

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD  
TUESDAY, DECEMBER 7, 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  
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 Despina George made a motion to adopt the Agenda. Commissioner Adriane Elliott seconded and the motion carried 5-0.

**PUBLIC COMMENT**

**1) Beth Embert, Jimmy Gander, Steve Watkins – Leslie Street** – Beth Embert and Jimmy Gander expressed their concerns of the Leslie Street road closure, including parking and garage access, and would like the status of the repair, stating this has cost the businesses on that Street to lose money. Ms. Embert also stated the she felt that the stop sign on Commerce and Leslie Street is a safety issue. City Manager Travis Wade stated that the City is currently working on this issue so the project can move forward. Josh Stephens with Dewberry reviewed the process that the City is taking to repair Leslie Street, stating that the Department of Transportation is also involved with this issue, and it is definitely being addressed.

Citizen’s concerns also consisted of the following: 1) Battery Park Marina Ordinance -live-aboards and annual commercial fisherman fees.

Commissioner Elliott briefly reviewed the following: live-aboards (houseboats), airboats, and charging all commercial fisherman an annual fee. 2) garbage/trash pick-up moving to the street side; 3) abandoned utility poles

in the City; and 3) (Al Ingle) structure on City right-of-way ongoing issue – requests that the City please resolve.

**UNFINISHED BUSINESS**

**1) BATTERY PARK MARINA ORDINANCE-FIRST READING**

Attorney Dan Hartman ready Ordinance 2021-03 by title.

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.

Commissioner Elliott made a motion to approve and proceed with the adoption process of Ordinance 2021-03 for a second reading. Commissioner George seconded and the motion carried 5-0.

Commissioner Anita Grove has concerns with all categories of commercial fisherman having to pay a yearly launch fee, and live-aboards time to move out.

**UNFINISHED BUSINESS**

**2) GARBAGE PICKUP-ALLEYS TO STREETS**

Mr. Wade stated that the alleys are being torn up with the heavy garbage trucks going down them every day, and recommends that the street side be used for pick-up. Mr. Wade requests that the Commission make a decision tonight, so that the City can move forward with the bidding process.

Commissioner Elliott made a motion to relocate the City's garbage pickup from alleys to streets. Commissioner Donna Duncan seconded with discussion. Commissioner concerns consisted of: disabled/handicap pick-up service; continue maintaining alleys if relocated; keep accounting of repairs

for (replaced meters, pipes, and areas affected), and how often this happens; written language in the ordinance to not allow big trucks or commercial trucks to drive in the alleys; and repairing alleys when damaged and continue alley pickup. Motion carried 3-2. Opposed: Commissioners George and Grove

**NEW BUSINESS**

**1) OFFICE 365 PROPOSAL – KEVIN WARD**

Kevin Ward requests moving the City email services from Google to Microsoft Office 365. Mr. Ward reviewed all the different services it would offer to better enhance the City.

Commissioner Grove made a motion to approve the Office 365 Proposal. Commissioner Elliott seconded and the motion carried 5-0.

**NEW BUSINESS**

**2) PLANNING AND ZONING (P&Z) – COMMITTEE MEMBER AND ALTERNATE MEMBER APPOINTMENT**

Mr. Wade recommends Chase Galloway for the P&Z board member, and for the alternate board member Justin McMillan.

Commissioner Grove made a motion to appoint Dennis Winterringer for the member and Chase Galloway as the alternate to P&Z. Commissioner George seconded. Discussion held on the procedural response to Mr. Wade's recommendation and also the legality of dual committee membership.

Commissioner George rescinded her second in the above motion.

Commissioner Grove made a motion to appoint Dennis Winterringer to the vacant member appointment to P&Z, upon immediate resignation from Board

of Adjustment if appointed. Commissioner George seconded and the motion failed 2-3. Opposed: Commissioners Elliott, Duncan and Mayor Ash

Commissioner Duncan made a motion to accept the recommendation of Mr. Wade and appoint Chase Galloway as the vacant member and Justin McMillan as the alternate member of Planning and Zoning. Commissioner Elliott seconded and the motion carried 3-2. Opposed: Commissioner Grove and George

**MAYOR AND COMMISSIONER COMMENTS**

**Mayor/Commissioners’ Report – See Attachment “A”**

Mayor and Commissioner’s comments consisted of the following: 1) Al Ingle’s right-of-way issue with the fish house – Attorney Dan Hartman gave a brief update stating the Morgan’s have been contacted by letter, and have got an attorney. Attorney Hartman stated we are trying to get a survey at this time, and trying to move forward to settle this encroachment issue; 2) the Housing Authority issue - this is their responsibility, the city is only responsible for appointing the Housing Authority Board; 3) height ordinance workshop – February and March – to be announced; 4) remove abandoned poles; 5) Ordinance Workshop January 26<sup>th</sup> at 4pm; 6) skate park is not being demolished; 7) Commissioner George requested a special meeting two weeks ago to discuss the termination of former Finance Director Leo Bebeau, and asked that Attorney Hartman poll the Commission to see if anyone would join with her to follow procedure for the special meeting, and as of this date, no-one has responded to this request.

**CITY MANAGER COMMUNICATIONS**

**City Manager Travis Wade Report – See Attachment “B”**

**1)** Approval from the Commission to make payment outside City Manager spending authority – Bodiford Park Pier Professional Services Fee Proposal - \$15,985. Josh Stephens reported this is for the repair and replacement of the existing pier, bench and tables.

**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. Mr. Stephens reported this is for replacement of the existing wheelchair lift, finger pier and a section of the existing dock. Mr. Stephens stated that he talked with Traci Buzbee and she informed him that these projects are in danger of de-obligation of the money, if FEMA doesn't receive certain permits for the by January 14<sup>th</sup>, 2022. Mr. Stephens stated FEMA has allocated monies for both of these projects, per the former Finance Director.

Commissioner George made a motion to table the above project approvals until the December 13<sup>th</sup> special meeting for further research. Commissioner Grove seconded for discussion. Carried 2-3. Opposed: Commissioner Elliott, Duncan and Mayor Ash

Commissioner Elliott made a motion to authorize the City Manager to make the expenditure for professional services fee proposal for Bodiford Park Pier in the amount \$15,985. Commissioner Duncan seconded and the motion carried 4-1. Opposed: Commissioner George

Commissioner Elliott made a motion to authorize the City Manager to make the expenditure for professional services fee proposal for Scipio Creek Marina Pier in the amount of \$17,775. Commissioner Duncan seconded and the motion carried 4-1. Opposed: Commissioner George

**ATTORNEY COMMUNICATIONS**

**Attorney Dan Hartman Report – See attachment “C”**

**GRANT DEVELOPMENT AND IMPLEMENTATION COORDINATOR**

**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.

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

**DEPARTMENT REPORTS**

**ADJOURNMENT**

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

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Brenda Ash, Mayor

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Deborah Guillotte, City Clerk

## 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](mailto:janellepaul@cityofapalachicola.com) or Melissa Hand at [melissahand@cityofapalachicola.com](mailto:melissahand@cityofapalachicola.com)
  - **Complaints/Concerns:** Submit all complaint and concerns to the City Staff-Administration office in writing at [complaints@cityofapalachicola.com](mailto: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.



# 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 25<sup>th</sup>. 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 17<sup>th</sup> 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.