

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD
TUESDAY, OCTOBER 5, 2021, 5:45 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash
Commissioner Anita Grove
Commissioner Despina George
Commissioner Adriane Elliott
Commissioner Donna Duncan
Interim Commissioner Tammie Ray-Hutchinson

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 Roderick Robinson gave the Invocation, followed by the Pledge of Allegiance.

AGENDA ADOPTION

Commissioner Adriane Elliott made a motion to adopt the Agenda amending Agenda Item 4, adding Resolution 2021-12 Appointment of Mayor Pro-Tem and under the Consent Agenda adding Resolution 2021-13 Florida Seafood Festival Highway 98 road closure. Commissioner Despina George seconded and the motion carried 5-0.

SWEAR IN NEW MAYOR/COMMISSIONERS:

1. Roderick Robinson administered the Oath of Office to Mayor Brenda Ash.
2. Gordon Shuler administered the Oath of Office to Commissioner Anita Grove.

Interim Commissioner Tammie Ray-Hutchinson stated that she was grateful for the opportunity of serving her hometown Apalachicola as the Interim City Commissioner. Ms. Ray Hutchinson stated it was an honor, a privilege, and a great learning experience, and "I thank the Commission and staff for having the confidence in her and giving her the opportunity to serve on the Board".

3. Travis Wade administered the Oath of Office to Commissioner Donna Duncan.

APPOINTMENT OF MAYOR PRO-TEMPORE – RESOLUTION 2021-12

Commissioner George made a motion to appoint Commissioner Anita Grove as Mayor Pro-Tem and to adopt Resolution 2021-12. Mayor Ash seconded and the motion carried 4-1. Opposed: Commissioner Adriane Elliott

PRESENTATIONS

1. Appreciation Plaque to Interim Commissioner Tammie Ray-Hutchinson – Mayor Ash presented Tammie Ray-Hutchinson with a plaque of appreciation honoring her for her dedication and exemplary service as the Interim City Commissioner Seat 4.

2. Appreciation Plaque to former Library Director Carrie Kienzle - Mr. Wade presented Carrie Kienzle with an appreciation plaque honoring and thanking her dedicating her time and hard work as the Library Director.

Mayor Ash opened the public hearing.

PUBLIC HEARING

1. ORDINANCE 2021-04 – FISCAL YEAR 2021-2022 BUDGET

Finance Director Leo Bebeau read Ordinance 2021-04 in its entirety:

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA ADOPTING THE 2021-2022 FISCAL YEAR BUDGET

Library Director, Lucy Carter had a concern about the \$17,000 revenue line item, and questioned if the library has to generate this amount of money. Mr. Bebeau stated that this was revenues received in fees, services, and donations received from PALS and other entities that go into the Library budget. Mayor Ash stated that this figure is based on the fiscal year 2020-21 budget, and any questions about the budget please get with the finance director.

CRA Director, Sheneidra Cummings questioned the allocation of \$98,224, to be contributed to a special fund, asking was this the same as the trust fund. Mr. Bebeau stated that it was the same.

Mayor Ash closed the public hearing.

UNFINISHED BUSINESS

**1. ORDINANCE 2021-04 – ADOPT FISCAL YEAR 2021-2022
FINAL ANNUAL BUDGET**

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA,
FLORIDA ADOPTING THE 2021-2022 FISCAL YEAR BUDGET**

Mr. Bebeau read Ordinance 2021-04 in its entirety:

Commissioner Despina George made a motion to adopt Ordinance 2021-04 adopting the 2021-2022 Final Annual Budget. Commissioner Grove seconded and the motion carried 5-0.

UNFINISHED BUSINESS

2. APALACHICOLA BAY SYSTEMS INITIATIVE – COMMISSIONER ANITA GROVE

Commissioner Grove stated the Apalachicola Bay System “ABS” Initiative is a restoration plan to restore oysters to the Apalachicola Bay. ABS would like a commitment that the City will continue to have a City Commission member serving on this committee, and a Draft statement of Commitment to support the initiative. Commissioner Grove stated she would like to continue to serve on this committee.

Commissioner Grove made a motion to agree on the City drafting a statement to continue support of the Apalachicola Bay Systems Initiative Plan to restore the Bay. Commissioner George seconded.

Commissioner Grove amended her motion to include that she would continue to serve on the committee and that the City draft a statement letter to support the Apalachicola Bay Systems Initiative Plan to restore the Bay. Commissioner George seconded and the motion carried 5-0.

UNFINISHED BUSINESS
3. RESTORE CITY SQUARES PROJECT
– DIANE BREWER

Ms. Diane Brewer presented the Commission and staff with a packet containing: 1) the reprinted 1974 HUD award winning study by the late Willoughby Marshall, and 2) the 2020-21 Senior Design Project on the squares restoration by FAMU-FSU College of Engineering. Mayor Ash thanked her for all her effort in time in this project.

NEW BUSINESS
1. MOSES ROPER STATE HISTORICAL MARKER – ELINOR
MOUNT-SIMMONS

Ms. Elinor Mount-Simmons gave a brief summary and requested that the City support the State Historical Marker honoring Moses Roper, which is funded by a Duke Energy grant, and the placement of the marker at the Apalachicola Riverfront Park. The Commission is in support of this State Historical Marker. Commissioner concerns: 1) the process of how this application was submitted; 2) the kiosk that was placed in the HCA building without the Commission being notified; 3) placement of the marker at Riverfront Park and having two markers side by side; and) who will be overseeing the project. Commissioner George recommends that this proposal not be accepted at this time, and for staff to work with H'COLA for a resolution.

August West stated that Apalachicola Main Street partnered with H'COLA on this project, and did administer the grant paperwork to Duke Energy. Ms. West stated there will be a meeting in October and it would most likely be awarded in November.

Commissioner George made a motion that the Moses Roper State Historical Marker be tabled and be placed on the November Agenda. Commissioner Elliott seconded and the motion carried 5-0.

NEW BUSINESS
2. RECREATION COMMITTEE MEMORIAL PLAN – ELINOR
MOUNT-SIMMONS

The Commission had concerns and would like the following added into the Plan: 1) variety of materials, depending on the park would be considered; 2) application to apply; 3) does

the individual decide where the memorial item will be placed – The City and the Parks and Recreation Committee will have a say in this also; and 4) remove light fixtures and trash receptacles from the plan.

Commissioner George made a motion to approve the Apalachicola Citizen Memorialization Program, and authorize that a press release be created by Ms. Mount-Simmons and the Parks and Recreation Committee to announce the beginning of the program and that it be published in the local paper. Commissioner Grove seconded and discussion held. Motion carried 5-0.

NEW BUSINESS

3. LIGHTS AFTER SCHOOL PROCLAMATION

Mayor Ash highlighted the Lights after school proclamation to supply a safe after school program for our children.

PUBLIC COMMENT

Ms. Mount-Simmons stated H'Cola will be honoring Dr. Frederick Humphries with several events the Seafood Festival weekend. These events consist of the following: 1) Friday - November 5th - fish fry; 2) Saturday – November 6th -Orange and Green Gala; 3) a yearly event will be held to be able to continue this scholarship; and 4) presenting Dr. Frederick Humphries family with a Proclamation and a key to the City.

Library Director, Lucy Carter discussed the following: 1) there will be a pumpkin patch at the Library the month of October to early November. These pumpkins were donated by the Piggly Wiggly; 2) library hours extended from 10am to 6 pm; 3) library getting involved with the Lights after School Program; 4) library fees services lowered for city residents; and library cards.

CRA Director, Sheneidra Cummings stated she would like to work with the Recreation Board on 6th St. Park redevelopment.

Brian Grenard discussed his stormwater issues. To be discussed at the October 19th workshop.

MAYOR AND COMMISSIONER COMMENTS – REPORT ATTACHED

Mayor’s/Commission Reports – See Attachment “A”

CITY MANAGER COMMUNICATIONS – REPORT ATTACHED

City Manager’s Report – See Attachment “B”

Bodiford Park Kayak Launch - Mr. Wade stated that the City is preparing a FRDAP grant to create a kayak launch at Bodiford Park on Water Street for \$50,000 with no match from the City. Mr. Wade also stated that we have Bodiford Park in a CDBG grant application; however, this will not affect this FRDAP grant in any way.

ATTORNEY COMMUNICATIONS – NO REPORT

FINANCE DIRECTOR COMMUNICATIONS – REPORT ATTACHED

Finance Director’s Report – See Attachment “C”

Mayor Ash thanked Mr. Bebeau for all his hard work during this budget process.

- Update on Planning, Permitting and Code Enforcement Reorganization

Mr. Bebeau stated he is researching the benefits of having our own Planning, Permitting and Code Enforcement reorganization, other than having a contract service (EPCI), which we are using at this time.

Lafayette Park Lighting project – Commissioner Elliott recommends that the City proceed with the lighting process, which would be approximately \$6000 that will come from the FEMA funds.

Commissioner Elliott made a motion that the City will proceed with the completion of the refurbishing project at Lafayette Park with FEMA funds. Commissioner Donna Duncan seconded followed by discussion. Motion carried 5-0.

CONSENT AGENDA

A. Meeting Minutes Adoption - September 7, 2021 Regular Meeting, September 8, 2021 Emergency Meeting, September 8, 2021 Budget Workshop; September 16, 2021 Budget Workshop; and September 22, 2021 Public Hearing/Special Meeting Minutes

B. Planning & Zoning - September 20, 2021

C. Resolution 2021-13 - Florida Seafood Festival Closure US Hwy. 98.

Mayor Brenda Ash read Resolution 2021-13 in its entirety.

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 Duncan seconded and the motion carried 5-0.

Brenda Ash, Mayor

Deborah Guillotte, City Clerk

Mayor's Report

It's an honor to be chosen as Mayor of Apalachicola. Thank you. Thank you for trusting me with the challenge of leading you, the residents of Apalachicola, and the staff. Thank you, Commissioner Tammy Ray-Hutchinson, for your service. It has indeed been an honor to have worked with you. Your knowledge and perspective have been insightful. I look forward to your continued input in the city government. Congratulations to Commissioner Anita Grove and incoming Commissioner Donna Duncan. I look forward to working with you.

- **October meeting:** The October meeting will begin at 5:45 pm instead of 6:00 pm.
- **Legislative Appropriations/Triumph Grant Workshop:** At the September meeting, a request was made to the Board to submit recommendations for the workshop, which is scheduled for October 19th 4:00 pm.
- **Stormwater:** The city has been inundated with rain and flooding. Many complaints and concerns have been made and heard. City staff and elected officials have heard these complaints. To begin formulating plans, Manager Wade and I toured the city with the engineers:
 - **Short term:** The City will revamp the routine maintenance plan and schedule, prioritizing those areas that require immediate attention.
 - **Long term:** The City has begun the research phase that includes but is not limited to funding and locating the significantly damaged pipes.
- **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.
- **City Partners Meetings:** Met with Josh Baxley of Dewberry, Alan Hart of Baskerville Donovan, Debra Preble of Kimley-Horn Services, and BOCC Representatives Ricky Jones, Michael Moron and Alan Pierce.

City Manager Report – October 5, 2021

Forbes Street: Repairs have been completed to the sewer line and asphalt milling has been placed on the area, but the contractor is waiting for the milling to settle before completing the project before applying asphalt. This should be completed soon.

Trolley: Mayor Ash and I met with the Chairman and Executive Director of Main Street. An agreement was made that the title to the trolley will be signed over to the City. As of the date of this agenda the signed title has not been delivered to City Hall. I have been assured it will be delivered Monday, October 4, 2021.

Charter Captains Meeting: Commissioner Elliott, Chief Varnes, and I had a productive meeting with a group of local Charter Captains to discuss the Battery Park Ordinance. The results of the meeting are that the Battery Park Ordinance that is presented to the Commission tonight are agreeable to all parties.

Old Library: I would like to meet with each Commissioner to visit the Old Library and consider it as the site for future City Commission and Committee meetings. Improvements can be made to make the building a state-of-the-art meeting location with up-to-date recording technology and video conferencing abilities. The move will also allow the City to rent the Community Center to the public again.

Alley Conditions: Mayor Ash and myself met with engineers from two separate firms to view stormwater issues in the City. Several suggestions by both engineers included work to be performed in the alleys to direct stormwater to storm drains. However, both engineers stated that the work would be futile as long as garbage trucks continue to use the alleys. The City has received a high number of calls in the past two weeks about alley conditions and flooding due to the ruts in the alleys.

Bodiford Park Kayak Launch: The City is preparing a FRDAP to create a kayak launch at the Bodiford Park. The application states that additional points are provided to the applicant if this is mentioned at a public meeting of the Commission.

Finance Director – Leo Bebeau

City Commission Meeting – October 5, 2021 – 5:30pm

1. Comprehensive Plan Amendment

I am working with Commissioner Grove and Cindy Clark to present a plan at the November meeting to address the requirements of preparing updated analyses. September, 2021 - The City has to complete the amendment to the comprehensive plan concerning the Vulnerability Analyses that were started in 2017-2018. This amendment did not proceed due to the administration changes and then, the food truck ordinance issues. This needs to be a high priority beginning in October. Additionally, there are new SLIP (Sea Level Impact Projection) analysis requirements effective 7/1/2021 that will be required on many of our projects moving forward.

2. Fire Hydrants

Installation of new fire hydrants is underway. Installation be completed by October 8. Then, the City will submit documentation to the DEP to satisfy the outstanding fine.

3. Grants Update

- a. Submitted DEP Mitigation Grant Application to increase size of stormwater pipes under Leslie Street. The City continues to make every effort to fund the repairs, even if we have to do it in multiple steps. Leslie Street appeal has been filed with the FDEM. I believe the appeal successfully refutes every point which FEMA used to make the claim ineligible for funding from FEMA for Hurricane Sally. FDEM has until 10/30 to reply.
- b. CDBG-DR Infrastructure – Completed the on-boarding webinar on 9/28. Avenues Stormwater Grant on Track. Scope develop for RFP for Engineering Firms for this \$3.6 million project underway. Kick-Off Meeting Postponed twice.
- c. CDBG-DR Hometown Revitalization – Completed Kick-off Meeting for both projects. Documents should be forthcoming.
- d. HMGP Emergency Generators – Received Award documents for this project. Reviewing and expect to execute next week. Documents should be forthcoming.
- e. HMGP Market Street Vacuum Station – Documents should be forthcoming. Completed demolition of Market Street Pumping Station.
- f. HMGP Stormwater – Modifications vary too much from original scope. No determination has been made concerning acceptance of modifications. Appeal will be filed.
- g. National Park Service – Published RFQ for Historical Architect/ Engineer. Brie Robinson has completed outreach to minority firms. Expect contracts next week

from State of Florida. There is no new roof leak. It was a plumbing problem. Reinstatement of building inspection program has been done. Cotton Warehouse has cleared Tribal review. Initial questions to modify scope have been answered. NPS responded that all references to certain modern finishes had to be removed, i.e. rubber baseboards. Contract documents should arrive next week. RFQ for a Historical Architect needs to be developed and published. HCA - Letters of notification to interested Native American tribes have not had response. The Tribes have 30 days to respond. Cindy Clark has confirmed there are no current outstanding issues with the City of Apalachicola projects. New roof leak has been found in the building which City staff is addressing.

- h. Staff has been unable to develop a plan to meet the requirements of the Stormwater System Maintenance Plan by January 31, 2022. Reports are required for two additional subsequent years. Forms are being generated to provide notice to Public Works of the work required and reported to be provided to the Finance Department so that the report may be compiled.
- i. Michael FEMA Projects – Finance Director must file a quarterly report that indicated little or no progress on many funded claims.
 - i. Lafayette Park and Pier is getting close. FEMA has requested documentation on communication and certain approvals or permits from the Corps of Engineers. Finding documents are critical.
 - ii. Dewberry working on documentation for Scopes on Bodiford Park and the Mill Pond Mooring Basin.
 - iii. Battery Park V Pier has sparked interest at FEMA even though there has been no determination form NFWS concerning the habitat of the endangered sawfish. Three pages of questions have been answered.
 - iv. Hydra submitted pricing and purchase orders have been placed for them to complete repairs to the pavilion.

4. Community Center

Purchase Orders have been placed with Lewis Roofing. Awaiting scheduling.

5. DEP Grant Applications

No update. - Two applications were filed with the DEP in the latest cycle.

Grant #1 focuses on the need to update the Vulnerability Analysis Report with requirements of the Florida Peril of Flood State. Additional Phases provide for expansion of pervious parking.

Grant #2 is an application for the WWTP totaling \$14.5 million. This grant application also include the report requirements from Grant #1 in the event that the City receives the either of these grants.

6. New DEP Grant Application

Grant awarded. Documentation completed. Purchase order placed with US Submergent to start work. New DEP Grant Application for Grant for Maintenance, Cleaning and Repair of the EQ Tank and SBR Tank at the Wastewater Treatment Plant. 100% funding of \$119,375.00.

7. Lafayette Park Lighting

Attorney for Marie Marshall with her attorney have completed documentation of the letter prepared by Dan Hartman. However, specifications and pricing on revised lamp have not been finalized. Marie Marshall has put this on hold the environmentally friendly fixtures that the Adopt-a-Park

Lafayette committee selected as the fixtures are very modern. A new solution is being researched. City Manager and Finance Director have agreed to give them a deadline of Friday, 9/17/2021 to propose alternative or the City want to proceed with completion of the refurbishment project for which we have FEMA funds. This project will convert the fixtures to LED and replace the missing and damaged globes.

8. Disaster Recovery Refuse Removal

City Manager Wade, Commissioner George, Bree Robinson with Leo Bebeau reviewed and selected SDR for the debris removal and TetraTech for the monitoring. Approved by Commission on September 30, 2021. From publication by FEMA, City has received bids for Storm Refuse Removal and Monitoring. The scores for these bids will be compiled this week and board approval of new contract will be at the October 2 meeting.

9. Holy Family

Purchase Orders have been issued for the repairs at Holy Family. Pre-project meeting scheduled for October 20 and start date of November 8. Completion within 30 days of start.

10. **Battery Park** – 10 Foot Hole Seawall – Dewberry has completed package for RFP and awaiting permits.

11. **USDA Water Street Permeable Parking Sidewalk and Lighting** – RFP published today September 30 for Contractor. Contract signed with Duke Energy for new street lights on Avenue G and Water Street.

All information included in this report is accurate as of September 30, 2021 2:00pm. After that time, information is subject to change.