

REGULAR MEETING
APALACHICOLA CITY COMMISSION
TUESDAY, DECEMBER 7, 2021 – 4:00PM
BATTERY PARK COMMUNITY CENTER
1 BAY AVE., APALACHICOLA, FLORIDA 32320

Agenda

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

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

- II. Agenda Adoption**

- III. Public Comment**
 1. Beth Embert, Jimmy Gander, Steve Watkins – Leslie Street

- IV. Unfinished Business**
 1. Battery Park Marina Ordinance-First Reading
 2. Garbage Pickup-Alleys to Streets

- V. New Business**
 1. Office 365 proposal – Kevin Ward
 2. Planning and Zoning – Committee Member and Alternate Member Appointment

- VI. Mayor and Commissioner Comments – Reports Attached**

- VII. City Manager Communications – Report Attached**
 1. Approval from the Commission to make payment outside City Manager spending authority – Bodiford Park Pier Professional Services Fee Proposal - \$15,985
 2. Approval from the Commission to make payment outside City Manager spending authority – Scipio Creek Marina Pier and Dock Drainage Repair Professional Services Fee Proposal - \$17,775

VIII. Attorney Communications – Report Attached

IX. Grant Development and Implementation Coordinator – Report Attached

X. Consent Agenda

A. Meeting Minutes Adoption – November 2, 2021 Regular Meeting; November 16, 2021 Workshop 3pm; November 16, 2021 Budget Hearing/Special Meeting 5:01pm; and November 29, 2021 Budget Hearing/Special Meeting 5:01pm meeting minutes.

XI. Department Reports

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

**ORDINANCE NO. 2021-
BATTERY PARK MARINA ORDINANCE**

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, REPLACING IN WHOLE ORDINANCE NO.(S) 91-9 AND 2003-01; ESTABLISHING RULES, REGULATIONS AND FEES TO BE CHARGED FOR THE USE OF BATTERY PARK MARINA; PROVIDING FOR TEMPORARY PARKING OF CAMPERS AT BATTERY PARK POINT; PROVIDING FOR TIMELY REPORTING OF FEES COLLECTED; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article VII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and

WHEREAS, Chapter 166, Florida Statutes, the “Municipal Home Rule Powers Act,” implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof;

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

SECTION 1: THE HARBORMASTER

The Harbormaster, or designee, shall enforce this Ordinance and the collection of designated fees.

The Harbormaster, or designee, shall enter into rental agreements and issue permits for the use of slips in the Battery Park Marina on a first come first served basis.

The Harbormaster, or designee, shall keep a record of receipts for the issuance of all permits and of the various fees collected in the Battery Park Marina.

The Harbormaster, or designee, shall ensure slips are properly numbered for easy identification by emergency responders.

SECTION 2: BATTERY PARK MARINA SLIP RENTALS

The following fees and rules are hereby imposed:

- (a) The applicable rental Fees and Charges are set forth as in the applicable annual City Budget available on the City’s Website, incorporated herein by reference and as amended from time to time. The current schedule of Fees and Charges are available at City Hall or the City’s website www.cityofapalachicola.com
- (b) All dockage, launching, or permit fees shall be collected in advance and no refunds shall be issued. Parties with a slip rental agreement (“Slip Holders”) may receive a 10% discount for pre-paying their annual rent.
- (c) Slip Holders shall be subject to eviction upon sixty (60) days of non-payment on slip rental.

**ORDINANCE NO. 2021-
BATTERY PARK MARINA ORDINANCE**

- (d) Floating structures and liveaboard vessels as defined in Section 327.02, F.S. are prohibited from docking at Battery Park Marina. Any floating structure or liveaboard vessel docked at the marina on the effective date of this ordinance must be removed within twelve (12) months of the effective date.
- (e) No person or entity may lease/rent more than one slip at a time.
- (f) No vessel berthed within the Marina may function as transient rental accommodations.
- (g) Slip Holders shall not store supplies, materials, accessories, or other personal property upon, or make any changes, alterations, or unauthorized additions to the docks, catwalks, seawalls, or other features of the Marina.
- (h) Piers shall be kept in orderly, safe, and sanitary conditions at all times by Slip Holders. Driving, riding, storing, or permitting any motorized vehicle on the piers is prohibited, with the exception of motorized wheelchairs. Hoses and electric cables should be marine grade when applicable and not run across docks. Open fires or charcoal grills are not permitted to be used upon Marina grounds, docks, piers, or vessels within the Marina.
- (i) Any rental agreement shall be subject to termination for tampering or altering of utility meters, boxes, or connections without express written authorization from the Harbormaster.
- (j) The City reserves the Right to terminate the rental agreement with any tenant/Slip Holder that has not docked a vessel (identified in the rental agreement) in their slip for a period of six months.
- (k) Subleasing of a slip or permitting any vessel not named in the rental agreement is prohibited.
- (l) The City of Apalachicola reserves the right to terminate any rental agreement for non-payment, or non-compliance with Marina Rules and Regulations, upon thirty (30) day notice. Ongoing or repeat violations of Marina Rules that are a matter of safety may result in immediate termination.

SECTION 3: BATTERY PARK BOAT RAMP FEES-

- (a) The applicable boat launch Fees and Charges are set forth in the applicable City Budget and incorporated herein by reference.
- (b) Upon payment of the required annual fee the party shall receive a permit in the form of a decal.

SECTION 4: OVERNIGHT RECREATIONAL VEHICLE (RV) RENTAL FEES

A nightly rental rate shall be charged for RVs using the Battery Park Marina as set forth in the City's Annual Budget and incorporated herein by reference. RVs must stay in designated areas as identified by the Battery Park Marina parking plan. Open fires and charcoal grills are prohibited. RV renters shall be responsible to remove their own trash.

**ORDINANCE NO. 2021-
BATTERY PARK MARINA ORDINANCE**

SECTION 5: BATTERY PARK MARINA RULES AND REGULATIONS

The following rules and regulations are hereby imposed:

- (a) No major repairs of vessels shall take place within the Battery Park Marina, unless given express written authorization from the Harbormaster.
- (b) The Docking Facilities in the Battery Park Marina, including the shoreline of Battery Park are reserved only for the use of permit and Slip Holders.
- (c) The boarding docks of the launch shall not be used by commercial fishermen for loading or unloading of catches. Nothing in this section prevents a commercial fisherman from launching or recovering their vessel with catch on board.
- (d) The practice of "double docking," or "multiple docking," is prohibited in Battery Park Marina. This practice is defined as one vessel tying up, docking, or berthing alongside another vessel which is already docked.
- (e) Should a vessel sink in the Marina, the Slip Holder shall take immediate action to cause the removal of the vessel within 24 hours of receiving notice of its sinking.
- (f) Any individual or group damaging public or private property within the Marina, whether by negligence or accident, shall be fully responsible for any and all repairs to the damaged property. This includes damages caused by a Slip Holder's vessel during a tropical storm or hurricane.
- (g) Pets may be brought into Battery Park Marina in accordance with local leash laws and under supervision of a responsible individual. Pets shall not be tethered and left unattended in the Marina. Pets may be kept aboard vessels or in vehicles when Humane Society Standards are adhered to. Pet owning Slip Holders are responsible for the removal and disposal of any waste generated by their pet. Failure to comply with this provision shall result in a \$50 fine for a single violation and up to termination of the rental agreement or revocation of a launch permit for repeat violations.
- (h) All trash, garbage, or waste generated by persons lawfully using Battery Park Marina shall be disposed of in the appropriate receptacle on site. Dumping of large household items or other cumbersome materials not related to lawful use of the Marina shall be considered illegal dumping. Discharge or untreated sewage, oil, or petroleum products into the water is prohibited. All sewage systems on board vessels must meet current federal and state regulations, or must be locked off while the vessel is docked. Oil spills shall be immediately reported to the Harbormaster pursuant to U.S. Coast Guard Regulations. Cleaning and pumping of black water tanks while docked within the Marina is prohibited.
- (i) The boat ramp and adjacent boarding docks are for loading and unloading of vessels only. Vessels shall launch and recover in a timely manner as to not impede other vessels from launching or recovering. No vessel shall tie up to the boarding docks adjacent to the boat ramp for more than fifteen (15) minutes.

**ORDINANCE NO. 2021-
BATTERY PARK MARINA ORDINANCE**

- (j) There shall be no fishing or cast netting within 20' of vessels in the marina. Individuals fishing or cast netting on the boarding docks shall yield right of way to vessels launching or recovering.
- (k) Fish carcasses are not to be disposed of in the Marina, or on property of the Marina.
- (l) Battery Park Marina is a designated an idle speed no wake zone.-
- (m) Fireworks are not permitted to be launched or used upon Marina grounds.
- (n) Potable water supplied by the Marina to Slip Holders shall not be used to cool air-conditioners and other equipment or to cool the skin of the vessel. The Harbormaster may disconnect a Slip Holder's water hose at the dock in Slip Holder's absence and Marina shall not be responsible for the consequences of such action. Slip Holders shall use a hose shut-off nozzle to conserve water when washing their vessel.
- (o) All motor vehicles and vessels parked in the Marina must have a valid registration and be in operable condition. Slip Holder trailers may not be stored on Marina property.

SECTION 6: PENALTIES

Violation of this Ordinance by a Slip Holder or his/her crew, shall result in fines for a single or repeat violation as set forth in the Schedule of Fees and Charges. Such violation(s) may form the basis for termination of any rental agreement and removal of any vessel found in violation at the discretion of the Harbormaster.

SECTION 7: SEVERABILITY

If any portion of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

SECTION 8: EFFECTIVE DATE

This Ordinance amending and replacing Ordinances No. 91-9 and 2001-03 is specifically set forth herein and shall take effect on upon adoption.

First Reading on : December 7, 2021

Second Reading and Adoption on : _____

ATTEST: City Commission of the
City of Apalachicola, Florida

By: _____
Deborah Guillotte, City Clerk

By: _____
Brenda Ash, Mayor

APPROVED AS TO FORM:

By: _____
Daniel W. Hartman, City Attorney

Garbage truck alley access

External

Inbox

Jack Brewer

Sun, Nov
7, 11:45
AM

to bash, aelliott, anita, dgeorge, dduncan, deborahguillote, me

Madam Mayor, Commissioners, and others,

I understand that the matter of trash pick-up in our alleyways is on the agenda for the upcoming city commission meeting. As I will not be able to attend the meeting in person, I would like for this message to be included in the public comments. Thank you.

I am opposed to continued trash collection in the city's alleyways. Speaking from personal experience, this method has damaged the alley on our block*, creating ruts and low places which collect water during rain and remain wet even in the dry season. From an infrastructure standpoint, the trucks have destroyed a hydrant installation on the Avenue C end of the alley (this has still not been replaced after over a year) and damaged a water system or sewer access point on the Avenue B end of the alley. The WiFi cable from the pole across the alley from our property is buried under the alley, and has had to be repaired or replaced several times due to the crushing effect of the heavy trucks which are far too large and too heavy for our streets and especially for the alleys. The track that the truck follows in the alley adjacent to our property has crept over until the trucks actually drive outside of the right of way onto our property, destroying landscaping and compounding the negative effects with respect to draining, sanitation and appearance. This was verified by survey about 10 years ago. It has continued to encroach farther onto our property. Benign markers which we have placed to guide the drivers have simply been run over and destroyed. Calls to Waste Pro about this matter have been ignored.

There has been opposition expressed to moving pick-up locations to the streets due to concerns over those who may be unable to move bins to and from the street. I have lived in cities which had no alleyways, and where the population of elderly and disabled far exceeded those in Apalachicola and this was not a problem. Neighbors simply assisted each other and in some instances the collection contractor crews moved the bins themselves. (I understand that both Waste Pro and Waste One will provide this service if requested). As for objections over the leaving of bins in the streets between pick-up days, this is a matter of code enforcement proactively discouraging residents and businesses from lack of compliance.

There is no reason for trash collection to be permitted to continue damaging our alleys and the adjacent infrastructure. Neither our streets nor our alleyways were intended,

designed, built or maintained to accommodate the large, heavy trucks that are being used. You have an opportunity to mitigate the existing damage and prevent further destruction of our valuable and fragile infrastructure in the future. I urge you to require trash collection only on the streets and prohibit it in our alleys.

Respectfully,

Jack Brewer
159 Avenue B

*This block is defined by Avenues B and C, and 12th. and 13th. Streets

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: December 7, 2021**

SUBJECT: Microsoft 365 Proposal

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 1
Department: All Departments
Presenter: Kevin Ward

BRIEF SUMMARY: The City Manager and Kevin Ward have researched several email options, and would like to change from Google email and file sharing/storage to Microsoft 365 Email and file sharing/storage services.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To get approval for the City to change from Google email and files sharing/cloud storage to Microsoft 365 email and files sharing/cloud storage.

FUNDING SOURCE: All departments

ATTACHMENTS: ShowTech – Office 365 Proposal

STAFF'S COMMENTS AND RECOMMENDATIONS: After research, staff recommends Microsoft 365



FROM
Christopher Storey
Showtech Solutions Inc.
200 N. Pierce St.
Tampa, Florida 33602
www.showtechsolutions.com
PHONE
813-793-4700

FOR
City of Apalachicola
TO
Travis Wade
COPY TO
Casey Lemieux

QUOTE NUMBER
15792
DATE
August 12, 2021
VALID UNTIL
December 16, 2021 at 9:48AM

365 Project - Government - City of Apalachicola

Microsoft 365 G3 GCC - Annual Cost Best for FedRAMP moderate, supports CJIS and IRS 1075 standards and DISA Level 2 Security Requirements Guidelines.	384.00 x 40 15,360.00
<input checked="" type="checkbox"/> Enterprise Mobility + Security G5 GCC Annual Cost	195.60 x 8 1,564.80
Fixed-Cost Project Tenant Setup/Configuration	800.00 x 1 800.00
Options selected	1 of 1
Subtotal	17,724.80
Total including tax	\$17,724.80

Terms

Orders are not binding until accepted by ShowTech. Terms of payment are within ShowTech's sole discretion. Invoices are due and payable within the time period specified on the invoice, measured from the date of invoice. ShowTech may invoice parts of an order separately.

Client is solely responsible for, and will indemnify and hold ShowTech harmless from, any applicable sales, use or other taxes or federal, state or local fees or assessments associated with the order. Client must claim any exemption from such taxes, fees or assessments at the time of purchase and provide ShowTech with the necessary supporting documentation. Any sales, use or other applicable tax or fees or assessments is based on the location to which the order is shipped. In the event of a payment default, Client will be responsible for all of ShowTech's costs of collection, including court costs, filing fees and attorney's fees. In addition, if payments are not received as described above, ShowTech reserves the right to suspend Services until payment is received.

Invoice, or pricing issues must be resolved in the first 30 days from the invoice date. After 30 days, the invoice is not disputable.

Returns are subject to a 20% restocking fee.

**APALACHICOLA CITY COMMISSION
REQUEST FOR BOARD ACTION
Meeting Date: December 7, 2021**

SUBJECT: Planning and Zoning Appointment

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 2
Department: Administration
Presenter: Travis Wade, City Manager

BRIEF SUMMARY: The Planning and Zoning Board has one member position and one alternate member position.

RECOMMENDED MOTION AND REQUESTED ACTIONS: To appoint one P&Z member and one alternate member position.

FUNDING SOURCE: None.

ATTACHMENTS: List of Current Planning and Zoning Board Members and Candidate Questionnaires

STAFF'S COMMENTS AND RECOMMENDATIONS: The Planning and Zoning Board consists of seven regular members and one alternate.

PLANNING & ZONING BOARD
UPDATED 10/20/2021
Consists of 7 Members – 1 Alternate

Al Ingle, Chair – 9/2019
59 Commerce Street
Apalachicola, FL 32320
Cell: 850-509-1162
Home: 850-653-1031
al@capitalavionics.com

Bobby Miller – 12/2020
34 16th Street
Apalachicola, FL 32320
Cell: 850-653-7539
bobby.miller@yahoo.com

Jim Bachrach
187 Avenue C
Apalachicola, FL 32320
Home: 850-653-8520
Cell: 850-899-8689
Shadow1@fairpoint.net

VACANT

Elizabeth Milliken – 9/2019
P.O. Box 277, 11 9th Street
Apalachicola, FL 32320
Home: 850-653-9456
Cell: 571-722-3047

Alternate: VACANT

Lee McLemore – 3/2021
P.O. Box 183, 101 Bay Ave.
Apalachicola, FL 32320
Home: 850-653-2985
Cell: 850-653-7111

Joe Taylor
98 9th Street
Apalachicola, FL 32320
Cell: 850-323-0176
palme2blue@yahoo.com

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

REQUESTED BOARD/COMMITTEE APPOINTMENT P+Z

APPLICATION DATE 10/27/21

DATE APPOINTED _____

NAME: CHASE GALLOWAY
MAILING ADDRESS: 145 BAY COLONY WAY
PHYSICAL ADDRESS: APALACHICOLA, FL 32320
CELL#: 850-323-0843 HOME#: N/A
EMAIL: Chase@gallowayfl.com

PLACE OF EMPLOYMENT: GALLOWAY CONSTRUCTION, Inc.
WORK#: 850-670-1030

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?
28 YEARS

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?
TO MAKE A DIFFERENCE IN THE COMMUNITY

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?
10 YEARS OF KNOWLEDGE IN THE CONSTRUCTION
& REAL ESTATE FIELDS

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?
N/A

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?
N/A

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

YES

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

YES

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

YES

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

YES

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

YES, 16 YEARS

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

YES



SIGNATURE

CHASE A GALLOWAY

PRINTED NAME

**BOARD/COMMITTEE
CANDIDATE QUESTIONNAIRE**

REQUESTED BOARD/COMMITTEE APPOINTMENT: Planning and Zoning Board

APPLICATION DATE: November 2, 2021

DATE APPOINTED:

NAME: Dennis Winterringer

MAILING ADDRESS: 117 8th Street, Apalachicola FL 32320-1459

PHYSICAL ADDRESS: Same

CELL#: 850-296-4087 **HOME#:** 850-370-5086

EMAIL: dwinterringer@mediacombb.net

PLACE OF EMPLOYMENT: Retired, not seeking employment.

WORK#: None

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?

Full-time resident for 11 years.

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?

My wife and I have traveled all over the United States. We considered retiring in a number of different places, but we chose Apalachicola because of its small-town atmosphere, history, and natural surroundings of forests and water.

The City of Apalachicola has done a good job of developing its code and ordinances to balance growth and historic preservation. I am interested in implementing the requirements that the City had the foresight to develop.

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?

I have the skills and experience to objectively and consistently apply and interpret the City's Land Development Code, Floodplain Management Ordinance, Historic Apalachicola Design Guidelines, and Tree Ordinance. This is especially important for controversial projects (e.g., Family Dollar, CVS, and Denton Cove).

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?

I have been a Board of Adjustment member for 6 ½ years (5/5/15 to present). I participated in the quasi-judicial hearings for the 17 variance applications that were submitted during this time period.

I have been a member of Tree Committee for 4 ½ years (4/17 to present) and Chairperson for 4 years (9/17 to present).

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?

For the last 9 years, I have regularly attended and participated in Planning and Zoning Board and City Commission meetings. For those meetings that I don't attend, I review agendas and summaries to keep abreast of what is occurring.

As the Chairperson of the Tree Committee, I have attended Recreation Committee meetings to coordinate the Committees' activities.

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

I am retired and available to spend however much time is needed to review permit applications before Board meetings.

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

I am very familiar with the City's Land Development Code.

Over a 2-year period (12/15 – 11/17), I worked with Cindy Clark, the City's planner, and Fred Vogt, former member of the Planning and Zoning Board, to prepare five proposed amendments to the Land Development Code.

- Single-family dwelling requirements applying to manufactured homes, Ordinance No. 2016-01, adopted by City Commission on 4/5/16.
- 35-foot maximum building height, Ordinance No. 2017-04, adopted by City Commission on 4/4/17.
- Non-conforming structures, uses, and lots; Ordinance No. 2017-05, adopted by City Commission on 4/4/17.
- Residences and bed and breakfasts in commercial zones C-1 and C-4, Ordinance No. 2017-07, adopted by City Commission on 8/8/17.
- Stormwater management and fill, work on preliminary draft 8-11/17 (Rebecca Jetton and Cindy Clark completed), Ordinance No. 2020-03, adopted by City Commission on 5/5/20.

Starting in 7/18 as the Tree Committee Chairperson, I proposed changes to the Tree Ordinance and held two Planning and Zoning workshops and one Planning and Zoning Board/City Commission joint workshop, culminating in Ordinance No. 2018-07, adopted by the City Commission on 2/5/19.

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

I have read each of the 10 elements of the City's Comprehensive Plan and understand that the City's Land Development Code must be consistent with them.

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

I am familiar with the Historic Apalachicola Design Guidelines, many of which have been incorporated as requirements in the historic preservation section of the Land Development Code.

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

I am experienced in:


- Reviewing maps and written plans for proposed construction projects, including those for buildings, ancillary facilities (e.g., parking lots), water-conveyance and -control structures (diversions, ditches, and detention/retention ponds), roads, and earth moving.
- Making a determination as to whether a proposed project is in compliance with applicable laws and regulations and whether a permit should be issued.

I gained this experience during a 37-year career with the State of Alabama and U.S. Department of the Interior implementing State and Federal laws and regulations requiring the reclamation of surface coal mines to a productive land use (including residential and commercial/industrial uses). I held a number of different positions, including 5 years as a leader of a team (civil engineers, hydrologists, archeologists, soil scientists, vegetation specialists, wildlife biologists, and inspectors) reviewing permit applications for new permits, significant and minor permit revisions, renewals, and transfers.

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

I attended a 9/9/15 "Public Hearings 101" presentation by the Florida Department of Economic Opportunity, which included information on the Sunshine Law.

As a member of the Board of Adjustment, the City Clerk provided me with a copy of the "2017 Government-in-the-Sunshine Manual" (a 350-page publication).


SIGNATURE

Dennis Winterringer
PRINTED NAME

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

REQUESTED BOARD/COMMITTEE APPOINTMENT P+Z

APPLICATION DATE 12-1-21

DATE APPOINTED _____

NAME: Justin McMillan
MAILING ADDRESS: 55 15th St., Apalachicola, FL
PHYSICAL ADDRESS: same as above
CELL#: 8506536924 HOME#: _____
EMAIL: justinmcmillan72@gmail.com

PLACE OF EMPLOYMENT: Self / Journeys of Sgt / Luberts Landworks
WORK#: 8506536924

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?

3+ years

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?

After living in the county for 20+ years, I moved my young family to Apalachicola and purchased our long term residence. I would like to serve on the P+Z Board to encourage positive growth while maintaining Apalachicola's quaint charm for years to come.

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?

Encourage decision making that is in the best interest of the public.

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?

No

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?

Yes, multiple.

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

Yes.

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

Yes.

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

Yes.

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

Yes.

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

Yes, all of the above. 25 years.

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

Yes.

SIGNATURE

Justin McMillan

PRINTED NAME

Mayor's Report

We are officially in the holiday season! As we celebrate this special season, I would like to wish you all a very Merry Christmas. As the celebrations commence, don't forget to express gratitude and appreciation, love and kindness, along with faith and forgiveness. In all things we should not forget the real REASON for the season.

We have a special community in Apalachicola. You are wonderful friends and neighbors that continue to give of yourselves time and time again in words and deeds. I'm proud to call Apalachicola home.

I would like to take this opportunity to thank staff and volunteers for their dedication to Apalachicola. Our city depends heavily on the many talents and time shared by these extraordinary individuals and groups. Thank you.

Please continue to support local businesses. These businesses are a critical part of the community, as they provide employment and services that are essential to our economy, including giving back to many notable causes. Let's continue to support each other.

I encourage you to continue practicing the COVID-19 safety measures.

On behalf of the Commissioners and Staff, I extend my sincerest holiday wishes to everyone in our community.

Be safe. Be kind. Be blessed.

- **Reminder:** The COA Visioning Session will be held Tuesday, December 21, 2021 @ 9:00 a.m. The session will be facilitated by Keith Bowers, FAMU SBDC

- **Work Orders/Complaints:** There is a system in place for residents to make complaints and work order requests:
 - **Requests/Work orders:** Submit all work orders to City Staff-Administration office only. Janelle Paul at janellepaul@cityofapalachicola.com or Melissa Hand at melissahand@cityofapalachicola.com
 - **Complaints/Concerns:** Submit all complaint and concerns to the City Staff-Administration office in writing at complaints@cityofapalachicola.com.
 - **Response Time:** Allow 24-48 hours for non-emergency requests.

"Don't be afraid of change because it is leading you to a new beginning." –Joyce Meyer.

City Manager Updates – November 2021

Derelict Vessel Removal: I met with the Operations Director from the derelict vessel recovery company who stated that he had discussions with officials from FWC and that they will be sending documents for me to complete to fund the removal of the Lady Louise shrimp boat and the sunken boat in the slip next to it. He said he felt confident that the funding will be approved and that his company can remove them while they are still in town.

Website: 2KWeb Group is working to remove content from the old website that is out of date, or no longer relevant to be included on the new website. They will be scheduling headshots of each Commissioner and selected staff members for the website at some time in mid-January.

Stormwater Maintenance: Legislative Appropriations requests were filed on time with the Florida Senate and the Florida House of Representatives. Additionally, a stormwater maintenance plan has been established which includes quarterly and bi-annual inspections of stormwater catch basins and baffle boxes. The first inspections were completed last month and no major repairs were required. The previous Legislative Session's appropriations that were awarded to the City for \$100,000 for stormwater pipe re-lining is due to be completed by June 2022. Bree and I met with Urban Catalyst Engineering on December 2. They will be preparing our bid documents

Leslie Street: The Florida Division of Emergency Management has requested that FEMA grant the City's appeal for the repairs of Leslie Street that FEMA had previously denied. As of the date of this report there has been no additional information. Additionally, Dewberry has been in contact with the Florida Department of Transportation and their contractor to discuss getting their assistance with the repairs. As of December 1, Dewberry has forwarded a video of the stormwater pipe to the contractor and the issue is still under review.



Dewberry Engineers Inc. | 850.227.7200
 324 Marina Drive | 850.227.7215 fax
 Port Saint Joe, FL 32456 | www.dewberry.com

December 1, 2021

Mayor Brenda Ash
 City of Apalachicola
 192 Coach Wagoner Blvd.
 Apalachicola, FL 32320

RE: Bodiford Park Pier
 Professional Services Fee Proposal

Dear Mayor Ash:

Dewberry Engineers Inc. (DEI) is pleased to provide this proposal for professional services. It is our understanding that the City wishes DEI to assist with the design, bidding and contract award, and construction inspection of repairs to the Bodiford Park Pier. The proposed project will include repair of the existing pier's decking and replacement of the park bench. DEI proposes to perform the following services:

- | | |
|--|-------------|
| A. DESIGN/PERMITTING | \$13,450.00 |
| <ol style="list-style-type: none"> 1. Perform boundary and topographic survey of project area. Survey will include location of existing improvements as well the mean high and mean low water line locations and elevations. 2. Prepare construction plans, details and specifications. 3. Assist the City with obtaining permits necessary to construct the project as well as coordination with FEMA throughout the project process. 4. Submit 100% plans and specifications to the City for approval. 5. Assist the City in advertising the construction project by distributing the Contract Documents to interested bidders, maintain a list of plan holders, and issue Addendums (if necessary). 6. Review bids and make recommendation of award. | |
| B. CONSTRUCTION ENGINEERING/INSPECTION | \$2,535.00 |
| <ol style="list-style-type: none"> 1. Attend pre-construction meeting (as necessary). 2. DEI will complete a maximum of three (3) official site visits. Additional visits will be billed at our contracted hourly rates. Site Inspections will be conducted to ensure general conformance to plans and specifications as well as project percentage complete. 3. Provide site visit report including photographs documenting DEI's observations. 4. Review and approve Contractor's pay requests. 5. Conduct a site visit and generate a punch list to determine if the Work is substantially complete and conduct a final site visit to determine if the completed Work of the Contractor is generally in accordance with the Contract Documents and the final punch list. | |

TOTAL PROPOSED FEE: \$15,985.00

All terms and conditions of this Task Order shall be governed by the terms and conditions in the current Master Service Agreement between the City of Apalachicola and Dewberry Engineers Inc. dated April 13, 2020.

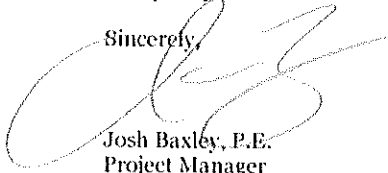
Please note the following services are excluded from this Task Order.

1. Title Searches or Opinions
2. Geotechnical Investigation
3. As-Built Survey
4. Permit Application Fees
5. Construction Stakeout
6. Quality Control Inspection

Mayor Brenda Ash
Bodiford Park Pier
December 1, 2021

We appreciate the opportunity to provide engineering services for City of Apalachicola. If this proposal is acceptable, please sign the space provided below. Should you have questions or need additional information, please give me a call at 850.693.2181.

Sincerely,



Josh Baxley, P.E.
Project Manager

Accepted By: _____

Date: _____

K:\219.000 City of Apalachicola\Bodiford and Scipio Creek Proposal\City of Apalachicola Bodiford Park Proposal.docx



Dewberry Engineers Inc. | 850.227.7200
 324 Marina Drive | 850.227.7215 fax
 Port Saint Joe, FL 32456 | www.dewberry.com

December 1, 2021

Mayor Brenda Ash
 City of Apalachicola
 192 Coach Wagoner Blvd.
 Apalachicola, FL 32320

**RE: Scipio Creek Marina Pier and Dock Damage Repair
 Professional Services Fee Proposal**

Dear Ms. Ash,

Dewberry Engineers Inc. (DEI) is pleased to provide this proposal for professional services. It is our understanding that the City wishes DEI to assist with the design, bidding and contract award, and construction inspection of repairs to the Scipio Creek Marina dock and wheelchair lift. DEI proposes to perform the following services.

- | | |
|---|-------------|
| A. DESIGN | \$14,750.00 |
| 1. Perform boundary and topographic survey of project area. Survey will include location of existing improvements as well as mean high and mean low water line locations and elevations. | |
| 2. Prepare construction plans, details and specifications. | |
| 3. Assist the city with obtaining permits necessary to construct the project as well as coordination with FEMA throughout the project process. | |
| 4. Submit 100% plans and specifications to the City for approval. | |
| 5. Assist the City in advertising the construction project by distributing the Contract Documents to interested bidders, maintain a list of plan holders, and issue Addendums (if necessary). | |
| 6. Review bids and make recommendation of award. | |

- | | |
|---|------------|
| B. CONSTRUCTION ENGINEERING/INSPECTION | \$3,025.00 |
| 1. Attend pre-construction meeting (as necessary). | |
| 2. DEI will complete a maximum of four (4) official site visits. Additional visits will be billed at our contracted hourly rates. Site Inspections will be conducted to ensure general conformance to plans and specifications as well as project percentage complete. | |
| 3. Provide site visit report including photographs documenting DEI's observations. | |
| 4. Review and approve Contractor's pay requests. | |
| 5. Conduct a site visit and generate a punch list to determine if the Work is substantially complete and conduct a final site visit to determine if the completed Work of the Contractor is generally in accordance with the Contract Documents and the final punch list. | |

TOTAL PROPOSED FEE: \$17,775.00

All terms and conditions of this Task Order shall be governed by the terms and conditions in the current Master Service Agreement between the City of Apalachicola and Dewberry Engineers Inc. dated April 13, 2020.

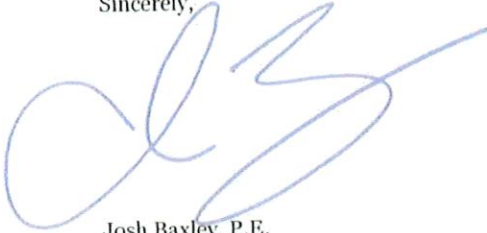
Please note the following services are excluded from this Task Order.

1. Title Searches or Opinions
2. Geotechnical Investigation
3. As-Built Survey
4. Permit Application Fees
5. Landscape and Irrigation Design
6. Construction Stakeout
7. Quality Control Inspection

Mayor Brenda Ash
Scipio Creek Marina Park Pier and Dock Damage Repair
December 1, 2021

We appreciate the opportunity to provide engineering services for City of Apalachicola. If this proposal is acceptable, please sign the space provided below. Should you have questions or need additional information, please give me a call at 850.693.2181.

Sincerely,

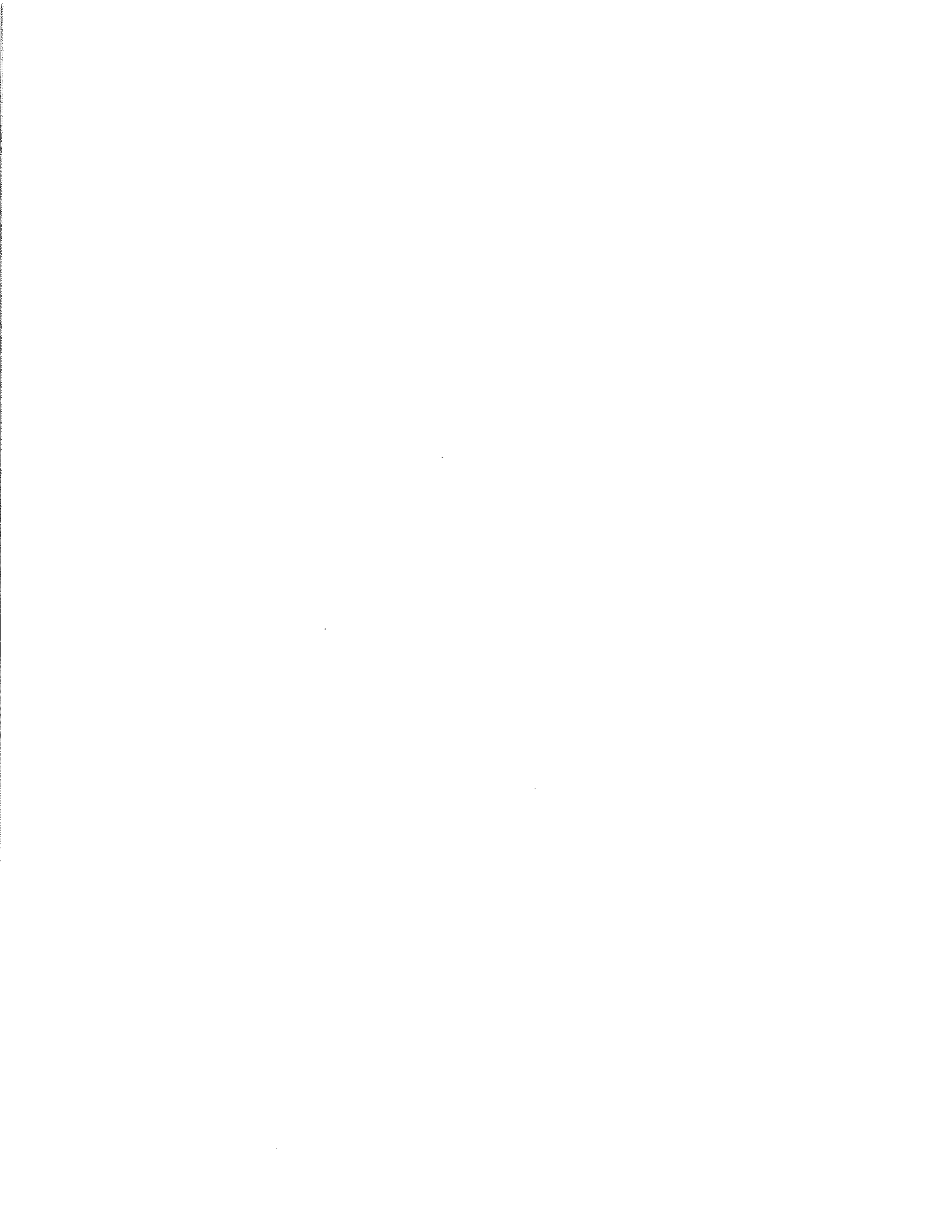


Josh Baxley, P.E.
Project Manager

Accepted By: _____

Date: _____

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ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: December 2021
SUBJ: City Attorney Report for Commission Meeting

1. Solid Waste Collection Services

We anticipate completing an Invitation to Bid (ITB) document for release on or before January 31, 2022. We will be assisted by Kessler Consulting in the preparation of the basic ITB document. They will remain available on a time and materials basis to assist with the ITB process, provide guidance on negotiations and selection.

Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – December 7, 2021 – 4:00

1. *Florida Department of State African-American Cultural and Historical Grant – Apalachicola Museum of African-American Culture and History*

Commission approved the submission of a grant application for an Apalachicola Museum of African-American Culture next to the Holy Family Senior Center. This included a request for \$1million with a \$250,000 match from the city, for a combined \$1.25million project. The application was submitted 11/30/2021 by Bree Robinson.

2. *Leslie Street*

On Friday, October 29, 2021, the city received copy of letter from the Florida Division of Emergency Management (FDEM) to the Federal Emergency Management Agency (FEMA) concerning the appeal filed by Leo Bebeau concerning FEMA's decision to declare the City's claim for repair of damages to Leslie Street as a result of Hurricane Sally in 2020.

The **Relief Requested and Conclusion** is as follows:

For the reasons stated in the Applicant's appeal and accompanying documentation, as well as in this letter, the Recipient (FDEM) respectfully recommends that FEMA grant the Applicant's appeal as it relates to the above referenced project and fully fund the claimed costs.

WAITING FOR UPDATE ON APPEAL

3. *National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)*

Contracts are being drafted and will be overlooked by City Attorney before sending contract to chosen bid, 4M Design Group PA.

4. *Fire Hydrants*

The hydrants for the Phase I of the 2021-2022 Capital Investment Plan outlined in the 2021-2022 Budget will be ordered in December with installation in Calendar Q1, 2022.

5. *Grants Update - *updates needed**

- a. FDOT City Landscaping Bid Posted to Website and Advertised in Paper
- b. CDBG-DR Infrastructure – Awaiting Scope of Work Request from DEO
- c. CDBG-DR Hometown Revitalization – Submitted Scope of Works for both the Riverfront and Hill Projects.
- d. HMGP Emergency Generators – Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- e. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- f. Michael FEMA Projects – Finance Director must file a quarterly report that indicated little or no progress on many funded claims.
 - i. Lafayette Park Pier Pavilion, Work Begins 12/4/2021
 - ii. New documents are filed with the US Corps of Engineers. FEMA requested documentation on communication and certain approvals or permits from the Corps of Engineers. Finding documents old documents would help.
 - iii. Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin.
 - iv. Battery Park V Pier has sparked interest at FEMA even though there has been no determination from NFWS concerning the habitat of the endangered sawfish. Three pages of questions have been answered.
 - v. Lafayette Park Pier Pavilion, Work Begins 12/4/2021

6. *Community Center*

Roof Waterproofing and Replacement – Work began Monday 11/8/2021

7. *Holy Family*

Roof and Building Envelope repairs – Work began Monday 11/8/2021. Completion within 30 days of start.

8. *DEP Grant Applications*

Grant #2 is an application for the WWTP totaling \$14 million. The full grant application was submitted on Monday, October 25th. Bree Robinson completed the application and the City of Apalachicola was approved for the full \$14 million for new equipment and relocation. Documents containing a grant work plan were submitted to DEP and we are awaiting the official award letter and agreement.

Grant #1 on the vulnerability study is still awaiting action DEP confirmed that it was still in process and that they had only sent out documentation and requests on infrastructure projects.

9. *New DEP Grant Application*

WWTP Tank cleaning. US Submergent mobilized on November 30, 2021 and began work December 1, 2021.

10. ***Battery Park*** – 10 Foot Hole Seawall – Now mired in the Endangered Miniature Sawfish Dilemma.

11. ***USDA Water Street Permeable Parking Sidewalk and Lighting*** – Ad ran again without mandatory meeting. USDA requested the City do this the third time as we had only one interested contractor. New submission date 12/16/2021. (Another extension until January 17th was approved in case we need more time again.)

All information included in this report is accurate as of November 1, 2021 4:00pm. After that time, information is subject to change.



MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD
TUESDAY, NOVEMBER 2, 2021, 4:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash
Commissioner Anita Grove
Commissioner Despina George
Commissioner Adriane Elliott
Commissioner Donna Duncan

Travis Wade, City Manager
Deborah Guillotte, City Clerk
Leo Bebeau, Finance Director
Dan Hartman, Attorney

CALL TO ORDER

Mayor Brenda Ash called the meeting to order and gave the Invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Anita Grove made a motion to adopt the Agenda amending Agenda to add Resolution 2021-16 the CDBG-CV Application under the Financial Report. Commissioner Despina George seconded and the motion carried 5-0.

PRESENTATIONS

1) Audit Report – Chris Moran specifically reviewed from the Audit report the following: Pages 3-6 Management Discussion and Analysis which is a NB&A summary of the City as a whole, highlights and what was accomplished, etc.; Page 10 Statement of Net Position; Page 12 Balance Sheet Governmental Fund; Page 14 Revenues and Expenditures and changes in Fund Balances, Page 29 Notes to Basic Financial Statement Balances is the capital asset footnotes which shows everything owned and purchased during the year; Page 30 Notes to Basic Financial Statement shows all the debts by type that the City has; and Pages 53-61 is the completed Independent Audit Report and comments. Mr. Moran discussed the CRA stand-alone financial statement.

2) Apalachicola Bay Systems Initiative – Sandra Brooke gave a brief six month update of the program. The City Commission thanked Ms. Brooke’s for her presentation. **See Attachment “A”**

PUBLIC COMMENT

Public comment consisted of the following: 1) Support of the Moses Roper Marker; 2) Battery Park Ordinance – houseboats; and 3) possibility of removing the sewer usage surcharge fee.

UNFINISHED BUSINESS

**1. PROPOSE DATE IN DECEMBER FOR TRIUMPH GULF
COAST WORKSHOP**

Commissioner Grove made a motion to have a Visioning session Tuesday, December 21st at 9am, and a Triumph workshop Tuesday, January 11th at 3pm. Commissioner Adriane Elliott seconded and the motion carried 5-0.

UNFINISHED BUSINESS

2. RESILIENT FLORIDA LEGISLATION

Commissioner Grove reviewed the Resilient Florida program and requested board approval to apply for the funds (\$75,000) to update the vulnerability study.

Commissioner George made a motion to authorize to apply for funds to update the vulnerability study so that the City is eligible to apply for funds to improve infrastructure. Commissioner Elliott seconded and the motion carried 5-0.

NEW BUSINESS

CRA BUDGET APPROVAL – RESOLUTION 2021-15

Mayor Ash stated on right side column of the budget worksheet there is verbiage requesting that the CRA Director be under the auspice of the Human Resources department; however, the City does not have an HR department, so I would like this stricken from the from budget.

Finance Director Bebeau read Resolution 2021-15 in its entirety.

A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA, ADOPTING THE COMMUNITY REDEVELOPMENT AUTORITY (CRA) BUDGET FOR THE YEAR 2021-2022 AND FOR THE BUDGET TO BE INCLUDED IN THE 2021-2022 ANNUAL BUDGET FOR THE CITY OF APALACHICOLA.

Commissioner Elliott made a motion to approve the CRA Budget (with the above mentioned change) and Resolution 2021-15. Commissioner Donna Duncan seconded and the motion carried 5-0.

MAYOR AND COMMISSIONER COMMENTS
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Mayor and Commissioner Comments – Report - Attachment “B”

Mayor Ash announced that on Friday, November 5th, 2021, there will be a commemoration honoring Dr. Frederick Humphries, in which she will be doing a presentation. This will be held at the Holy Family Center.

Moses Roper Marker - Commissioner Grove made a motion to approve the installation of the Moses Roper Marker. Commissioner Elliott seconded and the motion carried 4-1.
Opposed: George

USDA De-Obligations: Mayor Ash reviewed the de-obligation of two USDA Grant Projects, stating that these funds have not been used; therefore, USDA is requesting de-obligation of these funds.

Commissioner Grove made a motion to de-obligate the \$1,705M Carbon Filtration System (\$1.231M Grant/\$474K Loan), and the \$148K Business Support (FAMU Partnership) Grant. Commissioner George seconded and the motion carried 5-0.

Ordinance & Committee Review Workshop – Mayor Ash requests having an Ordinance and Committee Workshop on November 16th at 3pm.

Commissioner Grove made a motion to have a workshop for Tuesday, November 16th at 3pm. Commissioner Elliott seconded and the motion carried 5-0.

Commissioner Grove amended her above motion asking that the Commission submit two ordinances each with their reason for being updated to Manager Wade for review, and he will send them out to the Commission. Commissioner Elliott seconded and the motion carried 5-0.

City Commission Meeting Time – Mayor Ash recommended that the City Commission meeting time be changed to from 6pm to 4pm.

Commissioner Elliott made a motion to change the City Commission Regular meeting time from 6pm to 4pm on the second Tuesday after the first Monday of each month.

Commissioner Duncan seconded and the motion carried 4-1. Opposed: George

HCA program and Committee board update – Commissioner Grove gave her concerns with the HCA program and the Committee board members that have resigned. Commissioner Grove will work with Mr. Wade on how to handle this issue and get an HCA Director and the HCA building up and working again.

Manager Wade Communications – See Report – Attachment “C”

Stormwater Maintenance Plan – Mr. Wade stated the Stormwater Maintenance Plan has been developed, which consists of inspections of the stormwater system on a quarterly and bi-annual schedule, which are the ditches, culverts, catch basins and baffle boxes.

Mr. Wade let the Commission know that Edna Stanley, spouse of Phillip “Tracy” Stanley sent a thank you to staff for all they did for the family.

Website – In a response to a question by Mayor Ash, Mr. Wade stated he has a meeting set with 2KWeb Group next week to get the process moving forward.

Evergreen Solutions – Mr. Wade announced that all employees will be meeting with the representative next week, so that we can get started on the salary analysis study.

ATTORNEY COMMUNICATIONS

Attorney Communications - See Report Attachment “D”

1) Referendum Height Restrictions – Attorney Hartman stated there are several ways to proceed that would include adding this to the Charter to only be changed by referendum. Mayor Ash requested that Attorney Hartman give the pros and cons of the different processes in writing. Mayor Ash would like to have at least three workshops beginning in February on the height issue. Bobby Miller requested that the City have their workshops and have this issue put on the General Election in August 2022.

2) Chris Moore – Chris Moore stated she had wrote a letter in September to the Commission and Attorney Hartman’s is awaiting a response. Attorney Hartman states

since this is a legal case, the Commission and Attorney Hartman cannot at this time talk with Ms. Moore on the issue of the two foot fence.

FINANCE DIRECTOR COMMUNICATIONS
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Finance Director – See Attachment “E”

Finance Director Leo Bebeau requested after the February 16th workshop, that the City needs to have a Special Meeting at 5:01pm to have a first reading on Ordinance 2021-05, 2021-06 Budget Amendments and a Grant for the African-American Museum.

Mr. Bebeau states we have received a grant of \$7000 from the Florida Humanities American Rescue Plan, a reimbursement grant for all funds spent for HCA.

Mr. Bebeau stated that he is not in agreement to this sewer usage fee being removed, due to being used for upkeep of the treatment plant.

2) National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)

Commissioner Grove made a motion to authorize Finance Director Bebeau and Attorney Hartment to negotiate a contract with 4M Design Group PA of Tallahassee as the architect of record for the above project. Commissioner George seconded and the motion carried 5-0.

4) Permitting, Planning and Zoning and Code Enforcement

a) Commissioner Grove made a motion to authorize City Manager Wade, Finance Director Bebeau and City Attorney Hartman to negotiate termination of the EPCI contract with requirements on EPCI or payment from EPCI for services upon which EPCI has already received compensation. Commissioner George seconded and the motion carried 5-0.

b) Commissioner Grove made a motion for Zoning and Code Enforcement to be renamed Permitting, Planning & Zoning, and Code Enforcement Department. Commissioner George seconded and the motion carried 5-0.

c) Commissioner Grove made a motion to approve Budget Amendment #0001 for Fiscal Year 2021-2022. Commissioner George seconded with discussion. Commissioner George

expressed her concern that the budget is approved as an Ordinance, and do we need to go through the same process or can it be made through Resolution. Attorney Hartman and Mr. Bebeau will research and follow-up on the Budget Amendment. Commissioner Grove and Commissioner George rescinded their motion on the Budget Action.

Commissioner George made a motion to table Budget Amendment #0001 for Fiscal Year 2021-2022. Commissioner Grove seconded and the motion carried 5-0.

Resolution 2021-16 – CDBG-CV Grant

Mr. Bebeau read Resolution 2021-16 in its entirety:

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA,
AUTHORIZING THE CITY TO APPLY FOR A CDBG-CV GRANT

Commissioner George made a motion to adopt Resolution 2021-16 for the City to make application for a CDBG-CV Grant to replace HVAC units and air purifiers to certain facilities which are not used for government purposes. Commissioner Elliott seconded and the motion carried 5-0.

CONSENT AGENDA

A. Meeting Minutes Adoption – September 30, 2021 Special Meeting; October 5, 2021 Regular Meeting; and September 19, 2021 Special Meeting Minutes

B. Planning and Zoning Minutes – October

C. Hayes Marine Contract Renewal for 5 years

D. Small Business Proclamation

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

DEPARTMENT REPORTS

ADJOURNMENT

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 5-0.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

APALACHICOLA BAY SYSTEM INITIATIVE UPDATE
SANDRA BROOKE, FSU COASTAL AND MARINE LAB
NOVEMBER 2ND, 2021

RESEARCH

Early this year ABSI staff completed a survey of the sub-tidal oyster habitats. We worked with Shannon Hartsfield to sample 132 sites throughout the Bay using oyster tongs, which is much faster than diving and less limited by weather. We measured type and volume of rock, fossil shell, and live oysters, and counted and measured live oysters at each site. This study showed there are oysters in small areas of the Bay, but good habitat seems to be in short supply.

One of the greatest accomplishments this year was the installation of our restoration experiment. We deployed 15 mini-reefs (30 ft x 30 ft x 1.5 ft) at Dry Bar and another 15 at Peanut Ridge. These reefs were made from oyster shell, small limerock or large limerock. The objective was to see which materials were most stable and performed the best. We had the help of several local oystermen that we employed to deploy the materials. They all worked extremely hard to put the materials out, sometimes in difficult conditions. Early surveys showed lots of spat settlement, especially on the natural shell reefs, but some of the material at Peanut Ridge has been dispersed by the strong currents, particularly the shell reefs

Another success story comes from our research hatchery. The staff managed two great spawning events from Apalachicola Bay broodstock. The resulting oyster larvae were set on shells and placed in cages on the experimental reefs to assess their survival and growth. The hatchery had some water quality problems, which are being resolved and we are in the process of building our permanent hatchery. Next year we hope to have larger spawns to test whether the putting hatchery spat-on-shell will help 'kick-start' the oyster recovery in Apalachicola Bay.

COMMUNITY ADVISORY BOARD (CAB)

We were hoping that 2021 would see the end of Covid and we could return to in-person meetings this year. Unfortunately this was no the case, but the CAB gamely continued with monthly zoom meetings and worked their way through establishing goals, strategies and actions for the '*Apalachicola Bay Ecosystem-based Adaptive Management and Restoration Plan*'. During the October CAB meeting, members prioritized these strategies. Final revisions to the draft Plan will be approved by the CAB in November, and Phase IV will begin early in 2022.

For more information visit <https://marinelab.fsu.edu/absi>

Mayor's Report

Happy Thanksgiving! We are officially in the Holiday Season! A season to express gratitude and appreciation for all things. A season to express love and forgiveness. A season to give back. I take this opportunity to **THANK STAFF** for all your hard work, for enduring the attacks and criticisms, and bouncing back.

I offer to Edna, Jeremy, and the entire Stanley family my sincerest condolences on the loss of a very special man-Tracy Stanley, a 30+year faithful and reliable City employee. We grieve with you. May God, comfort you like only HE can.

The Mayor-Commission Board is comprised of five (5) members with five (5) individual perspectives. This governing body must strive to show ourselves conscientious and impartial; not allowing personal feelings to dictate the economic advancement of our city. Remembering that it takes a diverse community to make an unabridged community. As Mayor, I am grateful for the feedback, the positive and the constructive criticism received from you. Thank you for participating. *"If you don't try to create the future you want, you must endure the future you get."* -John C. Maxwell.

- **Moses Roper Marker:** I hope all questions have been submitted and answered. Request approval for the installation of the Moses Roper Marker. **(ACTION)**
- **USDA De-Obligations:** De-obligation of 2 requests: **(ACTION)**
 - \$1.705M Carbon Filtration System (\$1.231M Grant/\$474K Loan)
 - \$148K Business Support (FAMU Partnership)
- **Ordinance & Committee Review Workshop:** Commissioners are asked to submit the Ordinance(s) she would like to have reviewed for amendment discussion. Request approval for 3:30 pm November 16th Workshop **(ACTION)**
- **Meeting time:** Consideration in changing the meeting time from 6 pm to 4 pm. **(ACTION)**
- **November 13th:** USNS Apalachicola christening in Mobile, AL
- **Work Orders/Complaints:** There is a system in place for residents to make complaints and work order requests:
 - **Requests/Work orders:** Submit all work orders to City Staff-Administration office only. Janelle Paul at janellepaul@cityofapalachicola.com or Melissa Hand at melissahand@cityofapalachicola.com
 - **Complaints/Concerns:** Submit all complaint and concerns to the City Staff-Administration office in writing at complaints@cityofapalachicola.com.
 - **Response Time:** Allow 24-48 hours for non-emergency requests.

October 2021 City Manager Updates

Trolley: The trolley is now in the City's name. It was signed over to the City on Friday, October 22, 2021. It is now ready to be included in the next City auction. I have not been told the date of that auction because we are still sending property to be added to that auction. I will make a Facebook post when the auction is scheduled.

Derelict Vessel Removal: I met with the Operations Director from a derelict vessel recovery company and approved their use of the north end of the Mill Pond property to stage their boats and equipment. They are being funded by the FWC to remove several derelict vessels in the area. The Operations Manager and the company owner will meet with me to discuss removing the sunken shrimp boat, Lady Louise, in exchange (partially) for their slip rental and use of City property.

Website: The agreement has been signed and the initial payment has been made I have a meeting scheduled with 2KWeb Group to discuss the specifics and begin the website development process.

Stormwater Maintenance: I met with Alan Hart from Baskerville Donovan Engineering and made visits to the sites of stormwater problem areas. Mr. Hart is assisting in the preparation of our Legislative Appropriations Request for a stormwater study, and he made suggestions for possible temporary repairs to the system in those problem areas.

Legislative Appropriation Requests: As of the date of this update (October 28, 2021) I am preparing the narratives for the appropriation requests. I was advised to combine the stormwater study and the sewer I&I study (\$600 total) into one request, and file the engineering request (\$1 million) separately. The deadline is November 10, but I intend to have them filed by November 2 at the latest. Traci Buzbee has offered to assist me in this process.

Leslie Street: Dewberry engineers are in the process of scheduling a meeting with Florida Department of Transportation officials next week to discuss Leslie Street and determine if FDOT can assist the City with the repairs.

ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: November 2021
SUBJ: City Attorney Report for Commission Meeting

1. Referendum on Height Restriction

As directed by the Commission I worked with Bobby Miller to identify the legally appropriate method for establishing a maximum permissible building height restriction through a vote of the electors. Currently the Land Development Code provides a maximum permissible height in each zoning district. This is a consistent 35 feet. A current exception is historic buildings that exceed the 35' height restriction. In the event of damage an owner may rebuild to the previous non-conforming height. In order to accomplish the goal presented to the Commission by Mr. Miller – to remove the ability of the City Commission to amend the current height restriction and instead place such a decision in the hands of the City voters. Amendment of the Charter by referendum would be required to establish a maximum permissible height which can only be changed through another referendum (vote of the citizens of Apalachicola). The process to be followed is set forth in section 166.031, F.S. and would be implemented by an Ordinance establish ballot language and date for a referendum election. This could efficiently be placed on the ballot for the next regular election.

2. Code Enforcement Matters

a. Smith/Hall SW Floodplain matter

Efforts to settle both cases are ongoing. Kimley Horn has proposed performing an engineering study to determine stormwater improvements required to resolve the dispute between Hall, Smith and the City. The City is being asked to participate in the cost of the

study up to \$1,333.00. The improvements are anticipated to include improvements to City stormwater structures.

b. *Moore*

A citation has been issued following up on the August 2021 Notice to Violation. The violation relates to installation of one (1) fence panel which exceeds permitted height in the Code.

3. **Litigation**

The City has been sued in three wrongful death cases. Case No.(s): 2014 CA 298 – Estate of Cameron; 2015 CA 15 - Estate of Hall and 2016 CA 246 - Butler. I was contacted by insurance counsel (Stephen Cozart, Esq.) who actively represents the City in one of the cases. He asked that I actively participate in two of the cases, as the insurance carrier has initially declined coverage. Case Management Conferences are scheduled for November 1, 2021 in all three cases. I will attend and get up to speed in order to advise the Commission on next steps.

Finance Director – Leo Bebeau

City Commission Meeting – November 2, 2021 – 4:00

1. *Leslie Street*

On Friday, October 29, 2021, the city received copy of letter from the Florida Division of Emergency Management (FDEM) to the Federal Emergency Management Agency (FEMA) concerning the appeal filed by Leo Bebeau concerning FEMA's decision to declare the City's claim for repair of damages to Leslie Street as a result of Hurricane Sally in 2020.

The **Relief Requested and Conclusion** is as follows:

For the reasons stated in the Applicant's appeal and accompanying documentation, as well as in this letter, the Recipient (FDEM) respectfully recommends that FEMA grant the Applicant's appeal as it relates to the above referenced project and fully fund the claimed costs.

HOORAY!

2. *National Park Service Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)*

Responses were received from two (2) firms for the Historical Architect / Engineering Services. While both firms are qualified for the projects, the review committee of Leo Bebeau, Bree Robinson and Cindy Clark decided that the best firm for our projects is 4M Design Group PA of Tallahassee. Pricing for their services does not exceed the allowed charges of the grants so no funds are required from the City. **Commission Action** – Authorize Finance Director Bebeau and City Attorney Hartman to negotiate a contract with 4M Design Group PA.

3. *Fire Hydrants*

Installation of 30 new fire hydrants will be completed on Tuesday, November 2, 2021. Documentation will be submitted to the DEP to satisfy the in-kind expenditure by the City to satisfy \$63,400 of outstanding fines. The hydrants for the Phase I of the 2021-2022 Capital Investment Plan outlined in the 2021-2022 Budget will be ordered in December with installation in Calendar Q1, 2022.

4. *Permitting, Planning, Zoning and Code Enforcement*

In Fiscal 2020-2021, the City of Apalachicola recorded \$35,105.26 in receipts from EPCI for services provided for Permitting and Planning Assistance. EPCI provided qualified personnel for 25 hours per week. EPCI received \$234,035.06 as their contract provided for them to keep 85% of all permitting fees collected. EPCI also retained 100% of all plan reviews, fire inspections and numerous other fees which property owners and contractors. After review and analysis, City Manager Wade and Finance Director Bebeau believe that it would be advantageous to bring this function in-house and officially create a department responsible for Permitting, Planning, Zoning and Code Enforcement. City staff has had discussions with Tammy Owens with whom a tentative agreement has been reached to join the City of Apalachicola. She will have management responsibilities for the department. City will have a full time personnel for permitting, certified fire inspection, building inspections etc. Owens is also proceeding with her FLOOD MANAGEMENT CERTIFICATIONS. It was also the expectation of EPCI that the City would pay design review and permitting fees for the numerous grant projects that are beginning. There is an exemption in the contract concerning CBDG, however, that is only about 40% of the projects. Several discussions have been had with Bo Creel of EPCI related to the desire of the City to bring this department in-house. Contract has a 30 cancellation clause.

Commission Action – Direct City Manager Wade, Finance Director Bebeau and City Attorney Hartman to negotiate termination of EPCI contract with requirements on EPCI or payment from EPCI for services upon which EPCI has already received compensation. **Commission Action** – Zoning and Code Enforcement to be renamed Permitting, Planning & Zoning and Code Enforcement Department. **Commission Action** – Approve Budget Amendment #0001 for FISCAL 2021-2022

5. Grants Update

- a. CDBG-DR Infrastructure – Awaiting Scope of Work Request from DEO
- b. CDBG-DR Hometown Revitalization – Submitted Scope of Works for both the Riverfront and Hill Projects.
- c. HMGP Emergency Generators – Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- d. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds.
- e. Michael FEMA Projects – Finance Director must file a quarterly report that indicated little or no progress on many funded claims.
 - i. Lafayette Park Pier Pavilion, Work Begins 12/4/2021
 - ii. New documents are filed with the US Corps of Engineers. FEMA requested documentation on communication and certain approvals or permits from the Corps of Engineers. Finding documents old documents would help.
 - iii. Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin.
 - iv. Battery Park V Pier has sparked interest at FEMA even though there has been no determination from NFWS concerning the habitat of the endangered sawfish. Three pages of questions have been answered.
 - v. Lafayette Park Pier Pavilion, Work Begins 12/4/2021

6. Community Center

Roof Waterproofing and Replacement – Work Begins Monday 11/8/2021

7. Holy Family

Roof and Building Envelope repairs – Work Begins Monday 11/8/2021. Completion within 30 days of start.

8. DEP Grant Applications

Grant #2 is an application for the WWTP totaling \$14.5 million. This grant application has been moved forward and the DEP request what this time is a complete document. It was submitted on Monday, October 25th.

Grant #1 on the vulnerability study is still awaiting action DEP confirmed that it was still in process and that they had only sent out documentation and requests on infrastructure projects.

9. New DEP Grant Application

WWTP Tack cleaning. US Submergent to start work. On November 15, 2021.

10. Disaster Recovery Refuse Removal

Contracts completed. SDR and TetraTech.

11. **Battery Park** – 10 Foot Hole Seawall – Now mired in the Endangered Miniature Sawfish Dilemma.

12. **USDA Water Street Permeable Parking Sidewalk and Lighting** – Ad running again without mandatory meeting. USDA requested the City do this the third time as we have had only one interested contractor. New submission date 11/18/2021

All information included in this report is accurate as of October 29, 2021 4:00pm. After that time, information is subject to change.

MINUTES OF THE WORKSHOP OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY,
NOVEMBER 16, 2021, 3:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT:	Mayor Brenda Ash	Travis Wade, City Manager
	Commissioner Anita Grove	Deborah Guillotte, City Clerk
	Commissioner Despina George	Leo Bebeau, Finance Director
	Commissioner Adriane Elliott	Dan Hartman, Attorney
	Commissioner Donna Duncan	

CALL TO ORDER

Mayor Brenda Ash called the meeting to order gave the Invocation, followed by the Pledge of Allegiance. Mayor Ash reviewed the following Ordinances brought before the Board for discussion of future changes:

1) **Fair Housing Ordinance** – Finance Director Leo Bebeau stated that the City needs to proceed with adopting this Ordinance for our CDBG-DR Grants through Florida Department of Economic Opportunity (FDEO). Mr. Bebeau stated that we will have to appoint a Fair Housing Director and a Fair Housing Committee. Attorney Dan Hartman will work with Mr. Bebeau to update as a priority of Ordinances.

2) **Sign Ordinance** – lighting and size of signs - lights illumination of signs – watts vs lumens – historic look of signs – Attorney Hartman gave a brief update of the application by the ABC School for an illuminated sign. Attorney Hartman stated that the ABC School did fall under the exempt clause; however, the sign they applied for was 16 feet, and they cannot be larger than fifteen feet. Planning and Zoning had one workshop on the size and lighting of signs, and are looking at having second workshop. Attorney Hartman and staff will review the entire sign regulations; including the size; lighting (brightness); definitions and historic determination depending on the area of the sign.

3) **Nuisance Sound Ordinance 2015-01** – Discussed as follows: 1) Section 3 – Exceptions (2) music or amplified sound clarified, and (8) businesses with entertainment doors and windows not left open; 2) Section 4 –Prohibited Acts (2-a) Permissible Sound Levels, and (2-d) Methods of Measurements – what is considered harmful sound and the measurement point. Attorney Hartman will research definition of amplified music or sound. In response to a question by Mayor Ash, Attorney Hartman stated our ordinance is focused more towards fixed buildings, other than moving vehicles; however, there are state laws where law enforcement deals with handling of moving vehicles.

Rob Zingarelli stated he worked with acoustic research in the US Navy and reviewed strategies of sound levels. Mr. Zingarelli suggested un-weighted so it is not rolling off the base or c-weighted measurement, and he offered to help the City in any way to resolve this sound issue.

City Manager Travis Wade stated after talking with Chief Bobby Varnes the most important resolutions are getting the correct tools for measuring sound and enforcement of moving vehicle sound violations. Mr. Wade, Chief Varnes and Mr. Zingarelli will get together and discuss this issue and get their ideas and suggestions to Attorney Hartman.

4) **Sidewalk and ROW Ordinance 2017-03** – Discussed as follows: 1) busking - someone singing acoustic on sidewalks during business hours – don't want busking banned from sidewalks and define classifying the amplification of voice differently than instruments; 2) Section 2 - encroachment – create another version and separate commercial sidewalk district and Right-of-Way encroachments; and 3) Sec 7 (1) – space on sidewalks (ADA accessible), and having a penalty section if business doesn't have sidewalk permit.

Mr. Wade discussed underground maintenance by utility companies, and landscaping on City R-O-W not being allowed and this should be added to our ordinance. Commissioner Elliott stated in Section 4, there is a blank space for the amount of hours without a permit from the City and this should be corrected. Attorney Hartman stated by law, anything on the City R-O-W can be removed by the City. Attorney Hartman stated that he can add to Section 4, an additional paragraph not to place vegetation, trees, shrubs, landscape, etc. on City R-O-W, subject to immediate removal by the City.

In response to a question by Ms. Wilder, Mr. Wade stated that the City has a Fill Ordinance that allows a certain amount of fill in certain flood zones, and also rules regarding impermeable service on properties.

ADJOURNMENT

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

MINUTES OF THE BUDGET HEARING AND SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, NOVEMBER 16, 2021, 5:01 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash
Commissioner Anita Grove
Commissioner Despina George
Commissioner Adriane Elliott
ABSENT: Commissioner Donna Duncan

Travis Wade, City Manager
Deborah Guillotte, City Clerk
Dan Hartman, Attorney

CALL TO ORDER

Mayor Brenda Ash called the Budget Hearing to order.

AGENDA ADOPTION

Commissioner Despina George made a motion to adopt the Agenda. Commissioner Adriane Elliott seconded and the motion carried 4-0.

BUDGET HEARING

Ordinance 2021-05:

Finance Director Leo Bebeau read Ordinance 2021-05 in its entirety.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THE FISCAL YEAR 2020-2021 BUDGET.

Ordinance 2021-06:

Mr. Bebeau read Ordinance 2021-05 in its entirety.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA THAT THE FOLLOWING AMENDMENT BE MADE TO BUDGET ORDINANCE 2021-04 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022.

Mayor Ash closed the Budget Hearing with no citizens being present and proceeded with the Special Meeting.

SPECIAL MEETING

**ORDINANCE 2021-05
FIRST READING - FY 2020-2021 BUDGET AMENDMENT**

Mr. Bebeau read Ordinance 2021-05 in its entirety.

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA AMENDING THE FISCAL YEAR 2020-2021 BUDGET.

Commissioner Despina George made a motion to approve the first reading of Ordinance 2021-05 and proceed with the adoption process. Commissioner Anita Grove seconded and the motion carried 4-0.

**ORDINANCE 2021-06
FIRST READING - FY 2021-2022 BUDGET AMENDMENT FUNDING NEW DEPARTMENT FOR
PERMITTING, PLANNING, ZONING AND CODE ENFORCEMENT**

Mr. Bebeau read Ordinance 2021-06 in its entirety.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA THAT THE FOLLOWING AMENDMENT BE MADE TO BUDGET ORDINANCE 2021-04 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022.

Mr. Bebeau stated the largest changes in the Budget were large amounts of un-forecast revenues and taxes of 1.6 million over what was estimated in the budget.

Commissioner George made a motion to approve the first reading of Ordinance 2021-06 and proceed with the adoption process. Commissioner Grove seconded and the motion carried 4-0.

**RESOLUTION 2021-17
ADOPT RESOLUTION TO APPROVE THE CITY'S AFFIRMATIVE ACTION PLAN**

Mr. Bebeau read Resolution 2021-17 in its entirety.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, ADOPTING AN AFFIRMATIVE ACTION PLAN FOR COMPLIANCE WITH CERTAIN REQUIREMENTS OF RECIPIENTS OF COMMUNITY DEVELOPMENT BLOCK GRANTS AND APPOINTS THE CITY CLERK AS THE CITY'S AFFIRMATIVE ACTION OFFICER.

Commissioner Grove made a motion to adopt Resolution 2021-17, adopting the City's Affirmative Action Plan. Commissioner Elliott seconded and the motion carried 4-0.

ADJOURNMENT

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

ORDINANCE 2021-06
ADOPT FY 2021-2022 BUDGET AMENDMENT FUNDING NEW DEPARTMENT FOR
PERMITTING, PLANNING, ZONING AND CODE ENFORCEMENT

Attorney Dan Hartman read Ordinance 2021-06 in its entirety.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA THAT THE FOLLOWING AMENDMENT BE MADE TO BUDGET ORDINANCE 2021-04 FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022.

Commissioner Elliott made a motion to adopt Ordinance 2021-06. Commissioner Grove seconded and the motion carried 4-0.

RESOLUTION 2021-18
AFRICAN AMERICAN CULTURAL AND HISTORICAL GRANT
WITH AMATCH OF \$250,000

Attorney Hartman read Resolution 2021-08 in its entirety.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, AUTHORIZING THE CITY TO APPLY FOR AN AFRICAN-AMERICAN CULTURAL AND HISTORICAL GRANT WITH A MATCH OF \$250,000.

Grants Manager Briana Robinson stated that the above grant is for 1 million with a match of 250,000 from the City for a combined 1.25 million.

Val Webb and Willie Tolliver stated that they have started the process of a non-profit organization to help with the support and upkeep of the Apalachicola Museum of African-American Culture and History.

Commission discussion held.

Commissioner Elliott made a motion to adopt Resolution 2021-18 authorizing the City to apply for an African American Cultural and Historical Grant for 1 million, with a match of \$250,000 for a combined 1.25 million. Commissioner George seconded and the motion carried 4-0.

ADJOURNMENT

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
REGULAR MEETING
MONDAY, November 8th, 2021
Community Center/ City Hall -1 Bay Avenue
Agenda

Workshop-Signs: 5:00 pm (Minutes p.3)

Regular Meeting: 6:00 pm

1. Approval of Oct. 11th, 2021 regular meeting minutes.
Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor-Motion carries.
2. Review, Discussion and Decision for Shed & Fence. **(Historic District) (R-1) @ 201 11th St.,**
Block 156, Lot 10. For E. Escobar-Owner; Contractor: Self
Motion to approve by Jim Bachrach; 2nd by Joe Taylor. All in favor-Motion carries.
3. Review, Discussion and Decision for Porch & Shed. **(Historic District) (R-1) @ 213 11th St.,**
Block 156, Lot 7. For C. Escobar-Owner; Contractor: Tbd
Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor-Motion carries.
4. Review, Discussion and Decision for Carport. **(Non-Historic District) (R-1) @ 250-1/2 US**
Hwy 98, Neels Parcel. For J.Chesley-Owner; Contractor: Self
Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor-Motion carries.
5. Review, Discussion and Decision for Pole Barn. **(Historic District) (C-2) @ 211 8th St.** Block
171, Lot 9. For L. Buchanon-Owner; Contractor: tbd
Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor-Motion carries.
6. Review, Discussion and Decision for Fencing. **(Historic District) (R-1) @ 29 5th St.** Block 11,
Lot 8. For K. Valentino-Owner; Contractor: Leubano
Motion to approve by Bobby Miller; 2nd by Lee McLemore. 6' max-Motion carries.
7. Review, Discussion and Decision for Sign.**(Historic District) (R-1) @ 98 12th St.,** Parcel in
01-09S-08W-8330-0084-0010. For ABC School-Owner; Contractor: Apogee Signs.
Motion to approve by Joe Taylor; 2nd by Bobby Miller. All in favor-Motion carries.
**Motion meets criteria for exemption, Section 113 (Educational Institutions)-Per Dan
Hartman, City Attorney**

CITY OF APALACHICOLA
PLANNING & ZONING BOARD
REGULAR MEETING
MONDAY, November 8th, 2021
Community Center/ City Hall -1 Bay Avenue
Agenda

8. Review, Discussion and Decision for Deck. **(R-1) @ 214 Ave C**, Parcel in 01-09S-08W. For
J. Bachrach–Owner; Contractor: Galloway Construction

Jim Bachrach recuses himself.

Motion to approve by Bobby Miller; 2nd by Joe Taylor. All in favor-Motion carries.

Other/New Business:

Outstanding/Unresolved Issues: Status of P&Z Resignations and Alternate.

Motion to Adjourn: Jim Bachrach; 2nd by Joe Taylor

Chairman, Al Ingle

CITY OF APALACHICOLA
ADMINISTRATION DEPARTMENT
November 2021

- Updated meeting calendar on website
- Complete all quarterly Payroll Reports.
- Payroll Quick Books
- Finance Clerk posted revenues and expenses
- Assist staff with tree applications, utility bill issues
- Staff assisted with Cemetery, utility bills, garbage, permitting issues, city property rentals and other miscellaneous duties
- Billing Clerk assists the City Manager, City Clerk and Finance Director as needed, works front office with water bill collections, cemetery lot sales, assists water and sewer department as needed
- Completed tasks as assigned by the City Manager
- Public Records Request
- Annual golf cart sticker renewals
- Business License Renewal Notices and processing by City staff

90 work orders issued and 87 work orders completed

2379 payments processed

2104 bills mailed

96 cut-off list

Approximately 400 Invoices and cut 400 accounts payable checks processed

City of Apalachicola
Code Enforcement Officer
Activity Report – November 2021



- Received several potential code violation complaints on various issues such as illegal dumping & abandoned vehicles in city r/o/w; non-compliant signage; zoning compliance issues and inquiry's, etc.
- Ten (10) bandit signs removed from within City & State right-of-way(s).
- Process and issue those Business License renewal notices which I mailed to affected businesses and companies conducting business within the city limits in October.
- Attended regularly scheduled Planning & Zoning Board on November 8, 2021.
- Two (2) tree removal applications processed (city initiated).
- Six (6) tree removal applications processed (private citizen initiated).
- Assisted PD with issuance of a Notice to Appear.
- Reviewed a single fence permit application.
- Attended regularly scheduled Tree Committee Board meeting on November 16, 2021.

Joseph Richey, Code Enforcement Officer –12.01.21

Apalachicola Police Department

November 2021 Report

November brings in Seafood Festival and the holiday season. While we were extremely busy during the FSF, no major incidents were reported and for the most part everything was quiet and uneventful. This years "Day after Thanksgiving downtown light up night", was also busy but uneventful.

While the large increase in traffic accidents appear to be significant, the increase is due to a larger number of visitors and most accidents reported were minor fender benders, most driver exchanges. We continue to make traffic stops for golf carts, focusing on underage drivers and no stickers. We continue to patrol residential areas for speeding and stop sign violations.

	Nov-21 Totals
Traffic Stops/ Warnings/ citations	38
Arrests/ Warrant Requests	6
Traffic Accidents	13
Burglary/Theft calls	2
Assist Citizens/ Complaints/investigations	359
Trespass Warnings/agreements	5
Business alarm calls/building checks/welfare checks	457
assist county call/other agencies	23
Assist Animal control	4
Domestic cases involving violence/disturbance calls	4
Drugs	
Total calls from dispatch	1187

CITY OF APALACHICOLA
BUILDING DEPARTMENT – PERMITTING & INSPECTIONS

November 2021

- 4 Building Permits in Process
- 30 Building Permits Issued
- 39 Building Inspections
- 1 Fire Safety Inspection
- 8 Certificates of Completion Issued
- 0 Certificate of Occupancy Issued
- 1 Stop Work Order
- Numerous Phone Inquiries & Emails Answered
- Several On-Site Meetings
- Daily Office Meetings
- Records Requests
- 7 Planning & Zoning Applications Processed
- November Planning & Zoning Meeting Agenda & Minutes

City of Apalachicola public works monthly report

November 2021

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

- Collected 210 bags of trash from down town and public parks trash cans .
- Cut our routine main roads parks and cemeteries
- 2 funerals open and close
- completed 15 work orders.
- cut back on 12th st. from ave.f to bay ave.
- removed 2 palms trees on ave. f and water street.
- Removed tree on ave. d under power lines.
- Cut palmettos back on 10th st. blocking road.
- Removed trash piles all over town and hauled to land field.
- Installed dry erase board at city hall.
- Installed no parking zone at post office on commerce st .
- Cut and removed limbs on ave m and 10th. st. blocking stop sign .
- Hung flags for seafood festival and took them down.
- Put Christmas tree up at river front park and decorated both Christmas trees.
- Replaced tires on work squad trailer.
- hauling slug from sewer plant.

Signed. Robert osburn

Monthly Report for the Apalachicola Margaret Key Public Library November 2021

Statistics:

- 919 patrons visited our library
- 379 books/movies/audiobooks circulated
- 23 new accounts opened
- 137 patrons used our computers
- \$575.02 collected as library revenue
- 360 items donated to the library
- 66 hours donated by our wonderful volunteers (!!!)
- 3,578 people reached with 18 Facebook posts
- 55 accounts reached with 7 Instagram posts

During the month of November, the Library hosted two author events. November 4th Elizabeth Stuckey-French, a Tallahassee author spoke and signed books. On November 19th, Janisse Ray, a nature writer from South Georgia enchanted a large crowd. These two author visits were served as terrific outreach events for the Library.

A Book Club for adults kicked off this month, and now meets on the first and third Wednesdays at 6:30 PM. This month's book was [Their Eyes Were Watching God](#), by Florida author, Zora Neale Hurston. 8-10 library patrons were at each meeting, and the enthusiasm is strong!

The UF/IFAS Family Nutrition Program hosted its first event with the library-- providing a Healthy Choices Workshop and whipping up a delicious treat, while offering some money saving options to provide healthy meals. In another new partnership, the library partnered with the Red Cross to set-up a card making station for active-duty service members and veterans. In honor of Veterans Day on 11/11, patrons of all ages have written and decorated cards to be sent to service-members during the holidays. These will be sent during the month of December.

Our many volunteers generously helped us this month. Various Patrons of the Apalachicola Library Society (PALS) volunteers gave time setting up and running the author events—even bringing refreshments, and helping the authors sell their books. PALS and other community members continue to help us organize books, decorate and assist patrons at the front desk.

Library hours are 10:00AM to 6:00PM Monday - Friday and Sundays from 12:00-4:00PM. We help patrons with reading, writing, and learning; as well as a suite of print/copy/scan/fax/and notary services. We continue to loan books, audiobooks, movies, puzzles, and items from our Library of Things.

Lucy Carter, Library Director

Isel Sánchez-Whiteley, Library Assistant