

**MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, OCTOBER 8, 2019, 6:00 PM AT THE APALACHICOLA COMMUNITY CENTER.**

**PRESENT:** Mayor Van W. Johnson, Sr.  
Commissioner Brenda Ash  
Commissioner Jimmy Elliott  
Commissioner Mitchell Bartley  
Mayor Kevin Begos  
Commissioner Adriane Elliott  
Commissioner Despina George

Ron Nalley, City Manager  
Deborah Guillotte, City Clerk  
Pat Floyd, City Attorney  
Kristy Branch Banks

**ABSENT:** Commissioner Anita Grove

**CALL TO ORDER**

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

**AGENDA ADOPTION**

Mayor Johnson called for a motion to approve the agenda.

Commissioner Brenda Ash made a motion to approve the agenda as presented. Commissioner Mitchell Bartley seconded and the motion carried 4-0.

**MAYOR'S AND COMMISSIONERS REPORTS AND COMMUNICATIONS**

Commissioner Jimmy Elliott thanked George Mahr for all his help in the past, Rose McCoy for getting the grant for the Community Center, to the past and present Mayors and Commissioners during his tenure as Commissioner for their commitment and dedication to the City and to the residents who put him in office.

Commissioner Ash stated that it has been an honor and privilege to serve with Mayor Johnson and Commissioner's Bartley and Elliott and that she has learned so much from their leadership, dedication, commitment and also their being honorable men to this community.

Mayor Johnson thanked the Commissioners for his years of service with each of them and to the citizens for his twenty two years of service to the community and all they did to help with the many accomplishments of the City of Apalachicola during his tenure as Mayor.

A. Resolution 2019-21 – Honoring Granville Croom for his Services to the Recreational Needs of the Youth

Attorney Floyd read Resolution 2019-21 in its entirety.

**A RESOLUTION OF THE APALACHICOLA BOARD OF CITY COMMISSIONERS RECOGNIZING AND HONORING GRANVILLE CROOM FOR HIS MANY YEARS OF UNSELFISH AND DEDICATED SERVICE TO THE RECREATIONAL NEEDS, GROWTH AND DEVELOPMENT OF THE YOUTH OF APALACHICOLA**

Commissioner Ash made a motion to adopt Resolution 2019-21 honoring Granville Croom for his services to the recreational needs of the youth. Commissioner Bartley seconded and the motion carried 4-0.

B. Resolution 2019-20 Honoring J. Patrick "Pat" Floyd on his Retirement

Mayor Johnson read Resolution 2019-20 in its entirety.

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A RESOLUTION OF THE APALACHICOLA BOARD OF CITY COMMISSIONERS RECOGNIZING THE RETIREMENT OF CITY ATTORNEY, JOHN PATRICK FLOYD AND COMMENDING HIM FOR THREE DECADES OF PROFESSIONAL, OUTSTANDING AND DEDICATED LEGAL SERVICE TO THE PEOPLE OF THE HISTORIC CITY OF APALACHICOLA

Commissioner Elliott made a motion to adopt Resolution 2019-20 honoring J. Patrick “Pat” Floyd on his retirement. Commissioner Bartley seconded and the motion carried 4-0.

#### **CITY MANAGER COMMUNICATIONS**

- Mr. Ron Nalley thanked the board, staff and members of the community for all the kind words and prayers for him and his family this week during the loss of his mother.
- Mr. Nalley stated that on behalf of staff he would like to welcome the newly elected officials and we look forward to working with them. Also, on behalf of staff, we thank those leaving and that we truly appreciated working with each of them, and wish them well with their future endeavors.

#### **ATTORNEY PAT FLOYD COMMUNICATIONS**

- Attorney Floyd thanked everyone for their appreciation and gratitude, for the many comments and the many years of efforts the Mayor and Commission have put in serving the community. Attorney Floyd stated it all begins with two words “thanks” and “Apalachicola” and that he has been blessed to be born and raised in Apalachicola, and have the privilege of being the City Attorney for so many years.

#### **PUBLIC COMMENT**

Mayor Johnson opened the floor for public comment.

- Robin Vroegop expressed her concerns with the order of when newly elected officials take seat at the October meeting, and the grant submission approvals being listed under consent agenda.
- Despina George expressed her concerns with the agenda and when the newly elected officials take seat and asked that the old board step down after the public comment section of this meeting.
- Dolores Croom thanked Mayor Johnson and Commissioners Bartley and Elliott for their many years of service to the community. Mrs. Croom also stated that she was at the Community Center for an event, and that the air conditioner was not working, only the two window units. Mrs. Croom stated she passed out due to the heat and requested that when the air conditioner is not working it should not be rented out. Mrs. Croom also requested that the ditch at 233 12<sup>th</sup> Street be filled in.
- Pastor David Walker thanked the Mayor and City Commissioners for all they have done for the community.
- Carl Whaley thanked the outgoing Mayor and City Commissioners for all they have done for the Florida Seafood Festival and they look forward to working with the newly elected officials.

#### **CONSENT AGENDA**

Mayor Johnson presented the Consent Agenda and asked if any items should be removed before consideration of a motion.

- Meeting Minutes Adoption - Adopt the August 6, 2019 Special Meeting and the August 27, 2019 Special Meeting, September 5, 2019 Regular Meeting, September 12, 2019 Special Meeting and September 24, 2019 Special Meeting Minutes.

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- Grant Submittal Approval – 2019 Urban and Community Forestry Grant Program – To approve submittal of a grant proposal to Florida’s Urban and Community Forestry (UCF) grant program on behalf of the City of Apalachicola. The Tree Committee is preparing a grant request of \$5,000 to fund a tree inventory and management study for Battery and Lafayette Parks. A dollar-for-dollar match is required; however in-kind services of the FAMU arborist will be used as match for the grant proposal.
- Grant Submittal Approval – FDEM Hurricane Michael State Recovery Grant Program – To approve submittal of a grant proposal to FDEM’s Hurricane Michael State Recovery grant program on behalf of the City of Apalachicola. The repair of the Popham building meets the dollar threshold and non-eligibility for FEMA public assistance requirement. This may be one of the few grant programs that can bridge the funding gap between the cost of repairs and insurance proceeds for this building.
- Partial Road Closures for Events/Festivals – To approve the temporary closure of SR 30/US 98 with a detour along Avenue D for the Florida Seafood Festival and the temporary closure of Dr. Martin Luther King Jr. Boulevard between 8<sup>th</sup> and 9<sup>th</sup> Street for the Chunky Sunday Festival event.

Commissioner Ash made a motion to approve the Consent Agenda. Commissioner Elliott seconded and the motion carried 4-0.

**UNFINISHED BUSINESS**

**A. CITY ATTORNEY LEGAL SERVICES CONTRACT – KRISTY BANKS**

Attorney Floyd stated he had received and reviewed the Contract from Kristy Banks and changes have been made and that the contract is ready for approval.

Commissioner Ash requested that the attorney contract be tabled so that it can be reviewed by the board, since it was received just prior to the meeting. In a response to a question from Commissioner Ash, Mr. Nalley stated that Kristy Branch was hired at last month’s meeting and that the Contract was drawn up by her and Attorney Floyd. Mr. Nalley further stated he and Attorney Floyd reviewed the contract and that it was ready for approval if they chose to do so.

Commissioner Ash made a motion to table the Contract for Kristy Branch for further review. Motion died for lack of second.

Commissioner Elliott made a motion to approve the City Attorney Legal Services Contract between Kristy Banks and the City of Apalachicola. Commissioner Bartley seconded and the motion carried 3-1, with Commissioner Ash voting Nay.

Mayor Johnson administered the oath of office to City Attorney Kristy Banks.

**UNFINISHED BUSINESS**

**B. RESOLUTION 2019-13 – CREATING A CENSUS 2020 COMPLETE COUNT COMMITTEE FOR THE CITY OF APALACHICOLA**

Mr. Nalley stated the goal of the Complete Count Committee is to help educate the community and increase the response rate to Census 2020 which is vital to the City of Apalachicola. Attorney Kristy Banks read Resolution 2019-13 in its entirety.

**A RESOLUTION CREATING A CENSUS 2020 COMPLETE COUNT COMMITTEE TO PLAN AND CONDUCT LOCAL EDUCATIONAL INITIATIVES, PUBLICITY AND PROMOTIONAL ACTIVITIES TO INCREASE COMMUNITY AWARENESS AND PARTICIPATION IN THE 2020 CENSUS**

Commissioner Ash made a motion to adopt Resolution 2019-13 creating a Census 2020 Complete Count Committee for the City of Apalachicola. Commissioner Bartley seconded and the motion carried 4-0.

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**NEW BUSINESS**

**A. OATHS OF OFFICE**

- Kevin Begos administered his own oath of office as Mayor.
- Jimmy Elliott administered the oath of office to Commissioner Adriane Elliott.
- Despina George administered her own oath of office as Commissioner.

**NEW BUSINESS**

**B. ELECTION OF MAYOR PRO-TEM AND DETERMINATION OF BOARD LIASONS**

Mr. Nalley stated that the City Clerk will get a list of Board Liaisons to the Mayor as requested.

Mayor Begos suggested that Commissioner Brenda Ash continue to serve as Mayor Pro-Tem.

Attorney Banks read Resolution 2019-22 in its entirety.

**A RESOLUTION BY THE CITY OF APALACHICOLA APPOINTING AND DESIGNATING A MAYOR PRO-TEM OF THE CITY OF APALACHICOLA.**

Commissioner George made a motion to adopt Resolution 2019-22 appointing and designating Brenda Ash as Mayor Pro-Tem for the City of Apalachicola. Commissioner Adriane Elliott seconded and the motion carried 4-0.

**NEW BUSINESS**

**C. RESOLUTION 2019-17 – HONORING VAN W. JOHNSON SR., FOR HIS SERVICE TO THE CITY OF APALACHICOLA**

Mayor Begos read Resolution 2019-17 in its entirety.

**A RESOLUTION OF THE APALACHICOLA BOARD OF CITY COMMISSIONERS RECOGNIZING THE RETIREMENT OF VAN W. JOHNSON, SR. AND COMMENDING HIM FOR TWENTY-TWO YEARS OF OUTSTANDING PUBLIC SERVICE TO BOTH THE PEOPLE OF APALACHICOLA AND THE NORTHWEST DISTRICT OF FLORIDA.**

Commissioner Ash made a motion to adopt Resolution 2019-17 honoring Van W. Johnson Sr., for his service to the City of Apalachicola. Commissioner Elliott seconded and the motion carried 4-0.

**NEW BUSINESS**

**D. RESOLUTION 2019-18 – HONORING JAMES L. ELLIOTT, FOR HIS SERVICE TO THE**

**CITY OF APALACHICOLA**

Mayor Begos read Resolution 2019-18 in its entirety.

A RESOLUTION OF THE APALACHICOLA BOARD OF CITY COMMISSIONERS RECOGNIZING THE RETIREMENT OF JAMES L ELLIOTT AND COMMENDING HIM FOR THIRTY-SIX YEARS OF OUTSTANDING PUBLIC SERVICE TO BOTH THE PEOPLE OF APALACHICOLA AND THE NORTHWEST DISTRICT OF FLORIDA.

Commissioner Elliott made a motion to adopt Resolution 2019-18 honoring James L. Elliott, for his service to the City of Apalachicola. Commissioner Ash seconded and the motion carried 4-0.

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**NEW BUSINESS**

**E. RESOLUTION 2019-19 – HONORING JOHN M. BARTLEY SR., FOR HIS SERVICE TO THE CITY OF APALACHICOLA**

Mayor Begos read Resolution 2019-19 in its entirety.

A RESOLUTION OF THE APALACHICOLA BOARD OF CITY COMMISSIONERS RECOGNIZING THE RETIREMENT OF JOHN M. BARTLEY SR. AND COMMENDING HIM FOR TWENTY YEARS OF OUTSTANDING PUBLIC SERVICE TO BOTH THE PEOPLE OF APALACHICOLA AND THE NORTHWEST DISTRICT OF FLORIDA.

Commissioner Ash made a motion to adopt Resolution 2019-19 honoring John M. Bartley Sr., for his service to the City of Apalachicola. Commissioner Elliott seconded and the motion carried 4-0.

**NEW BUSINESS**

**F. BOARD OF ADJUSTMENT MEMBER APPOINTMENT**

Mayor Begos announced that the City needs to fill two positions on the Board of Adjustment. Commissioner Ash made a motion to appoint Trisha McLemore and Lois Swoboda to the Board of Adjustment. Commissioner George seconded and the motion carried 4-0.

**NEW BUSINESS**

**G. BUDGET WORKSHOP DISCUSSION**

Mayor Begos stated that before moving forward with the budget workshop discussion, he wanted the community to know that he ran for Mayor because he loves the City of Apalachicola, and wanted better for the City of Apalachicola and its senior citizens, working families and youth. He would like to take steps to include having a 2<sup>nd</sup> meeting to discuss key issues, including water and sewer, the budget, expenses and revenues and re-visiting the Community Redevelopment Agency program to allow investment in the working waterfront, the hill neighborhood and the bowery. Mayor Begos stated his concerns with transparency, city committees, the website and social media and noted that he will listen to the citizens at all times and welcomes all their thoughts and ideas.

Commissioner George then stated that she would like to make a motion to rescind the Consent Agenda vote on the grant items dealing with the Popham building previously approved by the outgoing Board. Commissioner Elliott seconded the motion. In a response to a question from Commissioner Elliott, Mr. Nalley stated the grant was for a Division of Emergency grant and not FEMA. The DEM grant has strict guidelines and the only project that qualifies for the grant is the Popham building, which information was distributed before the meeting for review. In a response to a question from Mayor Begos, Mr. Nalley stated this grant will make the Popham building structurally sound, which it is not at this time and that the board can if granted, decline to grant. The grant money is only available to certain designated areas. Mayor

Begos suggested Commissioner George withdraw her motion until a Special meeting and review of the grant application can be done before the due date on Tuesday.

At the request of the Board, Mr. Nalley reviewed the requirements for the FDEM Hurricane Michael State Recovery Grant stating that allowable costs are: - Local operating deficits/revenue loss; Infrastructure (building, road, bridge, etc.) repair and/or replacement; Beach re-nourishment/Recreational facilities; and debris removal. All projects must be over \$500,000; and show proof that the project is ineligible for FEMA public assistance.

Commissioner George then made a motion to set a Special Meeting on Monday, October 14, 2019 a 4:00 p.m. to review the request for approval for a grant application for the Florida Division of Emergency Management Grant and to determine if there are other projects that may qualify that may be more beneficial to the City. Commissioner Elliott seconded and the motion carried 4-1, with Commissioner Ash voting nay.

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In a response to a question from Mayor Begos, Commissioner Ash stated she has all the confidence and faith in staff, and doesn't believe that staff should be micro-managed with the business of the City. In response to a question from Commissioner Elliott on the 2019 Urban and Community Forestry Grant Program, Mr. Dennis Winterringer stated in-kind services of the FAMU arborist and volunteer time will be used as match for the grant proposal, and also my volunteer time.

## **NEW BUSINESS**

### **H. FUTURE WORKSHOP TOPICS DISCUSSION**

Mayor Begos stated that he ran for Mayor because he loves Apalachicola and could not sit back and see the City crumble. Mayor Begos stated that he would like to have a budget workshop to review in depth the budget that was adopted last month for the 2019-2020 fiscal year. The purpose of the meeting is to put a freeze on some items in order to give us extra funds. In a response to a question from Commissioner Ash, Mr. Nalley stated that any budget change would have to go through the Ordinance adoption and public hearing process. Mr. Nalley further stated that while fees can be amended, the millage rate is already set. After further discussion, it was decided by the City Commission to hold a workshop next Thursday, October 17, 2019 at 5:00 p.m. to review the 2019-2020 fiscal year budget. Mr. Begos stated he would like to have a workshop in November on affordable housing and a future workshop on zoning challenges. Commissioner Elliott suggested having a full city audit on the finances, that the City Committees have regular monthly meetings, that department heads attend the City meetings, that the Land Development Code be revised, that the City Parks be better maintained, and that the City Seal be officially adopted. Mayor Begos stated the Commission will have the audit and budget review workshop next week.

Mayor Begos introduced State Representative, Jason Shoaf. Jason Shoaf stated that he is happy to help the City in any way he can.

Mayor Begos then gave an update on the crash of the City website stating that no files were lost and that it is now back up and running.

There were numerous citizens concerns about how grants and ordinances are handled and publicized. Mr. Nalley stated they have been handled in the same ways as they have in the past, with advertisement and public notice to the citizens, and that anyone is welcome to come by City Hall anytime to talk about their needs.

Bonnie Davis stated her concern with a scrivener's error in a zoning ordinance and stated this needs to be corrected.

Chris Moore stated her concern with ordinances not being available on the internet. Mr. Nalley stated that the City is still in the process of making them available through Municode and that this should be completed within the next few months.

Commissioner Elliott expressed her concerns with the CRA and the Main Street partnership with the City. She feels that the CRA should be terminated and that it does not benefit the City. Mayor Begos stated that this matter will be brought up at a future meeting.

<b>ADJOURNMENT</b>
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With no further business, Commissioner Elliott made a motion to adjourn the meeting at 8:00 pm. Commissioner George seconded and the motion carried 4-0.

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Kevin Begos, Mayor

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Deborah Guillotte, City Clerk