

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLACITY COMMISSION HELD TUESDAY, MAY 5, 2020, 3:00 PM AT THE FRANKLIN COUNTY ANNEX BUILDING.

PRESENT: Mayor Kevin Begos  
Commissioner Brenda Ash  
Commissioner Anita Grove  
Commissioner Adrian Elliott  
Commissioner Despina George  
Chris Holley, Interim City Manager  
Deborah Guillotte, City Clerk  
Kristy Branch-Banks, Attorney

**CALL OF ORDER**

Mayor Begos called the meeting to order at 3:00 PM and Commissioner Ash gave the invocation. Council Members lead the pledge of allegiance.

**APPROVE THE AGENDA**

Mayor Begos requested that the COVID19 - Outdoor Dining and the Forensic Audit Report be moved to the front item of business on the Agenda.

Commissioner Grove made a motion to approve the agenda, changing the order and discussing Unfinished Business Item D - COVID 19 Options and Unfinished Business C - Forensic Audit Report to the front of the Agenda, and Consent Agenda C – City Commission Rules of Procedure – Committee Policy Revision moved to a separate agenda item. Commissioner George seconded and the motion carried 5-0.

**CONSENT AGENDA**

Mayor Begos stated that in the December 3, 2019 minutes that Mr. Nalley reported that our DEP default balance was around \$583,000 as of December 1, 2019. Mayor Begos reported that Mr. Nalley's amount was incorrect and as of December, DEP reported per email, they show a balance of \$670 some odd thousand dollars. Also, the April 21, 2020 minutes the word ADHOP should state ADHOC, and Item C of the Consent Agenda will be talked about separately.

Commissioner Grove made a motion to approve the Consent Agenda, with the corrections to the minutes as identified. Commissioner George seconded and the motion carried 5-0.

City Commission Rules of Procedure – Committee Policy Revision

**MAYOR AND COMMISSIONERS REPORT AND COMMUNICATIONS**

Mayor and Commissioners discussed the Finance Director Position, DEP Drinking Water Project, Scheduling Budget Meetings and a Shade Meeting, Library and Splash Pad Re-opening, and Face Book Account releases and Ordinance transmittals to the State.

**CITY MANAGER COMMUNICATIONS**

A. Duke Energy Tree Trimming – Danny Collins gave a brief update on the upcoming activity of tree trimming and the replacing of poles in the alleyways, stating this will be taking effect this week and will continue for about eight weeks. Discussion ensued by Commission on the height increase of the poles.

B. Finance Update – Mr. Holley gave update on credit card use as of now and the city's current fixed asset policy and inventory list. Mr. Welle gave a brief report of the quarterly financial report. Mr. Welle stated he is in the

process of creating a credit card policy and internal control policy. Discussion ensued of possibility of waiving commercial SUF fees for May. Staff will research.

C. Grants Update – Mr. Holley gave a brief update on miscellaneous and FEMA grants.  
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D. Continuation of H2 Solutions Services

Commissioner Elliott made a motion to approve the continuation of the H2 Solutions Services (Chris Holley) Contract. Commissioner Grove seconded and the motion carried 5-0.

**ATTORNEY KRISTY BRANCH-BANKS COMMUNICATIONS**

Attorney Banks gave an update of her meeting with Mike Thrasher on his “Boat Lift/Waives” Contract.

**PUBLIC HEARING**

**A. PUBLIC HEARINGS – ORDINANCE 2020-03 – APALACHICOLA FILL AND STORMWATER – PUBLIC HEARING AND SECOND READING**

Mayor Begos read Ordinance 2020-03 by title.

**AN ORDINANCE AMENDING AND MODIFYING ORDINANCE 91-7 LAND DEVELOPMENT CODE; MODIFYING CHAPTER II DEFINITIONS; REPEALING AND REPLACING CHAPTER VII SITE PLAN REVIEW REGULATIONS; REPEALING, REPLACING, AND ADDING TO CHAPTER VIII STORMWATER MANAGEMENT PLANS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; AND ESTABLISHING AN EFFECTIVE DATE.**

Mayor Begos opened the floor for public comments.

Comments via emails are in official minutes file.

There being no further comments, Mayor Begos closed the public hearing.

**PUBLIC HEARING**

**B. ORDINANCE 2020-04 – RE-CODIFICATION OF CITY OF APALACHICOLA CODE OF ORDINANCES**

Mayor Begos read Ordinance 2020-04 by title.

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APALACHICOLA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

No Public Comments.

Mayor Begos closed the public hearing.

**PUBLIC COMMENT**

Cassie Gary discussed forming an Emergency ADHOC Committee for downtown businesses on the issues being faced with the COVID 19. The Commission would be glad to hear from them when they come up with suggestions.

**UNFINISHED BUSINESS**  
**A. PUBLIC HEARINGS – ORDINANCE 2020-03 – APALACHICOLA FILL AND STORMWATER – PUBLIC HEARING AND SECOND READING**

Mayor Begos read Ordinance 2020-03 by title.

**AN ORDINANCE AMENDING AND MODIFYING ORDINANCE 91-7 LAND DEVELOPMENT CODE; MODIFYING CHAPTER II DEFINITIONS; REPEALING AND REPLACING CHAPTER VII SITE PLAN REVIEW REGULATIONS; REPEALING, REPLACING, AND ADDING TO CHAPTER VIII STORMWATER MANAGEMENT PLANS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.**

Commissioner Grove made a motion to adopt Ordinance 2020-03 - Apalachicola Fill and Stormwater. Commissioner George seconded and the motion carried 5-0.

**UNFINISHED BUSINESS**  
**B. ORDINANCE 2020-04 – RE-CODIFICATION OF CITY OF APALACHICOLA CODE OF ORDINANCES**

Mayor Begos read Ordinance 2020-04 by title.

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF APALACHICOLA, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.**

Commissioner Ash made a motion to adopt Ordinance 2020-04 – Re-Codification of City of Apalachicola Code of Ordinances. Commissioner Grove seconded and the motion carried 4-1. Commissioner George opposed.

**UNFINISHED BUSINESS**  
**C. FORENSIC EXAMINATION REPORT**

Ralph Roberson reviewed the Forensic Examination Report followed by Board discussion. Discussion ensued by the Commission. Mr. Roberson’s recommendation is that the City hire a Finance Director with some governmental experience to help with these issues in the future.

**UNFINISHED BUSINESS**  
**D. COVID 19 OPTIONS**

Discussion ensued by the Mayor and Commission on lodging restrictions, and the possibility of outside dining of restaurants. Commissioner Ash requested that Attorney Banks research the liability in reference to the restaurants and the City responsibilities.

Commissioner Elliott made a motion to approve that hotels and motels be opened in accordance with the Governor's guidelines, Phase One, at 50 percent room occupancy, effective May 6th, and that Attorney Banks research the legality of short term lodging. Commissioner Grove seconded and the motion carried 4-1. Commissioner George opposed.

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**UNFINISHED BUSINESS – CONSENT AGENDA ITEM  
CITY COMMISSION RULE OF PROCEDURE – COMMITTEE POLICY REVISION**

Commissioner Elliott reviewed her proposed changes to the Committee Policy Revision.

Mayor Begos made a motion to adopt the amendment to the Rules of Procedures for Committee Policy Revision that no appointee shall serve more than two consecutive terms on any standing committee, not to exceed four consecutive years and that this Policy change will take effect October 1, 2020. Commissioner Ash seconded. Discussion ensued on the term of services years and the rotation of when each term would end.

Mayor Begos withdrew his motion for further research.

**NEW BUSINESS  
A. PROPOSAL TO PREPARE PLANS AND SPECS TO BID REPAIR WORK AND MANAGE THE  
PROJECT FOR CITY DOCKS AND PIERS**

Discussion ensued by Commission. Josh Baxley with Dewberry Associates gave a brief review of the bid package process, the collection of the bids and the management of the projects.

Commissioner Elliott made a motion to approve the Task Orders with Dewberry Engineering to prepare bid documents and manage the aforementioned projects. Commissioner Grove seconded and the motion carried 5-0.

**NEW BUSINESS  
B. RESOLUTION 2020-09 – CITY INVENTORY**

Discussion ensued by Commission on the City's Asset Inventory list and it was decided that staff has started working on this list. Mayor Begos made a motion to adopt Resolution 2020-09 – City Inventory. Motion died for lack of second.

**NEW BUSINESS  
C. CONSIDERATION OF PROPOSED EMPLOYMENT AGREEMENT –  
KENDALL “TRAVIS” WADE**

Commissioner Elliott made a motion to approve the Employment Agreement with Kendall “Travis” Wade as proposed. Commissioner Ash seconded and the motion carried 5-0.

Discussion ensued on termination and severance pay on the proposed employment agreement by the Commission and Attorney Banks.

**NEW BUSINESS  
D. APALACHICOLA HISTORY, CULTURE AND ARTS GRANT REQUEST**

Commissioner Grove made a motion to approve the submittal of the History, Culture and Arts Grant in the amount of \$250,000 for repair of the HCA building. Commissioner Ash seconded and the motion carried 5-0.

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<b>ADJOURNMENT</b>
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With no further business, Commissioner Grove made a motion to adjourn the meeting at 6:45 PM. Commissioner Ash seconded and the motion carried 5-0.

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Kevin Begos, Mayor

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Deborah Guillotte, City Clerk