

A regular meeting of the City Commission of the City of Apalachicola was held on Tuesday, July 2, 2013 at 6:00 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 Betty Webb, City Clerk Lee Mathes, Attorney Pat Floyd, Chief of Police Bobby Varnes

Visitors: Debbie Belcher, John Solomon, Mike Standley, Liz Kelsey, Erin Rodriguez, Anita Grove, Chris Clark, Cindy Clark, George Coon, Joe Taylor, Tom Gray, Lee Rivers, Robin Vroegrop, David Adlerstein, Michael Shuler, Jim Bachrach, Lesley Coon, Neil Carlton

Regular meeting opened by Mayor Johnson followed by prayer and pledge.

### **RECOGNITION OF VISITORS**

1. Themo Patriots – Mr. Patriotis not present. Ms. Webb stated that Mr. Patriotis is requesting the use of Battery Park and Riverfront Park for October 4-6 for the 1<sup>st</sup> Forgotten Coast Paddle Festival. Purpose of festival is to set the record for the largest gathering of kayaks for the Guinness Book of Records.

Motion to approve concept contingent upon Mr. Patriots coming before Commission with further details made by Commissioner Bartley.

Ms. Webb stated that Mr. Patriotis will come before the Commission with more details as event draws closer.

Commissioner Elliott stated with that number of kayaks, he would like for them to provide a kayak launching ramp.

Motion amended to include stipulation that kayak launching ramp must be provided by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

2. Ms. Webb stated she attended the Franklin County Commission meeting this morning, and the State is planning on having Bay City Work Camp closed by month end. Ms. Webb stated the City is going to have to be creative in getting inmates to the work sites.

Mayor Johnson stated he has met with Dr. Humphries and Dr. Humphries presented some ideas on what he would like to use the Work Camp building for. Dr. Humphries feels that the building can be used for a prep school or for other programs.

**APPROVAL OF MINUTES**

Motion to approve June minutes made by Commissioner Ash, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

**APPROVAL OF BILL LIST**

Motion to approve May bill list made by Commissioner Ash, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

**PLANNING & ZONING REPORT**

1. Proposed Comp Plan Changes relating to FLU Map, CHHA Map, & Historic Squares – 1<sup>st</sup> Reading – Ordinance 2013-01 – Cindy Clark stated comp plan changes have to be submitted to DEO for review prior to adopting ordinance.

Ms. Webb stated from a legal stand point, the first reading might need to be done so the proposed ordinance can become a working document.

Attorney Floyd stated the City doesn't have to have a first reading prior to DEO's review.

Ms. Webb stated without a first reading the City would be transmitting a draft ordinance.

Ms. Clark stated the Commission has to approve to transmit to DEO for review. After DEO review, the City has 180 days to adopt.

Attorney Floyd stated the Commission can approve to transmit with consent to advertise.

Ms. Webb stated a first reading has to be done prior to advertisement.

Attorney Floyd stated the Commission can approve transmission, and also approve first reading.

Ms. Clark outlined proposed Comp Plan changes.

Attorney Floyd read Ordinance 2013-01 by title as follows:

AN ORDINANCE BY THE APALACHICOLA CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA AMENDING THE CITY OF APALACHICOLA COMPREHENSIVE PLAN TO AMEND THE PERMITTED LAND USE OF SEVERAL CITY-OWNED PROPERTIES FROM RESIDENTIAL AND COMMERCIAL TO RECREATIONAL AND PUBLIC FACILITIES; TO AMEND THE CITY'S COASTAL HIGH HAZARD MAP; PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE FOR AN EFFECTIVE DATE

Motion to approve first reading and proceed with advertisement upon DEO review made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

Motion to transmit Comp Plan proposed changes to DEO for review made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

2. Floodplain Management Ordinance – 1<sup>st</sup> Reading – Ordinance No. 2013-02

Ms. Clark outlined proposed ordinance.

Attorney Floyd read Ordinance 2013-02 by title as follows:

AN ORDINANCE AMENDING THE APALACHICOLA CODE OF ORDINANCES TO REPEAL ORDINANCE 2006-03; TO ADOPT A NEW FLOOD PLAIN MANAGEMENT ORDINANCE; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

Motion to approve first reading and proceed with advertisement made by Commissioner Bartley, second by Commissioner Elliott.

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Motion carried 5 to 0.

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

Voting Nay: None

3. Historic Guidelines – 1<sup>st</sup> Reading – Ordinance 2013-03

Ms. Clark outlined proposed ordinance.

Attorney Floyd read Ordinance 2013-03 by title as follows:

AN ORDINANCE ADOPTING THE HISTORIC GUIDELINES INTO THE APALACHICOLA CODE OF ORDINANCES;  
PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE

Motion to approve first reading and proceed with advertisement made by Commissioner Cook, second by Commissioner Bartley.

Motion carried 5 to 0.

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

Voting Nay: None

4. Proposed Land Development Code Revisions Relating to Corner Set Backs –Discussion

George Coon outlined corner setback materials and drawings.

Discussion held.

Item will be further addressed at next regular meeting.

5. Erin Rodriguez – Encroachment Approval – 18 6<sup>th</sup> Street

Ms. Webb stated that Mr. Rodriguez has appeared before both BOA and Planning & Zoning Board. BOA recommends granting encroachment, and Planning & Zoning approved project and supports BOA's decision to grant encroachment.

Motion to grant encroachment on City ROW for renovation of front porch at 18 6<sup>th</sup> Street made by Commissioner Elliott, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

6. Confirm April & May Minutes

Motion to confirm April and May Planning & Zoning minutes made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

**CITY ADMINISTRATOR REPORT**

1. Ms. Webb gave update on Scipio Creek Haul Out Slip Project. Ms. Webb stated she needs approval for a change order in the amount of \$70,296.15. Change order will be covered from DACS funds.

Motion to approve \$70,296.15 change order for Scipio Creek Haul Out Slip Project with funds coming from DACS made by Commissioner Bartley, second by Commissioner Elliot.

Motion carried 5 to 0.

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

Voting Nay: None

2. Ms. Webb gave update on Scipio Creek Renovation Project, DOT Beautification Project, Wet Weather Holding Pond, Stormwater Projects, and Riverfront Sidewalk Project.

3. Debbie Belcher updated Commission on Streetscape Project.

4. Motion to approve payment for Attorney Floyd invoice made by Commissioner Bartley, second by Commissioner Cook.

Motion carried 5 to 0.

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

Voting Nay: None

**ATTORNEY FLOYD REPORT**

Attorney Floyd stated unless the Commission had questions, he had nothing to report.

**OTHER VISITORS & COMMENTS**

1. Tom Gray asked if he could put his boat on the far dock at Battery Park.

Chief Varnes with meet with Mr. Gray.

2. John Solomon updated Commission on Florida Seafood Festival activities. Mr. Solomon stated he needs Commission to adopt resolution to approve parade route because DOT has changed the procedure and approval takes longer.

Motion to adopt Resolution 2013-07 approving FSF parade route made by Commissioner Bartley, second by Commissioner Ash.

Motion carried 5 to 0.

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

Voting Nay: None

3. Joe Taylor outlined July 3<sup>rd</sup> activities.

**MAYOR & COMMISSIONER COMMENTS**

None

There being no further business, meeting adjourned.

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Van W. Johnson, Sr., Mayor

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Lee H. Mathes, City Clerk