

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD THURSDAY, FEBRUARY 10, 2022, 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 Val Webb gave the Invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

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

PUBLIC COMMENT

1. Tim Center - Early Childhood Services – Give update on Head Start at City Hall –
Not present

2. Frenchy Haynes - Camp Moving Education - Frenchy Haynes distributed information to the Commission and requested that they support the Moving Education Institute Inc., of community moving education which includes summer arts, sports, fitness, etc. and many more activities for youth. Mr. Haynes stated this current activity will be for a six week period, and that we are requesting the use of two offices at City Hall for these and also future programs.

Commissioner Grove made a motion to approve the use by Moving Education Institute Inc., of two rooms at City Hall in the amount of \$100 per month, per room.

Commissioner Grove amended her motion to approve the use by Moving Education Institute Inc., of two rooms at City Hall in the summer, and we will address the other programs at the time needed in the amount of \$100 per month, per room. Commissioner Elliott seconded and the motion carried 5-0.

Lloyd Childree – Wastepro – Mr. Childree updated the Commission on current garbage issues/complaints with it being moved to the street and avenue sides, stating that things seem to be moving forward nicely. Deborah Guillotte stated that City Hall has received a few calls, but overall, things seem to be great. Staff has been talking with residents that are handicap etc., and cannot move their cans and arrangements have been made in these cases for special pick-up. Ms. Guillotte also stated that Wastepro staff is coming in the office daily to check on any ongoing issues.

UNFINISHED BUSINESS

1. LAFAYETTE PARK LIGHTING – CONSIDERATION AND APPROVAL/DISAPPROVAL OF CONTRACT WITH HISTORIC APALACHICOLA FOUNDATION, INC. TRUST FOR INSTALLATION OF LIGHTING IN LAFAYETTE PARK - ATTORNEY DAN HARTMAN

Attorney Dan Hartman reviewed past concerns of Lafayette Park Lighting between Apalachicola Historic Foundation Inc. (AHF) and the City of Apalachicola with materials, installation and labor. Attorney Hartman stated that Marie Marshall has agreed that the AHF, Inc. has agreed to pay for materials, installation and labor, which is not in the current Donation Agreement, but will be updated for approval.

Commissioner Grove made a motion to accept the donation from Apalachicola Historic Foundation, Inc., to donate lighting in Lafayette Park. Commissioner Despina George seconded and the motion carried 5-0.

NEW BUSINESS

1. SCHEDULE BUILDING HEIGHT WORKSHOP – PROPOSED DATES: FEBRUARY 16TH, 17TH, 23RD OR 24TH

The Commission scheduled the building height workshop for Wednesday February 23rd at 4pm.

NEW BUSINESS

2. TREE COMMITTEE – MEMBER APPOINTMENT

Commissioner George made a motion to appoint Scott Davis to the vacant position of the Tree Committee. Commissioner Elliott seconded and the motion carried 5-0.

NEW BUSINESS
3. ENGINEERING SERVICES – STORMWATER PIPE RELINING

Bree Robinson requested that the Commission accept the proposal from Urban Catalyst Consultants for Storm Water Pipe Relining, for Civil Engineering Services. This area includes: Fred Meyer near 18th Street; 5th Street between Avenue C and E; and Avenue B between 11th and 12th Street.

Commissioner George made a motion to authorize signature of Mr. Wade and to accept the proposal from Urban Catalyst Consulting. Commissioner Grove seconded and the motion carried 5-0.

MAYOR AND COMMISSIONER COMMENTS

Commissioner comments consisted of the following: 1) 17th & L sink hole by Denton Cove, and railing is leaning and the “road needs to be stabilized”; 2) Cottage Hill & 11th Street “Dumping needs to be monitored”; 3) Sanitation RFP – Attorney Hartman reviewed; 4) Treatment System-TTHM’s, and flushing hydrants etc. – Mr. Wade stated we are working with a flushing plan for hydrants, but our TTHM’s have been within the levels within the last four quarters. Mr. Wade also stated that we are researching installing a chlorine injection pump on Bluff Road. This pump automatically regulates the chlorine, so the water is not over chlorinated, and we are still researching a new filter system; 5) resilience infrastructure workshop to be determined; 6) ban round-up in upcoming projects; 7) financial, capital improvement, and consent order monthly reports; 8) Regional planning update; and 9) new stop sign installation.

CITY MANAGER COMMUNICATIONS

Mr. Wade reviewed ongoing issues with Department of Environmental Protection Agency. Mr. Wade stated that EPA inspected our water and sewer plants and wells, and that staff learned a lot from this on-site inspection.

GRANT COORDINATOR COMMUNICATIONS

Briana Robinson – See Attachment “A”

Mayor Ash and Commission stated their concerns with the National Fish and Wildlife Foundation grant application for a feasibility study for Sylvester William Park, and that surrounding residents and public had not been notified, nor had it been brought before the board for approval. The Commission would like to have more feedback from the public and to also look at other areas. Briana Robinson stated that she will change the grant application to add different areas for the feasibility study and we will proceed with a public meeting when needed. **See Attachment “B”**

Commissioner Elliott made a motion to approve the submission of a grant application for a feasibility study from the Emergency Coastal Resilience Fund from the National Fish and Wildlife Foundation, contingent upon the amendment of the application to include other potential locations other than Sylvester Williams Park and that it is properly noticed to the public. Commissioner Grove seconded and the motion carried 4-1. Opposed: Mayor Ash

Commissioner Grove expressed her concern of the round-up and stated she did not approve of this, and that it not be used on the landscape any future projects; the project on Water Street and asked if pervious parking could not be done, not to use asphalt or pavement. In a response to a question by Commissioner Grove, Ms. Robinson stated that the City is under appeal with FEMA to see if they will fund the Leslie Street project and are also applying for a FDOT SCOP grant.

ATTORNEY COMMUNICATIONS

Attorney Dan Hartman – **See Attachment “C”**

2. CRA – Discussion consisted of the following: 1) term has expired and can it be extended; 2) establishment of trust account and the ability to collect TIF revenues; and 3) current year contributions. Mayor Ash, Commissioners Elliott, Duncan and Grove are in favor of continuing the CRA. Attorney Hartman will research and see if we can extend the CRA and move forward with this issue. Discussion held on TIF revenues received from the County for current fiscal year.

CONSENT AGENDA

A. Meeting Minutes Adoption – December 7, 2021 Regular Meeting; and December 13, 2021 Public Hearing/Special Meeting Minutes

B. Planning and Zoning Minutes – December 2021 and January 2022

Commissioner Elliott 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

Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – Thursday, February 10, 2022

1. *National Fish and Wildlife Foundation – Emergency Coastal Resilience Fund 2021 – City of Apalachicola Regional Park and Stormwater Facility Phase 1*

COA submitted a grant application for \$253,925.83 on 2/3/22 for a feasibility study and engineering design for city owned property in order to see if we could utilize it to create a regional stormwater facility. This stormwater park would provide flood protection and treatment of urban runoff pollutants along with providing a lit walking trail and park for the community.

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

Submitted on 11/30, will hear awards in 2022. **Still in review.**

3. *HMGP – Backup Generator for Vacuum Station (108 Avenue F)*

Grant application was submitted for \$170,000 for a new backup generator. (Current in use is too small for need.) Had to apply for a portable generator instead of stationary, as they will not fund for a stationary one in a flood zone. **Still in review.**

4. *Leslie Street*

WAITING FOR UPDATE ON APPEAL

Reached out to FEMA 2/1/22 – Project still in review; no timeline. Seeking out other grant opportunities from FDOT.

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

The City has signed a contract with the historic architect (4M Design – Mark Tarmey) and he has begun measuring, photographing and assessing the two buildings in terms of documenting existing condition and recommended required repair that will be completed in accordance with historic standards. The City has successfully met the first progress report deadline and procurement deadlines set out in the grant agreement. **RFP's for electrical, construction, roof, and flood mit RFP's still in progress – coordinating with 4M Design.**

6. Fire Hydrants

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

7. Grants Update -

- a. FDOT City Landscaping Bids Received – **bid negotiated and project awarded to Gaskin Landscaping. Work began 2/3/22 and will be complete by March. Spoke with contractor to seek out alternatives to Round Up products –a small amount is being used to only affect top 2 layers of soil and will not contaminate water runoff.**
- b. CDBG-DR Infrastructure – Avenues Stormwater Repair Project **is moving forward. City has 30 days to submit documents (policies and procedures, etc.) to DEO. (end of Feb.) We are working on this now. Engineer Procurement and design will need to be secured and created along with environmental review and clearance, then we are scheduled to bid out and begin construction in October/November.**
- c. CDBG-DR Hometown Revitalization – Submitted Scope of Works for both the Riverfront and Hill Projects. **2/3/2022 DEO let us know that both agreements are currently going through their internal routing process and they will update us when they have an update.**
- 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. Fully executed agreement received in January.*
- f. Michael FEMA Projects Updates
 - i. Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin. *Permits filed for within deadline to US Corps of Engineers – waiting for approval.*
 - ii. Scipio – *Designs from engineers coming soon.*
 - iii. Alleyway Repairs – Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced ASAP. Will speak to public works on timeline.
 - iv. Old City Hall and HCA Contents loss from Michael – Ordering replacement items week of 2/7. (Funding already received – just needs to be ordered and receipts turned in.)
 - v. Lafayette Park – *Potential scope change if lights donation accepted. Pending.*
- g. DEP – WWTP Tank Cleaning – US Submergent mobilized and began work 12/1/21. *First round completed on 12/9! Had leftover grant funds after service, so they are coming back in September to complete another round of sand and grit removal and grant will close out in October 2022.*

8. *DEP Grant Applications – WWTP & Vulnerability Study*

Grant #2 is an application for the WWTP totaling \$14 million - the City of Apalachicola was approved for the full \$14 million for new equipment and relocation. *DEP contacted us and let us know we had 2 duplicated grant efforts both submitted to them. Both are for the WWTP – and combined could cover the entire WWTP Project costs, headworks and all. We are waiting to hear from DEP about combining efforts before we de-obligate the DEO funding of \$4million for the Headworks. *RFP for Engineering Services for the WWTP will be submitted to the paper the week of 2/7 and will be published the week of 2/14.**

Grant #1 Vulnerability Study

We were pushed through to the next application round for funding! 2nd round application is due 2/14 and will be completed and submitted by then. Great news!

9. *Battery Park* – 10 Foot Hole Seawall –

Documents to go out for bid are ready, but estimates for this project came in around \$280k. As an out of pocket expense, this is higher than anticipated and higher than budgeted for. Will consult with interim finance director in February.

10. *USDA Water Street Permeable Parking Sidewalk and Lighting* –

The one bid received was highly over budget - cost of materials has risen above our awarded amount for this project. USDA recommended a change of scope to include the sidewalk, but to omit the permeable pavers in the parking area. Dewberry is updating plans for USDA approval to reject all bids and re-bid out the project or to negotiate with the bid we received. We previously bid this project out 2 separate times and received only one bid.

All information included in this report is accurate as of February 4, 2022 at 12:00pm. After that time, information is subject to change.

UPDATE TO REPORT:

1. *National Fish and Wildlife Foundation – Emergency Coastal Resilience Fund 2021 – City of Apalachicola Regional Park and Stormwater Facility Phase 1*

COA submitted a grant application for \$253,925.83 on 2/3/22 for a feasibility study and engineering design for city owned property in order to see if we could utilize it to create a regional storm water facility. This storm water park would provide flood protection and treatment of urban runoff pollutants along with providing a lit walking trail and park for the community.

I wrote the above as part of my monthly report for the commission on 2/4/22. To give some background, we were on a very tight time crunch to submit an application for this NFWF grant... I, along with Alan Hart – Baskerville Donovan engineer – created and submitted an application to receive funds for a feasibility study and engineering design for a stormwater park on a City owned location within a few days of the grant window closing. The idea is to have a project shovel ready, so when more funding comes down we are ready to apply and get moving! Out of a few locations that were preliminarily discussed, such as Avenue M & Market Street (Botanical Gardens) and some smaller city owned lots in town, it was recommended to us by Mr. Hart that we apply for the Sylvester Williams Park location. This location could tie in nicely to the 6th Street Park, the Scipio Creek Boardwalk (ANERR) and the Millpond Marina bathrooms.

The Goal:

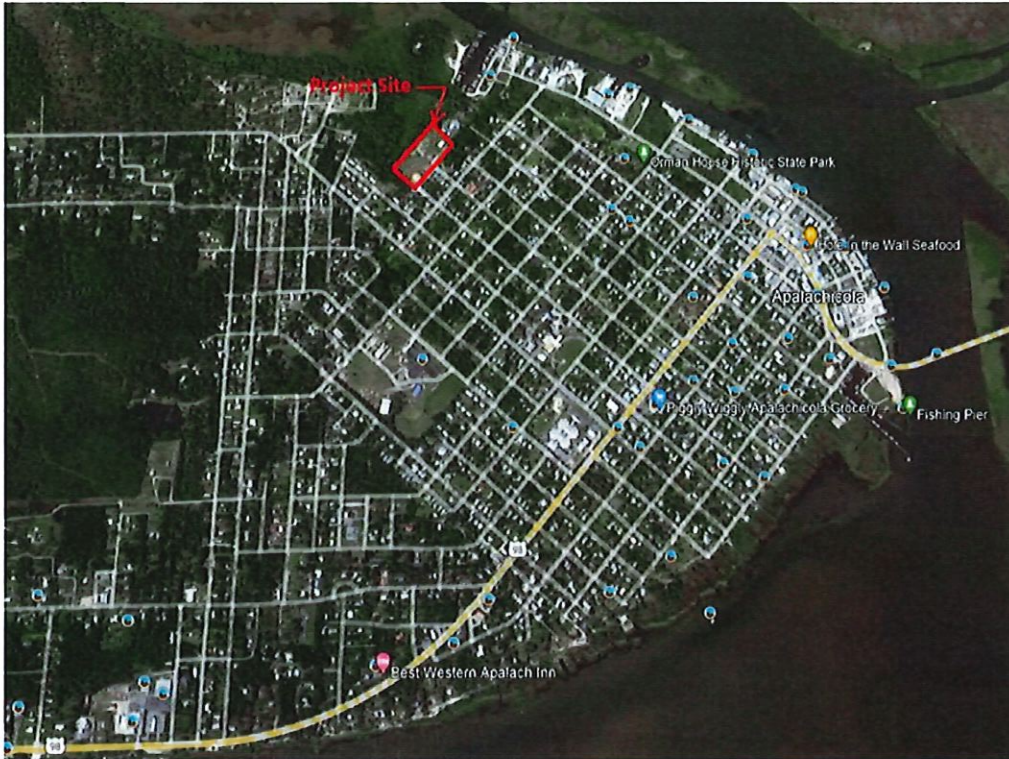
The park currently covers approximately 8 acres. Based upon current information, the location of the park could serve as a storm water facility that would receive storm water runoff from approximately 20% of the City. The storm water facility will be designed as a wet pond with littoral shelves and wetland vegetation to provide both flood protection and treatment of urban runoff pollutants. The wet pond would also be designed to allow the greatest length of lit walking trails around the perimeter of the pond and the park. This park will serve to benefit the community from a health and welfare standpoint and will also benefit the surrounding areas by providing flood mitigation and storm water quality treatment prior to the storm water runoff being conveyed into the Apalachicola Bay. As this is a Phase 1 application, there would be no construction or final plans or approval until a Phase 2 application is submitted and potentially funded.

Project Description from Grant Application:

The City of Apalachicola would like to complete a feasibility study and engineering design to convert Sylvester Williams Park into a regional storm water facility and a walking park. The purpose of this design will be to have the project construction ready within 6 months of procuring the grant dollars. The schedule is based upon the award of the grant. The park currently covers approximately 8 acres. Based

upon current information, the location of the park will serve as a storm water facility that would receive storm water runoff from approximately 20% of the City. The storm water facility will be designed as a wet pond with littoral shelves and wetland vegetation to provide both flood protection and treatment of urban runoff pollutants. The wet pond would also be designed to allow the greatest length of walking trails around the perimeter of the pond and the park. This park will serve to benefit the community from a health and welfare standpoint and will also benefit the surrounding areas by providing flood mitigation and storm water quality treatment prior to the storm water runoff being conveyed into the Apalachicola Bay. The Sylvester Williams Park will ultimately demonstrate the enormous benefits of the low-impact development planning process by creating a dual-purposed area. In addition, integrating the storm water facility within the park will increase environmental sustainability. Further, the park will positively impact and help retain property values in a low-income area.

This grant application is strictly for a feasibility study and engineering to see if this project is one would be helpful for our City. We are under no obligation to move forward with the designs if the City Commission and COA citizens do not fully approve of the location. NFWF actually made an error in their grant portal and has REOPENED it for modification until 2/16/2022. We have the option to push this application through, choose not to submit, or to change our scope. As of now, we are set to re-submit with this scope/description on 2/16.



ATTORNEY REPORT

TO: City Commission, City of Apalachicola
FROM: Daniel W. Hartman, Esq.
DATE: February 2022
SUBJ: City Attorney Report for Commission Meeting

1. Code Enforcement Matters

a. *Smith/Hall SW Floodplain matter*

Efforts to settle both cases are ongoing. Kimley Horn has completed a report which includes possible solutions that involve creating treatment/retention structures at least in part on City property. The parties are discussing the role each will play in the solution.

b. *Moore/Jackson Case No.s 2021 MO 01 and 02*

Mrs. Moore and Mr. Jackson have voluntarily cured the alleged code violation. The cases have been resolved.

2. CRA

The City Commission should discuss and decide whether to extend the term of the CRA. The term of the CRA can be extended by Resolution for that purpose by demonstrating compliance with Sections 163.361 and 163.3755, F.S.