SUMMARY: City Manager Wade met with the Tree Committee and discussed revisions to the Tree Ordinance. The discussion resulted in the attached revisions to the Ordinance. Committee Member Winterringer drafted the attached draft Ordinance with the highlighted changes. See Attorney report for procedure regarding adoption.

RECOMMENDED MOTION AND REQUESTED ACTIONS:

Approve for First Reading at the March meeting.

FUNDING SOURCE: N/A

ATTACHMENTS:

Draft Tree Ordinance

STAFF'S COMMENTS AND RECOMMENDATIONS:

Chapter 105 ENVIRONMENT

ARTICLE II. TREE PROTECTION

Sec. 105-21. Purpose and intent.

- (a) Trees are recognized to be a valued asset, providing a healthier and more beautiful environment in which to live. Tree preservation enhances the value and marketability of property and thereby promotes the stability of residential neighborhoods, making them more livable and desirable.
- (b) This article establishes protective regulations for tree preservation and a permitting process to ensure good management practices on private and city-owned property, including utility easements for continued healthy and beautiful trees.

Sec. 105-22. Definitions.

Tree. A woody plant having one or more well-defined trunks capable of being maintained with a clear trunk and normally growing to an overall height at maturity of a minimum of 15 feet.

Diameter at breast height. The diameter of a tree trunk as measured four and a half (4 ½) feet above ground level.

Dead. In a state of irrecoverable decline with more than 50 percent of leaves, branches, and limbs not alive.

Drip line. The limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than ten feet from the trunk, whichever is greater.

PatriarchHeritage tree. A protected native tree (section 105-23) whose trunk is 35 or more inches in diameter at breast height.

Relocate. As used in article II, tree protection regulations and elsewhere in this Code, the digging up of a protected tree by a property owner from a place on the owner's property and the planting of the same tree in another place on the same property or in a public place.

Substantial alteration. The heavy cutting of top branches (topping), cutting of major lower limbs (elevating), or significant trimming of a tree that alters the natural symmetry of the tree. The term does not include customarily accepted practices used by certified arborists for pruning shade trees.

Sec. 105-23. Protected native trees.

The native trees predominately foresting the City of Apalachicola are:

Bald and pond cypress (*Taxodium distichum* and *Taxodium ascendens*),

Eastern and southern redcedar (*Juniperus virginiana* and *Juniperus ~~securifolia~~ silicicola*),

Live oak (*Quercus virginiana*),

Longleaf pine (*Pinus palustris*),

~~Pecan~~ (*Carya illinoensis*),

Sabal (cabbage) palm (*Sabal palmetto*),

~~Slash pine~~ (*Pinus elliotii*),

Southern magnolia (*Magnolia grandiflora*), and

Sycamore (*Platanus occidentalis*), and
Water oak (*Quercus nigra*).

Individual trees of these species having diameters of four eight or more inches at breast height are protected (hereinafter referred to as "protected trees"). Other native trees and all nonnative trees are not protected.

Sec. 105-24. Preservation of patriarch heritage trees.

No patriarch heritage tree on privately- or city-owned property shall be removed or substantially altered by a private landowner or a department of the city unless:

- (1) Under a declared emergency (section 105-25(1)(c)) or in the case of an imminent hazard (section 105-25(2)), the ~~code enforcement officer~~, city manager, or ~~a designee in their~~the manager's absence the manager's designee (e.g., code enforcement officer), finds for a specific tree that immediate action is required to eliminate a condition endangering public safety or property.
- (2) In a non-emergency or non-imminent hazard situation:
 - a. On private property, ~~the planning and zoning board~~coincident with the planning and zoning board's approval of a proposed development plan that is conditional on a tree permit application being approved, the city manager approves the issuance of a tree permit to a private landowner to remove or substantially alter a tree on a lot because not doing so would make the lot undevelopable for any principal structure (section 105-26(1)(c)).
 - b. On private property when no development is proposed or on city property, the city manager documents in writing his or her reasons for allowing removal or substantial alteration (sections 105-26(1)(c) and 105-26(2)(c)).

Sec. 105-25. Activities exempted from or requiring a tree permit.

- (1) A tree permit is not required for the following exempt activities:
 - a. Unprotected trees—The removal, relocation, or substantial alteration of:
 - Native trees not listed in section 105-23;
 - Native trees listed in section 105-23 that are less than four eight inches in diameter at breast height;
 - Cultivated varieties of once native trees developed by selective breeding and sold by plant nurseries;
 - and
 - Nonnative trees, including invasive species.Dead trees when the code enforcement officer inspects the trees and agrees they are dead.
 - b. As provided by State law (F.S. § 163.045), the pruning, trimming, or removal of a tree on a residential property if the property owner possesses documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree poses an unacceptable risk to persons or property. A tree poses an unacceptable risk if removal is the only means of practically mitigating its risk below moderate, as determined by the tree risk assessment procedures outlined in Best Management Practices - Tree Risk Assessment, Second Edition (2017).
 - c. Pruning—Pruning of unprotected trees, and light pruning of protected trees that does not substantially alter the protected trees.
 - ed. Emergency—The removal or substantial alteration of any significantly-damaged, protected, non-patriarch heritage tree during or following a natural or man-made disaster (e.g., hurricane, tornado, high wind, flood, or forest fire) when the city commission or manager declares a state of emergency and determines that permitting requirements will hamper private or public work to restore safety and

order to the city. ~~Permission~~City permission is required to remove or substantially alter a ~~patriarch~~heritage tree (section 105-24(1)). In the interest of expeditiously addressing damaged heritage trees, the city's oral permission is sufficient, and written permission is not required.

d.e. Highway and electric utility rights-of-way—The removal or trimming of protected trees by:

The Florida Department of Transportation along roads under its jurisdiction to maintain safe lines of sight at road intersections and alleys and horizontal clearance areas along roadways where errant vehicles leaving the roadway might travel.

The electric utility along power lines necessary for the maintenance of accepted public safety standards and system reliability.

(2) A tree permit is required for the following activities.

Any removal or substantial alteration of a protected tree not exempted in section 105-25(1). Some specific situations requiring a permit include:

Imminent hazard—The removal or substantial alteration of a protected tree when an applicant proposes that immediate action is required due to a condition endangering public safety or property.

Diseased or pest-infested tree—The removal or substantial alteration of a diseased or pest-infested, protected tree when an applicant proposes that doing so will prevent the spread of the disease or pests to healthy trees.

Storm-damaged tree—The removal or substantial alteration of a protected tree damaged by a storm for which the city commission or manager did not declare a state of emergency.

Tree in decline—The removal or substantial alteration of a protected tree that has lost vigor and displays pale green or yellow leaf color, small leaves, poor growth, leaf drop, or dieback of twigs and branches. A tree in decline is not a dead tree.

Sec. 105-26. Permits for removal, relocation, or substantial alteration of protected trees.

Any person wishing to remove or substantially alter a protected tree shall ~~make~~submit an application to the code enforcement officer ~~on a tree application form provided by the officer.~~

A tree permit shall be issued to remove or substantially alter a protected tree only if such action is in compliance with these article II requirements and the section 109-~~5051~~ site plan requirements.

Substantial alteration of a protected tree shall be allowed only under a declared emergency (sections 105-24(1) and 105-25(1)(c)), when a permit is obtained in the case of an imminent hazard (sections 105-24(1) and 105-25(2)), or when a permit is obtained in a non-emergency or non-imminent hazard situation to eliminate limbs that encroach on an adjacent structure.

(1) Private property.

- a. If the proposed tree removal or substantial alteration is in conjunction with proposed development the planning and zoning board reviews (e.g., a newly-proposed structure, the expansion of an existing structure where the footprint increases in size, the construction of a driveway or walkway, or other such development that disturbs the land surface), the ~~board~~code enforcement officer shall implement these tree protection requirements at the time ~~it~~the planning and zoning board reviews and decides to approve, conditionally approve, or disapprove the site plan.
- b. If the proposed tree removal or substantial alteration is not in conjunction with proposed development that the planning and zoning board reviews (e.g., tree removal due to tree roots affecting the structural integrity of a building foundation), the code enforcement officer, city manager, or a designee shall implement these tree protection requirements at the time he or she reviews and ~~decides to approve, conditionally approve,~~makes a decision on the tree removal or

~~disapprove the proposal, substantial alteration application.~~ Only the city manager shall make decisions on ~~patriarch~~heritage trees (subsection c).

- c. If the proposal is the removal or substantial alteration of a ~~patriarch~~heritage tree, the code enforcement officer shall provide a copy of the tree application to the tree committee appointed by the city commission. The committee shall review the tree permit application and make a recommendation to the ~~decision maker (the planning and zoning board (subsection a) or the city manager (subsection b))~~city manager.

~~When the board is the decision maker, approval proposed removal or conditional approval to remove or substantially alter~~substantial alteration of a ~~patriarch~~heritage tree ~~is in conjunction with a development plan for a~~ a privately-owned lot ~~that is reviewed by the planning and zoning board, the city manager shall allow removal or substantial alteration of the heritage tree only be made~~ when no principal structure could be legally built on the lot taking into consideration the location of the tree and such requirements as setbacks and minimum required size for single-family dwellings. Through the variance process the board of adjustment may consider reducing setbacks or minimum dwelling size if doing so would spare the tree.

~~When the~~The city manager is the decision maker, the ~~manager's~~manager's reasons for allowing removal or substantial alteration of a ~~patriarch~~heritage tree shall be documented in writing.

(2) City property.

- a. A person wanting to remove or substantially alter a protected tree on city property adjacent to private property owned by the person (e.g., to create an entryway to a proposed driveway on private property) shall apply for a tree permit. Cost of the permit and tree removal or substantial alteration shall be borne by the applicant.
- b. A city department wanting to remove or substantially alter a protected tree on city property shall make a request to the code enforcement officer. To document the request, the code enforcement officer shall prepare a tree application for the proposed action. Removal or substantial alteration of the tree shall not occur unless the code enforcement officer, city manager, or one of their designees approves the removal or substantial alteration.
- c. If the proposal is the removal or substantial alteration of a ~~patriarch~~heritage tree, the code enforcement officer shall provide a copy of the tree application to the city manager and tree committee appointed by the city commission. The committee shall review the tree permit application and make a recommendation. The city manager shall make a decision on the proposal and document in writing the reasons for allowing any removal or substantial alteration.

As a condition of approval, decision makers may require that certain protected trees or native trees listed in section 105-23 that are less than ~~four~~eight inches in diameter at breast height be relocated from the area of proposed development to an undeveloped location.

Under a tree permit, thinning of healthy protected trees may be justified if selective removal of trees improves the development of remaining trees and allows them to grow faster and in a fuller, characteristic form.

To ensure that a tree permit is not prematurely issued for a proposed development that is never approved, the tree permit and building permit will be issued simultaneously.

Sec. 105-27. Protection of trees during building operations.

Within the drip line radius of a protected tree, the following activities shall not occur during development, redevelopment, or improvement: deposition of debris and fill; storage of gasoline, oil, paint, chemicals, and other toxic materials harmful to trees; and attachment of wire to trees.

Driveways and sidewalks of impervious concrete and asphalt may not be constructed within the drip line of protected trees.

Sec. 105-28. Utility easement trimming.

Electric utility companies and their contractors that perform vegetation maintenance and tree pruning or trimming within electric utility right-of-way corridors shall do so in accordance with the following requirements. As defined in State law (F.S. § 163.3209), "vegetation maintenance and tree pruning or trimming" means "the mowing of vegetation within the right-of-way, removal of trees or brush within the right-of-way, and selective removal of tree branches that extend within the right-of-way."

- (1) All tree management will be limited to what is necessary for the proper maintenance of existing and new utility facilities in order to provide safe and reliable utility service.
- (2) Prior to vegetation maintenance and tree pruning or trimming, the utility shall provide the city manager with a minimum of five business days' advance notice. Such advance notice is not required for vegetation maintenance and tree pruning or trimming required to restore electric service or to avoid an imminent vegetation-caused outage.
- (3) The electric utility shall meet with the city manager, or the manager's designee (e.g., code enforcement officer), to discuss and submit the utility's vegetation maintenance plan, including the utility's trimming specifications and maintenance practices. The plan shall identify any patriarch/heritage trees that are proposed for trimming and the amount of trimming proposed.
- (4) Vegetation maintenance and tree pruning or trimming conducted by utilities shall conform to American National Standards Institute (ANSI) A300 (Part I)—2008 (R2014) pruning standards and ANSI Z133.1-2000 Pruning, Repairing, Maintaining, and Removing Trees, and Cutting Brush—Safety Requirements.
- (5) Vegetation maintenance and tree pruning or trimming conducted by utilities must be supervised by qualified electric utility personnel or contractors licensed to do business in the City of Apalachicola and trained to conduct vegetation maintenance and tree trimming or pruning consistent with these requirements or by certified arborists certified by the certification program of the International Society of Arboriculture. Trimming of patriarch trees may only be performed by certified arborists.

Sec. 105-29. Reforestation fund.

Fees collected for the lawful removal of protected trees shall be placed in a reforestation fund maintained by the City of Apalachicola. (Fees for the administrative processing of tree permit applications ~~(e.g., \$50.00 per application)~~ and fines for the unlawful removal or substantial alteration of protected trees (section 105-30) shall not be placed in the reforestation fund.) Reforestation fund fees shall be spent to establish, acquire, install, and maintain, and promote a reforestation program on city property, primarily in parks, squares, and along highway and street corridors.

~~Following are~~ The city, by resolution, is authorized to set and change the reforestation fund fees that shall be collected for removal of protected trees.

Diameter at breast height of protected tree removed (inches)	Fee for each tree (\$)
4 to 16	25
Greater than 16 to less than 35	35
35 and larger (patriarch tree)	1,000

~~For a tree permit applicant not proposing to remove a patriarch tree, the maximum total reforestation fund fee collected for each lot covered by the application shall not exceed \$250.00.~~

~~For a tree permit applicant proposing to remove a patriarch tree, the maximum total fee and any corresponding reforestation fund fee collected for each lot covered for permits applied for in this article, which resolutions are incorporated by the application shall not exceed \$250.00 for the non-patriarch trees plus an additional \$1,000.00 for each patriarch tree. reference herein.~~

Sec. 105-30. Penalties for violations.

Any person that removes or substantially alters a protected tree before a tree permit is obtained shall be charged a doubled permit application processing fee (~~e.g., \$100.00~~) for an after-the-fact permit.

If an after-the-fact tree permit is not issued because the tree removal or substantial alteration is not in accordance with these tree protection regulations, a fine in the amount specified in section ~~III.D.1 of this Code~~ 101-143 shall be imposed. Each tree that is illegally removed or substantially altered is a separate offense.

Any person that illegally removes or substantially alters a patriarch tree shall be fined up to \$25,000.00.

Commercial tree care contractors or general contractors are required to be licensed by the city in order for them to conduct business within the city. Commercial tree care contractors or general contractors hired by the City of Apalachicola to complete tree removals or substantial alterations must show proof of commercial general liability insurance in the amount of \$1,000,000.00 per occurrence for bodily injury and property damage with a provision that does not allow cancellation without 30 days written notice to the city. Two or more violations of any provision of these tree protection requirements by any commercial tree care contractor or general contractor may result in revocation of such person's license to do business within the city.

Chapter 109 HISTORIC PRESERVATION

ARTICLE II. HISTORIC AND CULTURAL PRESERVATION REGULATIONS

Sec. 109-51. Site plan requirements.

(2) Site plans shall contain documents and maps indicating:

b. Maps:

i through xi. * * *

xii. Species and size (inches diameter breast height) of existing protected trees and which of these trees are proposed to be removed, relocated, or substantially altered.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: Gibson Parking Plan

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 2
Department: Building
Contact: Dan Hartman/Bree Robinson
Presenter: Cutler Edwards or Representative

BRIEF SUMMARY: Gibson representatives have put together a complete parking plan which shows all surrounding available street parking, the planned parking lot for the expansion, use of ROW for additional parking, incorporation of a neighboring property for additional parking, and accurate numbers of rooms, staff, tables, and barstools for the requirements to be tallied. The parking requirements are met if the below requests are approved – the complex requires a total of 108 spots to meet the requirement and if both requested historic waivers are approved, then the complex would in total have 20 spots waived for the preservation of 3 historic buildings and 88 provided, totaling to 108 parking spots. (Note: 8 waived parking spots were waived at the January 2025 City Commission meeting for 51 Avenue C (FR00284, historic Gibson Inn building).)

Requests:

- 1.) Applicant is requesting a parking mitigation 'waiver' for 6 spots (LDC allows up to 8 spots per documented historic structure (Sec. 111-288.(i)(11)) for **48 Avenue D (FR00166, Buck House/Hays House)**).

- 2.) Applicant is requesting acknowledgment that they can legally tie 45 Avenue D in with the Gibson property in order to meet their parking requirements, as allowed by the City LDC (Sec. 111-288 (i)(3)). *"(3)Location of off-street parking. Required off-street parking will be provided either on the same parcel of land as the principal building or structure or on a separate parcel located within 500 feet of the principal building or structure."* a. Applicant is requesting a parking mitigation 'waiver' for 6 spots (LDC allows up to 8 spots per documented historic structure (Sec. 111-288.(i)(11)) for **45 Avenue D (FR02630)**).

3.) Applicant is requesting approval to move forward with construction of the Taranto parking lot as shown.

PLEASE SEE APPLICANT SUBMISSION PACKET FOR FULL DETAILS OF REQUESTS!

RECOMMENDED MOTION AND REQUESTED ACTIONS:

1.) Motion to approve a parking mitigation 'waiver' for 6 spots for 48 Avenue D (FR00166, Buck House/Hays House).

2.) Motion to approve a parking mitigation 'waiver' for 6 spots for 45 Avenue D (FR02630), contingent upon 45 Avenue D legally being tied to the Gibson property.

3.) Motion to approve the construction of the Taranto parking lot as shown and send applicant on to permitting.

FUNDING SOURCE: N/A

ATTACHMENTS: Presentation submitted by applicant.

STAFF'S COMMENTS AND RECOMMENDATIONS:

To: City of Apalachicola

Re: Gibson Parking Plan + Historic Waiver Application

Dear City Staff and Commissioners,

Please find attached the parking plan proposal packet for the Gibson Inn including the new building, as required per May 2021 P&Z approvals.

- In response to Commission and public feedback, the revised documents have been overlaid on surveys of the respective properties to allow for ease of verification.
- In response to Commissioner Elliott's concerns about the width of 4th St. and on-street parking on both sides, we have removed the spaces shown on the west side of 4th in the January packet. That is a discussion for another setting and we did not want it to sidetrack this request – the plan we present here provides for enough parking without those spaces being counted.
- As previously, dimensions of parallel spaces were drawn from FDOT Design Manual 210, "Arterials and Collectors," 210.2.3, *On-street parking for highway facilities with posted speeds of 35mph or less*. This specifies parallel parking spaces on those highways as 22' long. We have used the same FDOT 22' distance for on street parking on city streets (4th St, Ave D, Ave C).
- ADA spaces and access aisles are sized to exceed ADA requirements posted online at ada.gov/topics/parking. Per ADA, "The number of accessible parking spaces must be considered separately for each parking structure (lot or garage), not based on the total number of parking spaces provided on a site." Lots of 25 or fewer spaces require a minimum of 1 accessible parking space. We have provided spaces in both off-street parking lots, and proposed additional spaces on city streets as part of our submission.
- Off street spots are sized as in City requirements, 10x20, on 4th St and in the Taranto Lot and 45 Ave D lot. Those plans were drawn by Southeastern Consulting Engineers.

This submission consists of 2 requests:

- A. The approval of the new Taranto parking lot layout with ADA van space included. We need to begin permitting on this project to ensure that it stays on schedule with the construction of the new building. We have addressed all concerns and requirements of this lot, and feel it can be considered and approved independent of the overall parking plan's resolution at the Feb. 4th meeting. Then the actual plans can be reviewed by City staff for permitting and construction.
- B. The approval of the overall Gibson parking detailed below.

Attached documents are:

1. Revised new Taranto parking lot with 13 spaces including 1 ADA van space. Right-of-Way parking includes 8 spaces on Ave C.

2. Proposed on-street parking for the Gibson block, with optimized Ave D parking including the preservation of the ADA space at the corner of Market St (here proposed as an ADA van space) as well as two additional ADA spaces on Ave D. This diagonal parking includes ADA access aisles, additional buffers, and clearance at sidewalks. Calculations for the available space are attached showing the math behind those layouts on the next page. ADA requirements and proposed dimensions are included there as well.
3. The property at 45 Ave D. Rather than pursue mitigation we will use the property at 45 Ave D for additional parking. We understand this will require legally binding the 45 Ave D property (already owned by the Gibson) to the Gibson property - as were the Taranto lots required to be bound by P&Z contingency in Jan 2022 – to ensure this parking use in perpetuity. The building is used for storage during construction and plans are underway to renovate it into an Event space as a weather contingency plan for Gibson events. We understand that any proposed future increases in usage density would require a parking review.

This sheet also reflects the already-provided golf cart parking, one stall for each Gibson cart, another question raised at the January meeting.

Note: The above documents were provided to the City at 24" x 36" size. They may be posted as a different size in the scanned meeting agenda provided online but are available at City Hall in larger format.

4. The Parking Configuration calculator showing required spaces and available spaces. Figures related to employee counts and F&B capacity were confirmed as of Jan 21, 2025, the deadline for submission to the City for the agenda.
5. Historic Waiver request with Master Site File support for 51 Ave C (FR00284, historic Gibson Inn building, already approved), 48 Ave D (FR00166, Buck House/Hays House), and 45 Ave D (FR02630). Eligible for up to 8 spaces each for a total of 24 spaces, we are requesting historic waivers for 20 spaces. We would like to clarify that we are not requesting a waiver of all the spaces for which these buildings are eligible, simply those necessary to meet the parking requirements.
6. Seating charts/documentation of Frankin Café dining/bar areas supporting the figures on the parking calculation.

This plan allows for the confirmed preservation of three historic structures in Apalachicola's commercial core, and provides ample parking for the Gibson property and its attendant amenities without requiring the full number of spaces allowable under historic waiver guidelines. It also ensures that the City's parking inventory is not adversely affected by mitigation – which must, ultimately, come from spaces that could otherwise be used by future aspiring business owners who do not have room to build a parking lot. We hope that this effort to provide parking solely on the premises and with adjacent on-street parking is amenable to all.

Thank you for your consideration.

Cutler Edwards, White Sands
Jason Bogan, Hotel Director, Gibson Inn

60-Degree Angled Parking Layout Proposal w/ ADA spaces, Ave D

ADA space requirements, available at <https://www.ada.gov/topics/parking/>

Space type	Required Width	Proposed Width	Required Access Aisle	Proposed Access Aisle
Van	132"	144"	60"	96"
Car	96"	120"	60"	60"

Scenario One - Ave D at Market St (107.87 Feet)

This calculation evaluates if 107.87 feet is sufficient to accommodate angled parking, including 6 standard stalls, 1 van-accessible ADA stall, and 1 car-accessible ADA stall with a shared access aisle.

Determine the total number of parking stalls that can fit within 107.87 feet of curb length, with the following parameters:

- Standard stalls: 10 feet wide
- Van-accessible ADA stall: 12 feet wide
- Car-accessible ADA stall: 10 feet wide
- Shared access aisle: 5 feet wide
- All spaces angled at 60 degrees.

Key Calculations

1. Effective Curb Length per Stall:

- Formula: $\text{Curb Length} = \text{Stall Width} / \sin(60^\circ)$
- $\sin(60^\circ) \approx 0.866$
- Standard stall (10 feet wide): $10 / 0.866 \approx 11.55$ feet
- Van-accessible ADA stall (12 feet wide): $12 / 0.866 \approx 13.86$ feet
- Car-accessible ADA stall (10 feet wide): $10 / 0.866 \approx 11.55$ feet
- Shared access aisle (5 feet wide): $5 / 0.866 \approx 5.77$ feet.

2. Space for ADA Section:

- Van-accessible ADA stall: 13.86 feet
- Car-accessible ADA stall: 11.55 feet
- Shared access aisle: 5.77 feet
- Total for ADA section: $13.86 + 11.55 + 5.77 = 31.18$ feet.

3. Remaining Space for Standard Stalls:

- Total curb length: 107.87 feet
- Remaining space after ADA section: $107.87 - 31.18 = 76.69$ feet
- Number of standard stalls: $76.69 / 11.55 \approx 6.64$ stalls (rounded down to 6).

Conclusion

In 107.87 feet, you can fit a total of 8 angled parking spaces:

- 6 standard stalls
- 1 van-accessible ADA stall (12 feet wide)
- 1 car-accessible ADA stall (10 feet wide) with a shared 5-foot access aisle.

This layout leaves approximately 7.39 feet of buffer space for maneuverability or other adjustments.

Scenario Two - Ave D at 4th St (91.26 Feet)

This calculation evaluates if 91 feet is sufficient to accommodate 7 angled parking stalls, including an ADA space with an access aisle, at a 60-degree angle. Detailed calculations and conclusions are provided below.

Key Calculations

1. Effective Curb Length per Stall:

- Formula: Curb Length = Stall Width / $\sin(60^\circ)$
- Stall Width: 10 feet
- $\sin(60^\circ) \approx 0.866$
- Effective curb length per stall: $10 / 0.866 \approx 11.55$ feet.

2. Space for ADA Section:

- ADA stall: 11.55 feet.
- Access aisle (adjusted for angle): $5 / \sin(60^\circ) \approx 5.77$ feet.
- Total for ADA stall + access aisle: $11.55 + 5.77 = 17.32$ feet.

3. Space for Standard Stalls:

- Curb length for 6 standard stalls: $6 \times 11.55 = 69.3$ feet.

4. Total Space Required:

- Standard stalls + ADA section: $69.3 + 17.32 = 86.62$ feet.

Conclusion

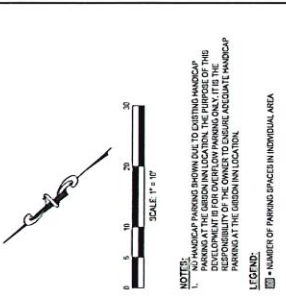
In 91.26 feet, you can fit a total of 7 angled parking spaces:

- 6 standard stalls
- 1 car-accessible ADA stall (10 feet wide) with a 5-foot access aisle.

This layout leaves approximately 4.64 feet of buffer space for maneuverability or other adjustments.

PARKING STRIPING & SIGNAGE PLAN
 GIBSON INN OVERFLOW PARKING LOT
 4TH STREET AND AVENUE "D"
 APALACHICOLA, FL 32320

REVISIONS:	DATE	BY	ITEM
DESIGNED BY:		J. HANSEN	
DRAWN BY:		J. HANSEN	
CHECKED BY:		J. HANSEN	
DATE:			

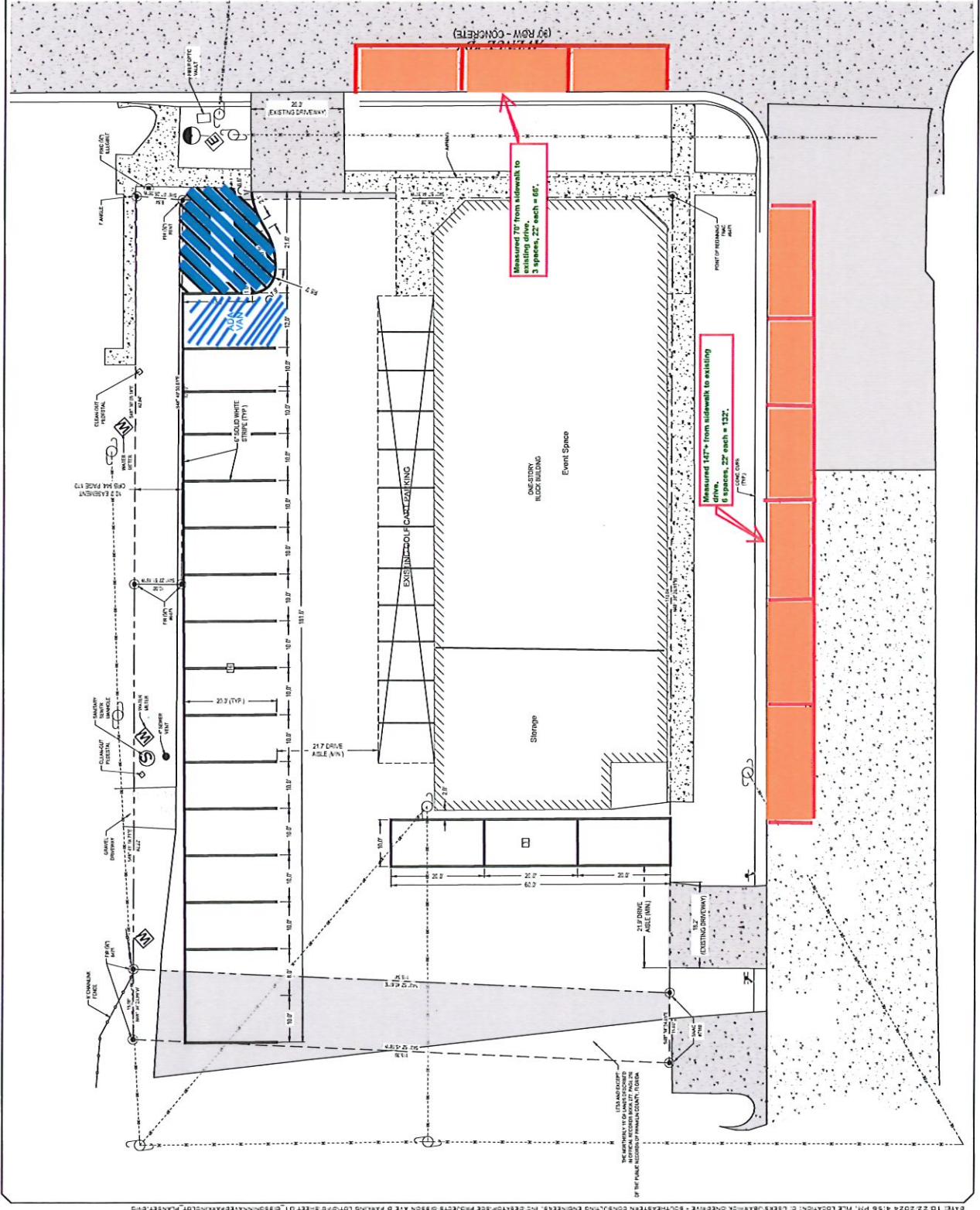


NOTE:
 1. BACKSTOP PARKING SHOWN DUE TO EXISTING BACKSTOP PARKING AT THE GIBSON IN LOCATION. THE PURPOSE OF THIS PARKING IS TO PROVIDE ADDITIONAL PARKING SPACES TO ACCOMMODATE VISITORS TO THE GIBSON INN LOCATION.
LEGEND:
 [Symbol] - NUMBER OF PARKING SPACES IN INDIVIDUAL AREA

ITEM	SPACES
STANDARD PARKING SPACES	14 SPACES
PARALLEL PARKING SPACES	3 SPACES
TOTAL PARKING SPACES	17 SPACES

SITE INFORMATION TABLE

FRANKLIN COUNTY PARCEL ID #	01-095-09W-0326-000-0070
JURISDICTIONAL CONTROL	CITY OF APALACHICOLA
ZONING	C-1 GENERAL COMMERCIAL
FLOOD ZONE	X
PLANNING DEPARTMENT DATED	FEBRUARY 4, 2014
ADJACENT ZONING	
NORTH SIDE	C1 GENERAL COMMERCIAL
SOUTH SIDE	AVENUE "D"
EAST SIDE	C1 GENERAL COMMERCIAL
WEST SIDE	4TH STREET
PROPOSED BUILDING SETBACKS	
NORTH SIDE	NONE
SOUTH SIDE	NONE
EAST SIDE	NONE
WEST SIDE	NONE
ALLOWABLE BUILDING HEIGHT	34'F



Space	Rooms	Tables	Stools	Staff - peak
Gibson	69	0	0	9
Franklin - Dining		14	0	9
Franklin - Parlor Bar		5	10	3
Franklin - Porch*		7	0	0
Franklin - Patio*		6	0	0
Spa		0	0	4
Café**		4	12	4
Category totals		36	22	29
* = staff incl. with Franklin count				
** includes Courtyard service				

Parking Space Calculator	Rounded	
Rooms 1:1	69	69
Staff 1:2	14.5	15
Tables 1:2	18	18
Stools 1:4	5.5	6
Subtotal	107	108

Total spaces required: 108

Parking Area	Spaces
Taranto Lot	13
Ave C at lot	8
4th st hotel side	16
Ave C hotel side	0
Market St	10
Ave D hotel side	15
45 Ave D	
Parking Lot	17
4th St	6
Ave D	3
Total physical	88
Historic Waiver	
Gibson	8
Buck House	8
45 Ave D	8
waived spots avail	24
Subtotal	112
Total Spaces Available:	112

Gibson Inn Parking Plan – Historic Waiver request

Spaces required: 108

Physical spaces: 88

Balance: 20

The Parking Configuration calculator preceding shows total rooms, staffing at peak levels, and table/stool layouts for all F&B outlets on the property. To avoid any concern about accuracy of the totals, we have rounded up half-space requirements to the next whole number. Per City requirements for overnight rooms, staffing, and tables/stools, the Gibson property needs 108 total parking spaces.

With a waiver of 8 spaces already granted for the historic Gibson Inn building at 51 Ave C, we are requesting the Historic Waiver for the two other historic buildings being incorporated into the Gibson property with this proposal. Those are the J.F. Buck House (Hays House), and 45 Ave D (variously known as the A&P, Bi-Rite, Papa Joe's, etc) with 6 spots waived for each of those two structures. They are listed on the Florida Master Site File as FR00166 and FR02630, respectively. Under this plan, 45 Ave D will be legally bound to the Gibson property - as were the Taranto lots required by P&Z contingency - ensuring this parking use in perpetuity.

To put the counter-argument plainly: simply bulldozing the registered historical building at 45 Ave D would provide enough space to obviate any need for parking being waived or mitigated. However, we all agree that is not the intent or desire behind the Historic Waiver exemption. The purpose of the Historic Waiver in the City's codes is to encourage the preservation and renovation of the historic structures that make downtown Apalachicola a unique and timeless treasure. The waiver allows for the functional use of historic buildings when the businesses of which they are a part would not otherwise be able to provide the required parking on the property. If 45 Ave D is legally tied to the Gibson overall property, as parking or otherwise, then the Historic Waiver for that structure should be considered as part of the overall parking count, as it is with the Buck House at 48 Ave D.

We would like to clarify that we are not requesting a waiver of all the spaces for which these buildings are eligible, simply those necessary to meet the Gibson's parking load. Again, we understand that any proposed future increases in usage density would require a parking review.

Historic Buildings eligible for waiver:	Spaces Eligible:	Requested:
51 Ave C (FR00284, historic Gibson Inn building)*	8	8*
48 Ave D (FR00166, Buck House/Hays House)	8	6
45 Ave D (FR02630)	8	6
Total Waiver Spaces:	24	20

*51 Ave C approved for 8 spaces at Jan 2025 CC meeting.

SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
FR00120	SS	THOMAS GORDON HOUSE	71 9TH ST, APALACHICOLA	-RESOURCE DESTROYED- 1884 Neo-Classical Revival		
FR00121	SS	231 8TH ST	231 8TH ST, APALACHICOLA	Neo-Classical Revival		
FR00122	SS	KNIGHT, JOHN H, HOUSE	172 SW 9th ST, Apalachicola	c1930 Neo-Classical Revival		
FR00123	SS	138 8TH ST	138 8TH ST, APALACHICOLA	-RESOURCE DESTROYED- Neo-Classical Revival		
FR00124	SS	ANDREW PATTERSON HOUSE	160 9TH ST, APALACHICOLA	1882 Frame Vernacular		NR Contrib - FR00350
FR00125	SS	G G HENSLEY HOUSE	110 15TH ST, APALACHICOLA	1897 Neo-Classical Revival		NR Contrib - FR00350
FR00126	SS	ZELLA WILBUR HOUSE	131 AVE F, APALACHICOLA	1884 Neo-Classical Revival		NR Contrib - FR00350
FR00127	SS	HENRY SIMMONS	118 9TH ST, APALACHICOLA	1882 Neo-Classical Revival		NR Contrib - FR00350
FR00128	SS	A R ROBINSON HOUSE	195 AVE D, APALACHICOLA	1890 Frame Vernacular		NR Contrib - FR00350
FR00129	SS	ADOLPH MINKE HOUSE	183 AVE B, APALACHICOLA	c1891 Neo-Classical Revival		NR Contrib - FR00350
FR00130	SS	JACOB LIND HOUSE	158 4TH ST, APALACHICOLA	1867 Frame Vernacular		NR Contrib - FR00350
FR00131	SS	JAMES HOUSE	41 COMMERCE ST, APALACHICOLA	c1890 Frame Vernacular		NR Contrib - FR00350
FR00132	SS	HOFFMAN, VALENTINE HOUSE	11TH ST, APALACHICOLA	1885 Neo-Classical Revival		
FR00133	SS	HOFFMAN, VALENTINE HOUSE	49 16TH ST, APALACHICOLA	1885 Neo-Classical Revival		NR Contrib - FR00350
FR00134	SS	WILLIS FIELDS HOUSE	120 8TH ST, APALACHICOLA	1884 Neo-Classical Revival		NR Contrib - FR00350
FR00135	SS	W F FARLEY HOUSE	196 AVE D, APALACHICOLA	1891 Frame Vernacular		NR Contrib - FR00350
FR00136	SS	W C PICKETT HOUSE	26 7TH ST, APALACHICOLA	1887 Colonial Revival		NR Contrib - FR00350
FR00137	SS	MINNIE CLARK HOUSE	174 4TH ST, APALACHICOLA	1887 Colonial Revival		NR Contrib - FR00350
FR00138	SS	MATHEW BROWN HOUSE	162 8TH ST, APALACHICOLA	1887 Neo-Classical Revival		NR Contrib - FR00350
FR00139	SS	GEORGE ASHER HOUSE	179 S 7th St W, Apalachicola	c1935		
FR00140	SS	MILLANDER-HOUSTON HOUSE	217 8TH, APALACHICOLA	-RESOURCE DESTROYED- 1887 Italianate		
FR00141	SS	J C MANUEL HOUSE	49 AVE G, APALACHICOLA	1884 Neo-Classical Revival		NR Contrib - FR00350
FR00142	SS	M BRASH SHOTGUN HOUSE	114 10th ST, Apalachicola	1909 Other		NR Contrib - FR00350
FR00143	SS	M BRASH SHOTGUN HOUSE	116 10TH ST, APALACHICOLA	1908 Frame Vernacular		NR Contrib - FR00350
FR00144	SS	FRANK TAYLOR HOUSE	237 7TH ST, APALACHICOLA	1905 Italianate		NR Contrib - FR00350
FR00145	SS	SHOTGUN HOUSE	108 AVE I, APALACHICOLA	c1890 Frame Vernacular		NR Contrib - FR00350
FR00146	SS	ELIZABETH E RUSSELL HOUSE	89 11TH ST, APALACHICOLA	c1887 Frame Vernacular		
FR00147	SS	148 6TH ST	148 S 6th St W, Apalachicola	c1910		NR Contrib - FR00350
FR00148	SS	GEORGE THOMPSON HOUSE	196 6TH ST, APALACHICOLA	1877 Neo-Classical Revival		NR Contrib - FR00350
FR00149	SS	MRS JAMES ALLEN HOUSE	185 AVE F, APALACHICOLA	1890 Neo-Classical Revival		
FR00150	SS	ANTHONY LEE HOUSE	162 12TH ST, APALACHICOLA	1892 Neo-Classical Revival		NR Contrib - FR00350
FR00151	SS	CT WALTHEN HOUSE	173 AVE E, APALACHICOLA	1891 Neo-Classical Revival		NR Contrib - FR00350
FR00152	SS	A B MARCHANT	187 AVE C, APALACHICOLA	1888 Frame Vernacular		NR Contrib - FR00350
FR00153	SS	HENRY HUTCHINSON HOUSE	133 AVE I, APALACHICOLA	1891 Frame Vernacular		NR Contrib - FR00350
FR00154	SS	F M BRYAN HOUSE	138 7TH ST, APALACHICOLA	c1875 Neo-Classical Revival		
FR00155	SS	C H POHLMAN	147 S 5th St W, Apalachicola	c1922		NR Contrib - FR00350
FR00156	SS	H W PICKETT HOUSE	100 AVE C, APALACHICOLA	c1866 Colonial Revival		NR Contrib - FR00350
FR00157	SS	JOHN SCHOELLES HOUSE	39 15TH ST, APALACHICOLA	1892 Neo-Classical Revival		
FR00158	SS	JAMES GIBSON HOUSE	135 AVE D, APALACHICOLA	1884 Queen Anne (Revival)		NR Contrib - FR00350
FR00159	SS	BEN BRYANT HOUSE	101 6TH ST, APALACHICOLA	1909 Queen Anne (Revival)		NR Contrib - FR00350
FR00160	SS	COOMBS,JAMES N HOUSE	82 6TH ST, APALACHICOLA	1905 Colonial Revival		NR Contrib - FR00350
FR00161	SS	W F FARLEY HOUSE	27 15TH ST, APALACHICOLA	1886 Queen Anne (Revival)		NR Contrib - FR00350
FR00162	SS	EDWARD FOWLER HOUSE	90 AVE D, APALACHICOLA	1902 Frame Vernacular		NR Contrib - FR00350
FR00163	SS	J E GRADY AND COMPANY	200-204 WATER ST, APALACHICOLA	1900 Renaissance Revival		NR Contrib - FR00350
FR00164	SS	FRANK R HARFORD HOUSE	124 AVE C, APALACHICOLA	1889 Queen Anne (Revival)		NR Contrib - FR00350
FR00165	SS	PEIRARA-GRADY HOUSE	127 BAY AVE, APALACHICOLA	1886 Queen Anne (Revival)		NR Contrib - FR00350
FR00166	SS	E R HAYS HOUSE	48 AVE D, APALACHICOLA	1885 Queen Anne (Revival)		NR Contrib - FR00350
FR00167	SS	FREDRICK HOFFMAN HOUSE	108 AVENUE D, APALACHICOLA	1909 Colonial Revival		NR Contrib - FR00350
FR00168	SS	J H HOSE HOUSE	40 16th ST, Apalachicola	c1893 Frame Vernacular		NR Contrib - FR00350



SiteID	Type	Site Name	Address	Additional Info	SHPO Eval	NR Status
FR02527	SS	52 13TH ST	52 13th ST, Apalachicola	1948 Minimal Traditional		
FR02528	SS	143 13TH ST	143 13TH ST, Apalachicola	1956 No style		
FR02529	SS	155 13th St	155 13th ST, Apalachicola	1946 Frame Vernacular		
FR02539	SS	126 14th Street	126 14th ST, Apalachicola	1948 Frame Vernacular		
FR02540	SS	177 G AVE	177 G AVE, Apalachicola	1948 Frame Vernacular		
FR02541	SS	55 15TH ST	55 15th ST, Apalachicola	1969 Ranch		
FR02542	SS	58 15TH ST	58 15th ST, Apalachicola	1920 Frame Vernacular		
FR02543	SS	94 15TH ST	94 15th ST, Apalachicola	1929 Bungalow		
FR02544	SS	129 15TH ST	129 15th ST, Apalachicola	1954 Frame Vernacular		
FR02545	SS	Corner of 15th Street and Avenue H		1971 Ranch		
FR02555	SS	131 16TH ST	131 16th ST, Apalachicola	1942 Frame Vernacular		
FR02556	SS	128 16TH ST	128 16th ST, Apalachicola	1946 Frame Vernacular		
FR02557	SS	192 AVE G	192 Ave G, Apalachicola	1955 Ranch		
FR02558	SS	Corner of Avenue F and 16th Street		1948 Frame Vernacular		
FR02559	SS	74 16TH ST	74 16th ST, Apalachicola	1960 Ranch		
FR02560	SS	50 16TH STREET	50 16th ST, Apalachicola	1950 Minimal Traditional		
FR02561	SS	46 16TH STREET	46 16th ST, Apalachicola	1953 Ranch		
FR02562	SS	45 16TH ST	45 16th ST, Apalachicola	1969 Ranch		
FR02569	SS	57 17TH STREET	57 17th ST, Apalachicola	1948 Minimal Traditional		
FR02572	SS	67 17th Street	67 17th ST, Apalachicola	1944 Masonry Vernacular		
FR02573	SS	91 17TH STREET	91 17th ST, Apalachicola	1907 Frame Vernacular		
FR02574	SS	100 17TH ST	100 17th ST, Apalachicola	1959 Frame Vernacular		
FR02575	SS	205 17th Street	205 17th ST, Apalachicola	1930 Frame Vernacular		
FR02576	SS	205 17th Street, Building 2	205 17th ST, Apalachicola	1930+ Frame Vernacular		
FR02577	SS	136 17TH ST	136 17th ST, Apalachicola	1958 Ranch		
FR02602	SS	93 Avenue K	93 Avenue K, Apalachicola	1910 Masonry Vernacular		
FR02603	SS	66 Martin Luther King Jr Ave	66 Martin Luther King Jr AVE, Apalachicola	1960 Masonry Vernacular		
FR02604	SS	67 MARTIN LUTHER KING AVE	67 Martin Luther King Jr AVE, Apalachicola	1930 Frame Vernacular		
FR02605	SS	127 Martin Luther King Jr Ave	127 Martin Luther King Jr AVE, Apalachicola	1957 Masonry Vernacular		
FR02607	SS	90 Avenue I	90 Avenue I AVE, Apalachicola	1910- Frame Vernacular		
FR02608	SS	168 7th Street St	168 7th Street ST, Apalachicola	1945- Frame Vernacular		
FR02609	SS	65 AVE I	65 Ave I, Apalachicola	1900 Frame Vernacular		
FR02611	SS	181 AVE G	181 Ave G, Apalachicola	1962 Ranch		
FR02612	SS	157 AVE G	157 Ave G, Apalachicola	1969 Ranch		
FR02613	SS	153 AVE G	153 Ave G, Apalachicola	1952 Frame Vernacular		
FR02614	SS	88 AVE G	88 Ave G, Apalachicola	1956 Frame Vernacular		
FR02615	SS	114 6th Street	114 6th ST, Apalachicola	1935- Frame Vernacular		
FR02616	SS	46 AVE F	46 Ave F, Apalachicola	1932 Frame Vernacular		
FR02617	SS	47 AVE F	47 Ave F, Apalachicola	1967 Masonry Vernacular		
FR02619	SS	211 AVE F	211 Ave F, Apalachicola	1968 Ranch		
FR02626	SS	61 AVE E	61 Ave E, Apalachicola	1958 Masonry Vernacular		
FR02627	SS	54 AVE E	54 Ave E, Apalachicola	1948 Masonry Vernacular		
FR02628	SS	44 AVE E	44 Ave E, Apalachicola	1930 Masonry Vernacular		
FR02629	SS	25 Center Street (Avenue D)	25 Center ST, Apalachicola	1952- Masonry Vernacular		
FR02630	SS	45 AVE D	45 Ave D, Apalachicola	1959 Masonry Vernacular		
FR02632	SS	115 AVE D	115 Ave D, Apalachicola	1958 Ranch		
FR02633	SS	121 Avenue D	121 Avenue D AVE, Apalachicola	1965- Frame Vernacular		
FR02634	SS	126 AVE D	126 Ave D, Apalachicola	1920 Frame Vernacular		
FR02635	SS	160 AVE D	160 Ave D, Apalachicola	1954 No style		
FR02636	SS	207 AVE D	207 Ave D, Apalachicola	1950 Masonry Vernacular		





Tuesday, January 21



Lunch



34

33

32

31

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25-6

25

24

23

20-1

13

12

11

10



Dining Room <



Tuesday, January 21

Lunch



B11 B12

B13

B14

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Parlor Bar ^

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Tuesday, January 21



Lunch



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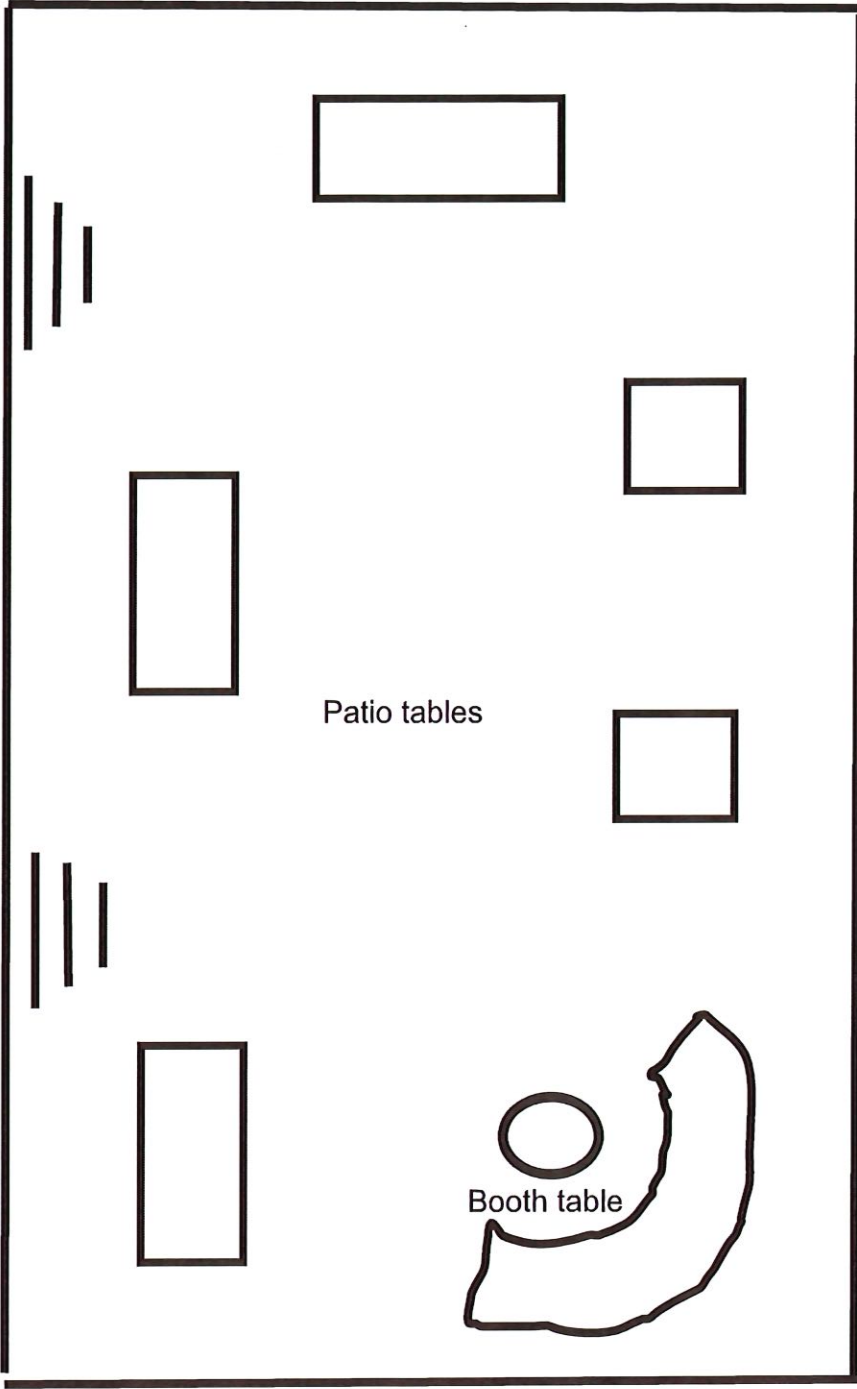
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Porch ^

Porch

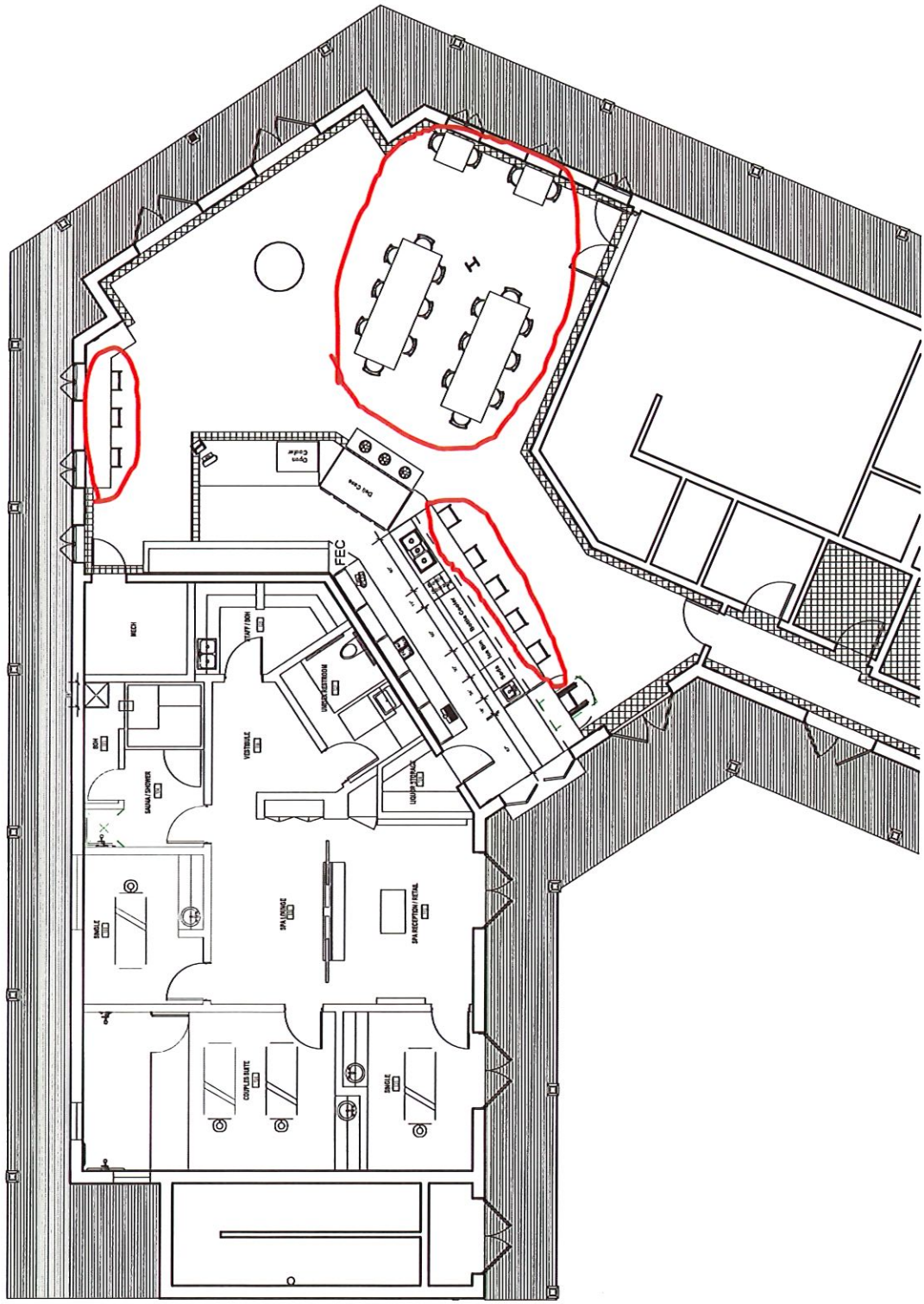


Patio tables

Booth table

sidewalk





**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: February 4, 2025**

SUBJECT: No Wake Ordinance 2024 – 07 Second Reading

AGENDA INFORMATION:

Agenda Location: Unfinished Business
Item Number: 3
Department: Administration
Contact: Travis Wade
Presenter: Travis Wade

BRIEF SUMMARY: Ordinance 2024 – 07 was reviewed by FWC attorneys who requested that the City amend the ordinance to remove certain language. The updated ordinance is being presented tonight for Second Reading and approval.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Motion to Approve the Second Reading of Ordinance 2024 – 07.

FUNDING SOURCE: N/A

ATTACHMENTS: Ordinance 2024 - 07

STAFF'S COMMENTS AND RECOMMENDATIONS:

ORDINANCE 2024 – 07

**AN ORDINANCE RELATING TO CITY OF APALACHICOLA;
AMENDING BOATING RESTRICTIONS/REGULATIONS FOR
THE SCIPIO CREEK AREA; PROVIDING FOR PENALTIES;
PROVIDING FOR CODIFICATION; PROVIDING FOR
SEVERABILITY; PROVIDING FOR REPEAL; AND, PROVIDING
FOR AN EFFECTIVE DATE.**

WHEREAS, boating safety concerns were brought to the attention of City of Apalachicola officials around Scipio Creek within the Apalachicola River; and

WHEREAS, Florida Statutes § 327.46(1)(b) authorizes the City of Apalachicola to establish boating safety zones by ordinance without additional agency approval; and

WHEREAS, the City of Apalachicola has elected to establish Idle Speed No Wake boating safety zones within the Apalachicola River.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF APALACHICOLA,
FLORIDA:**

SECTION I. City of Apalachicola Ordinance 2024-056 establishes the following boating restrictions.

1. Pursuant to Florida Administrative Code Chapter 68D-23.103, “Idle Speed No Wake” and “Idle Speed” may be used interchangeably and mean that a vessel must proceed at a speed no greater than that which will maintain steerageway and headway. At no time is any vessel required to proceed so slowly that the operator is unable to maintain control over the vessel or any other vessel or object that it has under tow. 2. Idle Speed No Wake boating safety zone from shoreline to shoreline, on Scipio Creek, southeast of a line that passes through approximate point (29° 43’51.48”N, 84° 59’7.65”W) perpendicular to the centerline of the waterway, and northwest of a line that passes through approximate point (29° 44’6.42”N, 84° 59’42.65”W) perpendicular to the centerline of the waterway, as depicted in the attached Exhibit A.

SECTION 2. PENALTY. The provisions of this section may be enforced by any law enforcement officer as defined in Section 943.10, Florida Statutes. Pursuant to Section 327.73, Florida Statutes, any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is \$50, except as otherwise provided for allowable county court costs for boating infractions. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 3. REFERENCE TO OTHER AUTHORITY. Where a statute or administrative rules are referenced herein, this shall mean the most recently adopted version of said statute and administrative rules.

SECTION 4. CODIFICATION. The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of the City of Apalachicola. The sections of this ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

Section 5. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective upon completion of the following: approved and adopted pursuant to the City of Apalachicola's procedure, approval by the Florida Fish and Wildlife Conservation Commission pursuant to Section 327.46, Florida Statutes and upon posting of the regulatory markers.

This Ordinance was read and adopted on _____, 2025. Motion to adopt Ordinance was made by Commissioner _____, second by Commissioner _____.

Voting Aye:

Voting Nay:

**FOR THE CITY COMMISSION OF THE
CITY OF APALACHICOLA**

Brenda Ash, Mayor

ATTEST:

Sheneidra Cummings, City Clerk

ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: February 2025
SUBJ: City Attorney Report for Commission Meeting

1. Tree Ordinance Procedure

At the January 2025 Regular Meeting a Citizen/Advisory Board Member raised an issue regarding the proper procedure for adoption of the pending Tree Ordinance. Specifically which adopted City procedure should be followed. With the assistance of the Planner my recommendation is to follow the most recent Ordinance adoption procedure. This procedure appears to be the one adopted on June 4, 2019 and is found at Rule 14, see attached. Rule 14 does appear consistent with section 166.041, F.S. which governs municipal ordinance adoption.

2. Lease Termination Notice to Tenants in Municipal Complex

The Tenant's who have Leased space in the Municipal Complex have a variety of termination provisions in their Leases and as a matter of law. The required notices contained in the various Leases range from one (1) year for the Fitness Center to ninety (90) days for the NEST. In addition to the Lease provisions a City has certain statutory and common law rights specific to municipalities when dealing with the lease of its own property that provide some flexibility if needed.

Ideally, the City could commit to a path regarding relocation of City Hall and provide a uniform (1) year notice to the current tenants that they will need to relocate. In the event the City has not vacated City Hall at the end of the one (1) year Notice period, we could offer tenants the ability to hold over on a month to month basis.

CONSENT AGENDA

Mayor Johnson presented the Consent Agenda and asked if any items should be removed before consideration of a motion. Commissioner Grove had some questions on the May 7, 2019 meeting minutes and asked that it be pulled from the consent agenda.

- Meeting Minutes Adoption - Adopt the April 30, 2019 Special Minutes
- Planning & Zoning Minutes Confirmation - Confirm the April 2019 Planning and Zoning Minutes - Mr. Nalley stated to the City Board that they are just confirming not approving P&Z minutes.
- Grant Agreement - CareerSource Gulf Coast - To Approve the Grant Agreement with CareerSource Gulf Coast in the Amount of \$50,000 for Providing a Summer Enrichment Program and Authorize the City Manager to Execute the Grant Agreement Documents.

Commissioner Ash made a motion to approve the revised consent agenda, after removing the May 7, 2019 Minutes for further discussion. Commissioner Elliott seconded and the motion carried 4-0.

Following discussion, Commissioner Grove made a motion to approve the May 7, 2019 minutes with no changes. Commissioner Ash seconded and the motion carried 4-0.

UNFINISHED BUSINESS

A. RESOLUTION 2019-07 PROVIDING FOR THE ADOPTION OF THE RULES OF PROCEDURE FOR THE APALACHICOLA CITY COMMISSION

Attorney Floyd read Resolution 2019-07 in its entirety.

A RESOLUTION PROVIDING FOR THE ADOPTION OF THE RULES OF PROCEDURE FOR THE CITY COMMISSION OF THE CITY OF APALACHICOLA

Commissioner Elliott made a motion to adopt Resolution 2019-07. Commissioner Ash seconded and the motion carried 4-0.

UNFINISHED BUSINESS

B. PROPOSED T-MOBILE SITE LEASE AGREEMENT

Mayor Johnson, a representative of T-Mobile approached the City about leasing a portion of the water tower on Coach Boulevard and Avenue L for the location, installation and operation of an antenna facility. T-Mobile provided the City a standard lease agreement for the Commission's consideration. At the March meeting, the Board asked the City Attorney and City Attorney to negotiate a proposed lease and present it back to the Commission for their consideration. The revised Agreement now contains an Option Period of one year with two one-year renewals to allow T-Mobile an opportunity to determine if the site is suitable for the proposed use and to obtain all government approvals. The cost of the Option Period remains at \$500 per year. Once T-Mobile decides to exercise its option, the Agreement sets forth the monthly rental payment of \$1,800 per month for the first 5 years, which will increase upon each successive renewal. If the full term is realized, the lease would extend now for only 15 years. Other revisions have been recommended in Sections 10, 12, 15, 18, and 19. The property is located in the R-2 Zoning District and allows the antenna through a "Public Facility or Structure." The City Attorney and Mr. Nalley reported that the revised Contract is an exception as a "Public Facility or Structure." The City Attorney and Mr. Nalley reported that the revised Contract allows the ability of the City to terminate the Lease and includes language that would allow the facility to remain or be removed should something happen to the water tower. The newly added Section 19 from T-Mobile now seems to be in compliance with Ordinance 2017-04 which discourages the long term lease or improvement of the historic Madison

Motion carried.

Voting Aye: Bartley, Webb, Johnson, Elliott, Mayor Howze

Voting Nay: None

Comp Plan & Land Development Code Amendment Procedure - Ms. Webb presented and reviewed policy to the Board.

Commissioner Johnson suggested that 1 joint workshop be held.

Mayor Howze suggested that 2 workshops be held to iron out any differences before adopted.

Ms. Webb stated that wording can be changed to read at least 1 workshop be held. Ms. Webb stated that a quorum from both the Planning & Zoning and the City Commission would have to be met in order to hold the workshops.

Motion to approve the Comprehensive Plan and Land Development Code Amendment Procedure Policy made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried.

Voting Aye: Webb, Johnson, Elliott, Bartley, Mayor Howze

Voting Nay: None

\$350,000 DOT Project Line of Credit - Ms. Webb stated the City needs to continue the existing line of credit for the DOT project. The City will get reimbursed for the project at the end of the project, and when funds are received, the line of credit will be paid off.

Motion to continue \$350,000 line of credit for the DOT project made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried.

Voting Aye: Johnson, Elliott, Bartley, Webb, Mayor Howze

Voting Nay: None

Fire Department Radios (MSBU Funds) - Ms. Webb stated the Fire Department has money in their MSBU account to pay for their radios. The costs is approximately \$21,500.00.

Motion to pay for Fire Department radios, approximately \$21,500.00, with MSBU funds made by Commissioner Webb, second by Commissioner Bartley.

Motion carried.

Voting Aye: Elliott, Bartley, Webb, Johnson, Mayor Howze

Voting Nay: None

**RULES OF PROCEDURE
FOR THE CITY COMMISSION
OF THE CITY OF APALACHICOLA**

EFFECTIVE JUNE 4, 2019

The City of Apalachicola Charter allows the City Council to adopt procedural guidelines for City Council meetings to the extent they do not conflict with local or state law. The following Rules of Procedure will provide more detailed guidelines for the conduct of efficient and orderly meetings.

PARLIAMENTARY PROCEDURE

Robert's Rules of Order will serve as a guide for parliamentary procedures in the conduct of all City Commission meetings. Any exceptions noted in these rules or by Resolution of the Commission shall take precedence. A violation of parliamentary procedure shall not call into question the validity of any decision or action of the Commission so long as the requirements of State law and the City Charter have been met and the intent of the Commission is clear from the minutes of the proceedings.

RULES OF CIVILITY

The City of Apalachicola encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the City Commission conducts the business of the City, rules of civility shall apply. City Commission members, City officials, and members of the public are to respectfully communicate according to the City Commission's Rules of Procedure. Persons shall speak only when recognized by the Presiding Officer and, at that time, refrain from engaging in personal attacks or derogatory or offensive language. Comments from citizens being made at a time other than during the period titled "Public Comments" should be focused on the issue at hand. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and lawful manner shall be subject to removal as outlined in the City Commission's Rules of Procedure. It shall be the responsibility of each individual to demonstrate civility.

PREFACE

The City of Apalachicola conducts municipal government, performs municipal functions, and renders municipal services and exercises any power for municipal purposes according to the City Charter, except as otherwise provided for by law. Any conflict or need for clarification arising out of the following Rules of Procedure shall be resolved, where applicable, by provisions of the City Charter which shall prevail, except as otherwise provided for by law. Any Amendments to the City Charter which may require revisions to the Rules of Procedure shall be administratively prepared by the City Clerk and adopted by the City Commission.

These Rules of Procedure are adopted by the City Commission to guide the City Commission through its primary operations and functions. They are designed to provide the structure needed to conduct City business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.

The Government in the Sunshine Act, also known as the Sunshine Law, provides a right of access to governmental proceedings of public boards or commissions at both the state and local levels. The law is equally applicable to elected and appointed boards, and applies to any gathering of two or more

members of the same board to discuss some matter which will foreseeably come before that board for action. Members-elect to such boards or commissions are also subject to the Sunshine Law, even though they have not yet taken office. There are three basic requirements of s. 286.011, F.S.: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and (3) minutes of the meetings must be taken and promptly recorded.

RULE 1 MEETINGS

All City Commission meetings shall be held in the Community Center, 1 Bay Avenue, Apalachicola, Florida, unless advertised otherwise, and shall be open to the public. In case of emergency, the Mayor may designate an appropriate meeting place for a meeting open to the public. Robert's Rules of Order, as revised, so long as they do not conflict with Ordinances, Statutes, these Rules, or the Apalachicola Charter, shall be used as a guide in conducting City Commission meetings.

RULE 2 REGULAR MEETINGS

As noted in City Charter Section 17, the City Commission shall hold regular meetings on the first Tuesday after the first Monday of each month commencing at 6:00 p.m. From time to time, regular meetings may be adjusted by Resolution of the City Commission to accommodate a holiday schedule. Meetings shall also be rescheduled to accommodate Elections as scheduled by the Franklin County Supervisor of Elections. The news media shall be notified and appropriate notice shall be posted at City Hall and on the City's website.

RULE 3 SPECIAL MEETINGS

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call or schedule a Special Meeting of the City Commission. A minimum of forty eight (48) hours' notice shall be given to all City Commission members for all Special City Commission Meetings. Notice of the call of such Special Meetings shall be by majority agreement of the City Commission, or in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Only matters on the agenda or matters of an emergency nature may be acted upon by the Commission. Justification of emergency action shall be noted in the minutes of the meeting. Notice shall be posted at City Hall.

RULE 4 EMERGENCY MEETINGS

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call an Emergency Meeting of the City Council upon not less than six (6) hours' notice to every City Commission member. Notice of the call of such Emergency Meetings shall be in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Notice shall be posted at City Hall. If there is no longer a need for an Emergency Meeting, the entity that called the meeting is authorized to cancel such meeting.

RULE 5 WORKSHOPS

A workshop may be called orally or in writing by the Mayor, any two (2) or more City Commission members, or the City Manager. The City Commission can initiate workshops, also known as Special Meetings, that are public meetings to improve communication, to gain information, or to create a stronger working relationship among the elected officials of the general city government. Public attendance is encouraged. A minimum of forty eight (48) hours' notice shall be given for all Workshops and shall be posted at City Hall.

RULE 6 QUORUM AND ATTENDANCE

- (a) A Quorum of the City Commission for the transaction of any business shall consist of three (3) members, but a lesser number may adjourn from time to time until a quorum is present. Once a quorum has been established, a majority of the City Commission present at the meeting shall be required to carry a motion, unless, by Statute, Ordinance, or other regulation, an extraordinary majority (4/5ths) of the City Commission is required for approval. Absence from four consecutive regular meetings of the Commission shall operate to vacate the seat of a member, unless such absence is excused by the Commission by Resolution. As stated in City Charter Section 20, "The affirmative vote of three members shall be necessary to adopt any ordinance or resolution, and the passage of all ordinances and resolutions shall be taken by the "yeas" and "nays" and entered upon the journal."
- (b) City Commission members may participate at all regular, special, or emergency meetings of the City Commission by use of electronic media in those instances where the member is temporarily deployed, reassigned, activated, or transferred by any branch of the United States Military or the Florida National Guard for a period of longer than thirty (30) days. In addition, this policy shall cover any other situation resulting in the absence of the member due to illness, medical related issues of a non-incapacitation nature, or extraordinary circumstances related to their job or family emergencies causing them to be physically unable to attend a meeting. In all instances, participation by electronic media will only be allowed if a quorum is physically present at the site where the meeting is actually being held.
- (c) In addition to the City Commission members, City officials whose regular attendance shall be required at meetings of the City Commission are the: City Attorney, City Clerk, City Manager, or their designees, and City Department Directors as charged by the City Manager. The Chief of Police, or their representative, shall be present to provide security and assistance in maintaining order.

RULE 7 NEW COUNCIL MEMBERS

The term of City Commission members elected to office shall commence on the first Tuesday following the first Monday in October following the general election. A swearing-in ceremony for the new City Commission members will be coordinated by the City Clerk. The City Clerk in conjunction with the City Manager will provide orientation materials.

RULE 8 ELECTION OF MAYOR PRO-TEM

- (a) The election of Mayor Pro-Tem pursuant to Section 16 of the Charter shall occur at the first regular meeting following each regular municipal election at which newly elected Commissioners assume their duties of office.
- (b) In case of the absence or temporary disability of the Mayor, the Mayor Pro-Tem serves as the Presiding Officer during the absence. In case of the absence or temporary disability of the Mayor and Mayor Pro-Tem, an Acting Chair, elected from members of the City Council, serves during the continuance of the absences or disabilities.

RULE 9 PRESIDING OFFICER

- (a) The Mayor, or in the Mayor's absence the Mayor Pro-Tem shall preside over all meetings of the Commission. In the absence of the Mayor and Mayor Pro-Tem, at the hour fixed for any meeting, the City Manager shall call the City Council to order, whereupon a temporary Chair shall be elected by the members present. Upon arrival of the Mayor and Vice-Mayor, the temporary Chair shall relinquish the chair upon conclusion of the business immediately before the Commission.
- (b) The Presiding Officer shall be responsible for enforcing the Rules of Procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of members' motives, and confine debate or comments to the question under discussion. The Mayor shall endeavor to conduct meetings in a fashion that draws balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to conduct business in an orderly fashion.
- (c) The Presiding Officer shall take the Chair at the hour fixed for the meeting and call the members to order. The Presiding Officer shall state every question given before the Commission. The City Clerk will record the vote on all matters in which the recording of yeas and nays is required by law or with respect to which any member requests such recording. The Presiding Officer or City Clerk will announce the decision of the City Commission on all subjects and the Presiding Officer will decide on questions of order. Any member may appeal from the decision of the Presiding Officer, in which event a majority vote of the members present shall govern and conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.
- (d) The Presiding Officer shall remain objective, consistent with Robert's Rules of Order. According to Robert's "Rule Against Chair's Participation in Debate," the Presiding Officer has, as an individual, the same rights in debate as any other member; but the impartiality required of the Chair in an assembly precludes exercising these rights while presiding. On certain occasions, the Presiding Officer may believe that a crucial factor relating to such a question has been overlooked and that their obligation as a member to call attention to the point outweighs their duty to preside at that time. If the Presiding Officer wishes to place a motion, the gavel must be relinquished.

Based upon these Rules of Procedure, the gavel will be relinquished in the following order:

1. Mayor Pro-Tem;
2. Other City Commission members based on seniority of tenure;
3. City Clerk/City Manager.

The "Rule Against Chair's Participation in Debate" further states that the Presiding Officer who relinquished the chair shall not return to it until the pending main question has been disposed of, since they have shown themselves, to be partisan as far as that particular matter is concerned. Unless a Presiding Officer is extremely sparing in leaving the chair to take part in debate, they may destroy members' confidence in the impartiality of their approach to the task of presiding.

Once a motion has been made and second received, the Presiding Officer shall hear comments from the other City Commission members. Following comments from the other City Commission members, the Presiding Officer shall be permitted to provide their input on the motion.

- (e) The Presiding Officer may declare the meeting adjourned at any time in the event of an emergency affecting the safety of those present.

RULE 10 CITY CLERK

- (a) The City Clerk, or Deputy Clerk, serves as parliamentarian, and advises the Presiding Officer as to correct rules of procedure or questions of specific rule application. The City Clerk calls to the attention of the Presiding Officer any error in the proceedings that may affect the substantive rights of any City Commission member, or may otherwise do harm.
- (b) It shall be the duty of the City Clerk of the City Commission, in addition to other duties prescribed by law, to keep and preserve correct minutes of the proceedings of the City Commission. The minutes shall be a public record. Proposed substantive additions or corrections to proposed minutes, other than spelling and grammatical corrections, shall be furnished in writing to the City Clerk not less than twelve (12) hours prior to the meeting at which approval action is scheduled. The record of every meeting when approved and entered in the minutes shall be signed by the Presiding Officer at such meeting and attested by the City Clerk. The City Clerk shall prepare an Agenda for each regular meeting of the City Commission in the order of business and furnish a copy thereof to each member, the City Attorney, and the City Manager at least seventy-two (72) hours in advance of said meeting. All official meetings of the Commission shall be recorded on an automatic recording device by tape, record, or other device and permanently preserved in the official records of the City or until their destruction as specifically authorized by the State or City Commission.
- (c) Requests for copies of public records regarding a meeting of the City Commission shall be made through the Office of the City Clerk. The cost shall be in accordance with State law.

RULE 11 RULES OF DEBATE

- (a) The Presiding Officer may move, second, and debate subject only to such limitation of debate as are enforced by these standing rules on all members and shall not be deprived of any of the rights and privileges as a member.
- (b) When a member desires to speak in debate on a subject open to debate, the member must address the Presiding Officer. When recognized by the Presiding Officer, the member may speak only on matters germane to the business or questions under debate.
- (c) A member, once recognized, shall not be interrupted while speaking unless the member is called to order for transgressing any rule of the City Commission or failing to maintain proper decorum. If a member is called to order while speaking, the member shall cease speaking until the questions of order is determined by the Presiding Officer.
- (d) After the decision on any question, it shall be in order only for a member voting on the prevailing side to move for reconsideration at the same meeting, but such motion may be seconded by the member. If a motion to reconsider is lost, it shall not be renewed again at the same meeting. A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.

RULE 12 CONDUCT AND RESPONSIBILITY OF MEMBER

- (a) Any member who is unable to attend a City Commission or other meeting due to sickness or for a duly authorized reason shall notify the City Clerk, who shall notify the Presiding Officer before the meeting.
- (b) No member present at any meeting of the City Commission shall leave the meeting without permission from the Presiding Officer.
- (c) While the City Commission is in session, the members shall preserve order and decorum. A member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the City Commission, or disturb any member while speaking, or refuse to obey the Rules of Procedure of the City Commission or the Presiding Officer.
- (d) No member shall speak on any question, discuss any matter, interrupt another, or make a motion without first addressing the Presiding Officer and obtaining recognition.
- (e) No member shall be allowed to vote on any motion or measure, or gain the privilege of the floor, unless the member is at their designated seat.
- (f) Every member, in speaking on any matter, shall be confined to the question, shall not use unbecoming or abusive language, and shall avoid personalities.

- (g) No member shall be permitted to explain his or her vote during a vote, but may do so during discussion and prior to the result of the vote being announced.
- (h) Every member who is present when a question is put, unless excluded by a conflict of interest, shall vote in the affirmative or negative.
- (i) Every member shall observe the Code of Ethics as set forth in the laws of the State of Florida and as required by the Charter or Ordinances of the City. Disclosure to the City Commission of a private interest, as required by the State law on ethics, shall be accomplished in the form as prescribed by the Commission of Ethics, State of Florida.
- (j) No member shall direct the City Manager to forward to another political subdivision or government agency communications on matters under consideration by the City Commission or its committees except where there is clear understanding of approval by the City Commission or in response to routine matters in consonance with the previous actions of the City Commission. Nothing precludes a member from initiating correspondence on City stationary over their own signature indicating the City Commission seat they currently hold. Nothing in this Rule is to be construed to limit or restrict the Mayor acting in his or her official capacity from coordinating with the City Manager in answering or responding to correspondence or communications relative to the business of the City.
- (k) Ex parte Communications – Oral or written communications (sometimes referred to as lobbying or information gathering) between a Commission Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the City Commission. The exchanges must be disclosed by the City Commission member so the public may respond to such comments before a vote is taken.

RULE 13 CONFLICT OF INTEREST

No City Commission member shall vote in their official capacity on a matter which would inure to their special private gain or loss, or which the City Commission member knows would inure to the special gain or loss of any principal by whom they are retained, of the parent organization or subsidiary of a corporate principal by which they are retained, or a relative or of a business associate. The City Commission member in conflict shall announce such conflict before any discussion commences. They may participate in the discussion but may not vote. Within 15 days of following that City Commission meeting, they shall file with the City Clerk a Form 8B which describes the nature of their interest in the matter. The Form 8B shall be received by the City Clerk and incorporated into the minutes of the meeting.

RULE 14 ORDINANCES

An enacted Ordinance is a legislative act that prescribes general, uniform, and permanent rules of conduct relating to the corporate affairs of the City. City Commission action shall be taken by Ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. All Ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.

- (a) Any non-emergency Ordinances, with the exception of zoning Ordinances, shall be initiated by either a member of the City Commission, the City Attorney, or the City Manager. Each Ordinance shall be introduced in writing and shall embrace one (1) subject and matters properly connected therewith. The subject shall be clearly stated in the title. No Ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act, section, or subsection or paragraph of a section or subsection. Rezoning Ordinances shall be scheduled on the City Commission Agenda following the required public hearing(s) before the Planning and Zoning Board and, once scheduled, the same procedure as outlined shall be followed unless State law provides otherwise.
- (b) Any Ordinance or Resolution prepared for consideration by the City Commission shall be reviewed by the City Attorney prior to introduction to the City Commission. Upon request by the Presiding Officer or any member, the City Attorney shall render an opinion to the City Commission concerning the legality of any Ordinance or Resolution pending before it. Every Ordinance and Resolution which amends prior Ordinances or Resolutions shall indicate words being deleted by strike-through, and shall include underlining of words being added to existing provisions.
- (c) In acting upon Ordinances, the Ordinance shall be introduced on first reading as to form only. The City Clerk shall then cause the Ordinance to be published in a newspaper of general circulation in the City, at least ten (10) days before the second reading, a notice of proposed enactment pursuant to and in compliance with Chapter 166, Florida Statutes. Prior to adoption, on second and final reading, a public hearing shall be held to enable citizens to comment on the proposed Ordinance. On second and final reading, an affirmative vote of the majority of the members present shall be necessary for the passage or adoption of the Ordinance.
- (d) The Council may, by two-thirds (2/3) vote of its membership, declare an Ordinance to be an emergency measure and pass such Ordinance without regard to any reading as required by the City Charter. Every emergency Ordinance, except emergency appropriations, shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the Ordinance under regular procedures, or if the emergency still exists, in the manner specified in the City Charter. An emergency Ordinance may also be repealed by adoption of a repealing Ordinance in the same manner specified in the Charter for adoption of emergency Ordinances.
- (e) Whenever any Ordinance or Resolution has been introduced for the consideration of the City Commission, and the measure failed to be adopted or passed, such measure, unless substantially changed, shall not be introduced again until the lapse of at least three (3) months from the date of the City Commission meeting at which it failed adoption or passage.
- (f) If a Motion to pass an Ordinance fails, the Ordinance shall be considered lost.
- (g) Upon final passage, every Ordinance and Resolution shall be signed by the Presiding Officer of the Commission, attested by the City Clerk and approved as to form by the City Attorney.

RULE 15 RESOLUTIONS

Generally, an enacted Resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. City Commission action shall be taken by Resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All Resolutions shall be reduced to writing. A Resolution may be put to its final passage on the same day on which it is introduced.

RULE 16 MOTIONS

An enacted Motion is a form of action taken by the City Commission to direct that a specific action be taken on behalf of the City. A Motion, once approved and entered into the record, is the equivalent of a Resolution in those instances where a Resolution is not required by law. All motions shall be made and seconded before debate.

- (a) A motion is to be worded in a concise, unambiguous, and complete form.
- (b) No speech is to be made in reference to a motion when it is introduced. There will be no debate until a motion has been seconded and, if requested by a City Commission member, the question stated by the Presiding Officer or the City Clerk.
- (c) When the question has been stated, it is before the City Commission and mover is entitled to the floor.
- (d) The order of procedure of motions shall be in accordance with Robert's Rules of Order.

RULE 17 WITHDRAWAL OF MOTIONS

Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.

RULE 18 AMENDING OF MOTIONS

At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in Rule 17.

RULE 19 RECONSIDERATION

A motion to reconsider shall be allowed at any time during a meeting, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject at the same meeting. A motion to reconsider may be made:

- (a) At the same meeting during which an action was taken, provided that the motion to reconsider is made by a City Commission member of the prevailing side of the original motion.
- (b) At a subsequent meeting by any Commissioner.

Upon passage of a motion to reconsider, no substantive action on the matter may be taken at that meeting so that the public and media may be on notice of the matter to be reconsidered. The subject matter shall be scheduled at the next regular City Commission meeting for any action the City Commission deems advisable.

RULE 20 RESCINDING ACTION PREVIOUSLY TAKEN

City Commission action may be rescinded by a four-fifths (4/5) vote. The motion may be made by any City Commission member after a motion to reconsider has been adopted by a majority vote.

RULE 21 PRIVILEGE OF THE FLOOR

By permission of the Presiding Officer, the privilege of the floor shall be extended to a citizen or citizens to address the Commission on any matter pending before it or which needs the attention of the City Commission. At public hearings required by law or fixed by the City Commission, the Presiding Officer shall extend the floor to a reasonable number of proponents or opponents of the subject matter of the public hearing, and those filing written requests to be heard with the City Clerk shall be heard prior to other persons who appear at the hearing. Each person addressing the City Commission shall proceed to the place assigned for speaking, give his or her name and address in an audible tone of voice for the record and limit his or her address to three (3) minutes, unless a lesser time is fixed for all speakers by the Presiding Officer or further time is granted by the City Commission. The person may speak only to matters germane to City business or to questions under discussion. All remarks shall be addressed to the City Commission as a body and not to any member thereof. All questions of members shall be directed through the Presiding Officer.

RULE 22 PARLIAMENTARY AUTHORITY

Robert's Rules of Order, so far as they are applicable or not in conflict with these standing rules, the Ordinances, or the Charter of the City, shall govern the proceedings of the City Commission.

RULE 23 SUSPENSION OF STANDING RULES

Any standing rule contained herein may be temporarily suspended for special reasons by a vote of four-fifths (4/5) of all City Commission members unless such suspension would conflict with provisions of the Ordinances or the Charter of the City.

RULE 24 EFFECTS OF RULES

No Ordinance, Resolution or action duly passed, adopted or taken by the City Commission shall be held to be invalid because of failure of the City Commission to comply with or abide by any one or more of the provisions of these standing rules if such Ordinance, Resolution or action would otherwise be valid under the Charter or Ordinances of the City or laws of this State but for such provisions of these standing rules alleged to have been violated or ignored.

RULE 25 INFORMAL CONSIDERATION OF MATTERS

When, in the judgment of the Presiding Officer, it becomes necessary to give detailed consideration to a matter under conditions of freedom, approximating those of a Committee, the Presiding Officer may entertain a motion for the City Commission to consider the matter informally. When such a motion is made and properly seconded, the effect is to suspend the standing rule limiting the number of times a member can speak and inquire into matters of fact on the main questions and any amendments,

except that the member may not inquire a second time into questions of fact until other members have had an opportunity to do so.

While considering a question informally, the Council may, by four-fifths (4/5) vote, limit the number or length of speeches or in any other way limit or close discussion. Proceedings of the City Commission under informal consideration are recorded in the minutes of the meeting just as they would be if the considerations were under formal standing rules. Informal consideration ceases automatically as soon as the main question is disposed of. Informal consideration of a matter may also be ended before the main question is disposed of by a majority vote of the City Commission on a motion "that the regular standing Rules of Procedure be enforced."

Under the informal standing rules, members may obtain the floor after being recognized by the Presiding Officer.

RULE 26 PREPARATION OF AGENDAS

The City Manager and City Clerk are responsible for the preparation of the Agenda. The Mayor or any City Commission member may place an item on the Agenda. The City Attorney, City Clerk, and City Manager may also place an item on the Agenda.

As general practice, all supporting documentation and Board Request Form must be provided to the City Manager for review or the item(s) may not be included on the Agenda.

- (a) The agenda will be in five (5) parts: Awards, Recognitions and Presentations; Reports and Communications; Public Hearings; Consent; and Business.
- (b) Deadline for items to be placed on the Agenda is no later than 12:00 noon on the Tuesday before the next meeting.
- (c) Content of items on the Consent Agenda shall be limited to routine items that do not need discussion, which may include but are not limited to such items as the Minutes, Resolutions, payment requests, and reports from committees, etc. During the reading of the Consent Agenda, any member may pull an item for separate discussion.
- (d) The City Manager or any Commission member may, in the event of an emergency, place items on the Agenda after the above deadline.
- (e) Commission members are encouraged to present their reports as Agenda items in order to provide the public and other Commission members prior notification of the report's subject matter.
- (f) Agendas and all necessary background materials will be delivered to the members no later than 5:00 p.m. on the Friday before the next meeting via notification by electronic mail. In the event an item must 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.

- (g) 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 next regular City Commission meeting and include information and/or back-up documentation on the subject they want to discuss. If a citizen does not present an appropriate topic or information in writing, the citizen will not be placed on the Agenda but will be told that he or she can speak at the beginning of the City Commission meeting under Public Comment or have their Agenda item rescheduled to a future meeting.
- (h) Citizens who wish to address the City Commission on an item on the agenda shall complete a Speaker Card and give it to the City Clerk before the meeting starts. All persons, other than members of the City Commission or Staff, addressing the City Commission shall step up to the microphone and state his or her name and address prior to making his or her statements. The Mayor shall have the authority to waive such requirement in the event of apparent physical disability of the speaker.
- (i) The Agenda, as well as any supporting documentation that are part of the Agenda, shall be available for review online on the City's website, or in the Office of the City Clerk.

RULE 27 AGENDAS – ORDER OF BUSINESS

The business of all regular meetings of the City Commission shall be transacted as follows; provided, however, that the Presiding Officer may, by simple majority voice vote or consensus of the City Commission, re-arrange items on the Agenda to more expeditiously conduct the business before the City Commission:

- (a) Invocation & Pledge of Allegiance to the Flag

The City Council may maintain a clergy or layperson rotational roster, which may be used to rotate among the local clergy or laypersons the presentation of the invocation at the regular or special meetings. The Presiding Officer shall lead the Pledge or delegate to another party.

- (b) Agenda Adoption

- (c) Awards, Recognitions and Presentations

Items under this section include Special Award Presentations, Proclamations, scheduled citizen or group presentations, and recognitions. Proclamations, Special Awards, and Letters of Honor shall be requested and processed through the Office of the City and shall be submitted on a form provided by the City Clerk.

- (d) City Council Reports and/or Correspondence

During this section, each City Commission member will have the opportunity to make comments or discuss any items of concern.

(e) City Manager and City Attorney Reports and/or Correspondence

During this section, the City Manager and City Attorney will have the opportunity to make comments, provide updates, or discuss any items of concern.

(f) Public Hearings

Public hearings shall be scheduled at regular meetings of the month unless otherwise determined by the City Commission or State Statute. The procedures followed for public hearings are generally as follows:

- (1) The City Manager, or their designee, should describe the Agenda item to be considered and provide the Staff recommendation. The Presiding Officer should then inquire as to whether any City Commission members have questions for the administration. After the City Commissioner's questions are answered, the Presiding Officer opens the public hearing and requests comments from the public. Generally, the petitioner or proponent for the issues in the Public Hearing is invited to address the City Commission first.
- (2) Following public comment (if any), the Presiding Officer closes the Public Hearing. Discussion and consideration of the matter will follow under "Unfinished Business" where a City Commission member may put forth a motion.

(g) Public Comment

The City Commission recognizes the importance of protecting the rights of its citizens and taxpayers to express their opinions on the operation of City government and encourages citizen participation in the local government process. The City Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely and proper manner.

The purpose of the public comment portion of the meeting is to receive citizen input pertaining to matters over which the City Commission has jurisdiction or control. This period of time is for comments and not for questions directed to the City Commission or Staff for immediate answer or for debate. Questions directed to the City Commission may be referred to Staff to be answered within a reasonable period of time following the date of the meeting. The City Commission shall not take final action at the same meeting on items addressed under this section. Final action can only be taken if the City Commission waives its Rules of Procedures. The City Commission can direct Staff to place any item requiring final action on an upcoming City Commission Meeting or Workshop. The exceptions are items of an emergency nature so declared.

No citizen shall speak until duly recognized by the Presiding Officer, and they shall immediately cease speaking and relinquish the podium when requested by the Presiding Officer. After being recognized, the citizen shall:

- (a) Step up to the podium and give their name and address;
- (b) State the topic or position (for/against) of the item under discussion; and
- (c) Address all remarks and questions to the City Commission as a body, and not a member thereof, except through the Presiding Officer.

Five (5) minutes shall be allotted to each citizen who wishes to speak at this time, unless more time is granted by the Presiding Officer or City Commission. A citizen cannot yield time to another citizen.

NOTE: Citizens are encouraged to call the appropriate City department during regular business hours. If you have contacted the department and for some reason results were not satisfactory, please call the director of the department or the City Manager's office.

Employees of the City may address the City Commission on matters of public concern. Employee comments that address an active grievance/arbitration, employee appeal matter (all of which are covered in the Personnel Policies and Procedures Manual) or a personnel dispute will not be entertained as part of citizen comments. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

(h) Consent Agenda

The Presiding Officer shall inquire if any City Commission member wishes to withdraw any items from the Consent Agenda. If any item is withdrawn by any member of the City Commission, the Presiding Officer addresses those item(s) individually following the vote on the motion to approve the other Consent Agenda items.

(i) Council Business

Items in this section are reports or requests presented by the City Attorney, City Clerk, City Commission member, City Manager, or Staff for City Commission consideration.

(j) Adjournment

No meeting shall be permitted to continue beyond 10:00 p.m. without the approval of a majority of the City Commission. A new time limit must be established before taking a City Commission vote to extend the meeting. In the event that a meeting has not been closed or continued by City Commission vote prior to 10:00 p.m., the items not acted on are to be continued to 8:30 a.m. on the following day, unless state law requires hearing at a different time or unless the City Commission, by majority vote of members present, determines otherwise.

RULE 28 BOARDS, COMMITTEES, AND MEETINGS

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; the committee will not be involved in directing staff.

- (a) The City Manager/City Clerk's office shall furnish the Chair of each advisory board or committee copies of all Resolutions or Ordinances that pertain to that committee. Such information shall be delivered to the committee Chair within one (1) week after adoption by the City Commission, or as soon thereafter as possible.
- (b) Appointment to citizen advisory boards/committees shall be by roll call vote during a regular City Commission meeting. Priority must be given to applicants from the City of Apalachicola.
- (c) All citizen advisory boards/committees or other bodies shall meet at the Community Center, 1 Bay Avenue, 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. The news media shall be notified and appropriate notice shall be posted at City Hall. All meetings shall comply with state law regarding public meetings.
- (d) 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. Committee members shall be approved by the City Commission. 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.
- (e) All citizen advisory boards/committees or other bodies shall provide the minutes taken at each meeting to the City Clerk. All communications to the City Commission from such boards, committees, or other bodies shall be received by the City Commission's Presiding Officer with a copy to the City Clerk.
- (f) All Chairpersons of citizen advisory boards/committees or other bodies may provide updates to the City Commission at its regularly scheduled meetings. All requests for presentations shall be submitted to the Office of the City Manager or City Clerk.
- (g) City employees shall not be precluded from serving on citizen advisory or other committees so long as membership requirements are met.
- (h) The City Commission may make exceptions to the above general policy on a case-by-case basis when necessary to: preserve the stability of the board or committee; retain a

particular appointee because of his/her special expertise or knowledge; or for such other circumstances as the City Commission deems warranted.

- (i) 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, or policies may be disallowed from membership on citizen advisory boards or committees by a majority vote of the City Commission.
- (j) Citizen advisory boards and committees created by or in response to federal or state statutory requirements shall conduct business consistent with these guidelines unless otherwise provided for by such federal or state statutory requirements.
- (k) Citizen advisory boards and committees are required to adhere to the "Guidelines for Citizen Advisory Boards and Committees" as approved by the City Commission. These guidelines are incorporated below.

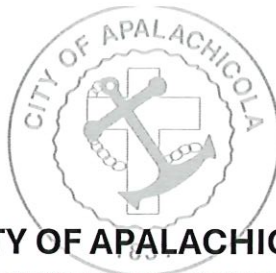
GUIDELINES FOR CITIZEN ADVISORY BOARDS AND COMMITTEES

- (1) Committees are to be designated as standing or special (ad hoc).
- (2) A sunset date will be specified for special committees when appropriate.
- (3) Transition between Members: By-laws, enacting Ordinances, guiding document, etc. will include language, which provides for members (whose terms have expired) to continue serving until the appropriate appointments are made.
- (4) Term length for serving on any standing committee will be a minimum of two (2) years unless otherwise specified (e.g. State Statute may require term lengths of less than two (2) years, board/committee enacting Ordinance provisions).
- (5) Attendance:
 - (a) Reports/notices of absences are made to the board or committee Chair (or Staff liaison if the Chair is unavailable).
 - (b) The board of committee liaison will provide written notice of attendance violations to the City Commission Presiding Officer. The City Commission will be responsible for removing members who do not meet the attendance requirement.
 - (c) Absence from four (4) consecutive regular meetings of the advisory board or committee shall operate to vacate the seat of a member, unless such absence is excused by the City Commission by Resolution setting forth the fact of such excuse duly entered into the minutes.
- (6) Election of Officers: All board and committee officers (i.e. Chair, Vice Chair, etc.) shall be elected by the membership of the citizen advisory board or committee, unless otherwise specified.

- (7) Meeting Frequency:
- (a) At a minimum, all boards and committees shall meet once per year.
 - (b) The names of those boards and committees that do not meet this minimum requirement shall be submitted to the City Clerk's Office.
 - (c) Recommendations to dissolve committees or other recommended action will be submitted to the City Commission for consideration.
 - (d) Any advisory board or committee whose officers are elected/appointed as prescribed in federal/state statute shall be exempted from Guideline No. 6.
- (8) Parliamentary Procedure: As appropriate, Robert's Rules of Order may be used as a guide in conducting board and committee meetings.

RULE 29 SUSPENSION AND CONSTRUCTION OF RULES

No permanent change in the standing rules shall be made without notice specifying the purpose and wording of the change given at a previous regular meeting of the Commission and the adoption of the permanent change by a vote of four-fifths (4/5) of all members. The Rules of Procedure are for the efficient and orderly conduct of City Commission business only. No violation of such rules shall invalidate any action of the City Commission when approved by a majority vote required by law.



CITY OF APALACHICOLA CITY CLERK'S DEPARTMENT REPORT

January 2025

- Processed and mailed out utility bills before the end of the month
- Completed Billing Clerk's monthly tasks and conducted account audits
- Compiled agenda packets and emailed to Commission and City Attorney.
- Notified 2K Web Group to upload meeting agenda packets to website and post meeting dates and times to website.
- Assisted customers with cemetery items, utility bill questions and payments, garbage/yard trash complaints, public records request, golf cart decals, Battery Park ramp stickers, business licenses, and other miscellaneous duties.
- Processed ACH billing
- Audited Waste One Garbage Invoice and reconciled accounts that were in error
- Completed tasks as assigned by the City Manager and Mayor.
- Fulfilled 4 Public Records Request; 2 open requests
- Completed and mailed general monthly billing.
- Assisted Staff with various issues and projects.
- Assisted employees with HR related issues
- Issued 24-25FY Business Tax Receipts
- Completed billing adjustments and Water deposit refund requests
- Responding to emails and fulfilling requests that requires research
- Additional tasks related to maintaining the Clerk's Office and overseeing Utility Billing

City of Apalachicola
Public Works Department Report
January 2025

The public works department, services all city vehicles and replaces all the tires on city vehicles, services all the mowers and weed eaters, cuts all city parks, cut all city properties, empty all garbage cans down town and city parks, clean city right of ways, cut city right of ways, and patch holes on city roads as needed.

- Completed 4 work orders.
- Serviced one city vehicle.
- collected trash from downtown and public parks.
- cut our routine main roads parks and cemeteries.
- Loaded and hauled several loads of yard debris.
- Removed debris from several locations in city.
- Removed several dead palm trees.
- Changed tires on 2 zero turn mowers.
- Cleaned and removed debris from storm drain on Market St. and Ave. L.
- Replaced brakes on city vehicle(s).
- Replaced round about sign on Ave D at old library.
- Cut Trees, removed debris/trash from (Magnolia & Snow Hill Cemetery)
- Repaired potholes on Peachtree rd.
- Repaired potholes Downtown
- Cleaned all Storm drains throughout city
- Replaced 4 broken 2x10's, Riverfront dock
- Placed and Removed 6 concrete barriers from Downtown (Oyster Festival)
- Removed/Hauled several loads of trash & debris from (Magnolia Cemetery)
- Replaced hand rails and
- duckwork at (Raney House)
- Replaced all A/C filters in City Building's
- Watered Palm Tree's on Hwy 98

COMPLETED BY : Greg Harris



CITY OF APALACHICOLA CODE ENFORCEMENT

192 Coach Wagoner Blvd * Apalachicola, Florida 32320 * 850-653-8222

CODE ENFORCEMENT OFFICE

January 2025

4 (City) Tree Permits

3 Tree Permits

91 Short term Rentals at 56 different locations

Daily Phone Inquiries & Emails Answered

Daily inspections

Code Violation Issues:

- Short-term Rentals (2) – residential (ongoing)
- Nuisance (Trash, waste, burning, etc.) 1 in progress
- Encroachment issues (1) on-going
- Multiple complaints and questions about various code enforcement

APALACHICOLA VOLUNTEER FIRE/RESCUE

Dec 2024
29 calls

Bi-Monthly Report

1. Accidents	<u>1</u>	7. Gas Leaks	_____
2. Lift Assist EMS	<u>28</u>	8. Life Flights	_____
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	_____
4. Brush Fires	<u>1</u>	10. Training	<u>2</u>
5. House Fires	<u>2</u>	11. Transformer Fires	_____
6. Fund Raisers	_____	12. Vessels	_____

1st Responses Calls 26

Firefighter Attendance

1. George Watkins	<u>5</u>	11. Holden Foley	_____
2. Fonda Davis	<u>4</u>	12. <u>Avery</u>	<u>6</u>
3. Ginger Creamer	<u>21</u>	13. Bruce Hoffman	<u>5</u>
4. Albert Floyd	<u>5</u>	14. Ashley Teat <u>Colin</u>	<u>4</u>
5. Rhett Butler	<u>3</u>	15. Anthony Croom	<u>4</u>
6. Mark Creamer	_____	16. Michael Taylor <u>Amy</u>	<u>3</u>
7. Palmer Philyaw	<u>1</u>	17. Brooke Newell	_____
8. Mike Vreogop	<u>0</u>	18. Shannon Segree	<u>11</u>
9. Troy Segree	<u>22</u>	19. Adam Joseph	<u>8</u>
10. Rick Hernandez	<u>0</u>	20. Craig Gibson	<u>3</u>

Additional Notes:

Recorded by: _____

Date: _____

APALACHICOLA VOLUNTEER FIRE/RESCUE

Nov 2024
26 calls

Bi-Monthly Report

1. Accidents	<u>4</u>	7. Gas Leaks	_____
2. Lift Assist EMS	<u>17</u>	8. Life Flights	<u>1</u>
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	_____
4. Brush Fires	_____	10. Training	<u>1</u>
5. House Fires	<u>1</u>	11. Transformer Fires	_____
6. Fund Raisers	_____	12. Vessels	_____

1st Responder calls *30*

Firefighter Attendance

1. George Watkins	<u>5</u>	11. Holden Foley	_____
2. Fonda Davis	<u>4</u>	12. <i>Avery Scott</i>	<u>5</u>
3. Ginger Creamer	<u>23</u>	13. Bruce Hoffman	<u>8</u>
4. Albert Floyd	<u>5</u>	14. Ashley Teat <i>Colin</i>	<u>3</u>
5. Rhett Butler	<u>2</u>	15. Anthony Croom	<u>3</u>
6. Mark Creamer	_____	16. Michael Taylor <i>Amy</i>	<u>2</u>
7. Palmer Philyaw	<u>0</u>	17. Brooks Newell <i>Ricky</i>	<u>0</u>
8. Mike Vroegop	<u>0</u>	18. Shannon Segree	<u>6</u>
9. Troy Segree	<u>19</u>	19. Adam Joseph	<u>6</u>
10. Rick Hernandez	<u>0</u>	20. Craig Gibson	<u>10</u>

Additional Notes:

Recorded by: _____

Date: _____

Apalachicola Margaret Key Public Library Turns the Page on January 2025



Library hours are 10am to 6pm Monday – Friday, and Sundays from 12pm to 4pm.
We are YOUR City of Apalachicola Library. Come sign up for your FREE Apalachicola library card. Any library offering is FREE to the public.
Our 'Friends of the Library group' is the Patrons of the Apalachicola Library Society (PALS). They are a 501c3 nonprofit and membership forms to join are in the library.
Follow us on Facebook or Instagram @Apalachicolapubliclibrary for the latest!

December 2025 Statistics: - 2,350 patrons visited our library!!! (Even with multiple snow days and two holidays!) - 25 new accounts opened!! – 232 patrons used our computers - 538 books/movies/items circulated - 314 items donated to the library - \$745.45 collected as library revenue – 82 hours donated by our wonderful volunteers – 41,844 people reached on social media We THANK YOU for your patronage!

Happy New Year from the library! We had over 30,000 visitors in 2024 and are sure 2025 will continue to have something for everyone. For the next few months, we are a staff of 1½ employees, please be patient with us. Our beloved Library Director, Lucy Carter, is on medical leave. We are sending our love and best wishes for her complete recovery.

It may be cold outside, but it's warm inside with something for all. A STEAM event organized by PALS volunteer Rich Lenhart, made for an exciting afternoon, with kids creating and racing sail and propeller cars after school on the library grounds. So many participated! PALS also hosted an exciting talk about Coastal Birds & Birding in the Eastern Panhandle with Shorebird Program Manager, Colette Lauzau. The library enjoyed another fly-fishing round table this month, tying flies with PALS member, Shan Raetzloff. Thanks to a donation made by Porch Fest Apalach, PALS presented a twice rescheduled, standing room only (sorry for those that had to be turned away) musical event with local favorites, Clayton & the Preacher. A delightful evening was had by all. The library is grateful for our wonderful volunteers. Remember, this is YOUR library. We also welcome out of town visitors! We invite you to come in, grab a calendar, a free cup of coffee or tea, a few books, and enjoy fellowship with other library visitors.

Your City of Apalachicola Library helps with reading, writing, and learning, and offers a suite of print/copy/scan/fax/and notary services. We loan FREE books, movies, puzzles, board games, and items from our Library of Things, and offer FREE audio books, e-books, and digital magazines through the Libby app. We also have a Book sale space on-site with FREE magazines. All donations go to our Friends of the Library group, PALS. We also offer Yoga weekly (in a by-donation class) on Mondays @ 6:15pm, Bring Me A Book Forgotten Coast hosts 'Books for Babies' weekly on Tuesday mornings @ 10:30am, and Mahjong meets on Wednesday and Fridays mornings @ 10. Our once-a-month Book Club meets each 3rd Wednesday @ 6pm; and Homework Help (FREE tutoring!) is by appointment.

Let us know how we can serve you!

Call: 850-653-8436 or email: apalachicolalibrary@gmail.com

Welcome February!

Isel Sánchez-Whiteley & Barbara 'Nissie' McNair, Library Assistants
Lucy Carter, Library Director

Jan 2025 Building Dept. Report

Jurisdiction	Payment Date	Assessed To	Amount Paid	DBPR	DCA	Receipt Number
Apalachicola	01/30/2025	25AP-FD0001	\$100.00			2117
Apalachicola	01/29/2025	25AP-RB0003	\$159.00			2115
Apalachicola	01/29/2025	25AP-RB0003		\$2.00		2115
Apalachicola	01/29/2025	25AP-RB0003			\$2.00	2115
Apalachicola	01/29/2025	25AP-E0003	\$100.00			2113
Apalachicola	01/29/2025	25AP-E0003		\$2.00		2113
Apalachicola	01/29/2025	25AP-E0003			\$2.00	2113
Apalachicola	01/29/2025	25AP-P0001	\$100.00			2116
Apalachicola	01/29/2025	25AP-P0001		\$2.00		2116
Apalachicola	01/29/2025	25AP-P0001			\$2.00	2116
Apalachicola	01/29/2025	22AP-P0019	\$75.00			2114
Apalachicola	01/29/2025	22AP-P0019		\$2.00		2114
Apalachicola	01/29/2025	22AP-P0019			\$2.00	2114
Apalachicola	01/28/2025	25AP-E0002	\$75.00			2111
Apalachicola	01/28/2025	25AP-E0002		\$2.00		2111
Apalachicola	01/28/2025	25AP-E0002			\$2.00	2111
Apalachicola	01/28/2025	25AP-SR0002	\$100.00			2112
Apalachicola	01/28/2025	25AP-SR0002		\$2.00		2112
Apalachicola	01/28/2025	25AP-SR0002			\$2.00	2112
Apalachicola	01/27/2025	25AP-RB0002	\$1,231.50			2109
Apalachicola	01/27/2025	25AP-RB0002	\$250.00			2109
Apalachicola	01/27/2025	25AP-RB0002	\$250.00			2109
Apalachicola	01/27/2025	25AP-RB0002		\$17.32		2109
Apalachicola	01/27/2025	25AP-RB0002			\$25.97	2109
Apalachicola	01/27/2025	25AP-E0001	\$100.00			2110
Apalachicola	01/27/2025	25AP-E0001		\$2.00		2110
Apalachicola	01/27/2025	25AP-E0001			\$2.00	2110
Apalachicola	01/21/2025	25AP-WR0002	\$250.00			2108
Apalachicola	01/21/2025	25AP-WR0002			\$5.25	2108
Apalachicola	01/21/2025	25AP-WR0002		\$3.50		2108
Apalachicola	01/21/2025	25AP-WR0002	\$100.00			2108
Apalachicola	01/17/2025	25AP-SID0001	\$100.00			2107
Apalachicola	01/17/2025	25AP-SID0001		\$2.00		2107
Apalachicola	01/17/2025	25AP-SID0001			\$2.00	2107
Apalachicola	01/16/2025	25AP-SR0001	\$100.00			2106

Apalachicola	01/16/2025	25AP-SR0001		\$2.00							2106
Apalachicola	01/16/2025	25AP-SR0001						\$2.00			2106
Apalachicola	01/15/2025	25AP-AC0001	\$100.00								2102
Apalachicola	01/15/2025	25AP-AC0001		\$2.00							2102
Apalachicola	01/15/2025	25AP-AC0001						\$2.00			2102
Apalachicola	01/15/2025	25AP-WR0001	\$100.00								2105
Apalachicola	01/15/2025	25AP-WR0001		\$2.00							2105
Apalachicola	01/15/2025	25AP-WR0001						\$2.00			2105
Apalachicola	01/15/2025	25AP-MEP0001		\$2.00							2104
Apalachicola	01/15/2025	25AP-MEP0001						\$2.00			2104
Apalachicola	01/15/2025	25AP-MEP0001	\$100.00								2104
Apalachicola	01/15/2025	25AP-MEP0001	\$100.00								2104
Apalachicola	01/15/2025	25AP-MEP0001	\$100.00								2104
Apalachicola	01/15/2025	24AP-RB0030	\$89.00								2103
Apalachicola	01/15/2025	24AP-RB0030		\$2.00							2103
Apalachicola	01/15/2025	24AP-RB0030						\$2.00			2103
Apalachicola	01/13/2025	24AP-RR0027	\$100.00								2101
Apalachicola	01/13/2025	24AP-RR0027		\$2.00							2101
Apalachicola	01/13/2025	24AP-RR0027						\$2.00			2101
Apalachicola	01/09/2025	25AP-RB0001	\$257.00								2100
Apalachicola	01/09/2025	25AP-RB0001		\$2.57							2100
Apalachicola	01/09/2025	25AP-RB0001						\$3.85			2100
Apalachicola	01/08/2025	24AP-E0041	\$75.00								2099
Apalachicola	01/08/2025	24AP-E0041		\$2.00							2099
Apalachicola	01/08/2025	24AP-E0041						\$2.00			2099
Apalachicola	01/06/2025	24AP-S0008	\$112.00								2098
Apalachicola	01/06/2025	24AP-S0008		\$2.00							2098
Apalachicola	01/06/2025	24AP-S0008						\$2.00			2098

\$4,223.50

\$55.39

\$67.07

Building Dept Fee Report

Apalachicola	97 Avenue L	Foundation	\$103.00			2084
Apalachicola	97 Avenue L	DBPR		\$2.00		2084
Apalachicola	97 Avenue L	DCA			\$2.00	2084
Apalachicola	98 12th Street	HVAC - Commercial	\$75.00			2083
Apalachicola	98 12th Street	DBPR		\$2.00		2083
Apalachicola	98 12th Street	DCA			\$2.00	2083
Apalachicola	135 17th Street	Residential Accessory Structure	\$103.00			2082
Apalachicola	135 17th Street	DBPR		\$2.00		2082
Apalachicola	135 17th Street	DCA			\$2.00	2082
Apalachicola	211 13th Street	Residential Accessory Structure	\$117.00			2081
Apalachicola	211 13th Street	DBPR		\$2.00		2081
Apalachicola	211 13th Street	DCA			\$2.00	2081
Apalachicola	48 Avenue H	Electrical - Residential	\$100.00			2080
Apalachicola	48 Avenue H	DBPR		\$2.00		2080
Apalachicola	48 Avenue H	DCA			\$2.00	2080
Apalachicola	79 6th Street	HVAC - Commercial	\$75.00			2077
Apalachicola	79 6th Street	DBPR		\$2.00		2077
Apalachicola	79 6th Street	DCA			\$2.00	2077
Apalachicola	228 8th Street	Accessory Structure Commercial	\$90.00			2078
Apalachicola	228 8th Street	Remodel/Additions Commercial	\$100.00			2078
Apalachicola	228 8th Street	DBPR			\$2.85	2078
Apalachicola	228 8th Street	DCA		\$2.00		2078
Apalachicola	228 8th Street	Accessory Structure Commercial	\$90.00			2079
Apalachicola	228 8th Street	DBPR		\$2.00		2079

Apalachicola	228 8th Street	DCA			\$2.00	2079
Apalachicola	231 17th Street	HVAC - Residential	\$100.00			2076
Apalachicola	231 17th Street	DBPR		\$2.00		2076
Apalachicola	231 17th Street	DCA			\$2.00	2076
Apalachicola	221 Whispering Pines Circle	HVAC - Residential	\$100.00			2075
Apalachicola	221 Whispering Pines Circle	DBPR		\$2.00		2075
Apalachicola	221 Whispering Pines Circle	DCA			\$2.00	2075
Apalachicola	120 Avenue I	Electrical - Commercial	\$75.00			2074
Apalachicola	120 Avenue I	DBPR		\$2.00		2074
Apalachicola	120 Avenue I	DCA			\$2.00	2074
Apalachicola	428 24th Avenue	Electrical - Residential	\$100.00			2073

\$1,228.00

\$22.00

\$22.85

Building Dept. Transaction Report

Jurisdiction	Property Address	Fee Type	Fees	DBPR	DCA	Receipt Number
Apalachicola	55 12th Street	Residential Remodel/Addition	\$89.00			2097
Apalachicola	55 12th Street	DBPR		\$2.00		2097
Apalachicola	55 12th Street	DCA			\$2.00	2097
Apalachicola	97 Avenue L	Electrical - Residential	\$100.00			2096
Apalachicola	97 Avenue L	DBPR		\$2.00		2096
Apalachicola	97 Avenue L	DCA			\$2.00	2096
Apalachicola	126 14th Street	HVAC - Residential	\$100.00			2095
Apalachicola	126 14th Street	DBPR		\$2.00		2095
Apalachicola	126 14th Street	DCA			\$2.00	2095
Apalachicola	66 7th Street	Other - Residential	\$100.00			2093
Apalachicola	66 7th Street	DBPR		\$2.00		2093
Apalachicola	66 7th Street	DCA			\$2.00	2093
Apalachicola	25-5th St	HVAC - Residential	\$100.00			2094
Apalachicola	25-5th St	DBPR		\$2.00		2094
Apalachicola	25-5th St	DCA			\$2.00	2094
Apalachicola	97 Avenue L	Building Permit Fee - Residential	\$639.50			2092
Apalachicola	97 Avenue L	Plan Review Residential	\$75.00			2092
Apalachicola	97 Avenue L	DBPR		\$10.72		2092
Apalachicola	97 Avenue L	DCA			\$7.15	2092
Apalachicola	231 Atlantic Avenue	Plumbing - Residential	\$100.00			2091
Apalachicola	231 Atlantic Avenue	DBPR		\$2.00		2091
Apalachicola	231 Atlantic Avenue	DCA			\$2.00	2091

Apalachicola	316 Earl King Street	DBPR		\$2.00			2090
Apalachicola	316 Earl King Street	DCA			\$2.00		2090
Apalachicola	87 Avenue D	Residential Remodel/Addition	\$1,494.50				2089
Apalachicola	87 Avenue D	DBPR (manual)		\$16.44			2089
Apalachicola	87 Avenue D	DCA (manual)			\$24.67		2089
Apalachicola	87 Avenue D	Plan Review Residential	\$150.00				2089
Apalachicola	160 5th Street	Other - Residential	\$100.00				2087
Apalachicola	160 5th Street	DBPR		\$2.00			2087
Apalachicola	160 5th Street	DCA			\$2.00		2087
Apalachicola	160 5th Street	Residential Remodel/Addition	\$804.00				2088
Apalachicola	160 5th Street	Plan Review Residential	\$75.00				2088
Apalachicola	160 5th Street	DBPR		\$2.00			2088
Apalachicola	160 5th Street	DCA			\$2.00		2088
Apalachicola	75 Commerce Street	Roof/Reroof Commercial	\$189.00				2085
Apalachicola	75 Commerce Street	DBPR		\$2.84			2085
Apalachicola	75 Commerce Street	DCA			\$2.00		2085
Apalachicola	82 Bay Avenue	Electrical - Residential	\$100.00				2086
Apalachicola	82 Bay Avenue	DBPR		\$2.00			2086
Apalachicola	82 Bay Avenue	DCA			\$2.00		2086
				\$4,216.00	\$50.00	\$53.82	