

**PUBLIC HEARING & REGULAR MEETING
CITY COMMISSION
CITY OF APALACHICOLA, FLORIDA
TUESDAY, OCTOBER 2, 2018 - 6:00 PM
APALACHICOLA COMMUNITY CENTER
#1 BAY AVENUE
APALACHICOLA, FLORIDA**

AGENDA

You are welcome to speak or comment on any matter under consideration by the Apalachicola Board of City Commissioners 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.

- I. Call to Order
 - Invocation (Please rise and remain standing)
 - Pledge of Allegiance
- II. Agenda Adoption
- III. Mayor's and Commissioners Reports and Communications
- IV. City Manager Communications
 - Paddle Jam
 - Triumph Grant Award
 - Apalachicola Maritime Museum (AMM), George K. Floyd
 - Water Rates and Charges – Suspension of Section 20-19
- V. Attorney Pat Floyd Comments
 - Floating Structure Ordinance Update
- VI. Presentations
 - A. Weems Hospital – Events Update
- VII. Public Hearing - Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service
- VIII. Public Comment

The public is invited to speak on any non-agenda and/or consent agenda topics. Comments should be less than "five" minutes.

All items on the Consent Agenda are considered routine, to be enacted by one motion. If a member of the governing body requests discussion of an item, it will be removed from the Consent Agenda and considered separately.

- IX. Consent Agenda
 - A. Meeting Minutes Adoption
 - **Suggested Motion:** Adopt the September 6, 2018 Budget Workshop; September 11, 2018 First Budget Public Hearing & Special Meeting; September 25, 2018 Second Budget Public Hearing & Special Meeting; and September 4, 2018 Regular Meeting Minutes

- B. Bill List Approval
- **Suggested Motion:** Approve the August 2018 Bill List
- C. Planning & Zoning Minutes Confirmation
- **Suggested Motion:** Confirm the August 2018 Planning and Zoning Minutes
- D. Approval of Capital Health Plan Insurance Plan – 3104
- **Suggested Motion:** To Approve Capital Health Plan – Plan 3104 and Authorize Mayor and City Manager to Execute the Necessary Documents.
- X. Unfinished Business
- A. Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service
- **Suggested Motion:** To Adopt Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service.
- XI. New Business
- A. Half-Lot Minimum Development Standards
- **Suggested Motion:** Not at this time, pending further discussion and possible action by the City Commission.
- B. Resolution 2018-10 Supporting Amendment 9 to Prohibit Offshore Oil and Gas Drilling
- **Suggested Motion:** To Approve Resolution 2018-10 Supporting Amendment 9 to prohibit Offshore Oil and Gas Drilling.
- C. Professional Services – Marketing and Sale of City Owned Property
- **Suggested Motion:** To Authorize the City Manager to Develop and Execute a Final Professional Services Contract with Higgenbotham Auctioneers International Limited, Inc. for Sale of Certain City Owned Property.
- D. Joint Workshop with Tree Committee – Tree Ordinance Revisions
- **Suggested Motion:** To Set a Joint Workshop with the Tree Committee on Tuesday, November 6th at 5 p.m. for the Presentation and Discussion of a Revised Tree Ordinance.
- E. Board of Adjustment Appeal – McLemore Variance Decision
- **Suggested Motion:** To Set a Special Meeting on October __, 2018 at __ p.m. in the _____ Building to Conduct an Appeal Hearing Request from Diane Brewer of the Historic Apalachicola Foundation.
- F. Resolution 2018-11 Requesting that the U.S. Arm Corp of Engineers Resume Removing Snags in the Apalachicola River Channel
- **Suggested Motion:** To Adopt Resolution 2018-11 Requesting that the U.S. Army Corp of Engineers Resume Removing Snags in the Apalachicola River Channel.
- XII. 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.



CITY OF APALACHICOLA

1 Avenue E • Apalachicola, Florida 32320 • 850-653-9319 • Fax 850-653-2205

www.cityofapalachicola.com

Mayor
Van W. Johnson, Sr.

September 28, 2018

Commissioners
Brenda Ash
John M. Bartley, Sr.
James L. Elliott
Anita Grove

TO: Mayor and City Commission

FR: Ron Nalley, City Manager

RE: City Manager Communications – October City Commission Meeting

City Manager
Ron Nalley

During your meeting on October 2nd, I will be giving a brief update on several matters. Below is a summary of those topics:

City Administrator
Lee H. Mathes, MMC

1) Paddle Jam - As you are aware, Paddle Jam is scheduled for October 5th - October 7th and provides three days of paddling, fun, music and food. As in the past, the sponsor of Paddle Jam will be requesting use of City owned facilities. Unfortunately, their request was not ready by Friday's deadline, and will likely be presented to you at your meeting.

City Clerk
Deborah Guillotte, CMC

2) Triumph Grant Award - I am excited to report that the City of Apalachicola was awarded 1.1 million dollars for the Port of Apalachicola – Scipio Creek Basin and Boatyard Improvements Project. The project was well written, received an "A" score, and was unanimously recommended by the Triumph Board for funding. As you know, the proposal will fund improvements to the Scipio Creek Basin boat yard, landing docks and the historic Popham Building to improve usability for the commercial fishing fleet and the boat building program associated with the Maritime Museum. It is important to remember that due to ownership of the property and past successful grant awards, there is no cash match from the City associated with this project. Staff from the City and Triumph held a conference call last week and we are in the process of developing a "Term Sheet," which will outline the terms of the grant award. Once the City and the Triumph Board approve the "term sheet" agreement, the City will be able to move forward with a final contract and proceed with the project. A huge thanks to Bill McCartney and Augusta West for their work in writing and developing the grant proposal and to everyone for their support of the project! Congratulations everyone!

City Attorney
J. Patrick Floyd

3) Apalachicola Maritime Museum (AMM), George K. Floyd – Mr. Floyd has contacted the City regarding a maritime lease proposal with the following terms:

a) Dockage lease for AMM boats (paddlewheel, heritage et al) of 120 feet in length;

- b) Payment of \$1 and other good and valuable consideration per year for usage;
- c) Terms to automatically renew annually with two year advanced notice of termination;
- d) Permanent floating dockage with ramp for pedestrian access (48'x12');
- e) Three phase power, water tap and trash pickup from City;
- f) Unanimous Resolution of Support for Restore grant for Popham Building with all funds to be utilized directly for restoration;
- g) AMM building approval with green roof and elevator access, with no further involvement by City Planning and Zoning;

I do have concerns with this proposal from the City's perspective and would ask that each of you contact me individually about this lease.

- 4) Water Rates and Charges – Suspension of Section 20-19 – Ordinance 2008-02, Section 20-19 imposes a penalty of ten percent (10%) if payment for water and sewer charges is not made before the eleventh day after the charges become due and payable. Due to the steep increase of water and sewer rates, I would like permission from the Commission to suspend Section 20-19 of the Ordinance for two months so our customers can use this time to absorb the new rate structure. All other aspects of the Ordinance will remain in place. If you are agreeable, I would ask the Commission for a motion to that effect.

If you questions or have other topics that you would like for me to update you on, please do not hesitate to contact me.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Weems Hospital – Events Update

AGENDA INFORMATION:

Agenda Location: Presentations
Item Number: A
Department: Administration
Contact: Heather Huron, Weems Hospital
Presenter: H.D. Cannington, CEO, Weems Hospital

BRIEF SUMMARY: Weems Hospital CEO H.D. Cannington will be announcing the following events at the City Commission meeting:

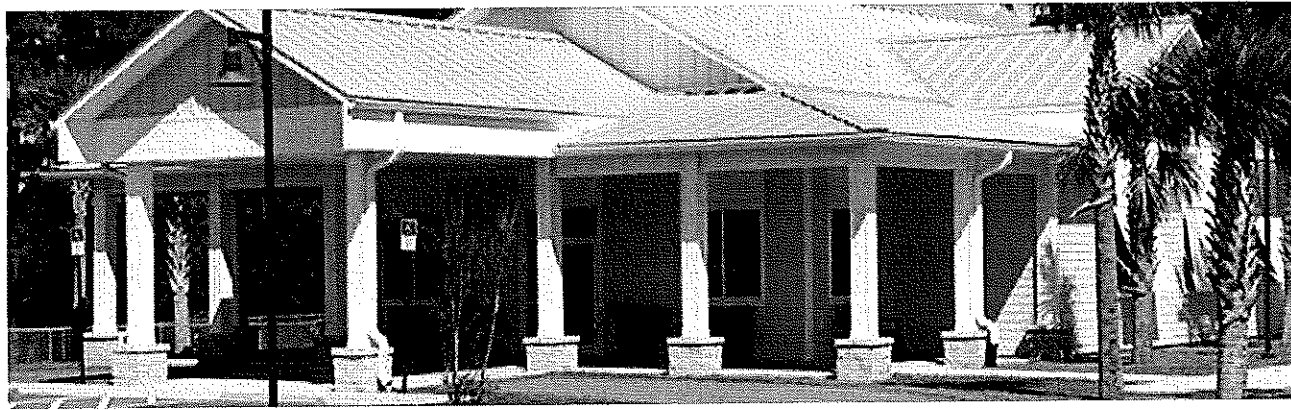
- Weems East Open House in Carrabelle on October 9th, 2018 from 2 p.m. until 6 p.m.
- Franklin County Day of Health at Weems Hospital on November 17th, 2018 from 10 a.m. until 2 p.m.

RECOMMENDED MOTION AND REQUESTED ACTIONS: None at this time.

FUNDING SOURCE: Not Applicable

ATTACHMENTS: Open House Announcement and Community Health Fair Announcement

STAFF'S COMMENTS AND RECOMMENDATIONS: None



OPEN HOUSE

**October 9th from
2pm to 6pm**

MEET OUR PROVIDERS!

Betty Kelly Fugate, FNP-C

Roy "Skip" Parker, RPA-C

Susette Valdueza, FNP-C

Community Health Fair



**November 17th
10am to 2pm**

**FLU VACCINATIONS
FREE HEALTH SCREENINGS**

INFORMATION ON

- | | |
|----------------------------------|-------------------------|
| • NUTRITION & FITNESS | • HOSPICE |
| • TOBACCO CESSATION | • ACA INSURANCE |
| • HOME HEALTH | • DENTAL |
| • DIABETES EDUCATION | • SPECIALTY CARE |

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service

AGENDA INFORMATION:

Agenda Location: Public Hearing and Unfinished Business
Item Number: A
Department: Administration
Contact: Ron Nalley, City Manager and Lee Mathes, Dir. Of Administration
Presenter: Ron Nalley, City Manager and Lee Mathes, Dir. Of Administration

BRIEF SUMMARY: When reviewing revenue enhancement options, it was discovered that the Municipal Utility Tax of ten percent (10%) was only being charged on the first \$60.00 of a customer's utility bill in the City of Apalachicola. Following additional research, it was determined that a majority of cities in Florida charge a flat 10% on utility bills. A Municipal Tax is applied to the charge for electric service provided to customers within the jurisdictional limits of each municipality. It is estimated that this change will produce an additional \$100,000 in revenue for the City.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Adopt Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service.

FUNDING SOURCE: Municipal Utility Tax – General Fund Revenue

ATTACHMENTS: Ordinance No. 2018-03 Amending the Public Service Utility Tax Charged for Electric Utility Service; Annual Utility Tax Estimated Dated June 27, 2018

STAFF'S COMMENTS AND RECOMMENDATIONS: During the development of the 2018-2019 Annual Budget, this revenue source was calculated into the balancing of the General Fund. If the Board chooses not to move forward with amending the Public Service Utility Tax, additional revenue will be needed. As mentioned above, the flat ten percent (10%) is very common in municipalities across Florida. The City Attorney has reviewed the proposed Ordinance and has made several changes that have been incorporated into the one that will be presented at the October meeting. It is staff's recommendation to adopt the Ordinance amendment.

**CITY OF APALACHICOLA
ORDINANCE NO. 2018-03**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA CHANGING THE PUBLIC SERVICE UTILITY TAX CHARGED FOR ELECTRIC UTILITY SERVICE TO A FLAT RATE OF 10% ON THE PURCHASE OF ELECTRICITY WITHIN THE CITY OF APALACHICOLA; PROVIDING FOR DEFINITIONS; PROVIDING FOR LEVY; PROVIDING FOR EXEMPTIONS; PROVIDING FOR THE DUTY OF SELLER TO COLLECT AND REMIT; FAILURE OF PURCHASER TO PAY; PROVIDING FOR RECORDS REQUIRED, INSPECTION AND AUDIT; PROVIDING FOR SEVERABILITY; THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED by the people of the City of Apalachicola, as follows:

SECTION 1: DEFINITIONS: For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Electricity means and includes all current or energy for lighting, heating, cooking, power or any other purpose sold for consumption within the City of Apalachicola.

Public Service Tax means the levy authorized pursuant to Section 166.231, Florida Statutes.

Purchase means and includes every act or transaction relating to payment for the possession of, control over or title to Electricity.

Purchaser means and includes every person legally liable for the payment of electricity provided by a Seller.

Seller means and includes every person providing electricity to any Purchaser thereof.

SECTION 2: LEVY: Per Florida Statute 166.231 the City of Apalachicola is exercising its right to levy a utility tax on the purchase of electricity. In addition to all other taxes of any kind now imposed, the City of Apalachicola is hereby levying on each and every purchase of electricity within the City, a tax of ten percent (10%) which tax in every case shall be paid by the purchaser to the seller of such service upon which tax is hereby levied at the time of paying the charges thereof. The tax imposed by this paragraph shall not be applied against any fuel adjustment charge, and such charge shall be separately stated on each bill. The term "fuel adjustment charge" means all increases in the cost of utility services to the ultimate consumer resulting from an increase in the cost of fuel to the utility subsequent to October, 1973.

SECTION 3: DUTY OF SELLER AND FAILURE TO PAY: It shall be the duty of every Seller of electricity to collect from the Purchaser, for the use of the City, the tax hereby levied, at the same time of collecting the selling price charged for each transaction, and to file a return and pay over, on or before the 10th day of each calendar month, to the City, all such taxes levied and collected during the preceding calendar month. It shall be unlawful for any Seller to collect the price of any sale of electricity without at the same time collecting the tax hereby levied in respect to such sale or sales, unless such Seller elects to assume and pay such tax without collecting the same from the Purchaser. Any Seller failing to collect such tax at the time of collecting the price of any sale, where the Seller has not elected to assume and pay such tax, shall be liable to the City for there amount of such tax in like manner as if the same had been actually paid to the Seller, and the City Commission shall cause to be brought all suits and actions and to take all proceedings in the name of the City as may be necessary for the recovery of such tax; provided, however that the Seller shall not be liable for the payment of such tax upon uncollected bills. If any Purchaser shall fail, neglect or refuse to pay to the Seller the Seller's said charge and the tax hereby imposed and [which] is hereby required on account of the sale for which such charge is made, or either, the Seller shall have and is hereby vested with the right, power and authority to immediately discontinue further service to such Purchaser until the tax and the Seller's bill have been paid in full. In the case of a fraudulent return or a willful intent to evade payment of the tax, the Seller making such fraudulent return or willfully attempting to evade payment shall be liable for the tax and for a penalty of 100% of the tax.

SECTION 4: DUTY TO FILE RETURN: A Seller of services which are subject to the tax imposed by the City shall file a return with the City each month. The form of the return shall be determined by the Seller, and the return shall be deemed sufficient if it identifies the name and address of the Seller, the period of the return, the amount collected from the sale of taxable services, any collection allowance taken, the amount of tax remitted with the return, and the name and phone number of a person authorized by the Seller to respond to inquiries from the City concerning the Seller's administration of the tax.

SECTION 5: RECORDS, INSPECTION AND AUDIT: Each and every Seller of electricity shall keep complete records showing all sales in the City of such service, which records shall allow the price charged upon sale, the date of payment therefore, the amount of taxes charged upon each sale, and the date such utility tax was remitted to the City, and said records shall be kept open for inspection by authorized agents of the City during business hours on all business days, and said duly authorized agents of the City shall the right, power and authority to make such transcripts thereof during such times as they may desire.

SECTION 6: VIOLATIONS: It is unlawful for any person to willfully violate or refuse to pay the tax imposed where the Seller has not elected to assume and pay such tax. It is unlawful for any Seller or any officer, agent or employee to violate the provisions of this Ordinance.

SECTION 7: EXEMPTIONS: There is hereby exempted from the tax levied and imposed by this Ordinance:

- (a) Purchases by an agency or instrumentality of the Federal Government, the State, school district, a municipality or the County are exempt from the Tax.
- (b) Purchases by any recognized church in the City for exclusive use for church purposes are exempt from the Tax.

SECTION 8: DISPOSITION OF FUNDS: All revenues received, collected and derived from the taxes levied by this article shall be deposited by the City in its general operating account and are hereby appropriated for the uses set forth and contained in the budget of the City, for the current year, and the tax and the items for which the same shall be disbursed shall be included from year to year in the general operating account of the City in the annual budget and appropriation ordinances of the City.

SECTION 9: CONFLICT AND SEVERABILITY: All Ordinances or parts of Ordinances in conflict herewith, to the extent of such conflict, are hereby repealed. The sections and provisions of this ordinance are declared to be severable and any portion which is declared inoperative or invalid for any reason by a court of competent jurisdiction shall in no way affect the remaining sections or provisions of this Ordinance.

SECTION 10: EFFECTIVE DATE: This Ordinance shall take effect immediately upon final adoption.

This Ordinance was read and adopted on _____, 2018. Motion to adopt ordinance made by Commissioner _____, second by Commissioner _____.

Voting Aye:
Voting Nay:

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

ATTEST:

Deborah Guillotte, City Clerk

Van W. Johnson, Sr., Mayor

Franchise Fee Estimate

City of Apalachicola

June 27, 2018

Estimate based on 2017 year end statistics

	Calendar '17 Revenue**	Projected Oct18-Sep19 Revenue	Amount for fee calculation*
Revenue Class			
01 - Residential	\$1,921,578	\$2,041,619	\$2,041,619
03 - Commercial	\$949,721	\$1,002,724	\$1,002,724
05 - Industrial	\$95,549	\$101,882	\$101,882
06 - Public Lighting	\$0	\$0	
Electric Service Rev.	\$2,966,848	\$3,146,225	\$3,146,225
Streetlights Only	\$0	\$0	\$0
Revenue for Calculation			\$3,146,225
Franchise Fee Percentage			6.00%

Franchise Amount due (includes Gross Receipts Tax and Regulatory Assessment Fee paid to state) **\$188,774**

Amount Due
Less Gross Receipts Tax and Regulatory Assessment collected and paid to State **\$188,774**
Franchise Net Liability to City **(4,976)**
\$183,797

* Based on Franchise Agreement
** Includes Gross Receipts Tax, Franchise Fees and Regulatory Assessment Fees

NOTES:

1. This is a high level estimate that does not factor in specific characteristics of customers within each revenue class. For example, while this does consider overall customer mix within the jurisdiction, it does not consider specific rates that may be applicable within the revenue class. These are blended averages for each revenue class.
2. This estimate is based on current rates filed with the Florida Public Service Commission. Specific components of the bill including the fuel factor, nuclear construction costs, environmental and other cost factors may change for the fiscal year depending upon filings that are typically made each year for these components. Actual franchise fees will vary based on any changes in these cost factors that are approved by the PSC during the fiscal time period.

MINUTES OF THE REGULAR MEETING OF THE CITY OF APALACHICOLA CITY COMMISSION HELD TUESDAY,
SEPTEMBER 4, 2018, 6:00 P.M. AT THE APALACHICOLA COMMUNITY CENTER

PRESENT: Mayor Van W. Johnson, Sr.
Mayor Pro Tem Brenda Ash
Commissioner Jimmy Elliott
Commissioner Mitchell Bartley
Commissioner Anita Grove

Ron Nalley, City Manager
Lee Mathes, Director of Administration
Bobby Varnes, Chief of Police
Pat Floyd, City Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Van Johnson called the meeting to order at 6:00 pm and Attorney Pat Floyd gave the invocation.
Council members led the pledge of allegiance.

APPROVE THE AGENDA

Commissioner Anita Grove made a motion to approve the Agenda. Commissioner Jimmy Elliott seconded
and the motion carried 5-0.

MAYOR'S COMMUNICATIONS

- Commissioner Grove inquired about rental usage fee for Running For The Bay event. Commissioner Grove recommends for-profit events rental fee be a percentage of their proceeds and would like this recommendation reviewed. Ms. Mathes stated the normal fee usage per day is \$200 and that is what they have been paying.
- Commissioner Grove stated Commission adopted Resolution 2017-16 opposing offshore drilling activities. Commissioner Grove stated Amendment 9 has now been added and recommends adoption of resolution supporting Amendment 9.

Commissioner Grove made a motion to prepare resolution supporting amendment 9 against offshore drilling for gas and oil. Commissioner Bartley seconded and the motion carried 5-0.

- Mayor Johnson stated during discussions of increased water and sewer rates, it was suggested a needy neighbor fund be organized to help seniors with utility bills. Mayor Johnson stated he has instructed Attorney Floyd to open a 5013C, that people can donate into. Mayor Johnson stated he will personally be donating \$100 per month and encourages everyone to donate also. Mayor Johnson stated Ms. Mathes has the criteria on how applicants will be selected to receive funds.

- Commissioner Grove inquired about the landscape plan for new construction and tree removal, and possibly include all in one plan. Mayor Johnson asked Mr. Nalley to research this situation.

CITY MANAGER COMMUNICATIONS

- **Battery Park Marina Dock Repair** - Ms. Mathes reported that docks have been repaired, and ramp has been cleaned as much as possible until low tide. Prices for bumpers are being researched. Commissioner Elliott suggests to use old fire hose for dock bumpers.
- **Water Flushing Program** – Mr. Nalley stated we are in the planning stages of a water flushing program for directional flushing of hydrants throughout the city, and hope to be completed by the end of October. Mr. Nalley stated that flushing is routine to clean pipes and stale water out of the lines. Flushing will be done in sections and citizens will be receiving notification when flushing will occur in their neighborhood. Commissioner Grove commented that Mr. Nalley has been educating the city council on flushing of hydrants, and when you see water running, the city is not wasting water, this is common in all cities.
- **2018/19 Budget Update** – Mr. Nalley reminded city council of the upcoming budget meetings and if anyone has any proposals or thoughts, to please contact him. Mr. Nalley stated otherwise, he will be presenting the same budget already presented at past meetings.
- **Sale of City Owned Property Update** – Mr. Nalley stated RFP has been sent out to area real estate associations and auctioneer associations and proposals are due on Wednesday, September 19, 2018 at 12 PM. Mr. Nalley stated after a review of all proposals, a recommendation will be made to the Commission.

COUNCIL LIAISON REPORTS & COMMENTS

Floating Structure Ordinance Update – Attorney Floyd gave update on Florida/Georgia litigation stating a new special magistrate will be addressing this case, and matter will be discussed further this week during a phone conference.

Hale Smith – Attorney Floyd stated city has filed suit against Hale Smith regarding violations in Floodplain Management Ordinance. Attorney Floyd would like confirmation from the council if he is to file suit on Ms. Chris Moore who is also in violation of the Floodplain Management Ordinance.

Commissioner Anita Grove made a motion to authorize Attorney Floyd to proceed with law suit on Chris Moore for Floodplain Management Ordinance violations. Commissioner Jimmy Elliott seconded motion. Commissioner Mitchell Bartley recused himself. Attorney Floyd stated Commissioner Bartley does not have a conflict of interest, and therefore must vote. Motion carried 5 to 0.

Philaco Club Lease – Attorney Floyd stated he has completed the Philaco Club lease agreement and is waiting on their response.

Apalachicola Maritime Lease - Attorney Floyd stated lease agreement is almost complete for review.

Floating Structure Ordinance – Attorney Floyd stated the Floating Structure Ordinance will be submitted to council at the October meeting.

PRESENTATIONS

A. **Healthy Community Champion Award** – Department of Health – Jessie Pippin and Sarah Hinds presented Commission with Health Community Champion Award and thanked the City for their continued support.

PUBLIC COMMENT

David Adlerstein inquired if council is looking for members to serve on the non-profit “Apalacheart, Inc”. Mayor Johnson stated we are looking for directors to serve on this board and make decisions on who is eligible for assistance.

CONSENT AGENDA

Mayor Van Johnson presented the Consent Agenda and asked if any items should be removed before called for action.

Commissioner Jimmy Elliott made a motion to approve the Consent Agenda. Commissioner Anita Grove seconded and the motion carried 5-0.

- A. Meeting Minutes Adoption
 - **Suggested Motion:** Adopt the August 22nd and August 30th, 2018 Budget Workshop and the August 7, 2018 Regular Meeting Minutes
- B. Bill List Approval
 - **Suggested Motion:** Approve the July 2018 Bill List
- C. Planning & Zoning Minutes Confirmation
 - **Suggested Motion:** Confirm the July 2018 Planning and Zoning Minutes

UNFINISHED BUSINESS:

- A. **Triumph Solar Grant – Allocation of Utility Bill Savings from Solar Installation**

Kevin Begos talked with TRIUMPH board and Cindy Clark and his recommendation is to approve a proposal that Forty-Five Percent (45%) of Solar Farm Cost Savings be devoted to Ad-Valorem Tax Reduction. Mr. Begos stated the TRIUMPH board stated these percentages are negotiable for future changes.

Commissioner Jimmy Elliott made a motion to approve a Kevin Begos recommendation that 45% of Solar Farm Cost Savings be devoted to Ad-Valorem Tax Reduction. Commissioner Anita Grove seconded and the motion carried 5-0.

NEW BUSINESS

A. MEMORIALIZATION GUIDELINES – CITY RECREATION COMMITTEE

Ms. Elinor Mount-Simmons stated that the Commission had asked the recreation committee to come up with guidelines for naming of streets and monuments in honor of citizens. The committee would suggest memorializing citizens with stone pillars, as opposed to re-naming streets. The design would be stone pillars 18-24 inches with slanted tops with relevant information on citizen, with minimum wordage. Pillars can be connected with some type of rope/cable to enhance safety. Location suggestions are Lafayette Park or Riverfront Park. Cost will be responsibility of family, not city. Citizens memorialized must be deceased at least 5 years. The City, not the recreation committee will determine eligible honorees. The City will order pillars to maintain uniformity.

Mayor Johnson thanked the Recreation Committee for their work on this request.

NEW BUSINESS

B. LAND USE CODE – AMENDMENT REQUEST – PRINCIPAL and ACCESSORY USES ON NON-CONTIGUOUS LOTS

Cindy Clark stated the Planning Department has been receiving numerous requests for accessory structures on non-contiguous lots, meaning the lots are separated by an alley. The City's LDC prohibits accessory structures on a lot without a principal structure such as a house. Citizens who have bought these lots are now requesting to put accessory structures on these lots.

Mayor Van Johnson stated it is a violation in the LDC.

Commissioner Anita Grove inquired if it made a difference if temporary or permanent.

Ms. Clark stated it doesn't matter, it is a non-conforming structure and a violation to the LDC.

Mr. Nalley inquired if there is a variance process for this situation. Ms. Clark stated variances are not allowed for situations such as this.

Attorney Floyd stated at this time Commission can't approve this without changing the LDC.

NEW BUSINESS:

C. ORDINANCE No. 2018-03 – AMENDING THE MUNICIPAL UTILITY TAX CHARGED FOR ELECTRIC UTILITY SERVICE

Attorney Floyd read Ordinance 2018-03 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA AMENDING THE MUNICIPAL UTILILITY TAX CHARGED FOR ELECTRIC UTILITY SERVICE.

Mr. Nalley stated the City already has a electric utility tax in effect but it is only 10% on the first \$60. Most municipalities have adopted the flat 10% that will be accessed on the entire bill.

Commissioner Jimmy Elliott made a motion to approve the First Reading of Ordinance No. 2018-03 and proceed with the Adoption Process. Motion died for lack of second.

Mr. Nalley stated the increased revenues from the utility tax has already been incorporated into the 18/19 budget, and another budget workshop will have to be held in order to find \$100,000 because we are now short that amount.

Augusta West commented that the City's electric utility service tax hasn't been updated in the last 30 years and encourages Commission to proceed with ordinance change.

Commissioner Jimmy Elliott made a motion to approve the First Reading of Ordinance No. 2018-03 and proceed with the Adoption Process. Commissioner Anita Grove seconded and the motion carried 4-1. Commissioner Mitchell Bartley voted nay.

NEW BUSINESS

D. SAVE OUR SHOTGUNS APALACHICOLA INC. WORKFORCE HOUSING REQUEST

Mrs. Holley Brown informed Commission they are in the final stages of the new construction of the first shotgun house, for affordable housing. We would like to announce our partnership with People's Bank. We will be accepting applications from residents of Apalachicola who has lived here for at least one year, worked in Apalachicola or are teachers in Franklin County School system and have an income of under \$50,000. Ms. Brown would like to request the City's support on the affordable housing initiative by donating two lots, Lot 6, Block 161 and Lot 8, Block 181 to Save our Shotguns Apalachicola for the purpose of providing two workforce housing opportunities for families in Apalachicola.

Mayor Johnson asked the location of these lots. Mr. Nalley stated one is on Avenue L, where there is an old existing shotgun house and brick house. The other lot is by the tennis court across from Holy Family. Mayor Johnson commented these lots are on the City's property list for sale. Mr. Nalley commented we just need to see if the Commission is interested in removing these two properties off the city property sale list and proceed with some type of agreement to work this out.

Uta Hardy informed Commission there are some half lots that would be perfect for shotgun houses, and the City may want to look into these properties for Save our Shotguns.

Mr. Nalley stated Commission wasn't to assign property over, but to get direction from council to remove the two existing properties off the city property sale list. Attorney Floyd suggests leaving property on sale list,

but research and look into other options that would be in the best interest of the city. Mayor Johnson would like to keep the two properties on city property list for sale and Mr. Nalley work with Save our Shotgun Apalachicola.

NEW BUSINESS

E. PUMPKIN PATCH AT RIVERFRONT PARK HOSTED BY LIVING WATERS ASSEMBLY OF GOD

Pastor Scotty Lolley stated Living Water Assemble of God church requests using Riverfront Park for a community pumpkin patch and requests rental fee be waived.

Commissioner Mitchell Bartley made a motion to approve the use of Riverfront Park for the Pumpkin Patch from October 17th to October 31st, 2018 by Living Waters Assembly of God and waive the rental fee. Commissioner Jimmy Elliott seconded and the motion carried 5-0.

NEW BUSINESS

F. EMPLOYMENT AGREEMENT - RONALD W. NALLEY, CITY MANAGER

Commissioner Jimmy Elliott made a motion to approve the employment agreement between Ronald W. Nalley and the City of Apalachicola and Authorize the Mayor to Sign to Agreement. Commissioner Anita Grove seconded and the motion carried 4-1. Commissioner Mitchell Bartley voted nay.

ADJOURN THE MEETING

There being no further business, meeting adjourned.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk

MINUTES OF THE SPECIAL MEETING OF THE CITY OF APALACHICOLA CITY COMMISSION HELD THURSDAY,
SEPTEMBER 6, 2018, 6:00 P.M. AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Van W. Johnson, Sr.
Mayor Pro Tem Brenda Ash
Commissioner Jimmy Elliott
Commissioner Anita Grove

Ron Nalley, City Manager
Lee Mathes, Director of Administration
Bobby Varnes, Chief of Police
Pat Floyd, City Attorney

ABSENT: Commissioner Mitchell Bartley

CALL TO ORDER

Commissioner Brenda Ash called the final budget workshop to order and followed by making several opening comments.

Commissioner Ash stated that at the last meeting, Mr. Croom inquired about whether the city saw this coming. Commissioner Ash responded that yes, they did and that is why Mayor Johnson sat in Tallahassee at many meetings trying to get this issue resolved. The City has made many different attempts to resolve this issue prior to this point and will continue doing so.

Commissioner Ash opened the floor for public comment.

Public comments from the citizens ranged from questioning the City's financial situation and why the Commission let it get to this point to demanding that this issue needs to be looked at seriously and solutions found. Citizens also expressed concern over the increase in water and sewer rates at 13.5% and the need for such high SUF fees. A primary concern was the ability of seniors to afford this increase on their water bills.

Mayor Johnson reminded the Commission that the city had a rate schedule study done by Florida Rural Water and that the city should follow their recommendations. Mayor Johnson stated that the increases on water and sewer usage and the surcharge are to go specifically to repay the loan that should be paid off in seven to eight years. Mayor Johnson stated he would be willing to pursue a Resolution stating that the SUF fee will either be removed or lowered after the loan is paid off.

Attorney Floyd stated there are certain Resolutions that are binding and some that are not, and that the Commission can not extend something out so far as to bind an upcoming council. Attorney Floyd stated the reason for collecting this fund is to pay this particular debt, and the SUF fee is dedicated to this purpose.

Mayor Johnson commented that he would not have a problem with a citizens group meeting with Mr. Nalley to offer recommendations to help the City.

Mr. Nalley stated that staff has been working hard reviewing numbers and looking at alternatives to bring to next week's meeting. The General Fund is struggling and at this time staff is looking at ways to make additional cuts.

As a result, the General Fund is not in a position to support the Water and Sewer fund. The City has in the past borrowed from one fund to pay another and unfortunately every fund is out of money. Staff is putting together a small team to offer suggestions that were talked about tonight, including basing the SUF fee on usage.

Mayor Johnson would like Jaime Liang to serve on this team as a resident.

Mr. Nalley also clarified that the municipal utility tax is now being taxed at 10% on the first \$60 and that staff is recommending a 10% flat rate on the entire bill.

Mr. Nalley stated that other savings may include reducing the employee health insurance benefit package. It is estimated that this may save approximately \$40,000. Attorney Floyd commented that this would need board approval, due to changes in benefits. Mayor Johnson asked Mr. Nalley to bring the matter up for approval at the October meeting. Mr. Nalley also mentioned the need to authorize the sale of surplus assets that are worth below \$5,000. A list will be prepared and submitted to the Commission at a future meeting.

Mr. Nalley stated Commissioner Ash had submitted a list of items for his review, and that if anyone else had anything, to please let him know. Commissioner Ash stated that Mr. Nalley and she had a conversation about moving forward and continuing to find ways to conserve.

There being no further business, meeting adjourned at 7:15 PM.

Van W. Johnson, Sr., Mayor

Deborah Guillotte, City Clerk

**MINUTES OF THE SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION
HELD TUESDAY, SEPTEMBER, 11, 2018, 6:00 PM AT THE APALACHICOLA COMMUNITY
CENTER.**

PRESENT: Mayor Van Johnson,
Commissioner Jimmy Elliott
Commissioner Brenda Ash
Commissioner Mitchell Bartley
Commissioner Anita Grove

Ron Nalley, City Manager
Lee Mathes, Director of Administration
Deborah Guillotte, City Clerk
Janelle Paul, Deputy/Utility Billing Clerk
Bobby Varnes, Chief of Police

CALL TO ORDER

Mayor Johnson called the meeting to order and gave the invocation.

PUBLIC HEARING – FISCAL YEAR 2018/2019 BUDGET

Commissioner Ash made the following statement:

CITY OF APALACHICOLA 2018-2019 FISCAL YEAR BUDGET INFORMATION:

GENERAL FUND: 4,605,800

ENTERPRISE FUND: 2,065,200

TOTAL BUDGET: 6,671,000

PROPOSED MILLAGE RATE: 9.6043

ROLLED BACK RATE: 9.5862

PROPOSED MILLAGE RATE IS A .19% INCREASE OF THE ROLLED BACK RATE

**THE FINAL PUBLIC HEARING AND SPECIAL MEETING FOR FINAL ADOPTION OF THE
2018/2019 FISCAL YEAR BUDGET IS SCHEDULED FOR SEPTEMBER 25, 2018 AT 6:00 PM
AT THE APALACHICOLA COMMUNITY CENTER, #1 BAY AVENUE.**

City Manager Nalley addressed the Mayor and Commission in regards to recommendations for the Sewer Usage Fee increase stating he has looked at an adjustable rate based on usage (i.e. residential rates of \$22/

\$25 / \$29 and commercial rates of \$50 /\$75 / \$95). If the Commission chooses to reduce these fees, the amount collected will pay debt service but not provide enough money needed to pay towards the default.

Mr. Nalley then outlined his plans for additional steps to keep the City's General Fund solvent until November. Three certificates of deposit will be cashed in totaling \$300,000. The City is required to pay off the \$180,000 balance of the line of credit which is tied to the certificates which will leave \$120,000 in cash for the City to use towards its operating expenditures. Mr. Nalley recommended the need to eliminate overtime and non essential expenditures; reduce the health benefits package for employees; dispose of surplus vehicles and equipment; eliminate all non essential travel and training; reduce where feasible services for IT and facility maintenance and combine vehicle use and reduce idling.

Mayor Johnson then opened the floor for Public Comment.

No Public Comments were made at this time.

Commission Comment

In response to a question from Commissioner Bartley, Mr. Nalley explained why combining vehicle usage was an important part of reducing expenditures. For example, a crew responding to a water leak can take one vehicle instead of taking three trucks for the same job.

Commissioner Ash asked if Mr. Nalley was standing by the initial budget proposal for the Sewer Usage Fee. Mr. Nalley responded yes, and that 70% of customers use less than 5,000 gallons a month which will pay debt service, but not provide the money needed to pay towards default leaving the City short by around \$150,000.

In response to a question from Commissioner Ash regarding feedback on the Real Estate Sales, Mr. Nalley said that he has not heard from anyone. Commissioner Ash also asked Mr. Nalley if he is standing by the 13.5% proposed increase to water and sewer rates. Mr. Nalley said yes, based on the previous study by the Florida Rural Water Association.

Commissioner Elliott then asked Mr. Nalley what the take home vehicle policy was in North Carolina. Mr. Nalley said that it varies, but that their policy included a radius and if you lived outside of the radius, you would park the City vehicle and take a private vehicle. Commissioner Elliott then asked Chief Varnes how many cars were operational. Chief Varnes responded that he has seven cars and that officers take their vehicles home. Commissioner Elliott agreed that if an emergency were to arise, the employee would have the vehicle on hand, rather than going to the office first, before going to the emergency.

In a response to a question from Commissioner Grove, Mr. Nalley responded that department heads are on board with the needed reductions, and that there is a realization that this is serious and that they should begin looking for ways to cut expenses.

Ms. Patsy Hutchins asked why Southern Villas, Heritage Villas and Housing Authority weren't billed or required to pay water and sewer bills. Commissioner Bartley responded that Southern Villas paid the bill for their tenants. Mrs. Janelle Paul answered by saying that customers are metered and billed monthly similar to other customers. Heritage Villas tenants pay their own deposits and receive a monthly bill, the Housing Authority is metered and receives a bill for each unit, while Southern Villas is metered and billed to Royal American. Mayor Johnson then asked Mrs. Paul if they were metered and Mrs. Paul responded yes, each apartment is metered and billed.

Mayor Johnson asked if there were any other questions from the public.

Prince Jones stated that downtown restaurants are bringing their trash to the newly placed dumpster on 5th Street. The Mayor asked Mr. Nalley to review this matter.

Commissioner Ash then stated that she understands their fiduciary responsibility, but would like to see the Sewer Usage Fee based on a usage schedule.

There being no further public comments, the public hearing was closed and the special meeting was opened by Mayor Johnson.

SPECIAL MEETING

Commissioner Ash made the following statement:

CITY OF APALACHICOLA 2018-2019 FISCAL YEAR BUDGET INFORMATION:

GENERAL FUND: 4,605,800

ENTERPRISE FUND: 2,065,200

TOTAL BUDGET: 6,671,000

PROPOSED MILLAGE RATE: 9.6043

ROLLED BACK RATE: 9.5862

PROPOSED MILLAGE RATE IS A .19% INCREASE OF THE ROLLED BACK RATE

THE FINAL PUBLIC HEARING AND SPECIAL MEETING FOR FINAL ADOPTION OF THE 2018/2019 FISCAL YEAR BUDGET IS SCHEDULED FOR SEPTEMBER 25, 2018 AT 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER, #1 BAY AVENUE.

Tentatively Adopt Fiscal Year 2018-2019 Millage Rate – Resolution 2018-09

Mayor Johnson read Resolution 2018-09 by title as follows:

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY OF THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 STATING THE PERCENTAGE BY WHICH THE MILLAGE RATE TO BE LEVIED EXCEEDS THE ROLLED BACK RATE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Grove made a motion to tentatively adopt the Fiscal Year 2018-2019 millage rate at 9.6043 mills. Commissioner Ash seconded and the motion carried 5-0.

1ST Reading Ordinance No. 2018-04 – Tentatively Adopt Fiscal Year 2018-2019 Budget

Mayor Johnson read Ordinance 2018-04 by title as follows:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA ADOPTING THE 2018-2019 FISCAL YEAR BUDGET.

Commissioner Grove made a motion to tentatively adopt the FY 2018-2019 budget. Commissioner Elliott seconded and the motion carried 3-2 with Commissioner Bartley and Commissioner Ash voting against the motion.

ADJOURN THE MEETING

With no further business, Mayor Johnson adjourned the meeting at 7:00 PM.

Van W. Johnson, Sr., Mayor

Janelle C. Paul, Deputy Clerk

MINUTES OF THE PUBLIC HEARING & SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, SEPTEMBER, 25, 2018, 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Van Johnson,
Commissioner Jimmy Elliott
Commissioner Brenda Ash
Commissioner Mitchell Bartley
Commissioner Anita Grove

Ron Nalley, City Manager
Lee Mathes, Director of Administration
Deborah Guillotte, City Clerk
Janelle Paul, Deputy/Utility Billing Clerk
Bobby Varnes, Chief of Police

CALL TO ORDER

Mayor Johnson called the meeting to order and gave the invocation and led the pledge.

AGENDA ADOPTION

Commissioner Grove made a motion to approve the Agenda as presented. Commissioner Ash seconded and the motion carried 5-0. Mayor Johnson then opened the Public Hearing.

PUBLIC HEARING – FISCAL YEAR 2018/2019 BUDGET

Commissioner Ash made the following statement:

CITY OF APALACHICOLA 2018-2019 FISCAL YEAR BUDGET INFORMATION:

GENERAL FUND: 4,605,800

ENTERPRISE FUND: 2,065,200

TOTAL BUDGET: 6,671,000

PROPOSED MILLAGE RATE: 9.6043

ROLLED BACK RATE: 9.5862

PROPOSED MILLAGE RATE IS A .19% INCREASE OF THE ROLLED BACK RATE

THE FINAL PUBLIC HEARING AND SPECIAL MEETING FOR FINAL ADOPTION OF THE 2018/2019 FISCAL YEAR BUDGET IS SCHEDULED FOR SEPTEMBER 25, 2018 AT 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER, #1 BAY AVENUE.

Mayor Johnson then opened the floor for Public Comment.

Citizens spoke out both for and against the proposed rate increase. Some citizens encouraged the Mayor and Commission to stay the course and increase the rates to avoid bankruptcy or State takeover, while others requested the Mayor and Commission to step down.

There being no further public comments, the public hearing was closed and the special meeting was opened by Mayor Johnson.

SPECIAL MEETING

Commissioner Ash made the following statement:

CITY OF APALACHICOLA 2018-2019 FISCAL YEAR BUDGET INFORMATION:

GENERAL FUND: 4,605,800

ENTERPRISE FUND: 2,065,200

TOTAL BUDGET: 6,671,000

PROPOSED MILLAGE RATE: 9.6043

ROLLED BACK RATE: 9.5862

PROPOSED MILLAGE RATE IS A .19% INCREASE OF THE ROLLED BACK RATE

THE FINAL PUBLIC HEARING AND SPECIAL MEETING FOR FINAL ADOPTION OF THE 2018/2019 FISCAL YEAR BUDGET IS SCHEDULED FOR SEPTEMBER 25, 2018 AT 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER, #1 BAY AVENUE.

Adoption Decision – Resolution 2018-09 – Final Adoption FY 2018-2019 Millage Rate

Pat Floyd read Resolution 2018-09 by title as follows:

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA LEVYING THE AD VALOREM PROPERTY TAX MILLAGE RATE FOR MUNICIPAL PURPOSES ON ALL TAXABLE PROPERTY WITHIN THE CITY OF THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019 STATING THE PERCENTAGE BY WHICH THE MILLAGE RATE TO BE LEVIED EXCEEDS THE ROLLED BACK RATE; AND PROVIDING AN EFFECTIVE DATE.

Commissioner Elliott made a motion to adopt the Fiscal Year 2018-2019 millage rate at 9.6043 mills which is a .19% increase over the rolled back rate of 9.5862. Commissioner Ash seconded and the motion carried 5-0.

Adoption Decision – Ordinance 2018-04 – Final Adoption Fiscal Year 2018-2019 Budget

Pat Floyd read Ordinance 2018-04 by title as follows:

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA,
FLORIDA ADOPTING THE 2018-2019 FISCAL YEAR BUDGET.**

Commissioner Grove made a motion to adopt Ordinance 2018-04 adopting FY 2018-2019 budget. Commissioner Ash seconded and the motion carried 5-0.

ADJOURN THE MEETING

With no further business, Mayor Johnson adjourned the meeting at 7:15 PM.

Van W. Johnson, Sr., Mayor

Janelle C. Paul, Deputy Clerk

BILL LIST DEPARTMENT EXPENDITURE REPORT - FY 2017/2018

DEPARTMENT	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER
GEN GOV'T	6,740.42	3,434.02	7,564.45	5,216.68	5,846.78	9,931.24	16,208.75	9,171.56	14,068.49	9,884.19	10,698.31	
POLICE	10,244.28	7,500.49	8,632.62	14,322.02	25,827.58	3,924.22	4,359.60	6,967.13	4,968.46	11,093.99	5,172.06	
FIRE	4,673.96	1,391.28	5,070.16	4,716.02	2,064.61	2,398.11	19,324.57	3,200.73	10,770.71	6,671.73	1,529.04	
PUBLICWORKS	34,241.02	11,782.72	9,824.62	18,724.43	9,695.04	18,144.73	13,974.26	8,350.48	11,508.03	15,310.83	14,130.49	
LIBRARY	571.33	593.71	541.76	613.94	676.20	510.74	786.30	497.97	1,920.88	644.24	630.79	
RECREATION	10,348.05	5,420.08	6,338.61	7,045.62	10,970.84	6,312.49	8,418.54	6,056.43	21,340.91	15,559.41	7,980.96	
SCIPPO CREEK	2,221.76	604.23	4,514.51	3,989.89	575.95	440.08	675.15	517.37	2,752.28	866.74	555.55	
BATTERY PARK	1,382.95	500.25	444.98	755.43	703.29	485.58	1,017.85	815.90	766.79	1,169.06	1,092.95	
WATER	51,214.47	11,253.04	19,942.08	43,302.58	12,944.27	11,753.92	13,459.47	20,307.73	17,338.80	12,007.52	13,453.49	
SEWER	27,406.08	18,355.53	19,351.53	25,570.23	17,922.14	28,421.44	28,399.57	30,586.27	30,568.38	35,355.38	40,307.23	

CITY OF APALACHICOLA - GENERAL FUND

1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disct. Avail.	Tran Type	Debit	Credit	Posted
0000010077	FP	DUKE ENERGY	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I			
	21011	Current Account Payables	DUKE ENERGY -AUG INVS							12694.13	No
	510430	Utilities	DUKE ENERGY -AUG INVS						651.43		No
	5724302	PE Fac & Field Utilities	DUKE ENERGY -AUG INVS						146.21		No
	5724303	Holy Family Utility	DUKE ENERGY -AUG INVS						638.70		No
	5724304	High School Utilities	DUKE ENERGY -AUG INVS						3181.31		No
	5724305	6th St Rec Utilities	DUKE ENERGY -AUG INVS						212.00		No
	5724307	Restroom Utilities	DUKE ENERGY -AUG INVS						115.16		No
	5724301	COMMUNITY CENTER UTILITY	DUKE ENERGY -AUG INVS						767.61		No
	572430	Parks Utilities	DUKE ENERGY -AUG INVS						273.01		No
	571430	Utilities	DUKE ENERGY -AUG INVS						382.06		No
	5202430	Utilities	DUKE ENERGY -AUG INVS						26.17		No
	5201430	UTILITIES	DUKE ENERGY -AUG INVS						648.08		No
	530430	Utilities	DUKE ENERGY -AUG INVS						5652.39		No
									Transaction Total :	12694.13	12694.13
0000010078	FAIRPOINT	CONSOLIDATED COMMUNICATIONS	AUG INVS	08/31/18	08/31/18	08/31/08	0.00	I			
	21011	Current Account Payables	CONSOLIDATED -AUG INVS							1830.66	No
	5201410	Communications	CONSOLIDATED -AUG INVS						201.18		No
	510410	Communications	CONSOLIDATED -AUG INVS						760.12		No
	5202410	Communications	CONSOLIDATED -AUG INVS						44.78		No
	530410	Communications	CONSOLIDATED -AUG INVS						144.98		No
	571410	COMMUNICATIONS	CONSOLIDATED -AUG INVS						159.37		No
	5724101	Facility Communications	CONSOLIDATED -AUG INVS						520.23		No
									Transaction Total :	1830.66	1830.66
0000010079	SIRCHIE	SIRCHIE FINGER PRINT LABO	0360274	08/31/18	08/31/18	08/31/18	0.00	I			
	21011	Current Account Payables	SIRCHIE FINGE-0360274							52.14	No
	5201520	Supplies	SIRCHIE FINGE-0360274						52.14		No
									Transaction Total :	52.14	52.14
0000010080	EPCI	EPCI	809201803	08/31/18	08/31/18	08/31/18	0.00	I			
	21011	Current Account Payables	EPCI -809201803							150.00	No
	572461	FACILITY MAINTENANCE	EPCI -809201803						150.00		No
									Transaction Total :	150.00	150.00
0000010081	ST JOE REN	ST. JOE RENT-ALL, INC.	AUG INVS	08/31/18	08/31/18	08/31/05	0.00	I			
	21011	Current Account Payables	ST. JOE RENT--AUG INVS							140.58	No
	530520	Supplies	ST. JOE RENT--AUG INVS						140.58		No
									Transaction Total :	140.58	140.58
0000010082	GUNN	GUNN HEATING & A/C	AUG INVS	08/31/18	08/31/18	08/31/18	0.00	I			
	21011	Current Account Payables	GUNN HEATING -AUG INVS							765.62	No
	572461	FACILITY MAINTENANCE	GUNN HEATING -AUG INVS						765.62		No
									Transaction Total :	765.62	765.62
0000010083	NAPA	APALACH AUTO PARTS	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I			
	21011	Current Account Payables	APALACH AUTO -AUG INVS							117.17	No
	530460	Repairs & Maintenance	APALACH AUTO -AUG INVS						52.63		No
	5202460	Repairs & Maintenance	APALACH AUTO -AUG INVS						64.54		No
									Transaction Total :	117.17	117.17
0000010084	BEARD	BEARD EQUIPMENT COMPANY	1037287	08/31/18	08/31/18	08/31/18	0.00	I			
	21011	Current Account Payables	BEARD EQUIPME-1037287							2172.42	No
	530460	Repairs & Maintenance	BEARD EQUIPME-1037287						2172.42		No

CITY OF APALACHICOLA - GENERAL FUND

1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disct. Avail.	Tran Type	Debit	Credit	Posted
Transaction Total :									2172.42	2172.42	
0000010085	QUILL 21011 510520 5201520	QUILL CORPORATION Current Account Payables Supplies Supplies	AUG INVS QUILL CORPORA-AUG INVS QUILL CORPORA-AUG INVS QUILL CORPORA-AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		1180.22	No
									986.86		No
									193.36		No
Transaction Total :									1180.22	1180.22	
0000010086	B&H 21011 5201522	B&H POLICE SUPPLY Current Account Payables EQUIPMENT BELOW \$750	68741 B&H POLICE SU-68741 B&H POLICE SU-68741	08/31/18	08/31/18	08/31/18	0.00	I		424.00	No
									424.00		No
Transaction Total :									424.00	424.00	
0000010087	MIZE 21011 572463	MIZE PLUMBING SERVICES & Current Account Payables PARK MAINTENANCE	AUG INVS MIZE PLUMBING-AUG INVS MIZE PLUMBING-AUG INVS	08/31/18	08/31/18	08/31/18	0.00	I		167.27	No
									167.27		No
Transaction Total :									167.27	167.27	
0000010088	M/A 21011 5201410	HARRIS CORP. Current Account Payables Communications	93296840 HARRIS CORP. -93296840 HARRIS CORP. -93296840	08/31/18	08/31/18	08/31/18	0.00	I		210.00	No
									210.00		No
Transaction Total :									210.00	210.00	
0000010089	PAULS 21011 572463 571460	PAUL'S PEST CONTROL, INC. Current Account Payables PARK MAINTENANCE REPAIRS/MAINTENANCE	AUG INVS PAUL'S PEST C-AUG INVS PAUL'S PEST C-AUG INVS PAUL'S PEST C-AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		250.00	No
									175.00		No
									75.00		No
Transaction Total :									250.00	250.00	
0000010090	GANDERS 21011 511521 530521 5201521 5202521	J. V. GANDER, DIST. INC Current Account Payables GAS & OIL Gas & Oil Gas & Oil Gas & Oil	AUG INVS J. V. GANDER,-AUG INVS J. V. GANDER,-AUG INVS J. V. GANDER,-AUG INVS J. V. GANDER,-AUG INVS J. V. GANDER,-AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		6101.77	No
									314.80		No
									3324.86		No
									2268.56		No
									193.55		No
Transaction Total :									6101.77	6101.77	
0000010091	GRIFFIN 21011 530460	GRIFFIN TRAFFIC SIGNALS Current Account Payables Repairs & Maintenance	1913 GRIFFIN TRAFF-1913 GRIFFIN TRAFF-1913	08/31/18	08/31/18	08/31/18	0.00	I		500.00	No
									500.00		No
Transaction Total :									500.00	500.00	
0000010092	ARDS 21011 530463	ARD'S Current Account Payables Tires & Tubes	AUG INVS ARD'S -AUG INVS ARD'S -AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		1271.90	No
									1271.90		No
Transaction Total :									1271.90	1271.90	
0000010093	JJ TREE 21011 541462	J. J.'S TREE SERVICE, LLC Current Account Payables TREE MAINTENANCE	3327 J. J.'S TREE -3327 J. J.'S TREE -3327	08/31/18	08/31/18	08/31/18	0.00	I		150.00	No
									150.00		No
Transaction Total :									150.00	150.00	

CITY OF APALACHICOLA - GENERAL FUND
1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disct. Avail.	Tran Type	Debit	Credit	Posted
0000010094	SIGN DESIG 21011 510520	SIGN DE-SIGN Current Account Payables Supplies	6935 SIGN DE-SIGN -6935 SIGN DE-SIGN -6935	08/31/18	08/31/18	08/31/18	0.00	I		520.00	No
									520.00	520.00	No
									Transaction Total :		
0000010095	GREAT FIN 21011 510700	GREAT AMERICAN FINANCIAL Current Account Payables EQUIPMENT LEASE PAYMENTS	23152173 GREAT AMERICA-23152173 GREAT AMERICA-23152173	08/31/18	08/31/18	08/31/18	0.00	I		191.85	No
									191.85	191.85	No
									Transaction Total :		
0000010096	BAY MEDIA 21011 510520	BAY MEDIA Current Account Payables Supplies	AUG INVS BAY MEDIA -AUG INVS BAY MEDIA -AUG INVS	08/31/18	08/31/18	08/31/10	0.00	I		722.14	No
									722.14	722.14	No
									Transaction Total :		
0000010097	REDWIRE 21011 510460	REDWIRE Current Account Payables Repairs & Maintenance	154377 REDWIRE -154377 REDWIRE -154377	08/31/18	08/31/18	08/31/18	0.00	I		44.32	No
									44.32	44.32	No
									Transaction Total :		
0000010098	VERIZON 21011 5201410 530410 572410 510410	VERIZON WIRELESS Current Account Payables Communications Communications COMMUNICATIONS Communications	AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS	08/31/18	08/31/18	08/31/09	0.00	I		1749.59	No
									795.00		No
									394.42		No
									101.04		No
									459.13		No
									Transaction Total :		
0000010099	VOL COMP 21011 5202130	VOLUNTEER COMPENSATION Current Account Payables Volunteer Compensation	AUG FIRES VOLUNTEER COM-AUG FIRES VOLUNTEER COM-AUG FIRES	08/31/18	08/31/18	08/31/09	0.00	I		1200.00	No
									1200.00	1200.00	No
									Transaction Total :		
0000010100	OFF BUS 21011 510440 5201440	OFFICE BUSINESS SYSTEMS, Current Account Payables Rental RENTAL	AUG INVS OFFICE BUSINE-AUG INVS OFFICE BUSINE-AUG INVS OFFICE BUSINE-AUG INVS	08/31/18	08/31/18	08/31/12	0.00	I		110.23	No
									50.00		No
									60.23		No
									Transaction Total :		
0000010101	TIMES 21011 510480	GATEHOUSE MEDIA, NW FLOR Current Account Payables Advertising	AUG INVS GATEHOUSE MED-AUG INVS GATEHOUSE MED-AUG INVS	08/31/18	08/31/18	08/31/04	0.00	I		242.00	No
									242.00	242.00	No
									Transaction Total :		
0000010102	CRYSTAL 21011 510520 530520 5201520	CRYSTAL SPRINGS WATER COM Current Account Payables Supplies Supplies Supplies	COMUG INVS CRYSTAL SPRIN-AUG INVS CRYSTAL SPRIN-AUG INVS CRYSTAL SPRIN-AUG INVS CRYSTAL SPRIN-AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		218.61	No
									125.89		No
									60.58		No
									32.14		No
									Transaction Total :		
0000010103	CRI 21011	CARR, RIGGS & INGRAM, LLC Current Account Payables	16523522 CARR, RIGGS &-16523522	08/31/18	08/31/18	08/31/18	0.00	I		4205.00	No

CITY OF APALACHICOLA - GENERAL FUND

1 AVENUE E
 APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disct. Avail.	Tran Type	Debit	Credit	Posted
	510320	Auditing Services	CARR, RIGGS &-16523522						4205.00		No
			Transaction Total :						4205.00	4205.00	
0000010104	CARDMEMBER	CARDMEMBER SERVICE	AUG INVS	08/31/18	08/31/18	08/31/06	0.00	I			
	21011	Current Account Payables	CARDMEMBER SE-AUG INVS							2321.12	No
	5201520	Supplies	CARDMEMBER SE-AUG INVS						287.37		No
	510540	Dues & Fees	CARDMEMBER SE-AUG INVS						775.00		No
	510400	Travel	CARDMEMBER SE-AUG INVS						466.76		No
	572461	FACILITY MAINTENANCE	CARDMEMBER SE-AUG INVS						699.80		No
	510520	Supplies	CARDMEMBER SE-AUG INVS						92.19		No
			Transaction Total :						2321.12	2321.12	
0000010105	ACE	APALACHICOLA ACE	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I			
	21011	Current Account Payables	APALACHICOLA -AUG INVS							438.91	No
	510520	Supplies	APALACHICOLA -AUG INVS						90.82		No
	530520	Supplies	APALACHICOLA -AUG INVS						265.73		No
	571520	SUPPLIES	APALACHICOLA -AUG INVS						14.36		No
	572461	FACILITY MAINTENANCE	APALACHICOLA -AUG INVS						68.00		No
			Transaction Total :						438.91	438.91	
			Grand Total :						40141.65	40141.65	

CITY OF APALACHICOLA - GENERAL FUND

1 AVENUE E
 APALACHICOLA, FL 32320

Accounts Payable Journal
 General Ledger Transfer Summary

Acct#	Account Name	Description	Debit	Credit
21011	Current Account Payables	Summary From A/P Post		40141.65
510320	Auditing Services	Summary From A/P Post	4205.00	
510400	Travel	Summary From A/P Post	466.76	
510410	Communications	Summary From A/P Post	1219.25	
510430	Utilities	Summary From A/P Post	651.43	
510440	Rental	Summary From A/P Post	50.00	
510460	Repairs & Maintenance	Summary From A/P Post	44.32	
510480	Advertising	Summary From A/P Post	242.00	
510520	Supplies	Summary From A/P Post	2537.90	
510540	Dues & Fees	Summary From A/P Post	775.00	
510700	EQUIPMENT LEASE PAYMENTS	Summary From A/P Post	191.85	
511521	GAS & OIL	Summary From A/P Post	314.80	
5201410	Communications	Summary From A/P Post	1206.18	
5201430	UTILITIES	Summary From A/P Post	648.08	
5201440	RENTAL	Summary From A/P Post	60.23	
5201520	Supplies	Summary From A/P Post	565.01	
5201521	Gas & Oil	Summary From A/P Post	2268.56	
5201522	EQUIPMENT BELOW \$750	Summary From A/P Post	424.00	
5202130	Volunteer Compensation	Summary From A/P Post	1200.00	
5202410	Communications	Summary From A/P Post	44.78	
5202430	Utilities	Summary From A/P Post	26.17	
5202460	Repairs & Maintenance	Summary From A/P Post	64.54	
5202521	Gas & Oil	Summary From A/P Post	193.55	
530410	Communications	Summary From A/P Post	539.40	
530430	Utilities	Summary From A/P Post	5652.39	
530460	Repairs & Maintenance	Summary From A/P Post	2725.05	
530463	Tires & Tubes	Summary From A/P Post	1271.90	
530520	Supplies	Summary From A/P Post	466.89	
530521	Gas & Oil	Summary From A/P Post	3324.86	
541462	TREE MAINTENANCE	Summary From A/P Post	150.00	
571410	COMMUNICATIONS	Summary From A/P Post	159.37	
571430	Utilities	Summary From A/P Post	382.06	
571460	REPAIRS/MAINTENANCE	Summary From A/P Post	75.00	
571520	SUPPLIES	Summary From A/P Post	14.36	
572410	COMMUNICATIONS	Summary From A/P Post	101.04	
5724101	Facility Communications	Summary From A/P Post	520.23	
572430	Parks Utilities	Summary From A/P Post	273.01	
5724301	COMMUNITY CENTER UTILITY	Summary From A/P Post	767.61	
5724302	PE Fac & Field Utilities	Summary From A/P Post	146.21	
5724303	Holy Family Utility	Summary From A/P Post	638.70	
5724304	High School Utilities	Summary From A/P Post	3181.31	
5724305	6th St Rec Utilities	Summary From A/P Post	212.00	
5724307	Restroom Utilities	Summary From A/P Post	115.16	
572461	FACILITY MAINTENANCE	Summary From A/P Post	1683.42	
572463	PARK MAINTENANCE	Summary From A/P Post	342.27	
		Summary Total :	40141.65	40141.65

510 City Hall 10,698.31
 5201 Police 5172.04
 5202 Fire 1529.04
 530 Public works 14130.49
 571 Library 630.79
 572 Recreation 7980.96

CITY OF APALACHICOLA - ENTERPRISE FUND

1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disct. Avail.	Tran Type	Debit	Credit	Posted
000005390	FP CORP	DUKE ENERGY	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		16648.91	No
	21011	Current Accounts Payable	DUKE ENERGY -AUG INVS								No
	510430	Utilities	DUKE ENERGY -AUG INVS						440.15		No
	520430	Utilities	DUKE ENERGY -AUG INVS						895.36		No
	540430	Utilities	DUKE ENERGY -AUG INVS						4056.93		No
	550430	Utilities	DUKE ENERGY -AUG INVS						11256.47		No
			Transaction Total :						16648.91	16648.91	
000005391	FAIRPOINT	CONSOLIDATED COMMUNICATIONS	AUG INVS	08/31/18	08/31/18	08/31/08	0.00	I		387.37	No
	21011	Current Accounts Payable	CONSOLIDATED -AUG INVS								No
	550410	Communications	CONSOLIDATED -AUG INVS						346.97		No
	510410	COMMUNICATION	CONSOLIDATED -AUG INVS						40.40		No
			Transaction Total :						387.37	387.37	
000005392	LANIER MUN	LANIER MUNICIPAL SUPPLY C	AUG INVS	08/31/18	08/31/18	08/31/15	0.00	I		5021.90	No
	21011	Current Accounts Payable	LANIER MUNICI-AUG INVS								No
	540462	FIRE HYDRANT MAINT	LANIER MUNICI-AUG INVS						2760.00		No
	540520	Supplies	LANIER MUNICI-AUG INVS						2261.90		No
			Transaction Total :						5021.90	5021.90	
000005393	NAPA	APALACH AUTO PARTS	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		145.30	No
	21011	Current Accounts Payable	APALACH AUTO -AUG INVS								No
	540460	Repairs & Maintenance	APALACH AUTO -AUG INVS						72.65		No
	550460	Repairs & Maintenance	APALACH AUTO -AUG INVS						72.65		No
			Transaction Total :						145.30	145.30	
000005394	AIRVAC	AQSEPTENCE GROUP INC	90144623	08/31/18	08/31/18	08/31/18	0.00	I		457.10	No
	21011	Current Accounts Payable	AQSEPTENCE GR-90144623								No
	550520	Supplies	AQSEPTENCE GR-90144623						457.10		No
			Transaction Total :						457.10	457.10	
000005395	HAWKINS	HAWKINS, INC.	AUG INVS	08/31/18	08/31/18	08/31/17	0.00	I		6910.50	No
	21011	Current Accounts Payable	HAWKINS, INC.-AUG INVS								No
	540520	Supplies	HAWKINS, INC.-AUG INVS						1833.00		No
	550520	Supplies	HAWKINS, INC.-AUG INVS						5077.50		No
			Transaction Total :						6910.50	6910.50	
000005396	CER PLUMB	WINSUPPLY OF EASTPOINT	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		87.21	No
	21011	Current Accounts Payable	WINSUPPLY OF -AUG INVS								No
	520460	Repairs & Maintenance	WINSUPPLY OF -AUG INVS						87.21		No
			Transaction Total :						87.21	87.21	
000005397	PAUL'S	PAUL'S PEST CONTROL	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		135.00	No
	21011	Current Accounts Payable	PAUL'S PEST C-AUG INVS								No
	510460	Repairs & Maintenance	PAUL'S PEST C-AUG INVS						75.00		No
	550460	Repairs & Maintenance	PAUL'S PEST C-AUG INVS						60.00		No
			Transaction Total :						135.00	135.00	
000005398	GANDERS	J.V. GANDER, DIST., INC	AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		2597.18	No
	21011	Current Accounts Payable	J.V. GANDER, -AUG INVS								No
	540521	Gas & Oil	J.V. GANDER, -AUG INVS						1298.59		No
	550521	Gas & Oil	J.V. GANDER, -AUG INVS						1298.59		No
			Transaction Total :						2597.18	2597.18	

CITY OF APALACHICOLA - ENTERPRISE FUND

1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal

Select: TranDate From: 08/01/18 To: 08/31/18

Tran No.	Vendor Code	Vendor Name	Invoice #	Trans. Date	Invoice Date	Due Date	Disc. Avail.	Tran Type	Debit	Credit	Posted
000005399	CULLIGAN 21011 550520	CULLIGAN BOTTLED WATER Current Accounts Payable Supplies	602870 CULLIGAN BOTT-602870 CULLIGAN BOTT-602870	08/31/18	08/31/18	08/31/18	0.00	I		118.15	No
									118.15	118.15	No
									Transaction Total :		
000005400	KSE 21011 550460	KENNY STRANGE ELECTRIC Current Accounts Payable Repairs & Maintenance	10528 KENNY STRANGE-10528 KENNY STRANGE-10528	08/31/18	08/31/18	08/31/18	0.00	I		8668.00	No
									8668.00	8668.00	No
									Transaction Total :		
000005401	VERIZON 21011 540410 550410	VERIZON WIRELESS Current Accounts Payable Communications Communications	AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS VERIZON WIREL-AUG INVS	08/31/18	08/31/18	08/31/09	0.00	I		450.16	No
									225.08	450.16	No
									225.08	450.16	No
									Transaction Total :		
000005402	SUNSHINE 21011 540520	SUNSHINE STATE ONE CALL Current Accounts Payable Supplies	167123 SUNSHINE STAT-167123 SUNSHINE STAT-167123	08/31/18	08/31/18	08/31/18	0.00	I		41.99	No
									41.99	41.99	No
									Transaction Total :		
000005403	PRO FORMA 21011 540520 550520	PROFORMA Current Accounts Payable Supplies Supplies	9091401571 PROFORMA -9091401571 PROFORMA -9091401571 PROFORMA -9091401571	08/31/18	08/31/18	08/31/18	0.00	I		950.45	No
									475.23	950.45	No
									475.22	950.45	No
									Transaction Total :		
000005404	AAG ELEC 21011 550460	AAG ELECTRIC MOTORS & PUM Current Accounts Payable Repairs & Maintenance	AUG INVS AAG ELECTRIC -AUG INVS AAG ELECTRIC -AUG INVS	08/31/18	08/31/18	08/31/18	0.00	I		11714.65	No
									11714.65	11714.65	No
									Transaction Total :		
000005405	CARDMEMBER 21011 550400 550520 540520	CARDMEMBER SERVICE Current Accounts Payable Travel Supplies Supplies	AUG INVS CARDMEMBER SE-AUG INVS CARDMEMBER SE-AUG INVS CARDMEMBER SE-AUG INVS CARDMEMBER SE-AUG INVS	08/31/18	08/31/18	08/31/08	0.00	I		498.04	No
									244.00	498.04	No
									59.39	498.04	No
									194.65	498.04	No
									Transaction Total :		
000005406	APA ACE 21011 520460 540520 550520	APALACHICOLA ACE Current Accounts Payable Repairs & Maintenance Supplies Supplies	AUG INVS APALACHICOLA -AUG INVS APALACHICOLA -AUG INVS APALACHICOLA -AUG INVS APALACHICOLA -AUG INVS	08/31/18	08/31/18	08/31/03	0.00	I		577.31	No
									110.38	577.31	No
									233.47	577.31	No
									233.46	577.31	No
									Transaction Total :		
									55409.22	55409.22	
									Grand Total :		

CITY OF APALACHICOLA - ENTERPRISE FUND
1 AVENUE E
APALACHICOLA, FL 32320

Accounts Payable Journal
General Ledger Transfer Summary

Acct#	Account Name	Description	Debit	Credit
21011	Current Accounts Payable	Summary From A/P Post		55409.22
510410	COMMUNICATION	Summary From A/P Post	40.40	
510430	Utilities	Summary From A/P Post	440.15	
510460	Repairs & Maintenance	Summary From A/P Post	75.00	
520430	Utilities	Summary From A/P Post	895.36	
520460	Repairs & Maintenance	Summary From A/P Post	197.59	
540410	Communications	Summary From A/P Post	225.08	
540430	Utilities	Summary From A/P Post	4056.93	
540460	Repairs & Maintenance	Summary From A/P Post	72.65	
540462	FIRE HYDRANT MAINT	Summary From A/P Post	2760.00	
540520	Supplies	Summary From A/P Post	5040.24	
540521	Gas & Oil	Summary From A/P Post	1298.59	
550400	Travel	Summary From A/P Post	244.00	
550410	Communications	Summary From A/P Post	572.05	
550430	Utilities	Summary From A/P Post	11256.47	
550460	Repairs & Maintenance	Summary From A/P Post	20515.30	
550520	Supplies	Summary From A/P Post	6420.82	
550521	Gas & Oil	Summary From A/P Post	1298.59	
		Summary Total :	55409.22	55409.22

510 Scipio Creek 555.55
520 Battery Park 1092.95
540 Water 13,453.49
550 Sewer 40,307.23

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
REGULAR MEETING
MONDAY, AUGUST 13th, 2018
Community Center/City Hall – 1 Bay Avenue
AGENDA MINUTES

Present: Chairperson – Tom Daly, Uta Hardy, Lynn Wilson-Spohrer, Jim Bachrach, Joe Taylor.
City Planner – Cindy Clark. City Administrator – Lee Mathes. City Manager – Ron Nalley.
Permitting and Development Coordinator – Cortni Bankston

Workshop – 5p.m.

Proposed Tree Ordinance Revisions – Discussion held by Dennis Winterringer

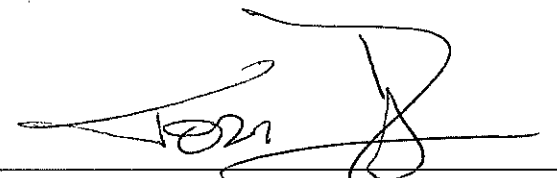
Regular Meeting – 6p.m.

- 1) Approval of July 9th, 2018 Regular Meeting Minutes. Motion to Approve: Jim Bachrach. 2nd: Joe Taylor. All in favor. Motion Carried

- 1) Review, Discussion and Decision for new construction for new single family residence (Historic District) @ 108 Bay Avenue, Block 194, Lot(s) 6 through 10, For – Glen/Curtis G Moon, Contractor – Owner/Self. Motion to Approve: Jim Bachrach. 2nd: Joe Taylor. All in favor. Motion Carried

- 2) Review, Discussion and Decision for New Construction of 10x12 Storage Shed (Historic District) @ 67 Avenue G, Block(s) 19, Lot(s) 1, For – Keith & Uta Hardy, Contractor – Owner/Self. Motion to Approve: Jim Bachrach. 2nd: Joe Taylor. All in favor. Motion Carried

Motion to Adjourn: Jim Bachrach. 2nd: Joe Taylor. Motion Carried.



Chairperson

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Approval of Capital Health Plan Insurance Plan – Plan 3104

AGENDA INFORMATION:

Agenda Location: Consent
Item Number: D
Department: Administration
Contact: Lee Mathes, Director of Administrative Services
Presenter: Lee Mathes, Director of Administrative Services

BRIEF SUMMARY: During the Fiscal Year 2018-2019 budget process, the City was faced with many financial challenges. One of the areas in which the City was able to reduce expenditures, were costs as they relate to employee insurance benefits. Following review of many health insurance plan options, a plan that provided savings for the City without reducing many of the same benefits, is the Capital Health Plan 3104 health plan. While the Plan shifts some financial burden to the employee, the City is able to save approximately \$40,000 per year.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Approve Capital Health Plan - Plan 3104 and Authorize the Mayor and City Manager to Execute the Necessary Documents.

FUNDING SOURCE: Departmental Group Insurance Benefits

ATTACHMENTS: CHP Plan 3104 Description

STAFF'S COMMENTS AND RECOMMENDATIONS: The City of Apalachicola has what many have referred to as the "Cadillac" of health care plans. Based on the current financial condition of the City, it was appropriate to consider other health care plan options. The new plan keeps many of the same benefits but shifts some financial burden to employees. The new plan also saves the City \$40,000 per year. It is hopeful that when the City is on firmer financial ground, a more thorough review of the benefit plans can take place.



Employee Group Health Benefit Proposal

Group Name: CITY OF APALACHICOLA

Renewal Date: 10/1/2018

Agency Name: People's First Insurance Services, LLC

Agent Name: Lee Warren

CHP Group Number: S6136

Service	3101-Platinum	3102-Platinum	3104-Gold
If you visit a health care provider's office or clinic...			
Primary care visit to treat an injury or illness	\$15 / visit	\$15 / visit (CHP offices) \$25 / visit (affiliate offices)	\$50 / visit
Specialist visit	\$40 / visit	\$50 / visit	\$100 / visit
Other practitioner office visit *	\$40/ visit for chiropractor	\$50 / visit for chiropractor	\$100 / visit for chiropractor
Preventive care/screening/immunization	No charge	No charge	No charge
If you have a test...			
Diagnostic test (x-ray, blood work)	No charge	No charge	No charge
Imaging (CT/PET scans, MRIs)	\$100 / visit	\$100 / visit	\$350 / visit
If you need drugs to treat your illness or condition...			
More information about prescription drug coverage is available at www.capitalhealth.com			
Tier 1 drugs	\$15/30-day supply \$30/60-day supply \$45/90-day supply (retail & mail order)	\$15/30-day supply \$30/60-day supply \$45/90-day supply (retail & mail order)	\$15/30-day supply \$30/60-day supply \$45/90-day supply (retail & mail order)
Tier 2 Preferred drugs	\$30/30-day supply \$60/60-day supply \$90/90-day supply (retail & mail order)	\$30/30-day supply \$60/60-day supply \$90/90-day supply (retail & mail order)	\$50/30-day supply \$100/60-day supply \$150/90-day supply (retail & mail order)
Tier 3 Non-preferred drugs (Specialty drugs are limited to a 30-day supply)	\$50/30-day supply \$100/60-day supply \$150/90-day supply (retail & mail order)	\$50/30-day supply \$100/60-day supply \$150/90-day supply (retail & mail order)	\$100/30-day supply \$200/60-day supply \$300/90-day supply (retail & mail order)
If you have outpatient services...			
Facility fee (ambulatory surgery center)	\$200 / visit	\$200 / visit	\$250 / visit
Facility fee (hospital)	\$200 / visit	\$200 / visit	\$500 / visit
Physician/surgeon fees	\$40 / provider	\$50 / provider	\$100 / provider
If you need immediate medical attention...			
Emergency room services (Copayment is waived if inpatient admission occurs; If you are moved to observation status before you are released or admitted as an inpatient, you will be charged an observation status copayments in addition to the emergency room copayment.)	\$250 / visit	\$350 / visit	\$750 / visit
Emergency medical transportation	No Charge	\$100 / transport	\$100 / transport
Urgent care	\$25 / visit	\$25 / visit	\$75 / visit
If you have a hospital stay...			
Facility fee (e.g., hospital room)	\$250 / admission	\$350 / admission	\$750 / day for first 5 days

Service	3101-Platinum	3102-Platinum	3104-Gold				
Physician/surgeon fee (Specialist copay may apply for observation)	No Charge	No Charge	No Charge				
If you have mental health, behavioral health, or substance abuse needs...							
Mental/Behavioral health outpatient services	\$40 / visit	\$50 / visit	\$100 / visit				
Mental/Behavioral health inpatient services	\$250 / admission	\$350 / admission	\$750 / day for first 5 days				
Substance use disorder outpatient services	\$40 / visit	\$50 / visit	\$100 / visit				
Substance use disorder inpatient services	\$250 / admission	\$350 / admission	\$750 / day for first 5 days				
If you are pregnant...							
Prenatal and postnatal care	\$40 / visit	\$50 / visit	\$100 / visit				
Delivery and all inpatient services	\$250 / admission	\$350 / admission	\$750 / day for first 5 days				
If you need help recovering or have other special health needs...							
Home health care *	No Charge	No Charge	\$35 / visit				
Rehabilitation services *	\$40 / visit	\$50 / visit	\$100 / visit				
Habilitation services *	\$40 / visit	\$50 / visit	\$100 / visit				
Skilled nursing care *	No Charge	No Charge	No Charge				
Durable medical equipment	No Charge	No Charge	No Charge				
Hospice service	No Charge	No Charge	No Charge				
If your child needs dental or eye care...							
Eye exam (Adults and children covered) *	\$15 / visit	\$15 / visit	\$35 / visit				
Glasses (Children < age 19 covered when provided at Capital Health Plan's Eye Care Centers) *	Covered*	Covered*	Covered*				
Dental check-up (Children < age 19 covered through a separate dental plan) **	Covered**	Covered**	Covered**				
Deductible (applies only to pediatric dental services, if purchased through our alliance dental plan)	\$60 per child for pediatric dental services	\$60 per child for pediatric dental services	\$60 per child for pediatric dental services				
Is there an out-of-pocket limit on my expenses?							
	Single	Family	Single	Family	Single	Family	
Maximum Out-of-Pocket Limits (Medical and pharmacy separate)	Medical	\$3,500	\$7,000	\$3,500	\$7,000	\$3,500	\$7,000
	Rx	\$3,500	\$7,000	\$3,500	\$7,000	\$3,500	\$7,000
Maximum Out-of-Pocket Limits (Pediatric Dental, if purchased through our alliance dental plan)		\$350 Single \$700 Family		\$350 Single \$700 Family		\$350 Single \$700 Family	

*** Limitations Apply**

**** Covered through our alliance dental plan or through the insurance marketplace (for an additional premium, billed directly by the dental carrier).**

For full benefit details, please reference your Small Employer Member Handbook and the Summary of Benefits and Coverage.

APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018

SUBJECT: Half-Lot Minimum Development Standards

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: A
Department: Planning and Zoning
Contact: Cindy Clark, City Planner
Presenter: Uta Hardy, Broker

BRIEF SUMMARY: Uta Hardy, on behalf of Mary Josephine Mirabella, is requesting a change to the Land Use Code to allow the sale of an individual half-lot recorded after 1991. Information regarding the lot, research on the development of other half lots, and a survey of the property are attached.

RECOMMENDED MOTION AND REQUESTED ACTIONS: Not at this time, pending further discussion and possible action by the City Commission.

FUNDING SOURCE: Not Applicable

ATTACHMENTS: Meeting Notes from Uta Hardy dated August 28, 2018 and Two Plats dated July 12 2018.

STAFF'S COMMENTS AND RECOMMENDATIONS: The Land Use Code states that any lot platted before 1991 is considered a buildable lot as long as they can meet the lot coverage and setback requirements. Anything platted after 1991 must meet the minimum development standards for lot size. Because the lot was recorded in 1993, the sale of the half lot does not meet the Land Use Code requirements as a buildable lot. A variance request is not appropriate in this case as variances of this nature are not permissible and the Commission should not approve individual exceptions to the Land Use Code. However, if based on the research provided by Uta Hardy the Commission determines that changes may be needed to the Land Use Code and Comprehensive Plan, staff feels that the matter should be forwarded to the Planning and Zoning Board in keeping with adopted amendment policy procedures.

Meeting August 28, 2018

Mayor Van Johnson

City Manager Ron Nalley

Uta Hardy

Use of ½ lots in the City of Apalachicola

Background

Research on the property appraiser's website showed 30 ½ lots either vacant or improved, each with its own Parcel- and Tax ID

Of these half lots:

7 are residences on small lots and individually owned

6 were already combined to 3 full lots with residences

2 have individual owners and are not adjacent

2 have individual owners and are adjacent

7 are vacant, 1x3 and 2x2 are adjacent with the same owners and the same deed trail

4 have different owners, 2 each are adjacent with one being vacant and one having a structure

2 are owned by one owner one vacant one with a residence that is currently rented (Mrs Mary Josephine Mirabella)

Reason for the meeting:

The Land Development version 1991 states that ½ lots that are adjacent and have the same owner after 1991 are considered one 60x100 lot.

Mrs. Mirabella would like to sell the vacant ½ lot. She found a buyer and the goal is to build a small two-story house that would be rented (see surveys and possible structure). The lots have individual deed trails, until 1993, when Mr. Mirabella sr. acquired the ½ lot with the building. The lots have since been treated as individual properties and in the Trust Distributive Deed in 2013 both ½ lots were individually transferred.

Mrs. Mirabella is the only individual based on the numbers above that owns a vacant and an improved 1/2 lot that are adjacent and now both in her name. We ask for permission to sell this lot individually.

Consequences:

The concern was raised that if the lot would be sold separately many owners would start selling off 1/2 lots.

Based on the above-mentioned numbers of existing 1/2 lots that seems impossible; only 13 of these lots are vacant and based on the deed trail some owners might not want to divide the property.

4 of these can be legally sold as they are.

A positive result for the City of Apalachicola could be 13 houses built. Small and in line with the existing shotgun culture, yet within the setbacks and over 800 sq. ft. in size. (Some lots are owned by the City of Apalachicola). And if rented, affordable!

A stipulation could be added to the permission to sell, that would require the construction to start within 6 months.

Thank you for your consideration!

Sincerely

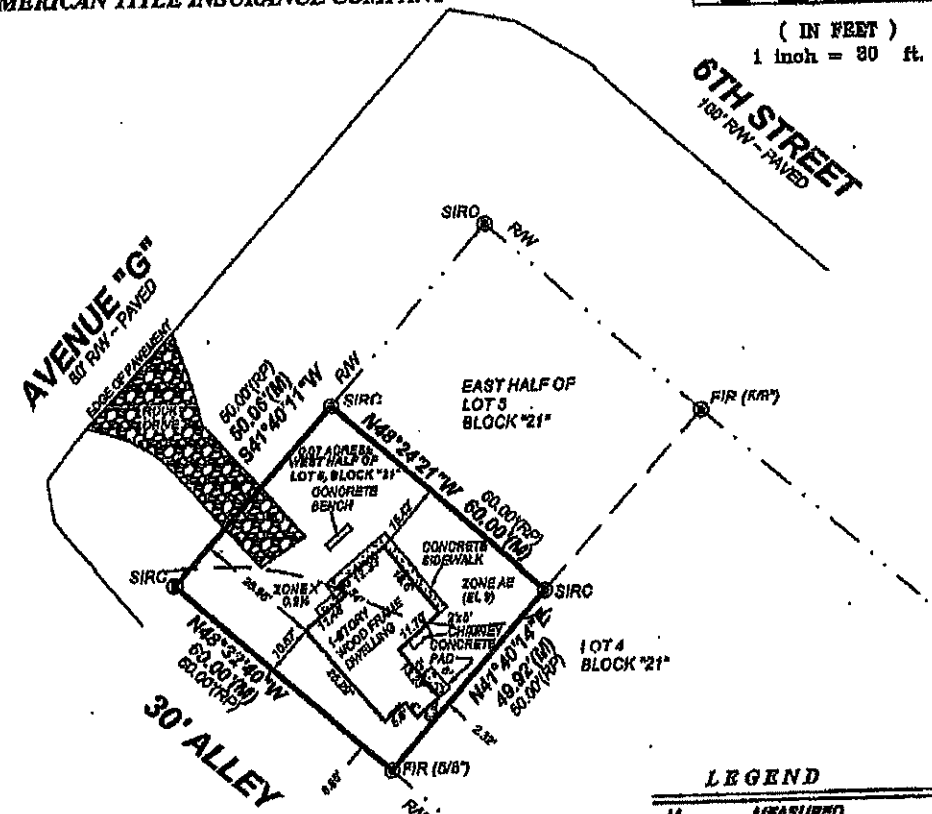
A handwritten signature in black ink, appearing to be 'M. 3' with a long, sweeping underline that extends to the right.

PLAT OF BOUNDARY SURVEY CERTIFIED TO:
 ASHLEY LEONARD
 DODD TITLE COMPANY, INC.,
 FIRST AMERICAN TITLE INSURANCE COMPANY

GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.



LEGAL DESCRIPTION:
 West half of Lot 5, Block "21", THE CITY
 OF APALACHICOLA, a subdivision as per
 map or plat in common use on file at the
 Clerk of the Circuit Office in Franklin
 County, Florida.

LEGEND

- M MEASURED
- RP RECORD PLAT
- FIRC FOUND (3/8") IRON ROD AND CAP
- SIRC SET (3/8") IRON ROD AND CAP #7100
- FCM FOUND CONCRETE MONUMENT
- RW RIGHT-OF-WAY
- NOT TO SCALE
- POINT NOT SET OR FOUND

NOTES:

1. SURVEY SOURCE: Record plat, previous survey performed by this firm (Job #99-554 Dated 04/08/10) and a field survey performed by the undersigned surveyor.
2. BEARING REFERENCE: South boundary of subject parcel having an assumed bearing of North 41 degrees 40 minutes 14 seconds East
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.
6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

FLOOD ZONE INFORMATION:

Subject property is located in Zone "X" (0.2%) and Zone "AE" (EL 9) as per Flood Insurance Rate Map Community Panel No: 120088 0545F Index date: February 5, 2014, Leon County, Florida.

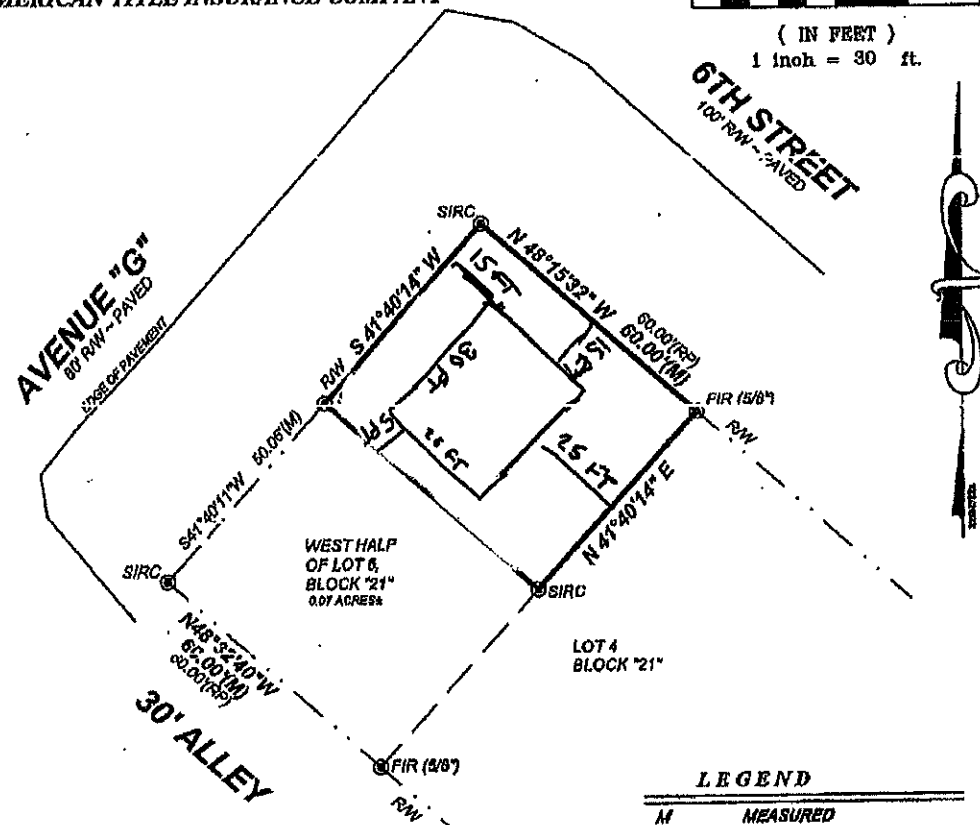
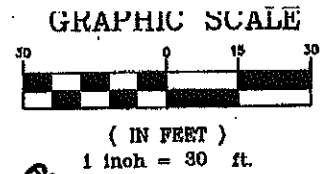
I hereby certify that this was performed under my responsible direction and supervision and the plat and description are true and accurate to the best of my knowledge and belief. This survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers (F.A.C. 17C05).

The undersigned hereby certifies that this is a true and correct copy of the original plat and description of the subject property as recorded in the public records of the County of Franklin, Florida.

THURMAN RODDENBERRY & ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS AND MAPPERS
 P.O. BOX 118 • 1138 BELDON STREET • SOPCHOPPY, FLORIDA 32317
 PHONE NUMBER: 904-940-1011 FAX NUMBER: 904-940-1010

DATE: 07/12/18 DRAWN BY: HD
 FILE: 18354.DWG DAY OF LAST FIELD WORK: 07/11/18
 U.S. 605 PG 64 COUNTY: FRANKLIN
 JOB NUMBER: 18-304

PLAT OF BOUNDARY SURVEY CERTIFIED TO:
 MARY JOSEPHINE MIRABELLA
 DODD TITLE COMPANY, INC.,
 FIRST AMERICAN TITLE INSURANCE COMPANY



LEGAL DESCRIPTION:
 East half of Lot 6, Block 21, THE CITY OF APALACHICOLA, a subdivision as per map or plat in common use on file at the Clerk of the Circuit Office in Franklin County, Florida.

LEGEND

M	MEASURED
RP	RECORD PLAT
FIRC	FOUND (687) IRON ROD AND CAP
SIRC	SET (1087) IRON ROD AND CAP #7189
FCM	FOUND CONCRETE MONUMENT
RW	RIGHT-OF-WAY
~	NOT TO SCALE
△	POINT NOT SET OR FOUND

NOTES:

1. SURVEY SOURCE: Record plat, previous survey performed by this firm (Job #99-554 Dated 04/08/10) and a new survey performed by the undersigned surveyor.
2. BEARING REFERENCE: South boundary of subject parcel having an assumed bearing of North 41 degrees 40 minutes 14 seconds East
3. NO IMPROVEMENTS have been located in this survey other than shown hereon.
4. There are NO VISIBLE ENCROACHMENTS other than those shown hereon.
5. This survey is dependent upon EXISTING MONUMENTATION.
6. Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

I hereby certify that this was performed under my responsible direction and supervision and the plan and description are true and accurate to the best of my knowledge and belief. The survey meets or exceeds the standards for practice for land surveying as established by the Florida Board of Professional Surveyors and Mappers (F.S. 403.01(1)).

FLOOD ZONE INFORMATION:

Subject property is located in Zone "AE" (EL 9) as per Flood Insurance Rate Map Community Panel No: 120089 0526F Index date: February 5, 2014, Leon County, Florida.

The undersigned surveyor has not been provided a consent or opinion or approval of the state or local government as to the accuracy of the survey or the reliability of the data used in the survey. The surveyor is not responsible for any errors or omissions in the survey or for any consequences that may result from the use of the survey. The surveyor is not responsible for any errors or omissions in the survey or for any consequences that may result from the use of the survey.

TR & A THURMAN RODDENBERRY & ASSOCIATES, INC.
 PROFESSIONAL SURVEYORS AND MAPPERS
 P.O. BOX 104 • 125 SHELDON STREET • SUFCOPPY, FLORIDA 32319
 PHONE (904) 439-2171 FAX (904) 439-1147
 LB 8 7948

DATE: 07/11/18	DRAWN BY: MD	S.S. 805 PG 68	COUNTY: FRANKLIN
PLAT: 120089-0526F	DATE OF LAST FIELD WORK: 07/11/18	JOB NUMBER: 18-054	

APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018

SUBJECT: Resolution 2018-10 Supporting Amendment 9 to Prohibit Offshore Oil and Gas Drilling

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: B
Department: Administration
Contact: Ron Nalley, City Manager
Presenter: Ron Nalley, City Manager

BRIEF SUMMARY: Amendment 9 to the State Constitution would prohibit drilling beneath “state waters,” which are defined as about nine miles off the western and southern coastlines and at least three miles off the eastern coastline, including bays, estuaries and other waters under Florida’s jurisdiction. The proposed prohibition applies to drilling for both exploration and extraction of oil and gas. Florida law has prohibited offshore oil and gas drilling since 1988, but a constitutional amendment would give the ban more permanence. The City of Apalachicola has been asked to approve a Resolution that supports Amendment 9.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Approve Resolution 2018-10 Supporting Amendment 9 to Prohibit Offshore Oil and Gas Drilling

FUNDING SOURCE: Not Applicable

ATTACHMENTS: Resolution 2018-10 Supporting Amendment 9 and Information Sheet
Prepared by Gulf Restoration Network

STAFF’S COMMENTS AND RECOMMENDATIONS: The City of Apalachicola approved a similar Resolution on November 7, 2017.

**RESOLUTION 2018-10 OF THE CITY OF APALACHICOLA, FLORIDA
SUPPORTING AMENDMENT 9 TO PROHIBIT OFFSHORE OIL AND GAS DRILLING**

WHEREAS, the City of Apalachicola wishes to be good stewards of the coastal environment and its natural resources; and

WHEREAS, tourism and fishing are major economic contributors to the Apalachicola area and offshore drilling poses a major threat to our coastal economy and natural resources; and

WHEREAS, should a spill occur, the natural environment that supports our local economy would be severely damaged and the quality of life that both residents and visitors have come to expect would be negatively affected; and

WHEREAS, offshore drilling operations can harm and possibly kill fish populations, profitable fisheries and marine mammals; and

WHEREAS, seismic surveying uses air guns to create explosive blasts to determine the size and location of oil and gas reserves, can be detected for thousands of miles, and have been found to damage and kill fish eggs and larvae, disrupt migratory patterns of marine wildlife, and may drive whales to abandon their habitats, go silent and cease foraging over vast areas; and

WHEREAS, at shorter distances, seismic air guns may cause permanent hearing loss injury and even death for whales, dolphins, sea turtles and fish; and

WHEREAS, the oil and gas industry has exemptions from provisions in major federal environmental statutes intended to protect human health and the environment that otherwise protect the ecosystem including the Comprehensive Environmental Response, Compensation, and Liability Act; the Resource Conservation and Recovery Act; the Safe Drinking Water Act; the Clean Water Act; the National Environmental Policy Act; and the Toxic Release Inventory under the Emergency Planning and Community Right-to-Know Act; and

WHEREAS, on April 20, 2010, BP's Deepwater Horizon oil rig exploded killing eleven men and releasing more than three million barrels of oil into the Gulf of Mexico, making the spill the largest ocean spill and environmental catastrophe in U.S. history; and

WHEREAS, the oil from Deepwater Horizon and the dispersants used to address it caused devastating harm to birds, sea turtles, fish, marine mammals, coral, oysters, seagrass, and plankton; and

WHEREAS, Hurricanes Rita and Katrina damaged or destroyed 113 oil platforms, 457 oil pipelines and caused 124 offshore oil spills in the Gulf of Mexico totaling more than nine million gallons; and

WHEREAS, a relatively minor oil spill could dramatically impact Florida's coastline, rendering areas uninhabitable for marine life, destroying entire food webs, and crippling our coastal economy; and

WHEREAS, oil and gas operations require roads, storage tanks, pipelines, processing facilities, and other industrial facilities which can damage beaches, wetlands, and coastal habitats; and

WHEREAS, the City of Apalachicola on November 17, 2017 unanimously passed a Resolution opposing offshore drilling and seismic air-gun blasting off the Florida coast.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF APALACHICOLA, that the City of Apalachicola supports Amendment 9 which would prohibit the exploration or extraction of oil and natural gas beneath all Florida owned waters between the mean high water line and the State's outermost territorial boundaries.

ADOPTED this the 2nd day of October, 2018.

ATTEST:

Deborah Guillotte, City Clerk

Van W. Johnson, Sr., Mayor

Amendment 9

Prohibits Offshore Oil and Gas Drilling; Prohibits Vaping in Enclosed Indoor Workplaces

Quick Summary: Prohibits oil drilling beneath waters controlled by Florida; prohibits the use of e-cigarettes, also known as vaping, at indoor workplaces.

Full Summary: [This question](#) has two parts.

1. The first part would prohibit oil and gas drilling off Florida's coast (a CRC analysis of this proposal is [here](#)). Former Gov. Charlie Crist and several legislators tried but failed to place a similar question on the 2010 ballot after the Deepwater Horizon oil rig explosion and spill. The proposal on November's ballot would fall under a section of the Constitution titled "Natural resources and scenic beauty." If approved, this addition to the Constitution would prohibit drilling beneath "state waters," which are defined as about nine miles off the western and southern coastlines and at least three miles off the eastern coastline. "State waters" also means bays, estuaries and other waters under Florida's jurisdiction. The proposed prohibition applies to drilling for both exploration and extraction of oil and gas. Florida law has prohibited offshore oil and gas drilling since 1988, but a constitutional amendment would give the ban more permanence. The proposed amendment would not affect shipping oil and gas products on state waters. The amendment also does not apply to federally controlled waters that extend beyond state boundaries. This proposal comes against a backdrop of moves by the Trump administration to loosen restrictions on offshore drilling and seismic testing in federal waters off U.S. coasts.
2. The amendment's second part addresses vaping, which is the act of inhaling and exhaling a nicotine-containing aerosol produced by various devices (a CRC analysis of this proposal is [here](#)). These so-called "e-cigarettes" were not on the market in 2002 when voters overwhelmingly approved a constitutional amendment that banned smoking tobacco in indoor workplaces. Vaping has since become an increasingly popular way for people to consume tobacco products without smoking. However, the long-term health consequences of vaping are not fully understood, and the vapor contains chemicals and compounds that bystanders might inhale. The vaping part of this amendment would add the term "vapor-generating electronic devices" to the current constitutional restrictions on enclosed indoor workplace smoking. As with the tobacco limits, this addition would exclude a private residence unless it's being used for child care, adult care or health care. And as with tobacco smoking, the amendment would allow tobacco vaping in other situations, including in bars, at retailers where vaping products are sold, and in hotel rooms designated for vaping. The proposed amendment also specifies that local governments are free to pass more restrictive regulations of vapor-generating electronic devices. This part of the amendment instructs the lawmakers to pass vaping restrictions at their next session and to make that law effective on July 1, 2019.

A YES vote on Amendment 9 would:

- Enshrine in the Constitution a ban on oil and gas drilling beneath Florida state waters.
- Exempt shipments of oil and gas on Florida's waters.
- Possibly signal to the federal government Floridians' opposition to offshore drilling.

- Apply constitutional restrictions to drilling only to waters under state control, not to waters under federal control.
- Add new restrictions to the Constitution on the use of electronic vaping devices, largely mirroring current constitutional restrictions on indoor workplace smoking.
- Create exceptions to the vaping restrictions in homes, bars, vaping retailers and hotel rooms designated for vaping.
- Allow local governments to pass stricter regulations on the use of vaping devices.

Supporters:

Florida Wildlife Federation; Gulf Restoration Network; American Cancer Society Cancer Action Network; League of Women Voters of Florida; Florida Policy Institute; Progress Florida

A NO vote on Amendment 9 would:

- Keep a drilling ban out of the state Constitution but would not alter existing state laws that ban drilling.
- Allow Florida legislators to change the current law that bans offshore drilling in state-controlled waters.
- Possibly signal to the federal government Floridians' openness to offshore drilling.
- Keep restrictions on vaping and the use of vaping devices out of the state Constitution.
- Leave any such vaping restrictions to the discretion of the state Legislature.

Opponents:

Florida Petroleum Council; Associated Industries of Florida; Consumer Advocates for Smoke-Free Alternatives Association; Florida Education Association; Florida Chamber of Commerce

Source: www.lwvfl.org/amendments/amendment9

For more information about Amendment 9 and the coalition supporting it, including business and environmental groups: yeson9florida.org



CHRISTIAN WAGLEY Coastal Organizer, Florida-Alabama

850 687 9968

christian@healthygulf.org

P.O. Box 13412

Pensacola, FL 32591

[My Blog Articles](#)

UNITED FOR A HEALTHY GULF

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Professional Services - Marketing and Sale of City Owned Property

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: C
Department: Administration
Contact: Ron Nalley, City Manager and Lee Mathes, Dir. of Admin. Services
Presenter: Ron Nalley, City Manager and Lee Mathes, Dir. of Admin. Services

BRIEF SUMMARY: In July, the City Commission approved a list of surplus parcels to be marketed and sold as a method of reducing the default debt for the water and sewer fund. A Request for Proposals was developed and distributed through a number of channels seeking qualified and experienced real estate brokerage or auctioneer services. On September 19th, the City received three proposals. A summary and copies of the three proposals are attached. Following a review of the proposals, staff is recommending moving forward with the development of a professional services contract with Higgenbotham Auctioneers International Limited, Inc.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Authorize the City Manager to Develop and Execute a Final Professional Services Contract with Higgenbotham Auctioneers International Limited, Inc. for the Sale of Certain City Owned Property.

FUNDING SOURCE: Professional Services – Governing Body

ATTACHMENTS: Location Map and Summary of RFP Responses

STAFF'S COMMENTS AND RECOMMENDATIONS: The proposals for the Auctioneer Firms were very similar and we believe that either firm could do an excellent job for the City. Following a review of the proposals, Higgenbotham Auctioneers offered the following:

- A live and online auction venue
- Broader range of municipal experience, and
- A more extensive Marketing Plan

It is important to note that Higgenbotham Auctioneers did quote a higher marketing budget, a termination fee of 2.5% if the property did not sell at Auction by the City and a request for auction attendance by the Commission in order for immediate approval of a sale by the City. Staff looks forward to hearing what the Commission thinks of the proposal responses and will be happy to discuss any of the proposals in more detail at the meeting.

CITY OF APALACHICOLA
 REQUEST FOR PROPOSALS FROM REAL ESTATE BROKERS AND/OR AUCTIONEERS
 FOR THE PURPOSE OF MARKETING AND SALE OF MULTIPLE PARCELS
 OWNED BY THE CITY OF APALACHICOLA

The City of Apalachicola is seeking qualified experienced real estate brokers and/or auctioneers to market and sell certain City-Owned parcels either together or separately. These parcels are more particularly described below:

PARCEL ID #	Address	Block/Lot(s)	Zone
1. 01-09S-08W-8330-0132-0030	15th Street	132/3 & 4	R-2
2. 01-09S-08W-8330-0181-0080	6th Street	181/8	R-1
3. 01-09S-08W-8330-0220-0010	25th Avenue	220/1-14	R-3
4. 01-09S-08W-8330-0221-0070	25th Avenue	221/7-14	R-3
5. 01-09S-08W-8330-0222-0010	24th Avenue	222/4 -12	R-3
6. 01-09S-08W-8330-0222-0150	24th Avenue	222/15-20	R-3
7. 01-09S-08W-8330-0222-0230	24th Avenue	222/23-28	R-3
8. 01-09S-08W-8330-0236-0040	21st Avenue	236/4-15	R-2
9. 01-09S-08W-8330-0236-0220	22nd Avenue	236/22-24	R-2
10. 01-09S-08W-8340-000D-0080	Cottage Hill	D/8-10&14	R-2
11. 01-09S-08W-8340-000E-0010	Cottage Hill	E/1-5	R-2
12. 01-09S-08W-8340-00DI-0010	Cottage Hill	D-1/1	R-2
13. 01-09S-08W-8330-00F1-0010	Fire Station	F-1/3-5	C-1
14. 01-09S-08W-8330-0161-0060	121 Avenue L	161/6	R-1

Applicants must hold a current Real Estate License or Auctioneer License valid in Franklin County, Florida.

Proposals must include the following:

1. A complete marketing plan including nature and scope of advertising, estimated time required to sell, and anticipated closing date(s).
2. Fee structure for properties sold and requirement that no fee is due or earned until properties are sold.
3. Resume of background and experience selling similar properties. Experience selling properties for other municipalities or public entities is especially relevant.
4. Three references.
5. Acknowledgement that City may remove any property from list, may reject any and all bids or offers, and will require final approval of any proposed sale at a public meeting.

The City of Apalachicola expects applicants to advise on pricing of the properties.

Interested individuals or firms should submit an original and six copies of proposals, sealed and clearly labeled "Sealed Proposal for Marketing and Sell of City Owned Properties". Proposals submitted by email or fax will not be considered. Proposals must be received by 12 Noon on Wednesday, September 19, 2018 at the Apalachicola City Hall, 1 Avenue E, Apalachicola, FL 32320. For further information, contact Lee Mathes @ 850-653-9319 or leemathes@cityofapalachicola.com.

All proposals received by the deadline will be opened on Wednesday, September 19, 2018 at 12:15 PM by the City Manager. The City Manager will review and evaluate proposals after which the Apalachicola City Commission will vote to select the applicant. The City of Apalachicola reserves the right to waive technical errors, waive any informalities or irregularities, and award the contract in the best interest of the City.

THE CITY OF APALACHICOLA IS AN EQUAL OPPORTUNITY EMPLOYER,
 FAIR HOUSING & HANDICAPED ACCESSIBLE JURISDICTION

City of Apalachicola
 Request for Proposals
 Marketing and Sale of City Owned Property

Name	Current License	Provided Six Copies	Method of Sale	Fee Structure	Marketing Plan	References	Reject Bids Acknowledgement	Municipal Experience	Upfront Cost to City	Other Fees	Additional Terms
Colirus, Incorporated	Yes	Yes	Brokerage Service	8% of Purchase Price	Listing Agreement-MLS/Online/Signage	Yes	No	None Mentioned	None	Termination - Reimburse Marketing Costs and Cancellation Fee of \$200	None
Higgenbotham Auctioneers	Yes	Yes	Live and Online Auction	Buyer's Premium - Premium added to High Bid Price	Yes - Print/Online/ Targeted Direct/Social Media/Broker Outreach/Signage	Yes	Yes	Yes	Marketing Budget not to exceed \$10,000	Termination Fee of 2.5% if property not sold at Auction by City	Auction Attendance for Approval by City
Weeks Auction Group	Yes	Yes	Online Only Auction - Participation of Local Broker Helen Spohrer	Buyer's Premium - Premium added to High Bid Price	Yes - Print/Targeted Direct/Online/Video/ Broadcast Media/ E-Platforms/Signage	Yes	Yes	Yes	Marketing and Promotional Costs of \$5,600	None	Exclusive Right to List Property not Sold at Auction

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Joint Workshop with Tree Committee – Tree Ordinance Revisions

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: D
Department: Administration
Contact: Dennis Winterringer, Chairperson, Tree Committee
Presenter: Holly Brown, Pam Richardson, Bob Seaborn and Dennis Winterringer

BRIEF SUMMARY: In 2011, the City Commission adopted the Tree Ordinance (Ordinance 2011-01). In 2015, the Tree Committee proposed revisions to the Ordinance, but the Commission did not adopt those revisions. Afterward the Committee disbanded and in 2017 the Commission appointed new members. Taking into consideration the 2015 proposed revisions, the Commissioners' concerns in not adopting the 2015 Ordinance, and the City's seven years of experience in implementing the Ordinance, the Committee proposes a new Tree Ordinance that would take the place of the 2011 Ordinance. In accordance with Policy No. 002, Comprehensive Plan and Land Development Code Amendment Procedure, the Committee held two public workshops on the proposed Ordinance (prior to Planning and Zoning Board meetings on July 9 and August 13, 2018). The Committee met twice with Duke Energy to discuss vegetation maintenance along power lines and will meet with the Florida Forestry Service. The proposed Tree Ordinance contains revisions made in response to comments received from the City Manager, City Administrator, City Planner, Code Enforcement Officer, and Planning and Zoning Board.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Set a Joint Workshop with the Tree Committee on Tuesday, November 6th at 5 p.m. for the Presentation and Discussion of a Revised Tree Ordinance.

FUNDING SOURCE: Not Applicable

ATTACHMENT: Draft Tree Ordinance Revisions dated November, 2018

STAFF'S COMMENTS AND RECOMMENDATIONS: None at this time.

**PROPOSED LAND DEVELOPMENT CODE REVISIONS CONCERNING
TREE PROTECTION**

The following would replace in its entirety Land Development Code revisions adopted in Ordinance 2011-01. The following are proposed changes to the Code as it existed prior to the adoption of Ordinance 2011-01.

II. LANGUAGE AND DEFINITIONS

Remove the definition of "caliper."

~~**Caliper**—caliper shall be the diameter at breast height (DBH) of the trunk of all trees four (4) feet above ground.~~

Revise the definition of "tree."

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 fifteen (15) feet.

Add the definitions of "diameter at breast height," "patriarch tree," "relocate," and "substantial alteration."

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

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 (10) feet from the trunk, whichever is greater.

Patriarch Tree – A protected native tree (section XII.A) whose trunk is thirty five (35) or more inches in diameter at breast height.

Relocate - As used in the Chapter XII 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.

In the Chapter VII Site Plan Review Regulations, revise section B, Applicability, to read as follows; remove section E, Time Limit on Approval; and recodify section F as E, Site Plan Requirements, and add paragraph 2.a.13.

B. APPLICABILITY

This Chapter establishes procedures and standards for the preparation, review and approval of site plans to carry out development.

* * *

~~E. TIME LIMIT ON APPROVAL~~

~~Following approval of the site plan, the applicant shall have one hundred and eighty (180) days to commence substantial construction and one (1) year to complete construction (section III.C.1) on the site. Any site where construction has not begun and been completed within these time periods shall cause the site plan to be reevaluated by the appropriate bodies and any newly-adopted standards to be considered.~~

E. SITE PLAN REQUIREMENTS

* * *

2. Site plans shall contain maps and documents indicating:

a. General Information.

* * *

13. Tree protection.

A map of sufficient scale to clearly show the locations of lot boundaries; footprints of existing and proposed structures and improvements; species and size (inches diameter breast height) of existing protected trees; protected trees that are proposed to be removed, relocated, or substantially altered; and fences or other protective barriers that will be erected around protected trees at the tree drip lines.

A plan for protecting trees from equipment, material, debris, fill, gasoline, oil, paint, chemicals or other harmful materials.

A discussion of proposed grade changes and how the changes would affect protected trees.

Add new Chapter XII.

XII. TREE PROTECTION

A. 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 solidicola),
live oak (Quercus virginiana),
loblolly pine (Pinus taeda),
longleaf pine (Pinus palustris),
pecan (Carya illinoensis),
pignut hickory (Carya glabra),
red maple (Acer rubrum),
sabal (cabbage) palm (Sabal palmetto),
slash pine (Pinus elliotii),
southern magnolia (Magnolia grandiflora),
southern red oak (Quercus falcata),
sugarberry (Celtis laevigata),
sycamore (Platanus occidentalis),
water oak (Quercus nigra), and
white oak (Quercus alba).

Individual trees of these species having diameters of four (4) or more inches at breast height are protected (hereinafter referred to as “protected trees”). Other native trees and all nonnative trees are not protected.

B. PRESERVATION OF PATRIARCH TREES

No patriarch 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 C.3) or in the case of an imminent hazard (section C.4), the Code Enforcement Officer, City Manager, or a designee in their absence 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, the City Commission 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 D.1.a).

C. EXEMPTIONS FROM REQUIREMENTS TO OBTAIN TREE PERMIT

The following circumstances do not require a tree permit.

1. Unprotected trees.--The removal, relocation, or substantial alteration of:
 - a. Native trees not listed in section A;

b. Native trees listed in section A that are less than 4 inches in diameter at breast height;

c. Cultivated varieties of once native trees developed by selective breeding and sold by plant nurseries; and

d. Nonnative trees, including invasive species.

2. Pruning.--Pruning of unprotected trees, and light pruning of protected trees that does not substantially alter the protected trees.

3. Emergency.--The removal or substantial alteration of any significantly-damaged, protected, non-patriarch 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 is required to remove or substantially alter a patriarch tree (section B.1).

4. Imminent hazard.--The removal or substantial alteration of any protected, non-patriarch tree when the Code Enforcement Officer, City Manager, or a designee in their absence finds that immediate action is required due to a condition endangering public safety or property.

5. Diseased or pest-infested trees.--The removal of a diseased or pest-infested tree when the Code Enforcement Officer, City Manager, or a designee in their absence finds that doing so will prevent the spread of the disease or pests to healthy trees.

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

a. 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.

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

D. PERMITS FOR REMOVAL, RELOCATION, OR SUBSTANTIAL ALTERATION OF PROTECTED TREES

Substantial alteration of a protected, non-patriarch tree shall be allowed only under a declared emergency (section C.3), when a permit is obtained in the case of an imminent hazard (section C.4), or when a permit is obtained in a non-emergency or non-imminent hazard situation to eliminate limbs that encroach on an adjacent structure.

A tree permit shall be issued to remove or substantially alter a protected tree only if such action is in compliance with these Chapter XII requirements and the section VII.E site plan requirements.

Any person wishing to remove or substantially alter a protected tree shall make application to the Code Enforcement Officer on a tree application form provided by the Officer.

1. Private property.

a. Patriarch trees.--If the proposal is the removal or substantial alteration of a patriarch tree, only the City Commission shall make a decision on the tree permit application. The Planning and Zoning Board shall review the application and make a recommendation to the City Commission as to whether the permit should be issued, conditionally issued, or denied. A recommendation to approve or conditionally approve removal or substantial alteration of a patriarch tree shall only be made when no principal structure could be legally built on a lot taking into consideration the location of the tree and such requirements as setbacks and minimum required size for single-family dwellings.

Other protected trees.--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 shall implement these tree protection requirements at the time it 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 in their absence shall review the tree permit application and make a decision on it.

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 application.

As a condition of approval, decision makers may require that certain protected trees or native trees listed in section A that are less than four (4) 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.

E. PROTECTION OF TREES DURING BUILDING OPERATIONS

Before development, redevelopment, or improvement the developer or builder is required to erect and maintain suitable protective barriers at the drip line of the tree. No construction or disturbance shall occur within this radius. Prohibited activities in this radius include operation of equipment; deposition of debris and fill; storage of gasoline, oil, paint, chemicals, and other toxic materials harmful to trees; and attachment of wire to trees. Wood, metal, or other substantial material shall be utilized in the construction of protective barriers. This protection shall remain until such time as the development, redevelopment, or improvement is completed.

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

F. 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 (5) 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 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.

G. REFORESTATION FUND

Fees collected for the lawful removal or relocation of protected trees and fines from the unlawful removal, relocation, or substantial alteration of protected trees (section I) shall be placed in a Reforestation Fund maintained by the City of Apalachicola. These funds will be spent to establish, maintain, and promote a reforestation program on City property, primarily along highway corridors and in City parks. These fees are in addition to the per-permit fee charged by the City for the administrative processing of a tree permit application, which are not deposited in the Reforestation Fund.

Following are the tree permit fees that will 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 fee collected for each lot covered by the application shall not exceed two hundred and fifty dollars (\$250).

For a tree permit applicant proposing to remove a patriarch tree, the maximum total fee collected for each lot covered by the application shall not exceed two hundred and fifty dollars (\$250) for the non-patriarch trees plus an additional \$1,000 dollars (\$1,000) for each patriarch tree.

H. PENALTIES FOR VIOLATIONS

Any person that removes or substantially alters a protected tree before a tree permit is obtained shall be charged a doubled application fee 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 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.

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. 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.

I. APPEALS

Any person who is denied a tree permit by the Planning and Zoning Board, Code Enforcement Officer, or City Manager may appeal that decision to the City Commission (section III.A.1.d).

Any person who is denied a tree permit for a patriarch tree by the City Commission may appeal that decision to the circuit court (section III.A.1.d.3).

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018**

SUBJECT: Board of Adjustment Appeal – McLemore Variance Decision

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: E
Department: Planning and Zoning
Contact: Cindy Clark, City Planner
Presenter: Ron Nalley, City Manager

BRIEF SUMMARY: On May 25, 2018, Diane Brewer of the Historic Apalachicola Foundation requested an appeal hearing before the City Commission of a quasi-judicial hearing decision by the Board of Adjustment of their May 21, 2018 variance approval for an expansion of a non-conforming structure at 101 Bay Avenue (McLemore). In the event that the Appeal is denied, the City Commission will hear a request for encroachment by the applicant for construction into an adjacent alleyway.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Set a Special Meeting on October __, 2018 at __ p.m. in the _____ Building to Conduct an Appeal Hearing Request from Diane Brewer of the Historic Apalachicola Foundation.

FUNDING SOURCE: Not Applicable

ATTACHMENTS: Hearing Request dated May 25, 2018

STAFF'S COMMENTS AND RECOMMENDATIONS: The questions raised normally on an appeal of a quasi-judicial decision are whether there was competent substantial evidence to support or establish the decision and whether procedural due process was provided. Here there is also raised the question of whether there was a sufficient vote to approve the variance request in accordance with the City of Apalachicola Land Use Code (Part III, Enforcement and Administration, Section A (3)(C)). Attorney Pat Floyd will be available at your meeting to answer any questions you may have.

Historic Apalachicola Foundation, Inc.
66 Avenue D
Apalachicola, Fl. 32320

May 25, 2018

Mayor Van D. Johnson, Sr.
Commissioner Brenda Ash
Commissioner Mitchell Bartley
Commissioner Jimmy Elliott
Commissioner Anita Grove
City of Apalachicola
192 Coach Wagoner Blvd.
Apalachicola, Fl. 32320

RE: Correction of Record and Appeal of McLemore Variance

Ladies & Gentlemen,

This is a request by the Historic Apalachicola Foundation to correct the record and, in the alternative, give notice of appeal of the Board of Adjustment's decision to approve a variance at the quasi-judicial hearing of May 21, 2018 in which the applicants seek a further expansion of a non-conforming structure already encroaching into the alley of Block 36 at their residence, 101 Bay Avenue.

At the conclusion of the quasi-judicial hearing a motion was made to grant the variance. The vote on the motion was three members in favor and one opposed. It was then announced that the variance was granted. Based on the recorded vote, granting a variance on a three – one vote does not comply with the Apalachicola Land Use Code, Part III, Enforcement and Administration, Section A (3) (c) which provides in relevant part:

c. Decisions of the Board of Adjustment. In exercising its authority the Board may, provided that such action is in conformity with the terms of this Code, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as sought to be made and to that end shall have the powers of the building inspector from whom the appeal is taken. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the building inspector or to decide in favor of the applicant on any matter upon which it is required to pass under this code, or to effect any variation in the application of this Code. The granting of a variance by the Board shall not confer upon the applicant any expressed authority to proceed with any development not specifically permitted or for which no permit has been issued pursuant to Section III B of this Code. (Emphasis added).

As provided in the Land Use Code, an application for a variance that does not receive four affirmative votes is denied by operation of the above quoted section. Therefore we respectfully request that the Board's announced decision be corrected without delay to reflect the legal effect of the vote taken upon the record.

In the alternative, the Historic Apalachicola Foundation appeals the decision to grant the variance. The grounds for appeal will be provided in supplemental correspondence.

Enclosed is a check for the \$500 fee.

Sincerely,

Diane K. Brewer

Cc: Lee Mathes, City Administrator
Cortni Bankston, City Building Department
Wilbur Bellew, City Code Inspector
Marie Marshall, Director, Historic Apalachicola Foundation, Inc.

Enclosure

APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: October 2, 2018

SUBJECT: Resolution 2018-11 Requesting that the U.S. Army Corp of Engineers Resume Removing Snags in the Apalachicola River Channel

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: F
Department: Administration
Contact: Ron Nalley, City Manager
Presenter: Ron Nalley, City Manager

BRIEF SUMMARY: At the end of the Commission's last meeting, Mayor Johnson requested that staff prepare a Resolution regarding removing snags in the Apalachicola River Channel for consideration at the next meeting. The attached Resolution is similar to a Resolution adopted in 2013 by the Commission.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To Adopt Resolution 2018-11 Requesting that the U.S. Army Corp of Engineers Resume Removing Snags in the Apalachicola River Channel.

FUNDING SOURCE: Not Applicable

ATTACHMENTS: Resolution 2018-11

STAFF'S COMMENTS AND RECOMMENDATIONS: None

**CITY OF APALACHICOLA
RESOLUTION 2018-11**

A RESOLUTION BY THE CITY OF APALACHICOLA REQUESTING THAT THE U.S. ARMY CORP OF ENGINEERS RESUME REMOVING SNAGS IN THE APALACHICOLA RIVER CHANNEL AS NECESSARY TO ENSURE SAFE AND CONTINUOUS NAVIGATION ALONG THE LENGTH OF THE RIVER AND THAT ANY AND ALL PERMITS BE GRANTED AND UTILIZED TO ENSURE THAT THIS ACTION IS INITIATED AND COMPLETED AS SOON AS POSSIBLE.

WHEREAS, the City of Apalachicola has a long history of reliance upon commercial and recreational navigation on the Apalachicola River; and

WHEREAS, the City of Apalachicola seeks to ensure that safe and reliable navigation for its residents, visitors and commercial operators is continued on the Apalachicola River; and

WHEREAS, the United States Congress has authorized development of a Navigational Channel supported by three locks between Apalachicola, Florida and Columbus, Georgia, and further directed the U.S. Army Corp of Engineers to construct and maintain said navigational channel; and

WHEREAS, the U.S. Army Corp of Engineers has in the past undertaken removal of snags from the Navigational Channel consistent with the requirements for safe navigation and has implemented new technologies to improve efficiencies and reduce adverse environmental consequences through the tree shear method whereby these in the Navigational Channel will be cut and removed outside of the Navigational Channel, thus removing the portion of the snags that threaten safe navigation and therefore imperil life and property; and

WHEREAS, the City of Apalachicola is of the expectation that private and commercial utilization of the Navigational Channel is the key element of new emerging economic opportunities; and

WHEREAS, the snags on the Apalachicola River threaten the safety of our citizens, and impede the boat traffic on the Apalachicola River, and it is in the best interest of our citizens for the Florida Department of Environmental Protection to issue the permit for the United States Army Corps of Engineers to perform the procedure to clear the snags from the Apalachicola River to protect our citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF APALACHICOLA, that the U.S. Army Corps of Engineers resume removing the snags in the Apalachicola River Channel and that any and all permits be granted and utilized immediately to ensure prompt completion of the snag removal in the interest of the safety and welfare of the citizens of Apalachicola and all users of the River.

Adopted this 2nd day of October, 2018 by the City Commission of the City of Apalachicola, Florida by unanimous vote.

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

ATTEST:

Deborah Guillotte, City Clerk

Van W. Johnson, Sr., Mayor

October 2018

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	1	2 City Commission PH & RM – 6:00 PM	3	4	5	6
7	8 Planning & Zoning WS – 5:00 PM; RM – 6:00 PM	9	10	11	12	13
14	15	16 Tree Committee 3:00 PM	17	18 Recreation Committee – 6PM	19	20
21	22	23	24 HCA – 4:30 PM HCA Museum	25	26	27
28	29	30	31			

ALL MEETINGS ARE HELD AT THE APALACHICOLA COMMUNITY CENTER, #1 BAY AVENUE, UNLESS OTHERWISE STATED
 RM – Regular Meeting SM – Special Meeting WS – Workshop PH – Public Hearing