

A Joint Workshop, Public Hearing and Regular Meeting of the City Commissioner of the City of Apalachicola was held on Tuesday, June 6, 2017 starting at 5:00 PM at the Apalachicola Community Center, 1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Van Johnson, Commissioner Jimmy Elliott, Commissioner Brenda Ash, Commissioner Mitchell Bartley, Commissioner Frank Cook, City Administrator Lee Mathes, City Clerk Deborah Guillotte, Chief of Police Bobby Varnes, City Attorney Pat Floyd

Visitors: David Meyer, Cindy Clark, Holly Paul, Angela Segree, Lee Segree, Amy Grissom, Nancy Culp, Meagan Lively, Jerome & Aurora Croom, Beth Wright, Clarice Powell, Charlean Lanier, Deborah Belcher, Patricia Garrett, Michelle Sizemore, Carrie Kienzle, Anita Grove, Valentina Webb, Pat Carroll, Pam Richardson, Tasia Jones, Mindy Parker, Joshua Lynn, Dave & Michaelin Watts, Gary Hewett, Scott Payne, Jan Thomas, Augusta West, David Adlerstein, Falan Goff, Bonnie Fulmer, George Coon, Lynn Wilson, Richard Dagenhart, Edward Michaels, Bonnie Davis, Willoughby & Marie Marshall, Sara Madson, Karen Kessel, Diane Brewer, Santana Myers, Alisa Hendels, Dave Plavcan, Jasmine Lewis, Marcia Thomas, Rosa Tolliver, Theresa McClendon, Patricia Lane, Mike Shannon, Andrew & Izzy Butler, Star McKee, Kerri Wallace, Tammetrius Farmer, Tammy Farmer, Tanicia Pugh, Holly Brown, Shaun Donahoe

Workshop opened by Mayor Johnson followed by prayer and pledge.

JOINT WORKSHOP WITH PLANNING & ZONING – 5:00 PM – TRANSIENT LODGING

Cindy Clark, City Planner, reviewed proposed amended changes to the C1 and C4 District to restricting the B&B usage to the second floor in the LDC Code. These recommended changes are in three categories: Definitions Section – Chapter 2, Zoning District Regulations – Chapter 4, and Transient Lodging Regulations - Chapter 6.

Lynn Wilson-Spohrer commented on handicap access to upper floors for B&B and kitchenettes in motels, hotels, and inns.

Discussion held.

Attorney Floyd commented that we are trying to improve and change the requirements for a variance to make sure the residents meet them for the benefit of the citizens of Apalachicola.

Uta Hardy suggested making the short-term rentals that are already downtown into long term rentals to make them legal.

Attorney Floyd asked if there is a definition for the 500 square feet in apartments for living space.

Ms. Clark stated yes there is.

Workshop adjourned. Public hearing opened.

PUBLIC HEARING – ORDINANCE 2017-06 – STORMWATER MANAGEMENT UTILITY SYSTEM

Attorney Floyd read Ordinance No. 2017-06 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA PROVIDING FOR A STORMWATER MANAGEMENT UTILITY SYSTEM, SPECIFYING TERMS AND PROCEDURES FOR SAID SYSTEM; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

No public comment.

Attorney Floyd stated ordinance is not ready for adoption at this time.

Public hearing will be continued at July regular meeting.

Regular meeting opened.

REGULAR MEETING

ADOPTION DECISION – ORDINANCE NO. 2017-06

Motion to continue public hearing for Ordinance 2017-06 at July regular meeting made by Commissioner Cook, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

RECOGNITION OF VISITORS

a. Richard Dagenhart – Design and Preservation of Small Towns Presentation

Mayor Johnson would like to hold a workshop with Mr. Dagenhart and Planning & Zoning Board to discuss further.

Ms. Mathes will set up workshop date.

b. Kevin Begos – The Florida League of Women Voters Solar Panel Co-Op Program and the Possibility of the City Generating its own Electricity Through Solar Power Presentation

Mr. Begos distributed and reviewed the FLSUN pamphlet and explained the possibility of the City of Apalachicola and its residents having access to solar power to help cut their power cost. Mr. Begos asked if anyone is interested to please contact him.

Mayor Johnson stated that he would like the City of Apalachicola to look into feasibility of solar power.

Mr. Begos commented that the lease is for at least 20 years and that it would be critical for Attorney Floyd to review this intensely.

Discussion held.

Motion for Attorney Floyd to review this information and look into possibility and feasibility of City of Apalachicola obtaining solar power made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

c. Michaelin Watts – Franklin County Early Education Task Force

Michaelin Watts gave a brief overview of the situation of the Franklin County Head Start Program explaining how the program has lost a location to house the program. Ms. Watts is requesting using some of the rooms located in the A Wing of the Van Johnson Complex to house the Early Learning Center and also request the use of the 6th Street Recreation Center as a temporary home for Early Head Start Program through the school year or until the Early Learning Center is ready for occupancy, whichever is sooner.

Discussion held.

Charlean Lanier, Chairwoman of Capital Area Community Action Agency Board, outlined how funding for the programs works, expressed gratitude to the Task Force for their hard work, and expressed support on keeping the program within Franklin County.

Public comment received.

Mayor Johnson states he supports this Early Head Start Program and requests approval from the board to use the Van Johnson Complex and 6th Street Recreation Center.

Commissioner Ash stated she has a concern about the tenants that occupy the spaces that Head Start will occupy, and how this will be resolved.

Sarah Madson commented she has one of the rented offices and that she supports this Early Head Start Program but asks that current occupants be accommodated in a timely manner so that their services will not be disrupted.

Mayor Johnson stated these current renters will be moved to another wing of the complex.

Commissioner Ash requested a preliminary report be given to the board as soon as possible.

Motion to approve Early Head Start Program to occupy rooms in the A Wing of the Van Johnson Complex to house the program and approve use of 6th Street Recreation Center as a temporary facility until renovations are complete at the Johnson Complex made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

d. Bob Lindsley – MLS Librarian Pay Scale Discussion – Withdrawn from agenda.

e. Jan Thomas – Request to make Penton Street One-Way Street

Jan Thomas outlined her request to make Penton Street a one-way street from Water Street to Highway 98.

Cindy Clark asked if diagonal parking would be available.

Wilbur Bellew commented there is not enough room for parking.

Motion to approve making Penton Street a one-way street from Water Street to Highway 98 made by Commissioner Elliott, second by Commissioner Ash.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

f. Themo Patriotis – Paddle Jam Event and Paddle Park Concept – Not present.

g. Mack Faircloth – Encroachment Request – 192 Avenue G

Mack Faircloth requests an encroachment agreement at 192 Avenue G for front porch and metal boat shed.

Motion to approve encroachment agreement at 192 Avenue G for front porch and metal boat shed made by Commissioner Elliott, second by Commissioner Bartley.

Discussion held.

Commissioner Elliott withdrew motion.

Mayor Johnson recommends giving encroachment agreement for the covered front porch only.

Motion to grant encroachment agreement at 192 Avenue G for covered front porch only and not granting encroachment agreement for metal boat shed made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

h. Shawn Donahoe – Encroachment Request – 142 4th Street

Shawn Donahoe requests an Encroachment Agreement at 142 4th Street for an existing two car garage built in 1992.

Motion to authorize the existing setbacks and encroachment of the wood garage onto street and alleyway into the right-of-way of Avenue F and alleyway adjacent to Lot 1, Block 7 made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

FAMU – Falan Goff

Falan Goff gave update on incubator progress and upcoming events.

MAINSTREET – Augusta West

Augusta West gave update on July 3rd celebration, Bowery market days, DOT Landscaping Project, and CRA.

Chief Varnes confirmed that Commerce Street between Avenue G and Avenue F will be blocked during the Bowery Market event.

CDBG SEWER EXTENSION PROJECT CHANGE ORDER #6 – Debbie Roumelis

Debbie Roumelis commented that she had a resident that had commended William Cox for going over and beyond in helping her with sewer issue.

Debbie Roumelis requests authorization to approve Proposed Change Order #6 to the CDBG Contract with North Florida Construction for \$2,882.25.

Mayor Johnson asked where the funds will come from.

Ms. Mathes stated sewer repair maintenance line item in the budget.

Motion to authorize Mayor Johnson's signature for Change Order #6 to the CDBG Contract with North Florida Construction for \$2,882.25 and a previous Change Order approved for \$2,064.93 for a total of \$4,987.18 to be taken from sewer repair maintenance budget line item made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

APPROVAL OF MAY MINUTES

Motion to approve May minutes made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

APPROVAL OF APRIL BILL LIST

Motion to approve April Bill list made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

ADOPTION DECISION – Mayor’s Election Proclamation

Attorney Floyd read Mayor’s Election Proclamation in its entirety.

Motion to approve Mayor’s Election Proclamation made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

FLORIDA RETIREMENT SYSTEM – Senior Management Positions Designation

Ms. Mathes outlined the positions which qualify for the FRS Senior Management Class.

Mayor Johnson recommends Attorney Floyd review the job description of the positions outlined to verify they qualify for the senior management rate.

Motion to authorize Attorney Floyd review job description of the positions outlined to verify they qualify for the senior management rate made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

PARK & FACILITY RENTAL FEE – Fee Waiver for Local Residents

Ms. Mathes stated fee waiver for parks for local residents was discussed during budget workshops, but the adopted resolution does not waive fee for local residents.

Mayor Johnson asked if it was the intent of the City Commission to waive fee for local residents.

Ms. Mathes stated that is what she understood.

Mayor Johnson requests Attorney Floyd amend existing resolution to include park fee waiver for local residents with local resident being defined as registered voter within the Apalachicola city limits.

Motion to authorize Attorney Floyd to amend resolution to include park fee waiver for local residents with local resident being defined as registered voters in the city limits of the City of Apalachicola made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

RECREATION COMMITTEE APPOINTMENTS

Ms. Mathes stated four applicants have applied thus far.

Mayor Johnson asked if all applicants lived and voted in the city limits of Apalachicola and if not they are not eligible for the appointment.

Ms. Mathes stated three live within City limits, one lives outside City limits.

Mayor Johnson recommends appointing Robin Vroegop, Elinor Mount-Simmons and Diane Brewer to the Recreation Committee and re-advertise to obtain more applicants.

Motion to appoint Robin Vroegop, Elinor Mount-Simmons and Diane Brewer to the Recreation Committee and re-advertise to obtain more applicants made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

EASEMENT REQUEST – Block 266, Lots 14 & 15 – Tom Vieth

Ms. Mathes stated when the County paved this portion of the road, the pavement cuts across the corner of Mr. Vieth's property and also encroaches onto portion of property facing 23rd Street. Mr. Vieth is now ready to build on this property and is requesting an easement releasing him from any liability pertaining to the roadway.

Attorney Floyd stated he can draw up the necessary documents to release him of liability and he can give us an easement.

Motion to authorize Attorney Floyd to proceed in drawing up necessary documents releasing Mr. Vieth of any liability pertaining to the paved roadway, and authorize Mr. Vieth give the City an easement for the paved portion of his property made by Commissioner Elliott, second by Commissioner Bartley.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

JULY REGULAR CITY COMMISSION MEETING – Change Meeting Date

Ms. Mathes stated the July regular meeting falls on July 4th so Commission needs to set another meeting date.

Mayor Johnson recommends July 11th.

Motion to change July meeting date from July 4th to July 11th made by Commissioner Cook, second by Commissioner Ash.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

PLANNING & ZONING

a. Confirm March and May Minutes

Motion to confirm March and May Planning & Zoning Minutes made by Commissioner Ash, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

b. Cindy Clark – City Planner – Monthly Report

Cindy Clark reported DEO has finalized Ordinance 2017-04 and Ordinance 2017-05 regarding building height and non-conforming structures. Ms. Clark requests approval to apply for a technical assistance planning grant for the purpose of creating a comprehensive green-initiative parking mitigation plan.

Motion to authorize Cindy Clark apply for technical assistance planning grant for the purpose of creating a comprehensive green-initiative parking mitigation plan for the City made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

CITY ADMINISTRATOR

1. Ms. Mathes reminded the Commission that the County will be conducting the required 4-hour ethics class Saturday, June 10th from 8 AM – 12 PM in the County Commission meeting room.

2. Ms. Mathes announced that Duke Energy has completed the conversion of all street lights to LED.

3. Ms. Mathes announced the Lafayette Park playground equipment donated by Dave & Michaelin Watts will be delivered June 13th.

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4. Ms. Mathes announced the playground equipment for the Van Johnson Complex has been ordered and the splash pad site work is being completed.

5. Motion to approve payment for Attorney Floyd invoice made by Commissioner Bartley, second by Commissioner Elliott.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

ATTORNEY FLOYD

1. Attorney Floyd stated he and Mr. Bellew are moving forward to correct the issue regarding the garbage bags inside the gas enclosure of Tamara's Café.

2. Attorney Floyd stated he is working with Chief Varnes in changing requirements that will allow charter boats at Battery Park Marina only.

OTHER VISITORS & COMMENTS

1. Bill McCartney thanked the Commission for holding the May 11th workshop and thanked Attorney Floyd for the big platted map. Mr. McCartney updated the Commission on the BP project application and TRIUMPH fund allocations.

Bonnie Davis requested the City post the submitted application online for review.

MAYOR & COMMISSIONER'S COMMENTS

1. Mayor Johnson stated the SHIP Program is accepting low bids for SHIP projects but the contractors are not satisfactorily completing the jobs. The projects are being signed off on by the SHIP inspector and the contractor is being paid off when work is not complete. Mayor Johnson inquired from Attorney Floyd how we can legally stop this from happening in the City.

Attorney Floyd he will get with Mr. Bellew and see what can be done to get the contractor's license suspended in the City of Apalachicola.

2. Mayor Johnson stated Ms. Webb has applied to the NFWMD for approximately \$3 million to expand sewer from the Hut Restaurant location to the County boat ramp located at old Lombardi property. Mayor Johnson would like the City to annex this specific portion of Hwy 98 to serve as a commercial district for the City for large scale development to take pressure off development in historic district. Mayor Johnson would like to annex the FCT property the City owns and is obligated to annex, the above mentioned property on Hwy 98, and the airport.

Mayor Johnson requests authorization for Attorney Floyd to research these properties for annexing into the City of Apalachicola.

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Motion to authorize Attorney Floyd to research and review the FCT property, Hwy 98 from Hut Restaurant location to County boat ramp located at old Lombardi's property, and the airport for possible annexing with a map showing development into City of Apalachicola made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0

Voting Aye: Cook, Bartley, Ash, Elliott, Mayor Johnson

Voting Nay: None

3. Mayor Johnson discussed and outlined issue with Joe Taylor, Executive Director of Franklin's Promise Coalition and Facility Manager of the Johnson Complex, about not having access to get into rooms when requested. Mayor Johnson stated City Staff also had no keys to these offices. Mayor Johnson recommends having Helen Escobar become the facility manager at the Johnson Complex.

Commissioner Ash stated City Hall should have keys to all City owned buildings and offices.

Motion to change facility manager at Johnson Complex temporarily and also look at getting facility managers over other City facilities made by Commissioner Ash.

Motion died for lack of second.

4. Mayor Johnson requests authorization to advertise for City Manager.

City Commission took no action.

There being no further business meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk