

REGULAR MEETING AND PUBLIC HEARING  
APALACHICOLA CITY COMMISSION  
TUESDAY, APRIL 5, 2022 – 4:00PM  
BATTERY PARK COMMUNITY CENTER  
1 BAY AVE., APALACHICOLA, FLORIDA 32320

**Agenda**

You are welcome to comment on any matter under consideration by the Apalachicola City Commission when recognized to do so by the Mayor. Once recognized please rise to the podium, state your name for the record and adhere to the three minute time limit for public comment. Comments may also be sent by email to the City Manager or to Commissioners.

- I. Call to Order**
  - Invocation
  - Pledge of Allegiance
  
- II. Agenda Adoption**
  
- III. Public Comment**
  
- IV. Unfinished Business**
  - 1. Triumph Application Withdrawal**
  
- V. New Business**
  - 1. Finance Director Approval**
  - 2. Resolution – Building Inspector Rates**
  - 3. Encroachment Agreement**
  - 4. Approve Staff to Apply for Grants in Certain Categories With No Match**
  - 5. Special Categories Grant for Old City Hall**
  - 6. Battery Park Payment Kiosk (Ven Tek) Approval**
  - 7. Noise Ordinance**
  - 8. Set Workshop Date to Discuss:**
    - a) Downtown Tourism District**
    - b) American Rescue Plan Act**
  
- VI. Mayor and Commissioner Comments – Reports Attached**
  
- VII. City Manager Communications – Report Attached**
  
- VIII. Grants Coordinator Communications – Report Attached**

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TUESDAY, APRIL 5, 2022 – 4:00PM  
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1 BAY AVE., APALACHICOLA, FLORIDA 32320

**IX. Attorney Communications – Report Attached**

**X. Consent Agenda**

**A. Meeting Minutes Adoption** – January 11, 2022 Workshop/Special Meeting; January 26, 2022 Workshop; February 23, 2022 Workshop – 4pm, and March 8, 2022 Regular Meeting and March 22, 2022 Special Meeting Minutes.

**B. Planning and Zoning Minutes** – February 2022

**XI. Department Reports**

**XII. Adjournment**

Any person who desires to appeal any decision at this meeting will need a record of the proceeding and for this purpose, may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the appeal is based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's Office 48 hours in advance of the meeting

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Triumph Grant

**AGENDA INFORMATION:**

**Agenda Location:** Old Business  
**Item Number:** 1  
**Department:** Administration  
**Contact:**  
**Presenter:** Mayor Brenda Ash

**BRIEF SUMMARY:** The current Triumph grant application has been in the pike for many years and is now stale dated and dormant. At the Triumph grant workshop, Triumph Grant BOD member adamantly informed the Commission that the application in its current form would not be funded. The application currently does not meet the new job requirement. (Refer to January 11, 2022 Workshop minutes).

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** It is recommended that the current Triumph grant application be withdrawn and a new application that will include the relevant elements of the current application be submitted. Prior to submission, the Commission will review and approve submission.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** N/A

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:**      Approve Hire of New Finance Director

**AGENDA INFORMATION:**

Agenda Location:      New Business  
Item Number:          1  
Department:           Administration  
Contact:                Travis Wade  
Presenter:              Travis Wade

**BRIEF SUMMARY:**    The City Manager recommends the Commission' approval to hire Mark Gerspacher as Finance Director.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve

**FUNDING SOURCE:**

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Rates for Outside Building Inspectors

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 2  
**Department:** Administration  
**Contact:**  
**Presenter:** Dan Hartman

**BRIEF SUMMARY:** Updating building permit inspection fees and charges. Establishing the division of fees with private inspectors. The Resolution has been reviewed and approved by the Building Official and City Attorney.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approval

**FUNDING SOURCE:**

**ATTACHMENTS:** Resolution and Fee Schedule

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Approval

**RESOLUTION: 2022-02**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF APALACHICOLA ESTABLISHING A FEE AND FINE SCHEDULE ASSOCIATED WITH THE PROCESSING OF BUILDING PERMIT APPLICATIONS BY CITY PERSONNEL; PROVIDING FINDINGS; PROVIDING FOR AN EFFECTIVE DATE.**

**FINDINGS:**

**WHEREAS**, the City of Apalachicola is a Florida Municipality duly incorporated, with all the rights and powers as provided in s. 2(b), Art. VIII of the State Constitution.

**WHEREAS**, the City of Apalachicola has established its own Building Department for the purpose of coordinating the processing of building permits and provision of plan review and inspection services associated with development in the City of Apalachicola; and

**WHEREAS** the City has chosen to charge certain fees and fines associated with processing and review activities conducted by City Staff associated with building permit applications and review, including FEMA and flood plain review.

**THEREFORE**, be it resolved by the City Commission, City of Apalachicola, Florida that:

Section 1. The City finds that the adoption of a uniform Permit Fee and Fine Schedule is necessary to establish the fees/fines for the issuance of permits for development within the City. These fees represent the cost of permit processing services provided by City staff and necessary to reimburse the City Building Official for time spent performing plan review and building inspections.

Section 2. The City adopts the attached fee and fine schedule for the purpose of establishing the

Permit Fees and Fine amounts effective on the date set forth below. A copy of the Permit Fee/ Fine Schedule is attached hereto as Exhibit "A."

Section 3. Effective Date. This resolution shall take effect upon its adoption by the City Commission and signature by the Mayor.

DULY PASSED AND ADOPTED by the City Council Members of City of Apalachicola, Florida, on this 5<sup>th</sup> day of April, 2022.

**CITY COMMISSION MEMBERS  
CITY OF APALACHICOLA, FLORIDA**

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BRENDA ASH, MAYOR

**ATTEST:**

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DEBORAH GUILLOTTE, CITY CLERK

## FEE SCHEDULE

### CITY OF APALACHICOLA BUILDING DEPARTMENT

192 Coach Wagoner Blvd, Apalachicola, FL 32320

Phone: 850-653-9319

**RESIDENTIAL AND COMMERCIAL: ALL NEW CONSTRUCTION BASED ON VALUATION, DETERMINED BY GROUP AND TYPE OF CONSTRUCTION PER ICC'S CURRENT VALUATION DATA TABLE. REGIONAL MODIFIER INCLUDED TO BE CALCULATED ANNUALLY.**

### SCHEDULE OF FEES

Mobile Homes	\$125.00 Single Wide \$250.00 Double Wide \$375.00 Triple Wide
Moving of Buildings	\$500.00
Demolition of Buildings or Structures	\$100.00
Site Prep Permits	\$100.00
Electrical Upgrade Permits	\$100.00
Supplemental Permits (Temp Power Pole, Electrical, Plumbing, HVAC, Gas & Roofing)	\$100.00 Each

Plan and Flood Review fees are calculated within the ICC's current Valuation Data Table.

### ITEMS BASED ON CONTRACT COST:

(Copy of Contract Required with Contractor/Owner Signatures and may require additional documentation)

Docks, Swimming Pools, Pool Enclosures, Re-Roof, HVAC Replacement, Plumbing Replacement, Electrical Re-Wiring, Siding, Renovations, Telecommunication Cell Towers, Tower Co-Locations. (Swimming Pools will require Plumbing and Electrical Supplemental permits.)

### Notes:

1. PERMIT FEES NOT EXPLICITLY LISTED ABOVE SHALL BE BASED ON CONTRACT COST. A COPY OF CONTRACT/PROPOSAL REQUIRED WITH PERMIT APPLICATION.
2. PRIVATE PROVIDER PERMITS WILL RECEIVE A 10% DISCOUNT.
3. FEES SHALL BE DOUBLED WHEN WORK IS STARTED PRIOR TO OBTAINING A PERMIT. THE PAYMENT OF SUCH DOUBLE FEES DOES NOT RELIEVE ANY PERSON FROM FULLY COMPLYING WITH THE REQUIREMENTS OF CITY OF APALACHICOLA OR THE FLORIDA BUILDING CODE.



## FINE SCHEDULE

### CITY OF APALACHICOLA BUILDING DEPARTMENT

192 Coach Wagoner Blvd, Apalachicola, FL 32320

Phone: 850-653-9319

## FINE SCHEDULE

1. No Permit = Double Permit Fee.
2. Permit Not Posted.
3. Working outside scope of current County/City registration.
4. Working without a license or current license.
5. Failure to appear before Board when summoned.
6. Failure to be properly insured- Liability, Worker's Compensation Insurance or Exemption.

<b>FIRST OFFENSE:</b>	<b>\$125.00</b>
<b>SECONED OFFENSE:</b>	<b>\$250.00</b>
<b>THIRD OFFENSE:</b>	<b>\$500.00</b>
<b>FOURTH OFFENSE:</b>	<b>Suspension of License</b>

## INSPECTION FINE SCHEDULE

If you call for an inspection and it is not ready:

<b>PER JOB:</b>	<b>FIRST OFFENSE:</b>	<b>\$75.00</b>
	<b>SECOND OFFENSE:</b>	<b>\$100.00</b>
	<b>THIRD OFFENSE:</b>	<b>\$200.00 Delayed Inspection For 2 Weeks.</b>

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
April 5, 2022**

**SUBJECT:** Request to grant encroachment into City of Apalachicola property

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 3  
**Department:** Planning  
**Contact:** Tammy Owens  
**Presenter:** Dan Hartman/Travis Wade

**BRIEF SUMMARY:**

Kristin Smith requests an encroachment agreement with the City of Apalachicola due to a pending sale of her property at 397 24<sup>th</sup> Ave. The mobile home on this property is found to encroach on City property approximately 6' towards an unopened alley.

The structure placed on 397 24<sup>th</sup> Avenue Apalachicola, Florida is encroaching upon City property by 6.1 feet due to structure placement prior to the implementation of a boundary survey. Based on the site plan provided in the building application, the structure was permitted to be placed 5 feet from the rear of the property line. However, the survey conducted July 9, 2019 shows that the current placement of the structure does not meet the setback requirements and is not consistent with the application dated April 18, 2019, Permit # 4/18/2019-32.

- P&Z Approval – Not Found
- Inspections – Not Found

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

No Commission action at this time.

**FUNDING SOURCE:**

N/A

**ATTACHMENTS:** (see attached)

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

Denial at this time until property is brought into compliance.

January 24<sup>th</sup>, 2020

To the Applicant of Development,

Re: 397 24<sup>th</sup> Avenue

The structure placed on 397 24<sup>th</sup> Avenue Apalachicola, Florida is encroaching upon City property by 6.1 feet due to structure placement prior to the implementation of a boundary survey. Based on the site plan provided in the building application, the structure was permitted to be placed 5 feet from the rear of the property line. However, the survey conducted July 9th, 2019 shows that the current placement of the structure is located on City Property and does not meet the setback requirements. Because the development is contrary to the intent approved in the application dated April 18, 2019, and subsequent Permit # 4/18/2019-32, the Building Department has determined that the development that has occurred violates and exceeds the conditions and terms of the permit and provision of the Land Development Code.

A Stop Work Order has been issued for the property and a Certificate of Occupancy will not be issued until:

1. Corrective action is taken as prescribed.
2. An appeal is filed with the Board of Adjustment.

The applicant must respond within 30 days of this notice. Failure to respond will result in revocation of the permit and applicant shall be subject to fines and penalties, not more than \$500.00 or imprisoned for not more than sixty days, or both and in addition shall pay all costs and expenses involved in the case, as prescribed in the Land Development Code section D. Penalties, Paragraph 1. Each day such violation continues shall be considered a separate offense.

Please contact the Building Department of Apalachicola with any questions or to discuss this matter.

Kelly Simpson

City of Apalachicola Building Dept.  
850-653-1522  
192 Coach Wagoner Blvd.  
Apalachicola, FL 32320

EPCI  
APALACHICOLA BUILDING DEPARTMENT

APPLICATION FOR BUILDING PERMIT

Official Use Only  
DATE: 4/18/2019 Permit # 32 Permit Fee \$100<sup>02</sup>

OWNER'S NAME: Kristen Janelle Smith

ADDRESS: 397 24th Ave

CITY, STATE & ZIP CODE: Apalach, FL 32320 PHONE # 850-591-2958

FEE SIMPLE TITLE HOLDER (IF OTHER THAN OWNER): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_ PHONE # \_\_\_\_\_

CONTRACTOR'S NAME: Clayton Homes

ADDRESS: 2310 E. 15th Street

CITY, STATE & ZIP CODE: Panama City, FL 32405 PHONE # 850-785-3302

STATE LICENSE NUMBER: \_\_\_\_\_ COMPETENCY CARD # \_\_\_\_\_

ADDRESS OF PROJECT: 397 24th Ave. Apalach, FL 32320

PROPOSED USE OF SITE: mobile home placement

WILL THE STRUCTURE BE LOCATED AT LEAST 30 FEET FROM ANY BODY OF WATER?  YES  
 NO

PROPERTY PARCEL ID # 01-095-08W-8330-0223-0150

LEGAL DESCRIPTION OF PROPERTY: Blk 223 Lots 15-16

IF THE APPLICATION IS FOR A COMMERCIAL PROJECT PLEASE LIST THE NAME OF THE BUSINESS:

BONDING COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

ARCHITECT'S/ENGINEER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

MORTGAGE LENDER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

WATER SYSTEM PROVIDER: \_\_\_\_\_ SEWER SYSTEM PROVIDER: \_\_\_\_\_

PRIVATE WATER WELL: \_\_\_\_\_ SEPTIC TANK PERMIT NUMBER: \_\_\_\_\_

Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that NO WORK or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for electrical work, plumbing, signs, roofing, pools, furnaces, boilers, heaters, tanks, and air conditioners, etc.

PURPOSE OF BUILDING:

Single Family      \_\_\_ Townhouse      \_\_\_ Commercial      \_\_\_ Industrial  
\_\_\_ Duplex      \_\_\_ Swimming Pool      \_\_\_ Storage      \_\_\_ Sign  
\_\_\_ Multi-Family      \_\_\_ Demolition      \_\_\_ Other  
\_\_\_ Addition, Alteration or Renovation to building \_\_\_\_\_

Distance from property lines: Front \_\_\_\_\_ Rear \_\_\_\_\_ L. Side \_\_\_\_\_  
R. Side \_\_\_\_\_  
Cost of Construction \$ \_\_\_\_\_ Square Footage 1280  
EPI \_\_\_\_\_ Flood Zone \_\_\_\_\_ Lowest Floor Elevation \_\_\_\_\_  
Area Heated/Cooled \_\_\_\_\_ # Of Stories 1 # Of Units 1  
Type of Roof Shingles Type of Walls \_\_\_\_\_ Type of Floor \_\_\_\_\_  
Extreme Dimensions of: Length 80 Height \_\_\_\_\_ Width 16

**WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. For improvements to real property with a construction cost of \$2,500 or more, a certified copy of the Notice of Commencement is required to be submitted to this Department when application is made for a permit or the applicant may submit a copy of the Notice of Commencement along with an affidavit attesting to its recording. A certified copy of the Notice of Commencement must be provided to this Department before the second or any subsequent inspection can be performed. Filing of the documents that have been certified may be done by mail, facsimile or hand delivery.**

**NOTICE: EPC: The EPC/City of Apalachicola Building Department does not have the authority to enforce DEED RESTRICTIONS or COVENANTS on properties.**

**OWNER'S AFFIDAVIT:** I hereby certify that the information contained in this application is true and correct to the best of my knowledge. And that all work will be done in compliance with all applicable laws regulating construction and zoning.

Kiuten J. Smith  
Signature of Owner or Agent

\_\_\_\_\_  
Signature of Contractor

Date: 4-16-19

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary as to Owner or Agent

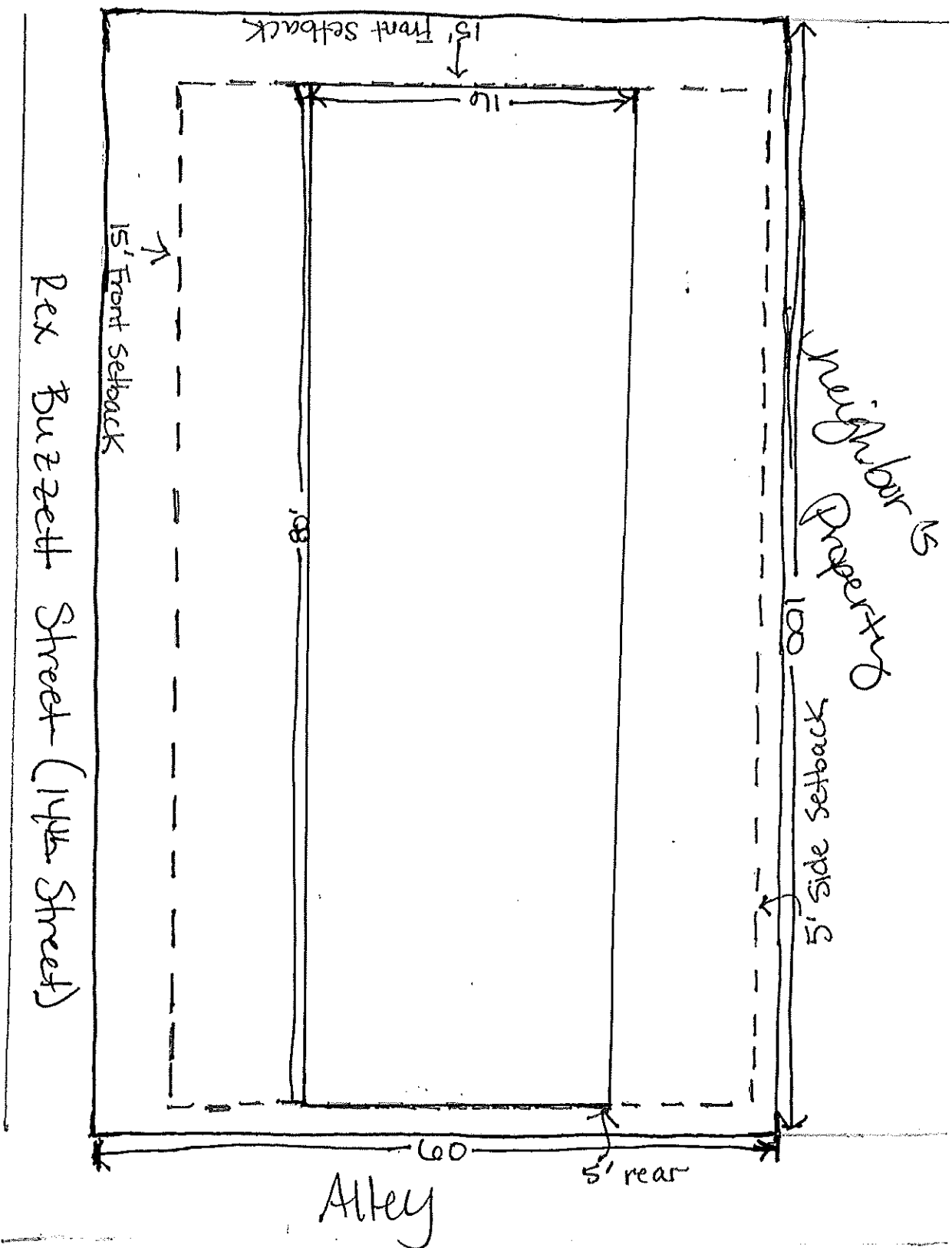
\_\_\_\_\_  
Notary as to Contractor

My Commission expires: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

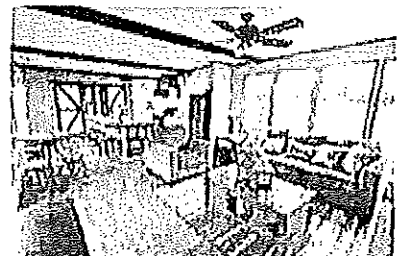
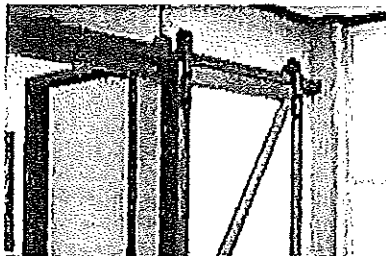
APPLICATION APPROVED BY:  BUILDING OFFICIAL.

24th Avenue





# THE SEASIDE



## THE SEASIDE Model number: 41SIG16803AH19

3 beds • 2 baths • 1280 sq.ft. • 16' width • 80' depth

Our home building facilities invest in continuous product and process improvements. Plans, dimensions, features, materials, specifications and availability are subject to change without notice or obligation. Renderings and floor plans are representative likenesses of our homes and may differ from the actual homes. We invite you to tour a Home Center near you and inspect the highest value in quality housing available or call (850) 785-3302 to speak with a Home Consultant. Copyright 2017, CMH. All rights reserved.

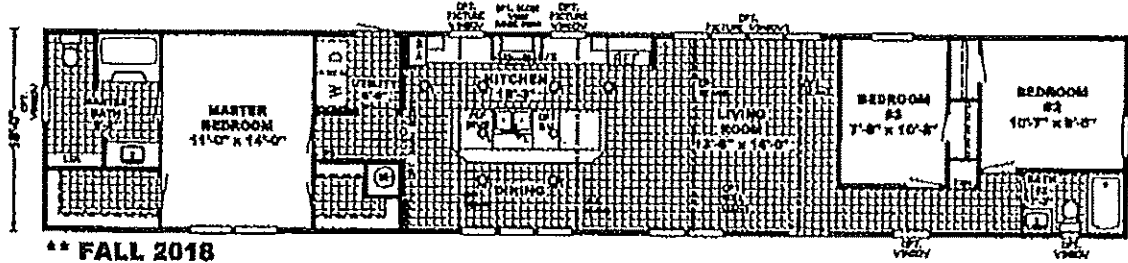
<https://www.claytonhomespanamacity.com>

CLAYTON HOMES  
PANAMA CITY  
2810E 13<sup>TH</sup>  
PANAMA CITY, FL 32406  
Monday - Thursday 9am - 7pm  
Friday 9am - 6pm  
Saturday 9am - 6pm  
Sunday 10am - 6pm  
(850) 785-3302



# THE SEASIDE

MODEL 9IG16803A-80-3/16X80



**THE SEASIDE** Model number: 41SIG16803AH19

**3 beds • 2 baths • 1280 sq.ft. • 16' width • 80' depth**

Our home building facilities invest in continuous product and process improvements. Plans, dimensions, features, materials, specifications and availability are subject to change without notice or obligation. Renderings and floor plans are representative likenesses of our homes and may differ from the actual homes. We invite you to tour a Home Center near you and inspect the highest value in quality housing available or call (850) 785-3302 to speak with a Home Consultant. Copyright 2017, CMH. All rights reserved.

<https://www.claytonhomespanamacity.com>

**CLAYTON HOMES**  
**PANAMA CITY**  
 2501 E 16th St  
 PANAMA CITY, FL 32405  
 Monday - Thursday 9am - 7pm  
 Friday 9am - 6pm  
 Saturday 9am - 5pm  
 Sunday 10am - 6pm  
 (850) 785-3302



# Order Builder Quote/Confirmation

To: 181230 Phone: (850) 785-3302  
 CMH HOMES, INC.  
 DBA: CLAYTON HOMES-PANAMA CITY  
 2310 E 15 ST  
 PANAMA CITY, FL 32405  
 Retail Cus: KRISTEN SMITH

Quote: 118151  
 Quote Date: 02/28/2019  
 Sales Rep: BILLY J BERRYHILL  
 Sales Note: RUS075664AL 16X78  
 Model No: 41SIG16803AH19  
 Model Desc: THE SEASIDE  
 Print Date: 02/28/2019 - 8:55 AM

1037 Highway44  
 Russellville, AL 35054  
 Phone: (256) 277-7200  
 Fax: (256) 277-7200  
 Ordered By: RICK WHITELY

Drawing No: 41SIG16803A

Option Description	Qty	Price	Option Description	Qty	Price
<b>EXTERIOR</b>			<b>FLOOR COVERING</b>		
070100 EXTERIOR VINYL SIDING - FLINT	1		070080 CARPET - ARENA ETCHING	1	
070210 SHINGLES - WEATHERWOOD	1		070200 LINO-STANDARD AREAS-6490 VALLEY OAK	1	
100030 38" HOUSE TYPE FRONT DOOR	1		280050 LINOLEUM ILO CARPET (PER ROOM)	2	
100020 34" COTTAGE REAR DOOR ILO STANDARD	1		LR & HALL		
140287 LOW E WINDOWS STD	1		<b>KITCHEN</b>		
140119 72" TRANSOM WINDOW	1		070205 CABINET COLOR - SANDBLASTED WHITE	1	
MBATH TUB			ISLAND TO HAVE SANDBLASTED WHITE		
140130 EXTRA WINDOW(S) - LOW E	1		CABS		
HALL			070206 MOULDING COLOR - ABSOLUTE WALNUT	1	
140011 14X40 WINDOW @ HALL BATH	1		070150 WALLBOARD - URBAN STRIPE QUEST	1	
140031 30X48 PICTURE WINDOW (EA)	2		WHITE SUBWAY TILE BEHIND KIT CABS		
KITCHEN BACK SIDEWALL			ONLY		
140035 30X72 PICTURE WINDOW (EA)	4		070120 KITCHEN C-TOP - FORGED STEEL	1	
LR			1. USE FORGED STEEL ON ISLAND		
140100 DELUXE WHITE WINDOW TRIM	1		COUNTERTOP - 3" EDGE		
<b>INTERIOR</b>			2. FRONT AND SIDES OF ISLAND TO BE		
070090 DECOR PACKAGE - GRAPHITE	1		CHARCOAL PINE SHIPLAP TRIMMED IN		
070206 MOULDING COLOR - ABSOLUTE WALNUT	1		SANDBLASTED WHITE STILES		
070150 WALLBOARD - URBAN STRIPE QUEST	1		110080 42" OVERHEAD KITCHEN CABINETS	1	
250159 CUSTOM WALLBOARDS	1		**INCLUDES HIDDEN HINGES**		
ALL CLOSETS TO BE URBAN STRIPE			111835 COLORMATCH LINED OVERHEAD CABINETS	1	
QUEST			160420 WOOD DECOR RANGE HOOD - CAPPUCCINO	1	
110487 SHIP LAP FEATURE WALL (EA)	3		110151 POT & PAN DRAWERS (2)	1	
** INCLUDES STILE TRIM **			111440 MID SHELF - BASE CABINET	1	
1. MBATH TUB WALL- CHARCOAL PINE			250099 APPLIANCE COLOR - BLACK (STD)	1	
SHIPLAP- TRIM IN WALNUT STILES			250018 COIL EYE RANGE STD	1	
2. MBATH BEHIND LAVS TO BE			250016 18 CUBIC FOOT REFRIGERATOR STD	1	
RETREAT			250130 ICE MAKER	1	
WHITE SHIPLAP TRIMMED IN WALNUT			250070 DISHWASHER	1	
STILES			270483 SPRING LOADED KITCHEN FAUCET	1	
3. #2 BATH WHOLE FRONT SIDEWALL-			270384 FARMHOUSE SINK - STAINLESS STEEL	1	
CHARCOAL PINE SHIPLAP- TRIM IN			<b>MASTER BATH</b>		
WALNUT STILES			070150 WALLBOARD - URBAN STRIPE QUEST	1	
080080 CEILING FAN (EA)	1		1. TUB WALL TO BE CHARCOAL PINE		
LR			SHIPLAP TRIMMED IN WALNUT STILES		
120122 2" MINI-BLINDS	1		2. LAV WALL TO BE RETREAT WHITE		
350010 BARN DOOR (EA)	2		SHIPLAP TRIMMED IN WALNUT STILES		
RETREAT WHITE SHIPLAP WITH			070180 BATH #1 C-TOP - FORGED STEEL	1	
ABSOLUTE WALNUT TRIM			070205 CABINET COLOR - SANDBLASTED WHITE	1	
080230 CAN LIGHT - LED (EA)	9		070206 MOULDING COLOR - ABSOLUTE WALNUT	1	
4 IN KIT			090115 TUB TOP CUBBY	1	
3 OVER ISLAND			270340 ADDITIONAL LAVATORY	1	
2 IN DR			270185 PREFABULOUS PACKAGE #3	1	
080201 CANDLE LIGHT(S)	3		- 72" CERAMIC SHOWER W/GLASS PANEL		
080110 DELUXE GLASS LIGHT GLOBES	1		- SHOWER TOWER W/BODY JETS/SPRAYER		
			WOODGRANE - NO TUB		

homes:

IMPORTANT: Manager must sign, date, and return this confirmation by fax in order for home to be scheduled and built.  
 X

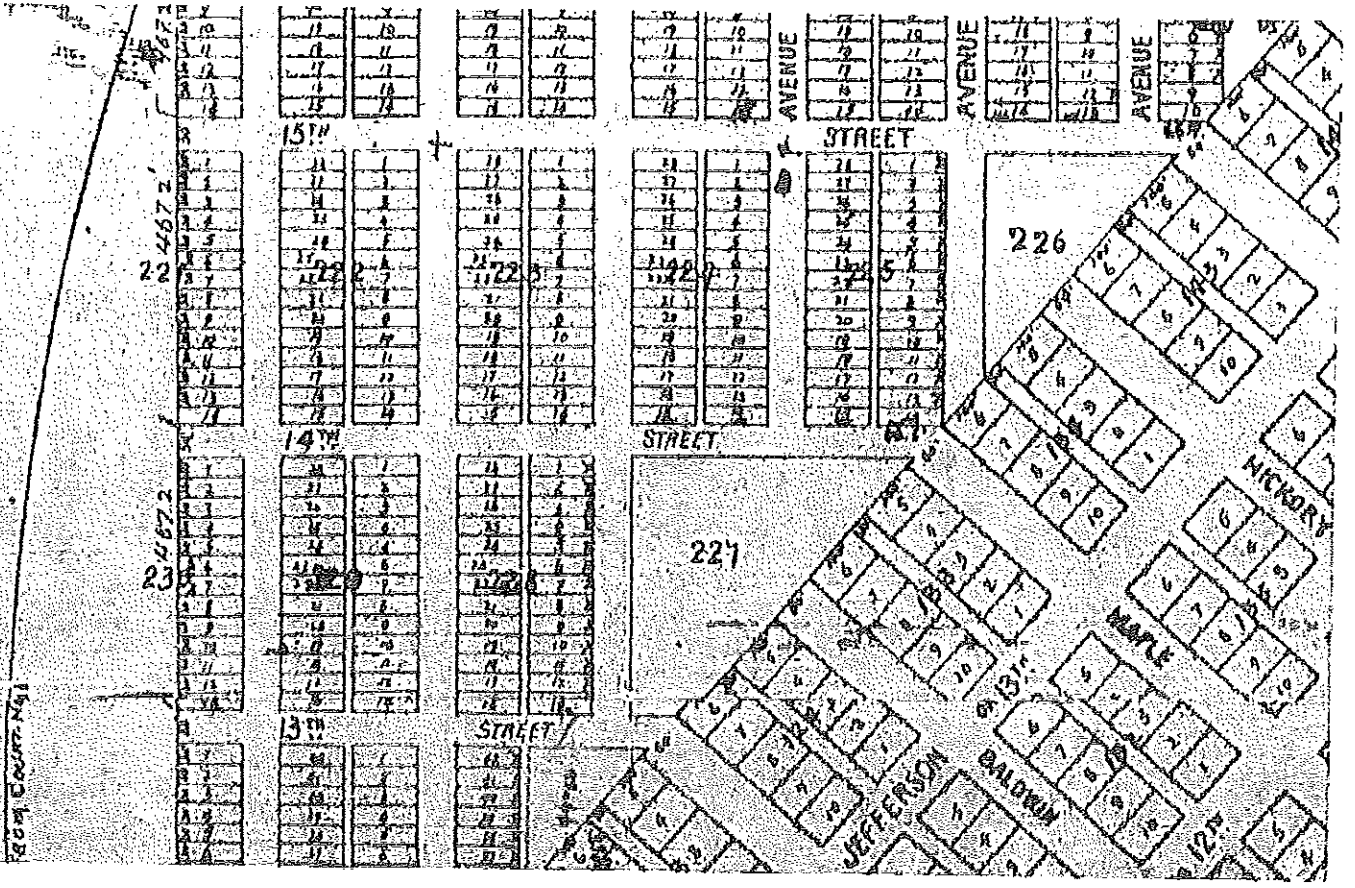
4/10/19  
 Rick W.

Still Need To finalize Colors!

Option Description	Qty	Price	Option Description	Qty	Price
<b>MASTER BATH</b>			<b>MISCELLANEOUS</b>		
160340 FRAME MIRRORS - ALL BATHS	1		070020 033 SPECIAL-NO CHARGE SW SEE 1078-SPECIAL	1	
<b>BATH #2</b>			120500 HUD LABELS - SW	1	
070205 CABINET COLOR - SANDBLASTED WHITE	1		048000 TSCA TITLE VI COMPLIANT	1	
070208 MOULDING COLOR - ABSOLUTE WALNUT	1		<b>ORDER SUMMARY</b>		
070160 WALLBOARD - URBAN STRIPE QUEST LAV/TOILET FRONT SIDEWALL TO BE CHARCOAL PINE SHIPLAP TRIMMED IN WALNUT STILES	1		Base Cost of Home		
070060 BATHROOM C-TOP - FORGED STEEL	1		Options Total		
<b>MASTER BEDROOM</b>			Shipping, Handling, and Dest. Charges		
070150 WALLBOARD - URBAN STRIPE QUEST	1		Association Dues		
<b>BEDROOM #2</b>			MHI Dues		
070160 WALLBOARD - URBAN STRIPE QUEST	1		Quote Total		
<b>BEDROOM #3</b>					
070160 WALLBOARD - URBAN STRIPE QUEST	1				
<b>LIVING ROOM</b>					
070150 WALLBOARD - URBAN STRIPE QUEST	1				
150260 CEILING BEAMS (2) - ABSOLUTE	1				
<b>DINING ROOM</b>					
070160 WALLBOARD - URBAN STRIPE QUEST	1				
150260 CEILING BEAMS (2) - ABSOLUTE	1				
<b>UTILITY ROOM</b>					
070160 WALLBOARD - URBAN STRIPE QUEST	1				
100550 UTILITY ROOM DOOR	1				
<b>PLUMBING &amp; ELECTRICAL</b>					
270120 40 GAL ELEC DBL ELEM W/H	1				
160220 OVERHEAD DUCT SYSTEM - ELEC SW	1				
030010 CUT-OFF VALVES THROUGHOUT	1				
030020 FROST PROOF FAUCET(S)	1				
080110 EXTERIOR ELECT. RECEPT (REAR) STD	1				
<b>CONSTRUCTION</b>					
060430 THERMAL ZONE 2	1				
130100 FLORIDA WIND ZONE 3 S*	1				
INCLUDES OSB WRAP **					
087100 ENERGY SMART HOME ECOBEE PROGRAMMABLE THERMOSTAT ENERGY EFFICIENT WATER HEATER NOROYNE A-COIL HOUSING BOX	1				
087102 ENERGY SMART PACKAGE - SW 22-11-33 INSULATION LED LIGHT BULBS	1				
240010 EXTRA AXLE	1				
240011 EXTRA AXLE <CREDIT>	1				
090008 2X8 FLOOR JOISTS 16" OC - SW	1				
090009 OSB FLOORING STD	1				
160115 DELETE LENGTH (PER FOOT) SW	2				

homes

IMPORTANT: Manager must sign, date, and return this confirmation by fax in order for home to be scheduled and built.  
X

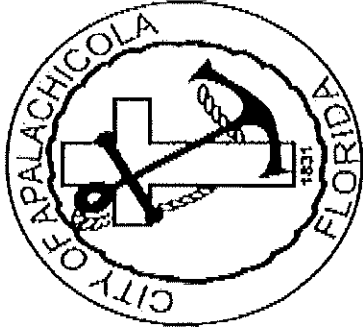




# CITY OF APALACHICOLA

Office: 850-653-1522 or Email: [cortnibankston@cityofapalachicola.com](mailto:cortnibankston@cityofapalachicola.com)

## MOBILE HOME INSTALLATION



Mobile Home Install

PERMIT # 4/18/2019-32

FLOOD ZONE \_\_\_\_\_ FILL/YARDS None

FOUNDATION Current Foundation/Dirt

BUILDING DEPARTMENT

4/25/19

DATE

PERMIT DESCRIPTION INSTALLATION of 16X80

Mobile Home

CONTRACTOR Owner/Self

NAME & PROJECT ADDRESS Kristen Janelle Smith

397 24th Ave. Apalachicola, FL 32320

STATE LICENSE #: N/A CITY#: N/A

OFFICE HOURS: 8:00 A.M — 4:00 P.M.

CITY OF APALACHICOLA BUILDING DEPARTMENT

192 COACH WAGONER BLVD. APALACHICOLA, FL 32320

CITY OF APALACHICOLA  
APALACHICOLA, FLORIDA

43966

Date 4-26 2019

Received From Kristen Kent

Cash  
 Check

\$144.00

For Mobile Home + Electric PERMS

CITY OF APALACHICOLA

THANK YOU!

CK# 3993 By (KB)

NAME <u>Kristen Kent</u>	<u>B</u>	81-275/829	<u>[REDACTED]</u>
PAY TO THE ORDER OF <u>City of Apalachicola</u>	DATE <u>4-25-19</u>	\$ <u>144.00</u>	<u>XX</u>
<u>one hundred forty four and 00/100</u>		DOLLARS	<input checked="" type="checkbox"/>
MEMO <u>[REDACTED]</u>			

**Douglas W. Nunamaker, FSM 6287**  
 Professional Land Surveyor & Mapper  
 13 S. Calhoun Street, Quincy, Florida 32351  
 Phone: 850.827.7788 landsurveyor@tds.net  
 gadsdenscountysurveyor.com



- LEGEND**
- SET 5/8" IRON BAR & CAP #6297
  - FOUND IRON BAR, UNLESS NOTED
  - FOUND 4" CONCRETE MONUMENT
  - X-- FENCE, AS NOTED
  - (C) CALCULATED
  - (P) PER RECORDED PLAT
  - (PH) OVERHEAD UTILITIES
  - UP UTILITY POLE
  - R/W RIGHT OF WAY
  - O.R., OFFICIAL RECORDS BOOK, P.---
  - P. --- OF THE PUBLIC RECORDS OF FRANKLIN COUNTY, FLORIDA
  - POC POINT OF COMMENCEMENT
  - POB POINT OF BEGINNING

BEARING SOURCE:  
 RECORDED IN GREATER APALACHICOLA  
 ACCORDING TO THE MAP OR PLAT OF  
 THE CITY OF APALACHICOLA

SCALE:  
 1" = 20'

**Notes:**  
 The undersigned surveyor has not been provided with a current title opinion or abstract of matters that could possibly affect title or boundary of subject property. It is possible there are deeds of record, unrecorded deeds, statements, or other instruments, which could affect the boundary.  
 There are no visible encroachments on the property depicted hereon other than those shown on this plat. No attempt has been made to locate underground utilities or other utilities.  
 Only visible interior improvements pertinent to this survey have been shown or located on this plat.  
 I hereby certify that, to the best of my knowledge and ability, the plat accurately represents land surveyed under my direct supervision and control.  
 This survey cannot be altered or changed in any way without the written consent of the signing surveyor.

A PARCEL OF LAND LYING IN THE  
 NORTHWEST QUARTER OF SECTION 1,  
 TOWNSHIP 9 SOUTH, RANGE 8 WEST,  
 FRANKLIN COUNTY, FLORIDA  
**BOUNDARY SURVEY**

CERTIFIED TO:  
**KRISTEN SMITH**  
 VANDERBILT MORTGAGE  
 MASON TITLE & ESCROW  
 STEWART TITLE GUARANTY

SEE THIS SHEET FOR LEGAL DESCRIPTION

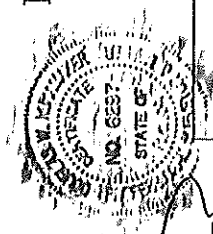
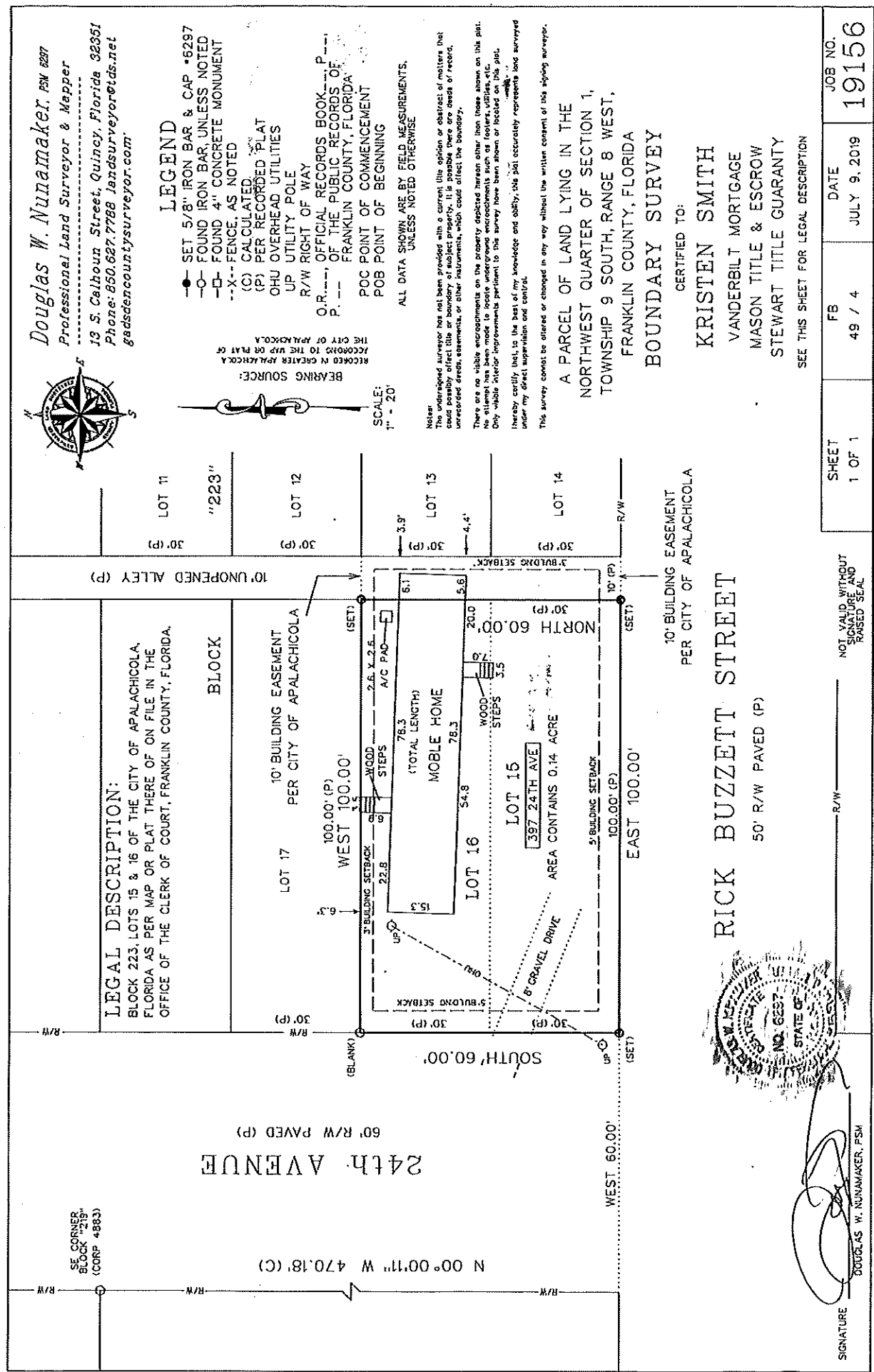
JOB NO.  
**19156**

DATE  
 JULY 9, 2019

FB  
 49 / 4

SHEET  
 1 OF 1

NOT VALID WITHOUT  
 SIGNATURE AND  
 RAISED SEAL



SIGNATURE  
 DOUGLAS W. NUNAMAKER, FSM

**EPCI**  
**APALACHICOLA BUILDING DEPARTMENT**

APPLICATION FOR BUILDING PERMIT

DATE: <u>4/18/2019</u>	Official Use Only	Permit # <u>31</u>	Permit Fee <u>\$14400</u>
------------------------	-------------------	--------------------	---------------------------

OWNER'S NAME: Kristen Smith

ADDRESS: 397 24th Ave.

CITY, STATE & ZIP CODE: Apalach, FL 32320 PHONE # 850-591-2958

FEE SIMPLE TITLE HOLDER (IF OTHER THAN OWNER): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_ PHONE # \_\_\_\_\_

CONTRACTOR'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_ PHONE # \_\_\_\_\_

STATE LICENSE NUMBER: \_\_\_\_\_ COMPETENCY CARD # \_\_\_\_\_

ADDRESS OF PROJECT: 397 24th Ave Apalach

PROPOSED USE OF SITE: Electric / Temp & Perm ~~Rem~~

WILL THE STRUCTURE BE LOCATED AT LEAST 30 FEET FROM ANY BODY OF WATER?  YES  NO

PROPERTY PARCEL ID # 01-095-08W-8330-0223-0150

LEGAL DESCRIPTION OF PROPERTY: Blk 223 Lot 15-16

IF THE APPLICATION IS FOR A COMMERCIAL PROJECT PLEASE LIST THE NAME OF THE BUSINESS:

BONDING COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

ARCHITECT'S/ENGINEER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

MORTGAGE LENDER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

WATER SYSTEM PROVIDER: \_\_\_\_\_ SEWER SYSTEM PROVIDER: \_\_\_\_\_

PRIVATE WATER WELL: \_\_\_\_\_ SEPTIC TANK PERMIT NUMBER: \_\_\_\_\_



Application is hereby made to obtain a permit to do the work and installations as indicated. I certify that NO WORK or installation has commenced prior to the issuance of a permit and that all work will be performed to meet the standards of all laws regulating construction in this jurisdiction. I understand that a separate permit must be secured for electrical work, plumbing, signs, roofing, pools, furnaces, boilers, heaters, tanks, and air conditioners, etc.

PURPOSE OF BUILDING:

Single Family      \_\_\_ Townhouse      \_\_\_ Commercial      \_\_\_ Industrial  
\_\_\_ Duplex      \_\_\_ Swimming Pool      \_\_\_ Storage      \_\_\_ Sign  
\_\_\_ Multi-Family      \_\_\_ Demolition      \_\_\_ Other  
\_\_\_ Addition, Alteration or Renovation to building \_\_\_\_\_

Distance from property lines: Front \_\_\_\_\_ Rear \_\_\_\_\_ L. Side \_\_\_\_\_  
R. Side \_\_\_\_\_  
Cost of Construction \$ \_\_\_\_\_ Square Footage \_\_\_\_\_  
EPI \_\_\_\_\_ Flood Zone \_\_\_\_\_ Lowest Floor Elevation \_\_\_\_\_  
Area Heated/Cooled \_\_\_\_\_ # Of Stories 1 # Of Units 1  
Type of Roof Shingles Type of Walls \_\_\_\_\_ Type of Floor \_\_\_\_\_  
Extreme Dimensions of: Length 80 Height \_\_\_\_\_ Width 110

**WARNING TO OWNER:** YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. For improvements to real property with a construction cost of \$2,500 or more, a certified copy of the Notice of Commencement is required to be submitted to this Department when application is made for a permit or the applicant may submit a copy of the Notice of Commencement along with an affidavit attesting to its recording. A certified copy of the Notice of Commencement must be provided to this Department before the second or any subsequent inspection can be performed. Filing of the documents that have been certified may be done by mail, facsimile or hand delivery.

**NOTICE:** EPCI: The EPCI/City of Apalachicola Building Department does not have the authority to enforce DEED RESTRICTIONS or COVENANTS on properties.

**OWNER'S AFFIDAVIT:** I hereby certify that the information contained in this application is true and correct to the best of my knowledge. And that all work will be done in compliance with all applicable laws regulating construction and zoning.

Kristen Smith  
Signature of Owner or Agent

Date: 4-16-19

Notary as to Owner or Agent

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Signature of Contractor

Date: \_\_\_\_\_

Notary as to Contractor

My Commission expires: \_\_\_\_\_

APPLICATION APPROVED BY: [Signature] BUILDING OFFICIAL.



# EPCI/APALACHICOLA

Office 850-229-1093 or 1-844-343-3662

# BUILDING PERMIT

**WARNING TO OWNER: YOUR FAILURE TO RECORD THE NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR THE IMPROVEMENTS TO THE PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.**

GAS	
PERMIT # _____	_____
ROUGH-IN _____	_____
FINAL _____	_____

ELECTRICAL	
PERMIT # <u>4/25/2019-37</u>	_____
ROUGH-IN _____	_____
FINAL <u>Temp/Perm Electric</u>	_____

BUILDING PERMIT	
PERMIT # _____	_____
FLOOD ZONE _____	LOWEST FLOOR _____
FOOTING _____	FLOOR _____
FINAL _____	_____

MECHANICAL	
PERMIT # _____	_____
ROUGH-IN _____	_____
FINAL _____	_____

PLUMBING	
PERMIT # _____	_____
ROUGH-IN _____	_____
FINAL _____	_____

ROOFING	
PERMIT # _____	FINAL _____
BUILDING OFFICIAL <u>[Signature]</u>	
DATE <u>4/25/19</u>	

CONTRACTOR <u>Kristen Smith/ Owner</u>	
PROJECT ADDRESS: <u>397 24th Avenue Apalachicola, FL</u>	
<u>32320</u>	
COUNTY/STATE LICENSE#	STATE: <u>N/A</u> / CITY: <u>N/A</u>

RE-INSPECTION FEE \$50.00  
FAILURE TO CALL FOR INSPECTION \$50.00

OFFICE HOURS : 8:00 A.M. — 4:00 P.M.  
INSPECTION HOURS 7:00 A.M. — 3:30 P.M.

EPCI  
APALACHICOLA BUILDING DEPARTMENT

APPLICATION FOR BUILDING PERMIT

DATE: <u>4/25/2019</u>	Official Use Only
Permit # <u>317</u>	Permit Fee <u>\$4400</u>

OWNER'S NAME: Kristen Smith

ADDRESS: 397 24th Ave.

CITY, STATE & ZIP CODE: Apalach, FL 32320 PHONE # 850-591-2958

FEE SIMPLE TITLE HOLDER (IF OTHER THAN OWNER): \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_ PHONE # \_\_\_\_\_

CONTRACTOR'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_ PHONE # \_\_\_\_\_

STATE LICENSE NUMBER: \_\_\_\_\_ COMPETENCY CARD # \_\_\_\_\_

ADDRESS OF PROJECT: 397 24th Ave Apalach

PROPOSED USE OF SITE: Electric / Temp & Perm ~~Rem~~

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ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

ARCHITECT'S/ENGINEER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

MORTGAGE LENDER'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY, STATE & ZIP: \_\_\_\_\_

WATER SYSTEM PROVIDER: \_\_\_\_\_ SEWER SYSTEM PROVIDER: \_\_\_\_\_

PRIVATE WATER WELL: \_\_\_\_\_ SEPTIC TANK PERMIT NUMBER: \_\_\_\_\_

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PURPOSE OF BUILDING:

Single Family, Townhouse, Commercial, Industrial, Duplex, Swimming Pool, Storage, Sign, Multi-Family, Demolition, Other, Addition, Alteration or Renovation to building.

Distance from property lines: Front, Rear, L. Side, R. Side; Cost of Construction \$, Square Footage, EPI, Flood Zone, Lowest Floor Elevation, Area Heated/Cooled, # Of Stories, # Of Units, Type of Roof, Shingles, Type of Walls, Type of Floor, Extreme Dimensions of: Length 30, Height, Width 110.

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOU PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT. For improvements to real property with a construction cost of \$2,500 or more, a certified copy of the Notice of Commencement is required to be submitted to this Department when application is made for a permit or the applicant may submit a copy of the Notice of Commencement along with an affidavit attesting to its recording. A certified copy of the Notice of Commencement must be provided to this Department before the second or any subsequent inspection can be performed. Filing of the documents that have been certified may be done by mail, facsimile or hand delivery.

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OWNER'S AFFIDAVIT: I hereby certify that the information contained in this application is true and correct to the best of my knowledge. And that all work will be done in compliance with all applicable laws regulating construction and zoning.

Signature of Owner or Agent: Kristen Smith

Date: 4-16-19

Signature of Contractor

Date

Notary as to Owner or Agent

Notary as to Contractor

My Commission expires

My Commission expires

APPLICATION APPROVED BY: BUILDING OFFICIAL

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Grant Applications

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 4  
**Department:** Administration  
**Presenter:** Mayor Brenda Ash

**BRIEF SUMMARY:** There are and will be many grant opportunities that the City of Apalachicola may apply for. Staff cannot timely submit these grant applications if a meeting is required prior to each submission deadline.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** It is recommended that staff be allowed to review and apply for grants under the following conditions: 1) there is not a regular scheduled meeting prior to the submission deadline, 2) there is not a required monetary match, and 3) a detailed summary of the grant will be provided to each commissioner prior to submission.

**FUNDING SOURCE:** Grants

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Approve Application for Dept. of State DHR Grants for Old City Hall

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 5  
**Department:** Administration  
**Contact:**  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** Special Category Grant Request – Category covers projects up to \$500,000

Request permission to apply for the Florida Department of State, Division of Historical Resources Special Category grant to cover necessary structural repairs to old City Hall building on Water Street. A recent structural engineer's analysis of the building has uncovered additional structural deficiencies not previously documented or covered by funding through the National Park Service grant to repair Hurricane Michael damage to the building. An estimate of the additional structural repairs is currently being prepared and the amount of funding requested will be presented to the board before the application is submitted. Note: there is a reduced match requirement (25% I believe) for REDI communities.

**Small Matching Grant Request. Category covers projects up to \$50,000** Request permission to apply for a \$50,000 Florida Department of State, Division of Historical Resources Small Matching grant to fund an updated survey of Apalachicola's historic structures for the purpose of updating the State's Master Site File of Historic Resources. The original survey was completed in the mid 70s. It has been nearly 50 years since the original survey was completed and there are many important historic structures in the City that are not included in the State's Master Site File because they were not considered historic at the time. The funding would pay for a professional historic consultant to conduct the survey, update existing files and add additional resources not currently documented since the mid 70s. Note: there is no match required for Apalachicola as a REDI community.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approval

**FUNDING SOURCE:**

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Approval to Purchase Battery Park Payment Kiosk

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 6  
**Department:** Administration  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** This kiosk will allow payment of boat launch fees and overnight camping fees by credit or debit card. The unit is battery/solar powered and can quickly be disconnected and removed in the event of a storm. The total cost of is \$14,803.00 with a continued annual fee of \$1140.00.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approval to order Kiosk for Battery Park

**FUNDING SOURCE:** Battery Park Capital Outlay

**ATTACHMENTS:** Quotes for equipment, software, and product information

**STAFF'S COMMENTS AND RECOMMENDATIONS:**



# VenTek International Quotation

Project	City of Apalachicola Fl	Date	March 23, 2022
Client	Adriane Elliott & Travis Wade	Client Phone	(850) 653-6323
Email	<a href="mailto:aelliott@cityofapalachicola.com">aelliott@cityofapalachicola.com</a>	Original Date:	July 20, 2021
Contact	Victoria Iacovetto	Validity	90 days
Email	<a href="mailto:victoria@ventek-intl.com">victoria@ventek-intl.com</a>	Phone	415-246-3138

Thank You for Choosing VenTek

## Part I - Capital Costs - Hardware, Installation, Setup & Services

AUTOMATED FEE MACHINE				
Item	Description	Quantity	Unit Price	Extended Price
E1	M600 Pay and Display or Pay in Lane Includes 1 year Warranty Power Configuration: Solar Connectivity: Cellular Payment Mode: Credit Card Acceptance	1	\$7,350	\$7,350
	Solar Power Charging System w/40 AHR Battery	1	\$995	\$995
	Custom Wrap - Door Only	1	\$275	Included
	Shipping <sup>1</sup>	1	\$375	\$375
<b>AFM REVENUE COLLECTION EQUIPMENT</b>				<b>\$8,720</b>

INSTALLATION & TRAINING				
Item	Description	Quantity	Unit Price	Extended Price
INSTS1	Installation & Training - Base Fee for 1st day Installation & training - based on a standard installation. Training Conducted on site and unlimited while technician is available onsite	1		\$1,100
<b>INSTALLATION &amp; TRAINING</b>				<b>\$1,100</b>

Automated Fee Machine - Revenue Collection Equipment	\$8,720.00
Installation and Training	\$1,100.00
<b>Total</b>	<b>\$9,820.00</b>

WARRANTY				
Item	Description	Quantity	Unit Price	Extended Price
STDW	Standard Warranty: Free Unlimited Tech Support for 3 Months / Warranty Issues for 12 months	Incl.	incl.	incl.
EXTW	Extended 1 Year Factory Warranty (Recommended for years 2+)	1	\$500	
OL1	Onsite Service Calls billed at \$150/hr. Including Time and Material	per hour	\$150	
AH1	After Hours Telephone Support Hourly Labor Rate \$150.00/hr. (Billed in 15 min increments)	per hour	\$150	

### Notes:

- 1 Shipping is an Estimate Only - Actual Costs will be billed upon shipment
- 2 Payment Gateway - As a Level 1 PCI Service Provider VenTek offers a Secure Electronic Gateway. This allow VenTek's customers to establish a direct connection between the VenTek System and their Payment Card Processor. VenTek warrants that our Payment Gateway will remain PCI-compliant for the duration of service delivery and that our pricing will be lower than comparable products. Includes Cyber Insurance.
- 3 venVUE System Management, venSTATION Data Hosting and CDMA Cellular Connectivity are billed Annually
- 4 (1) year factory warranty included
- 5 Installation Includes securing the unit to a surface prepared per installation drawing, connecting existing electrical inside the unit, installing software, network programming and configuration, and installation of all parts and peripherals necessary for unit operation.
- 5a Installation Quote does not include Site Prep: Concrete or Conduit Work, Pulling Electrical or Communication Cables or Removal of Existing Equipment
- 5b Installation Quote is an estimate based on standard installation. Additional fees billed at time and Material +10%
- 6 Onsite Training is conducted during and/or after installation. If VenTek must come back onsite, time will be billed at \$150/hr Including travel and expenses.
- 6a venVUE System Management training conducted remotely via WebEx
- 7 ADA Compliant for height, control and reach
- 8 All funds due are in U.S. dollars. Terms Net 30 from date of delivery. 1.25% finance charge (15% per annum) applied to balances over 30 days past

# VenTek International Quotation

Project	City of Apalachicola Fl	Date	March 23, 2022
Client	Adriane Elliott & Travis Wade	Client Phone	(850) 653-6323
Email	<a href="mailto:aelliott@cityofapalachicola.com">aelliott@cityofapalachicola.com</a>	Original Date:	July 20, 2021
Contact	Victoria Iacovetto	Validity	90 days
Email	<a href="mailto:victoria@ventek-intl.com">victoria@ventek-intl.com</a>	Phone	415-246-3138

Thank You for Choosing VenTek

## Part II - Operating Costs - Software Subscription Fees

ANNUAL SOFTWARE SUBSCRIPTION FEES				
Item	Description	Quantity	Unit Price	Extended Price
SW	Cloud Based System Management - User credential for venVUE®, VenTek's web based management system, Secure PCI Level 1 Certified Server on Amazon Cloud for Data Storage & Payment Gateway, and Cellular Connectivity.	1	\$1,140	\$1,140
<b>ANNUAL SOFTWARE SUBSCRIPTION FEES</b>				<b>\$1,140</b>

SPARES				
Item	Description	Quantity	Unit Price	Extended Price
SP1	Spare 40A Battery	per unit	\$179	\$179
SP2	Spare Credit Card Reader	1	\$450	\$450
SP5	Spare Controller	1	\$1,775	\$1,775
SP6	Spare Display	1	\$755	\$755
SP7	Spare Printers, Including Cable	1	\$1,495	\$1,495
SP10	Spare keypads 1x4	1	\$134	\$134
SP11	Spare keypads 3x4	1	\$180	\$180
SP12	Spare Modem GSM/GPRS	1	\$522	\$522
<b>SPARES</b>				<b>\$5,490</b>

Annual Software Subscriptions Including Payment Gateway	\$1,140.00
Spares (Discounted)	\$3,843.00
<b>Total</b>	<b>\$4,983.00</b>

### Notes:

- 1 Spares highly discounted when purchased with AFM
- 2 Payment Gateway - As a Level 1 PCI Service Provider VenTek offers a Secure Electronic Gateway. This allow VenTek's customers to establish a direct connection between the VenTek System and their Payment Card Processor. VenTek warrants that our Payment Gateway will remain PCI-compliant for the duration of service delivery and that our pricing will be lower than comparable products. Includes Cyber Insurance.
- 3 VenVUE System Management, venSTATION Data Hosting and CDMA Cellular Connectivity are billed Annually
- 4 (1) year factory warranty included
- 5 venVUE System Management training conducted remotely via WebEx
- 6 ADA Compliant for height, control and reach

# venVUE®

Your Secure, Web-Based Software  
For Sales Revenue Management

WEB-BASED ACCESS ANYWHERE

COMPLETE CLOUD BASED REVENUE CONTROL

PCI CERTIFIED NETWORK

## CONNECT

- The power of the Cloud; no software or applications to install.
- Access venVUE from any web-enabled PC, laptop or Smartphone.

### *For Pay Station Networks*

- Visualize real-time device status, transaction counts and operation details for each location independently.
- Create, update or alter rates remotely and have changes download automatically.
- Generate instant device status alerts to staff via email and/or text messaging.

## PROCESS

- Authorize web or pay station-based credit/debit card sales transactions in real-time on a PCI-Certified payment platform.
- Efficiently process electronic payment refunds.

## REPORT

- Quickly view, print, and/or export data from your revenue system using a full suite of report forms.
- Sales reports based on transaction type, location, date, permit value, and/or product type.
- Electronic payment transactions; pending or settled by date of sale or date of settlement.

### *For Pay Station Networks*

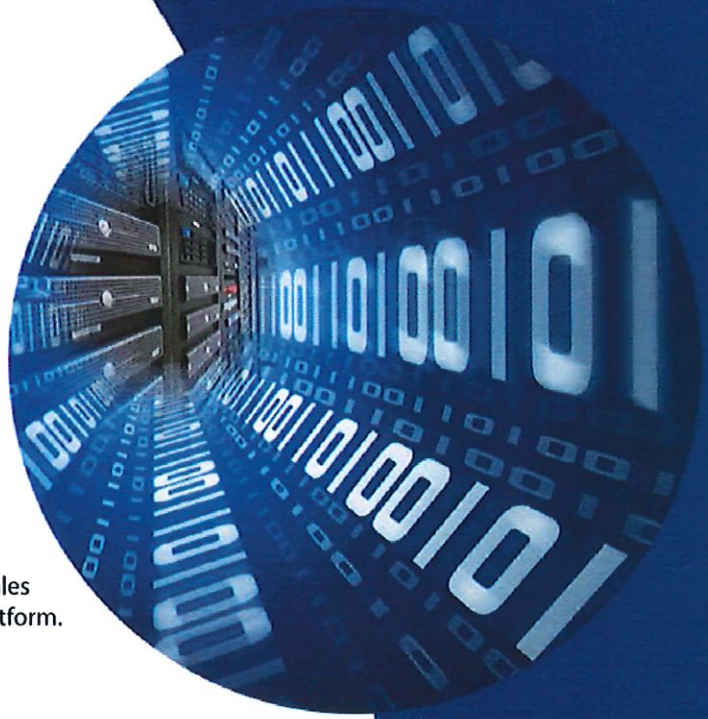
- Cash Transactions showing details on bills/coins inserted and change dispensed for each transaction.
- Event reports showing operational history of each device.
- Interim and Final Cash Audit reporting for each device.

## CUSTOMIZE

- Electronic coupons providing up to 100% discount for permit purchases.
- Use your web-based mobile device for enforcement, permit issuance and to monitor space occupancy through space sensors.
- Accept alternate electronic payments such as Annual Pass, value or campus cards.

### *For Pay Station Networks*

- Remote validation for pay-by-space settings - add time from web based devices.
- Allow customers to add time using Pay-by-Cell.
- Multiple Custom Permits based on pick selection.



*venVUE® Controlled  
User Access*

*Remote Access &  
Configuration  
to Information  
& Settings*

*PCI Credit Card  
Processing  
& Refund  
Capability*

*Real Time Sales Data  
& Device Status*

 **VenTek International**  
*engineering the future of automated payment systems*

[www.ventek-intl.com](http://www.ventek-intl.com)

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**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: Tuesday, April 5<sup>th</sup>, 2022**

**SUBJECT:** Nuisance Sound Revisions

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 7  
**Department:** Administration  
**Contact:**  
**Presenter:** Commissioner Adriane Elliott

**BRIEF SUMMARY:** The City of Apalachicola's Noise Ordinance is outdated and unreasonably restrictive. Following public workshops, field work by City Manager Travis Wade and Police Chief Bobby Varnes, and review from City Attorney Dan Hartman the attached revisions have been drafted. This will allow local law enforcement officers equally enforce the ordinance fairly throughout the City and close loopholes that allow for targeted harassment of business owners and individuals in the community.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Provide feedback to proceed with a final draft to be presented for First Reading at the next Regular Meeting of the City Commission on Tuesday, May 3<sup>rd</sup> 2022.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** DRAFT Noise Ordinance 3.29.22

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA REGULATING AND PROHIBITING THE EMISSION OF HARMFUL NOISE; DECLARING SAID NOISES TO BE DETRIMENTAL TO THE PUBLIC HEALTH, COMFORT, CONVENIENCE, SAFETY, WELFARE AND PROSPERITY OF THE RESIDENTS OF SAID CITY; ESTABLISHING AND DEFINING CERTAIN TERMS; ESTABLISHING AND PROVIDING FOR CERTAIN EXCEPTIONS; PROHIBITING THE MAKING, CAUSING OR ALLOWING OF SAID NOISES WHICH CAUSE A NOISE DISTURBANCE OR EXCEED CERTAIN SOUND LEVELS; PROVIDING FOR TECHNIQUES TO BE USED IN MEASURING LEVELS OF SAID NOISE AND THE ESTABLISHMENT OF SAID LIMITS; PROVIDING FOR PENALTIES; PROVIDING FOR ADDITIONAL CIVIL REMEDIES AND CITATIONS; PROVIDING FOR THE REPEAL OF ANY ORDINANCE OR PARTS THEREFROM IN CONFLICT HERewith; PROVIDING FOR SPECIAL PERMITS; PROVIDING FOR APPEALS OF SPECIAL PERMITS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the making and creation of excessive and unusually loud noises within the City of Apalachicola, Florida, is a condition which has existed for some time; and

**WHEREAS**, the said noises and the amount, intensity, duration and vibration of said noises are increasing within the area of said City as population, industry and tourism grows; and

**WHEREAS**, the making and creation of said noises are prolonged, unusual and unnatural in their time, place and use and effect and are a detriment to the public health, comfort, convenience, safety, welfare and prosperity of the residents of said City; and

**WHEREAS**, as a matter of legislative determination and public policy, the City Commission of the City of Apalachicola finds it in the public interest for the provisions and prohibitions hereinafter contained to be enacted; and

**WHEREAS**, it is further declared that the provisions and prohibitions hereinafter contained and enacted are in the pursuance of and for the purpose of securing and promoting the public health, comfort, safety, welfare and prosperity of the inhabitants of said City of Apalachicola; and

**WHEREAS**, it is the intent of this Ordinance to prohibit the use or operation of any radio receiving set, "boom box," musical instrument, television, phonograph, tape or compact disc player, loudspeaker or any other device for the production or reproduction of sound in such manner as to cause a noise disturbance; and

**WHEREAS**, it is the intent of this Ordinance that it shall work harmoniously with existing ordinances and valid state statutes regulating noise emissions and shall be an additional regulation to any such pre-existing ordinances and statutes; and

**WHEREAS**, it is the intent of this ordinance to repeal all ordinances or parts thereof in conflict with this ordinance and provide a valid procedure for enforcement; and

WHEREAS, it is not the intent of this Ordinance to interfere with the individual rights to freedom of speech or religion.

NOW THEREFORE, BE IT INACTED BY THE PEOPLE OF THE CITY OF APALACHCOLA, FLORIDA:

#### ARTICLE I. NOISE

##### Section 1. Terminology; Definitions.

All terminology used in this article not defined below shall be defined according to applicable publications of the American National Standards Institute (ANSI) or the American Society for Testing and Materials (ASTM) or their successor bodies.

*A-weighted sound level (dBA):* The sound pressure level in decibels as measured on a sound level meter using the A-weighted network. The level so read is designated "dBA."

*Ambient Noise:* The surrounding or steady background noise in a particular location as distinct from the specific noise being measured.

*Commercial Area:* Land used primarily for the sale of merchandise or goods, or for the performances of a service, or for office or clerical work.

*Construction Activity:* Any site preparation, assembly, erection, substantial repair, alteration, or improvement of realty, whether publicly or privately owned, and whether above ground or below ground.

*Decibel (dB):* The practical unit of measurement for sound pressure level; the number of decibels of a measured sound is equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound (twenty (20) micropascals; abbreviated "dB."

*Emergency:* Any occurrence or set of circumstances involving actual or imminent physical trauma to human beings or living creatures or property damage which necessitates immediate action.

*Emergency Work:* Any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, including work necessary to restore property to a safe condition following an emergency.

*Industrial Area:* Land use which is primarily for manufacturing, processing or an airport.

*Multifamily Dwellings:* a building designed or used exclusively for residential occupancy by two (2) or more families.

*Noise:* Any sound which annoys or disturbs humans or causes or tends to cause an adverse psychological effect on humans. "Noise" includes low frequency vibrations, such as caused by amplifications of bass instrumental sounds.

*Noise Disturbance:* Sound which (a) is or may be harmful or injurious to the health or welfare of a **reasonable** person ~~with normal sensitivities;~~ or (b) significantly interferes with the enjoyment or normal conduct of life, property or outdoor recreation, or (c) causes noise pollution.

**Commented [C1]:** Struck because unnecessary and subjective

*Noise Pollution:* presence of noise in an excessive or disturbing amount or of such duration, wave frequency or intensity as to be injurious to human or animal life or property.

*Park Land:* Land that is used primarily for public recreational activities.

*Person:* Any individual, natural person, public or private corporation, firm, association, joint venture, partnership, or any other entity whatsoever or any combination of such, jointly and severally.

*Public Right-of-Way:* Any street, avenue, boulevard, highway, sidewalk or alley or similar place normally accessible to the public which is owned or controlled by a governmental entity.

*Public Space:* Any real property or structure thereon normally accessible to the public which is owned or controlled by a governmental entity.

*Pure Tone:* Any sound which can be distinctly heard as single pitch or a set of single pitches. For the purposes of measurement, a pure tone shall exist if the one-third octave band sound pressure level in the band with the tones exceeds arithmetic value the sound pressure levels of the two (2) contiguous one-third octave bands by five (5) dB.

*Real Property Line:* (a) The imaginary line including its vertical extension that separates one parcel of real property from another; or (b) The vertical and horizontal boundaries of a dwelling unit that is one unit in a multi dwelling-unit building.

*Receiving Land:* Land area neighboring or in the vicinity of a sound source and on or at which the sound emanating from the sound source is audible to the normal human ear.

*Residential:* Land use that is primarily for living and sleeping or park land or hospitals or schools or nursing homes or the individual plots within a mobile home park assigned by the owner of the park or any land use that is not commercial or industrial.

*Short Durations:* Any sound with a duration of less than one minute.

*Sound:* An oscillation in pressure, particle displacement, particle velocity or other physical parameter, in a medium with internal forces that causes compression and rarefaction of that medium. The description of sound may include any characteristic of such sound, including duration, intensity and frequency.

*Sound Analyzer:* A device for measuring the octave band level of a sound as a function of frequency.

*Sound Level:* The weighted sound pressure level obtained by use of a metering characteristic and weighting A, B or C as specified in the American National Standards Institute specifications for sound level meters ANSI S1.4-1971, or in successor publications. If the weighting employed is not indicated, the A-weighting shall apply.

*Sound Level Meter:* An instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output meter, and weighting networks used to measure sound pressure levels. The output meter reads sound pressure level when properly calibrated, and the instrument is of type 2 or better, as specified in the American National Standards Institute publication S1.4- 1972 or its successor publication.

*Sound Pressure:* The instantaneous difference between the actual pressure and the average or barometric pressure at a given point in space, as produced by the presence of energy.

*Sound Pressure Level:* Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micronevtons per square meter ( $20 \times 10^{-6} \text{N/m}^2$ ). The sound pressure level is expressed in decibels.



**Section 2. Area of applicability:**

This article shall be applicable to and embrace all areas within the City limits of the City of Apalachicola.

**Section 3. Exceptions.**

The following activities or sources are exempt from the requirements of this article:

(1) The emission of sound for the purpose of alerting persons to the existence of an emergency, or in the performance of emergency work.

(2) Between the hours of 7:00 a.m. and 11:00 p.m., ceremonial or traditional activities or events, including the sounding of church bells and the normal sounds of organized sporting and cultural events, ~~but specifically not including music or other amplified sounds performed or played at volumes or vibrations that violate standards of this article.~~

**Commented [C2]:** Struck because music and other amplified sounds are typically a part of the normal sounds of organized sporting and cultural events

(3) Operation of equipment or conduct of activities normal to residential or agricultural communities as set forth herein:

(a) lawn care, soil cultivation, domestic power tools, lawn mowers, maintenance of trees, hedges, gardens, saws and tractors, street sweepers, mosquito fogging, tree trimming and limb chipping and other normal community operations – 7:00 a.m. to 10:00 p.m

(b) operation of equipment for solid waste and recycling collection in or adjacent to residential uses – 6:00 a.m. to 6:00 p.m.

(c) operation of equipment for solid waste collection in nonresidential locations – 4:00 a.m. to 10:00 p.m

(4) Operation of manufacturing in areas zoned for such activities and which do not create a noise disturbance on any properties not designated for such activities.

(5) Usual noises of construction and operation of construction equipment between the hours of 7:00 a.m. to 8:00 p.m.

(6) Usual engine noises of traffic and motor vehicles on the public right-of-way.

(7) Single family residential air-conditioning units when in reasonable mechanical condition operating with the standard noise and vibration control systems typically provided by the manufacturer. A unit is presumed to be in reasonable mechanical condition if it meets the noise specifications contained in the Air Conditioning and Refrigeration Institute's ("ARI") Applied Directory of Certified Produce Performance Variable Air Volume terminals. See <http://www.aridirectory.org/ari/vav.php>.

~~(8) Properly licensed and zoned commercial establishments serving food and/or beverages within a building as their main operational business purpose that have entertainment located within the confines of their occupied building walls and ceilings with the doors and windows not left open.~~

**Commented [C3]:** Struck because the requirement of closed doors and windows is unfair, and it isn't reasonable to exclude all businesses in the commercial district from the provisions of this ordinance

**Section 4. Prohibited Acts.**

The occurrence of the conditions, acts or omissions as described in subsections (1) or (2) of this section shall constitute a violation of this article. Requirements in any one of said subsections stand alone. Measurements described in subsection (2) shall constitute prima facie evidence of a violation of this article. However, such measurements are not necessary for enforcement of this article, i.e., neither sound

measurements as provided in subsection (2) nor any other type of sound measurements are necessary to prove a violation of subsection (1) of this section.

**(1) Noise Disturbance:** Notwithstanding any other provision of this article, and in addition thereto, it shall be unlawful for any person to make or continue, or cause to permit to be made or continued, any noise disturbance, as defined in Section 1.

**(a) Standards:** The standards to be considered in determining whether a violation of subsection (1) of this section exists may include but shall not be limited to the following:

1. The volume of noise.
2. The intensity of the noise.
3. Whether the nature of the noise is usual or unusual.
4. The volume and intensity of the ambient noise, if any.
5. The proximity of the noise to residential sleeping facilities.
6. The nature and zoning of the area from which the noise emanates.
7. The nature and zoning of the receiving land.
8. The time of the day or night the noise occurs.
9. The duration of the noise.
10. Whether the noise is produced by a commercial or noncommercial activity.

**(b) Enforcement:** Enforcement does not depend on any minimum number of standards being met.

**(c) Persons Affected:** Persons affected may include residents, passersby, law enforcement or code enforcement officials.

## **(2) Maximum Permissible Sound Levels**

**(a) Sound:** No person shall operate or cause to be operated, from any source, sound which, when measured at the property line of the property where the sound is being generated, exceeds:

1. Sixty (60) dBA during the hours between 7:00 a.m. and 10:00 p.m. at the property line of the noise source. Seventy-Five (75) dBA during the hours between 7:00am and 10:00pm if the property generating the noise is zoned R-1, R-2, R-3, R-4, O/R, RC. Measurement will be taken at the complainant's real property line.
2. Fifty-five (55) dBA during the hours between 10:00 p.m. and 7:00 a.m. at the property line of the noise source. Sixty-five (65) dBA during the hours between 10:00pm to 7:00am if the property generating the noise is zoned R-1, R-2, R-3, R-4, O/R, RC. Measurement will be taken at the complainant's real property line.
3. Sixty-five (65) dBA if the receiving land is a commercial area. Eighty-five (85) dBA from 7am-11pm Sunday through Thursday, and until 12am on Friday and Saturday, if the property generating the noise is zoned C-1, C-2, C-3, C-4, RF. The measurement will be taken at the complainant's real property line.
4. Eighty (80) dBA if the receiving land is industrial. Seventy (70) dBA between the hours of 10:00pm and 7:00am if the property generating the noise is zoned C-

Commented [DH4]: Property line of complainant?

1, C-2, C-3, C-4, RF. Measurement will be taken at the complainant's real property line.

Commented [C5]: Struck and replaced with reasonable dB levels, changed location of measurement to accurately reflect and measure the noise impact upon complainant

~~(b) Correction for Character of Sound:~~ For any source of sound which emits a pure tone, the maximum sound level limits set forth in subsection (2)(a) shall be reduced by five (5) dBA. For any source of sound which is of short duration and is non-repetitive, the maximum sound level limits set forth in subsection (2)(a) shall be increased by ten (10) dBA from 7:00 a.m. to 10:00 p.m.

Commented [C6]: Struck because unnecessary

~~(c) Correction for Ambient Noise:~~ Corrections for ambient noise should be made in accordance with applicable ASTM standards.

(d) Methods of Measurements.

1. The measurement of sound shall be made with a decibel or a sound level meter operating on the A-weighted scale of any standard design and quality meeting the standards prescribed by the American National Standards Association. The instruments shall be maintained in calibration and good working order. Measurements recorded shall be taken so as to provide a proper representation of the sound source. The microphone used during measurement shall be positioned so as to not to create any unnatural enhancement or diminution of the measured sound. A windscreen for the microphone shall be used when required. Traffic, aircraft, and other background ambient sounds shall not be considered in taking measurements except where such ambient sound interferes with the primary noise being measured.

2. The measurement shall be made at or beyond the real property line of the property on which such sound is generated or on the receiving land, as appropriate, approximately five (5) feet above ground. The measurement shall be made at the real property line of the complainant.

Commented [C7]: Struck and amended because the effect of noise upon a complainant can only be accurately measured at the complainant's property

Section 5. Enforcement and Penalties:

Any person or entity violating any of the provisions of this article shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the State of Florida in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and, upon conviction for the first offense shall be punished by a fine not to exceed fifty dollars (\$50.00); for the second offense, shall be punished by a fine not to exceed one hundred fifty dollars (\$150.00); and for the third offense and thereafter, shall be punished by a fine not to exceed two hundred fifty dollars (\$250.00) or by imprisonment in the county jail not to exceed sixty (60) days or by both such fine and imprisonment. Each incident or separate occurrence of an act that violates this article shall be deemed a separate offense.

Commented [C8]: Dan, would it be wise to clean this up a bit?

Section 6. Civil Remedies and Citations: In addition to the criminal penalties provided in Section 5 above, the City Commission of the City of Apalachicola is authorized to institute any appropriate action or proceeding, including suit for injunctive relief, as may be necessary, in order to prevent or abate violations of this article. Citations may also be issued to enforce this article as provided by other Ordinances authorized by the City of Apalachicola.

Commented [C9]: Dan, is this necessary?

Section 7. Special Permits: Special permits for prospective activities that will exceed the maximum permissible noise levels permitted by this section may be obtained by completed application to the City Administrator or her/his designee. Such special permit shall not be unreasonably withheld so long as the prospective activity will not adversely affect the health, safety, and welfare of nearby residents. The

administrative determination shall be made within ten (10) business days of application, or the subject activity shall be deemed permitted.

**Section 8. Appeals:** Any person denied a Special Permit may file an administrative appeal to the City Commission.

**Section 9. Severability:** Any section, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

**Section 10: Effective Date:** This Ordinance shall take effect immediately upon adoption by the City of Apalachicola, Florida.

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 5, 2022**

**SUBJECT:** Set Workshop date for Downtown Tourism District and American Rescue Plan Act

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 8  
**Department:** Administration  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** To set a date for a Downtown Tourism District and American Rescue Plan Act Workshop

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** To set and approve Workshop date with the Commission on the above.

**FUNDING SOURCE:** Not Applicable

**ATTACHMENTS:** None

**STAFF'S COMMENTS AND RECOMMENDATIONS:** None at this time.

## City Manager Updates – March 2022

**Drinking Water Warning Letter Response:** The Response to the Warning Letter was drafted and sent to the Florida Department of Environmental Protection on March 31, 2022 by Dewberry Engineering.

**Wastewater Treatment Plant Warning Letter:** The Response to the WWTP Warning Letter was drafted and sent to the Florida Department of Environmental Protection on March 31, 2022 by Dewberry Engineering.

**Department of Economic Opportunity:** I met with DEO Secretary Dane Eagle and five staff members on March 10. I was told that Governor DeSantis encouraged their Department to give the City of Apalachicola all the help we need. I have been in contact with several of the DEO staff since the meeting.

**Franklin County School Career Day:** Myself, Bree Robinson, and APD Sgt. Chase Richards attended Career Day at the FCS on March 25. The event was well attended and our booth received several student visitors.

**Apalachee Regional Planning Council:** I was invited to a meeting with Director Chris Rietow Friday afternoon to discuss what the ARPC can offer to the City.

**City Job Openings:** We have begun posting our jobs online on indeed.com and have received many more applicants than previously.

# Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – Tuesday, April 5<sup>th</sup>, 2022

**1. Florida Fish and Wildlife Conservation Commission – Florida Boating Improvement Program – Bay Avenue Seawall Construction**

Full application submitted to FWC on 4/1/22 requesting \$257,267 with a \$28,000 (budgeted) City contribution to complete the Bay Avenue Seawall project. The Bay Avenue Seawall has large cracks and structural damage. The City of Apalachicola previously worked with Dewberry Engineers to create engineered construction plans for the project (2017) – with these plans in hand we applied for the construction phase of the Bay Avenue Seawall project.

**2. Firehouse Subs Public Safety Foundation – Hurst Rescue Tools “Jaws of Life”**

An application requesting \$34,065.00 for Jaws of Life rescue tools for the Apalachicola Volunteer Fire Department will be submitted online 4/7/22. These tools were a request from the VPD and will aid them in their efforts. If funded – the grant program will handle ordering, etc. No match required.

**3. Department of Historical Resources African American Cultural and Historical Grants – Apalachicola African-American History Museum**

While our application was denied due to funding, the board has come back and said there may be \$30 million in additional projects granted, which would include ours according to the ranking list. Recommended for funding – Governor has until July to approve the budget which could include us. (Application was for \$1,000,000 with a \$250,000 match from the City.)

**4. Florida Department of Transportation – SCOP Grant Application – Leslie Street**

City Commission passed Resolution 2022-01 on 2/23/22 for the City of Apalachicola to apply for funding for Leslie Street. Application was submitted electronically on 3/4/22. The City requested \$610,169.30 to remedy the underground issues, resurfacing the entire street length, and for new road signs based off of engineer’s suggestions and recommendations. There are no dates available currently for awards, etc.

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

Full application submitted on 2/16/2022 requesting \$712,314.58 for feasibility study and design for 3 locations: Sylvester Williams Park, the Botanical Gardens, and a large unused parcel of land that the City owns near the airport. Still in review.

**6. 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 – Two RFIs (requests for information) were received and answered. Still waiting for updates.

**7. Leslie Street - FEMA**

**\*WAITING FOR UPDATE ON APPEAL\***

Reached out to FEMA 3/4/22 – Project still in review; no timeline. Seeking out other grant opportunities.

**8. National Park Service Hurricane Michael Repair/Mitigation - Grants for Repair and Restoration of the Montgomery Cotton Warehouse (Old City Hall) and the Harrison-Raney Cotton Warehouse (HCA)**

**Old City Hall** - The City has received structural assessment report and as-built drawings from 4M Architect. Structural engineer has identified previously undiscovered structural deficiencies in the building that need to be addressed before mitigation work is completed. Staff is working on petition to DHR to modify scope to accommodate the work necessary to resolve deficiencies. Architect/engineer are working on schematic design options/cost for repair. Based on the unforeseen costs associated with structural steel reinforcements proposed for City Hall, architect has recommended applying for DHR Special Category grant to cover any anticipated shortfall. A cost estimate is forthcoming.

**HCA** – he City has received structural assessment report and as-built drawings from 4M Architect. Based on report, architect is working on schematic design for work as identified in scope.



## 9. Grants Update -

- a. **FDOT City Landscaping** – Landscaping has been completed – landscapers have entered into their maintenance period. (3 months) Landscapers paid after FDOT inspection and approval – in reimbursement process.
- b. **CDBG-DR Infrastructure** – Avenues Stormwater Repair Project is moving forward. 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. Engineer to be procured once DEO approves solicitation documentation – this has been sent for DEO review. 3/22/22
  - i. City is missing 3 internal policies that were requested, (DEO is giving us more time on these as long as we are progressing):
    1. Fraud Waste and Abuse Policies
    2. Financial Management Policies
    3. Quality Assurance and Quality Control PoliciesCity staff is working on creating policies for review. Drafts of a Fraud Policy has been created – waiting for Dan and Travis to review before approval. Potential for SM during month of April to go over these policies. Procurement Policy also needs updating – Dan has DEO comments and it working on this currently.
- c. **CDBG-DR Hometown Revitalization** –Riverfront Revitalization and Hill Community Revitalization projects: Grant agreements being formulated at DEO, City to begin environmental exemption process on administrative and engineering services. Engineer to be procured once DEO approves solicitation documentation.
  - i. Grant agreement for Riverfront project received, to be signed 4/4/2022.
  - ii. Engineering procurement docs have been sent for DEO review in accordance with our own procurement policy.
- d. **HMGP Emergency Generators** – *Awaiting CDBG-DR Award for Matching Funds.* Received and signed Release of Funds forms for CDBG-DR match – still in contact with DEO weekly waiting for status updates and notice to proceed.
- e. **HMGP Market Street Vacuum Station** Documents received and executed. *Awaiting CDBG-DR Award for Matching Funds.* Received and signed Release of Funds forms for CDBG-DR match – in contact with DEO weekly waiting for status updates and notice to proceed.
- f. **Michael FEMA Projects Updates**

- i. **Bodiford** - Permits filed for within deadline to US Corps of Engineers –BODIFORD PLANS DRAFT COMPLETE! Waiting for full from Dewberry. Scipio plans to come within 2 weeks.
- ii. **Scipio** – Designs from Dewberry coming within next 2 weeks.
- iii. **Alleyway Repairs** – Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced. Extensions requested for all FEMA projects – in final review, but have been advised they will be granted.
- iv. **Old City Hall and HCA Contents loss** – Ordering replacement items from loss. (Funding already received – just needs to be ordered and receipts turned in.) Partially ordered – postponing ordering of remaining items until accounts are in financial order. (finance department is having accounts in Quickbooks ironed out.)
- v. **Lafayette Park** – Will change scope of this project once the lighting donation project is *complete*. Potential to change scope to include pavilion at end of boardwalk once scope change is official – will be up to FEMA.
- vi. **Hurricane Sally** – Waiver of match application documents submitted and sent in. Waiting for updates.
- 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.
- h. **Department of Historical Resources 2023 Small Matching Grant – Black History Trail**. Grant was recommended for funding. Waiting to receive final confirmation pending Governor's approval of Budget. We are 9<sup>th</sup> on 2023 Grant Ranking list – pending Governor's approval.

**10. DEP Applications – Resilient Florida + Water Restoration Assistance - WWTP & Vulnerability Study**

**WWTP-**

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. DEP has agreed, with some preliminary efforts to ensure the scope and pricing are as they should be.

- DEP requested to review RFP documents before solicitation. Waiting for updates and have been inquiring weekly on status. – Have sent our procurement policy and engineering solicitation documents for consideration upon request.

- Engineers have sent their revised opinion on costs to DEP using the 2 different funding sources. 3/31/22 DEP came back with a couple of questions to settle on the final and specifics – Dewberry is reviewing and responding.

### **Vulnerability Study-**

#### Grant #1 Vulnerability Study

Second round application submitted on 2/14/2022. Still waiting for updates.

Cindy Update: List of approved projects was supposed to be released last month.

Any day now ... The person I spoke with at DEP was guardedly optimistic and said that they had recommended funding 80 new or updated Vulnerability Assessments and if our project was a Vulnerability Assessment we had a pretty good shot at being funded. We should know any day now.

### **11. 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.)

3/31/22 - Updated plans from Dewberry received and USDA has approved. City Attorney advises we formally reject all bids and re-bid this project out with the altered scope and plans. New RFP will be out by end of second week in April.

### **12. Coronavirus State and Local Fiscal Recovery Funds (SLFRF) – American Rescue Plan**

The City formerly made application to the SLFRF program and received an award of \$1,179,010.00. The City has received half of this allocated amount and will receive the second half after spending the first deposit. City staff believes that the former finance director earmarked this money for engineering expenses for the new WWTP design. If the engineering is indeed going to be covered by the dual grants from DEP as noted above, then this money is left on the table for the City. (Pending waiting for DEP full scope approval.)

There were original stipulations on how to spend this money with there being 4 categories noted:

1. Public health & economic impacts
2. Premium pay

3. Revenue loss
4. Investments in water, sewer, or broadband infrastructure

**There is a FINAL RULE going into effect on April 1<sup>st</sup> and the City has been advised to not spend any of this money until after 4/1/2022 – the FINAL RULE offers more uses for this funding and could potentially fund several city projects.**

Dates:

- » First Report due April 30, 2022
- » Funds must be obligated by December 31, 2024
- » All expenditures must be complete by December 31, 2026

Please see extra info below:

American Rescue Plan Info:

- Final Rule takes place starting on April 1, 2022, until then, the Interim Rule remains in effect. (4 categories)
- Electing the “standard allowance” to spend on government services
  - Government Services generally include any service traditionally provided by government unless Treasury has stated otherwise. Here are some examples:
    - Construction of schools and hospitals
    - Road building and maintenance and other infrastructure
    - Health Services
    - General Government administration, staff, and admin facilities
    - Environmental remediation
    - Provision of police, fire, and other public safety services, including purchase of vehicles
  - **However, these funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (uses of funds that undermine COVID-19 mitigation practices in line with CDC guidance and recommendations)**
  - All projects MUST follow 2CFR procurement
  - No construction of the following:
    - New correctional facilities as a response to an increase in rate of crime
    - New congregate facilities to decrease the spread of COVID 19 in the facility
    - Convention centers, stadiums or other large capital projects intended for general economic development or to aid impacted industries

- Funds cannot be used for payments for debt services or replenishing rainy day funds.
- Reporting – first report will be due on April 30, 2022

**\*WAITING FOR COMMISSION SM or WORKSHOP TO DEVELOP PRIORITIES LIST\***

**Potentials:**

- Scipio Creek Electrical
- Leslie Street (if not funded by FDOT SCOP)
- Battery Park Seawall (if not funded by FWC FBIP)

All information included in this report is accurate as of March 31, 2022 at 12:00pm. After that time, information is subject to change.

# **ATTORNEY REPORT**

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

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## **1. Height Referendum**

The options discussed at our last meeting were:

1. A ballot referendum establishing a 35 foot maximum height limit in the city charter;
2. A ballot referendum to increase the voting requirement for any ordinance affecting the maximum building height or to be 3+1 votes.
3. To strengthen the existing ordinance 2017-04 to require a supermajority defined as (3+1) vote on any amendment that would increase the maximum building height.

I have received input from various citizens and staff. At this point the consensus appears to be option three, to strengthen the current ordinance to require a super majority vote as to any ordinance amendment increasing building height.

## **2. Solid Waste ITN**

Solid waste RFP should be ready for final approval and advertising next week. We received back comments from Kessler Consulting and we are integrating them into the invitation to negotiate. A draft will be circulated shortly for final comment.

3. **Litigation – Hall, Butler, Cameron**

The City has been sued in three related cases - two wrongful death and one personal injury cases. Case No.(s): 2014 CA 298 – Estate of Cameron; 2015 CA 15 - Estate of Hall and 2016 CA 246 - Butler. We are currently scheduled for a pre-trial conference on June 23, 2022 trial dates will be set for these cases if they are not resolved. We need to review our financial situation and approve an initial offer of contribution toward settlement by the City. This amount would be combined with the offer by the insurance carrier in an attempt to settle the cases. Any final settlement will be contingent upon and come before the Commission for final approval.

MINUTES OF THE WORKSHOP/SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION HELD TUESDAY, JANUARY 11, 2022, 3:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash  
Commissioner Anita Grove  
Commissioner Despina George  
Commissioner Adriane Elliott  
ABSENT: 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 Adriane Elliott made a motion to adopt the Agenda. Commissioner Anita Grove seconded and the motion carried 5-0.

**REVIEW PROPOSAL FROM OVID SOLUTIONS FOR DOWNTOWN REVITALIZATION AND INFRASTRUCTURE NEEDS**

Julie Dennis with Ovid Solutions gave a brief update from 2018 to current where the City is, at the present time with projects and funding sources for the Downtown Revitalization and Infrastructure needs. Ms. Dennis reviewed the work process that Ovid Solutions handles for the City.

Chris Holley reviewed past grant projects of the Area of Critical State Concern, stating that we are getting together a plan of action, and to move forward with a proposed draft plan for the City.

Mr. Holley stated he will be retiring in October and the City needs to hire a new lobbyist.

Josh Baxley with Dewberry stated they will be technical/support for Ovid Solutions.



**TRIUMPH FUNDING PROPOSALS**

Matt Terry reviewed the Popham building TRIUMPH status, stating it is still open at this time, and that the City needs to figure out how to proceed with this project. Mr. Terry stated TRIUMPH's main priority is looking for ways to expand economic growth to the community.

In a response to a question by Mayor Ash, Susan Skelton reviewed some ideas in Apalachicola for job and education opportunities.

Commissioners were interested in the following projects: affordable housing; workforce housing and infrastructure needs.

Jim Brown reviewed a Battery Park Marina 2006 Plan, and moving forward with this project.

Mr. Holley thanked everyone for their time and input, in moving forward with the City's needs.

**ADJOURNMENT**

Commissioner Elliott made a motion to adjourn the meeting. Commissioner Grove seconded and the motion carried 4-0.

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Brenda Ash, Mayor

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Deborah Guillotte, City Clerk

MINUTES OF THE WORKSHOP OF THE APALACHICOLA CITY COMMISSION HELD  
WEDNESDAY, JANUARY 26, 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  
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 Adriane Elliott made a motion to adopt the Agenda. Commissioner Anita Grove seconded and the motion carried 5-0.

**ORDINANCE WORKSHOP**

Commissions Despina George led discussion of ordinances put on line by Municode.

Commissioner Anita Grove discussed the need to update, and the process of updating the Comprehensive Plan.

Mayor Ash asked Attorney Dan Hartman to send information to Bree Robinson, and follow up on this process to be compliant with statute of updating the Comprehensive Plan.

**PUBLIC COMMENT**

Public comments consisted of encroachment issues and height requirements on current and older properties.

Attorney Hartman will provide the commission with options.

**ADJOURNMENT**

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

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Brenda Ash, Mayor

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Janelle Paul, Deputy Clerk

MINUTES OF THE WORKSHOP MEETING OF THE APALACHICOLA CITY COMMISSION  
HELD WEDNESDAY, FEBRUARY 23, 2022, 4:00 PM AT THE APALACHICOLA COMMUNITY  
CENTER.

PRESENT: Mayor Brenda Ash  
Commissioner Despina George  
Commissioner Adriane Elliott  
Commissioner Donna Duncan  
ABSENT: Commissioner Anita Grove

Travis Wade, City Manager  
Deborah Guillotte, City Clerk  
Dan Hartman, Attorney

**CALL TO ORDER**

Mayor Brenda Ash called the meeting to order.

**AGENDA ADOPTION**

Commissioner Despina George made a motion to adopt the Agenda. Commissioner Adriane Elliott seconded with discussion, asking that we add Public Comment.

Commissioner Despina George amended her motion to adopt the Agenda, adding Public Comments. Commissioner Elliott seconded and the motion carried 4-0.

**CITY OF APALACHICOLA – BUILDING HEIGHT DISCUSSION – SEE ORDINANCE 2017-04**

Attorney Dan Hartman reviewed the building height currently regulated by Ordinance 2017-04, with the building height of 35 feet. Attorney Hartman stated that some citizens would like to have a referendum or other options to strengthen our building height, so buildings cannot be more than 35 feet. Attorney Hartman reviewed options consisting of the following: 1) referendum to amend the Charter, and 2) strengthening the existing Ordinance by adding language with regard to voting requirements/technical language, or 3) a variance. Attorney Hartman reviewed the referendum process, and making changes to the existing Ordinance.

Commissioner comments consisted of the following: 1) keeping the building height at 35 feet and putting before a referendum by the citizens; 2) the best way of strengthening the height limit at 35 feet; and 3) Board of Adjustment - variance process.

**PUBLIC COMMENT**

Public comments consisted of the following: 1) placing the 35 feet building height before a referendum of the citizens by vote; 2) maintain and enhance/strengthen current City Ordinance 2017-04. See Attachment “A”

Attorney Hartman asked that citizens having any suggestions, please get these to Mr. Wade.

The Commission requested that Attorney Hartman research the pros and cons of a referendum verses strengthening the current Ordinance.

**ADJOURNMENT**

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

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Brenda Ash, Mayor

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Deborah Guillotte, City Clerk

Historic Apalachicola Partnerships for Preservation, Inc. (HAPPI)  
P.O. Box 965  
Apalachicola, Florida 32329

February 21, 2022

Dear Commissioners,

I regret that I cannot attend the Wednesday workshop on February 23<sup>rd</sup>, but, on behalf of HAPPI, I do want to share with you HAPPI's position about a referendum on the City's building height limit. As we understand it, the proposal is to have a referendum on whether to amend the City's charter to include a building height limit of 35 feet, so that another referendum would be required to change the building height. The purpose of this would be to preserve Apalachicola's current visual landscape.

While HAPPI completely supports the effort to preserve Apalachicola's visual landscape, we believe a different mechanism would provide more protection for the 35-foot height limit than the referendum process. At the present time the height limit is part of the City's Land Development Code, generally applicable throughout the city. The only alternative for a person or entity seeking to exceed the building limit is to apply to the Board of Adjustment for a variance. The City's law, which is consistent and reinforced by a long line of judicial case law, is that a variance can only be granted when the applicant documents a hardship, not caused by the applicant, such that there would be no reasonable use for the property without the variance. In addition, a variance must have four votes, not a simple majority, to be granted. A decision granting a variance by the Board of Adjustment can be appealed to the City Commission. By a simple majority, the Commission may reverse the grant of a variance; but to affirm the variance again requires four votes. Either the applicant or the opponents of a variance can then appeal to the court system, where judicial case law is very firm that an actual hardship must be shown to receive a variance, and any variance granted must be tailored to no more than necessary to permit a reasonable use of the property. Thus, granting a variance in one case based on a showing of hardship does not create any precedential value for granting a variance where hardship cannot be proved. For these reasons, the present system works well to enforce the current height limit.

We do not believe a referendum approach would preserve the same level of protection for the prevailing height limit. If the 35-foot height limit was changed by referendum, the new height limit would be available across the board to all property owners, without any showing of hardship.

We also have a concern that a referendum process is more susceptible to the use of misleading information. The most likely scenario is that the proponent of an increase in the height limit is

a well-financed developer who would have the means and inclination to spend substantial amounts of money to convince the voters to change the height limit, and there would be an opportunity to gain an advantage through misleading information. The opponents of changing the height limit would most likely be diverse citizen groups who do not have access to fund a public awareness campaign to the extent a well-financed developer would.

If the goal is to make it harder to change the current height limit, the better approach would be to add an ordinance that would require four votes, rather than a simple majority, to change the height limit through the ordinance adoption process. The ordinance adoption process would require staff to at least factually determine the likely consequence of changing the building height, and would, to some degree, blunt the inequality of resources between those seeking the change and those opposing it.

Regardless of what method is chosen to make it harder to change the height limit, in the end, preservation of the visual landscape is always going to require vigilance and engagement by the public and elected officials. We don't believe there is any method that would allow the public to feel that the height issue is permanently put to rest. What we can do is emphasize transparency, accurate information, and thoughtfulness.

Finally, we would like to point out that the height limit is not the only element that protects Apalachicola's visual landscape. The City's historic plat, the streets, squares, and alleys are also critical components that are equally deserving of a heightened level of protection. The Commission should develop an ordinance that comprehensively protects all the elements of the City's visual landscape from unwanted change.

Sincerely,  
Bonnie Davis  
HAPPI  
Apalachicola, Florida

MINUTES OF THE REGULAR MEETING OF THE APALACHICOLA CITY COMMISSION HELD  
TUESDAY, MARCH 8, 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 gave the Invocation, followed by the Pledge of Allegiance.

**AGENDA ADOPTION**

Commissioner Adriane Elliott made a motion to approve the Agenda with the aforementioned amendments adding: 1) Item 7 – City Manager – Approval for the Waste Water Treatment Consent Fine and payment; and 2) Item 8 – Grant Manager Coordinator – to apply for the FBIP – FWC Grant Application. Commissioner Anita Grove seconded and the motion carried 5-0.

**PUBLIC COMMENT**

Public comments consisted of the following: 1) Sylvester Williams Park retention pond issue and notification to the citizens – there is a summary in the Agenda packet online; 2) Flood Insurance rate increase – Community Rating System – staff will research.

**UNFINISHED BUSINESS**  
**1. RESILIENCE/INFRASTRUCTURE WORKSHOP**

Commissioner Grove stated she had requested a Rescue Money workshop. Workshop date to be determined.

**NEW BUSINESS**  
**1. VOLUNTEER WEEK PROCLAMATION**

Mayor Ash read Volunteer Week Proclamation in its entirety.

Commissioner Grove made a motion to accept the Volunteer Week Proclamation. Commissioner Despina George seconded and the motion carried 5-0.



**MAYOR AND COMMISSIONER COMMENTS**

Mayor and Commissioner Report – See Attachment “A”

Commissioner Comments consisted of the following: 1) Happy Women’s History month; 2) Prayer vigil for Ukraine at Riverfront Park on February 15th; 3) CRA – Thanks to Attorney Dan Hartman and Commissioner George for all they have done in this ongoing issue - CRA is null and void, until further action is taken and that all financial aspects should be turned over to our CPA or City Auditor for their opinion before moving forward; 4) City burn ban; 5) public restrooms – public works is cleaning each morning until resolved; 6) Riverfront Park - floating dock issue and possible replacement.

**CITY MANAGER**

City Manager Report – See Attachment “B”

1) Mr. Wade reviewed the WWTP Consent order issues and fine of \$10,500, and requested authorization to make this payment. Mayor Ash asked that Mr. Wade confirm that the Waste Water Treatment Plant team is adhering to, and following up on the Consent Order requests, reports and monitoring as requested by DEP, and the City is moving in the right direction. Mr. Wade stated yes they are adhering to these requests, and reviewed.

Commissioner Donna Duncan made a motion to allow Mr. Wade to remit the fine payment to DEP in the amount of \$10,500. Commissioner Elliott seconded and the motion carried 5-0.

1) **Meeting Room Furniture** – Travis Wade requested authorization to purchase the Commission meeting room furniture from Executive Office Supply in the amount of approximately \$19,000.

Commissioner George made a motion to table this item and requests that Mr. Wade prepare a cost estimate for the work at the old Library, pending complete cost of project from now forward. Commissioner Grove seconded and the motion carried 5-0.

**GRANTS COORDINATOR COMMUNICATIONS**

Bree Robinson – See Attachment “C”

1) **FWC – FBIP Grant Application Authorization** - Mr. Wade requested a motion in favor of applying funding to replace the seawall at Battery Park Marina.

Commissioner Elliott made a motion to approve the application for the FBIP Program for seawall improvements. Commissioner Duncan seconded and the motion carried 5-0.

**FINANCE DEPARTMENT**

Commissioner George stated that these balances are not reliable, due to the quick books accounting system and the adjusting journal entries were beginning and end of the prior fiscal year have not been posted, and also the cash balance will be out a significant amount.

**ATTORNEY COMMUNICATIONS**

Attorney’s Report – See Attachment “E”

**1) Lafayette Park Lighting Agreement** - Mayor Ash thanked Marie Marshall and her family for all they have done for the City.

Commissioner George made a motion to approve the Lafayette Park Lighting Donation Agreement between the Apalachicola Historic Foundation, Inc. and the City of Apalachicola, and authorized execution by the City Manager and Mayor Ash. Commissioner Grove seconded and the motion carried 5-0.

**2) Solid Waste RFP** – Attorney Josh Pasqualone gave an update.

**CONSENT AGENDA**

**A. Meeting Minutes Adoption** – December 21, 2022 Vision Session; January 4, 2022 Regular Meeting; February 10, 2022 Regular Meeting, and February 23, 2022 – 5pm Special Meeting Minutes.

**B. Planning and Zoning Minutes** – February 2022

Commissioner Elliott made a motion to approve the Consent Order. Commissioner George 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

**Commissioner Despina George**

**Topics for Commissioner Comments for March 8, 2022 regular meeting**

**1.- Need to revise Resolution 2018-12 re city's audit committee:**

There is a need to revamp the composition and duties of the audit committee, as well as a need for a clear understanding of the role of the city commission with respect to the city's annual audit. I'm seeking input and consensus from the city commission, and I request to be tasked to develop a proposal and revised draft resolution for presentation at the April regular meeting.

Issues:

- a) Consider limiting the role of the audit committee to the statutory requirement to provide assistance to the city commission for selection of an audit firm to perform the city's annual audit.
- b) Consider changing the number of commissioners to serve on the audit committee
- c) Consider formalizing the city commission's role in communications with the auditor prior to issuance of the annual audit report.

Link to Florida Auditor General Guidelines:

[Microsoft Word - Auditor Selection Guidelines Final 2 .doc \(flauditor.gov\)](#)

Attachment: Resolution 2018-12

**2.- Apalachee Regional Planning Counsel (ARPC) updates:**

At last month's regular meeting, Mayor Ash requested that I report to the commission updates from the ARPC board meetings, as I currently serve as our representative on the board.

Link to board packages and minutes from previous meetings:

[BOARD PACKAGES | arpc](#)

Attachments: ARPC Board Notes from January, 2022.

**3.- Community Redevelopment Agency (CRA) calculations:**

I've prepared calculations and other documentation to assist the commission in determining the steps to be taken because of the expiration of the term of the CRA. They are in the package for discussion only.

Attachments: Schedule of repayments to taxing authorities, proforma sample budget amendment, verification of CRA trust fund balances, and schedule of annual TIF revenues deposited to the CRA trust fund.

## March 2022 City Manager Updates

**Finance Clerk Sara Gregory:** Ms. Gregory has taken another job in the healthcare field and has provided the City with 30 days notice. Her last day with the City of Apalachicola will be March 16, 2022. Ms. Gregory has been an asset to the City and has stepped up to help in issues involving the Finance Department, Water Department, Wastewater Treatment Plant, as well as others. Code Enforcement Officer Angela Creamer, who has finance experience in previous positions, is currently being trained to move into Ms. Gregory's position upon her departure.

**Old Library (6<sup>th</sup> Street):** Work continues at the old Library to prepare it to serve as the Commission's meeting room. New doors have been installed, the A/C has been serviced, a wall has been added, new electrical has been installed, and flooring has been ordered.

**Former AHS Library space:** As the number of City staff has grown, we have outgrown the space in the front office of City Hall. Therefore, space in the former AHS library has been renovated for office space, a workspace for projects and grants, as well as a conference room. The walls were painted, electrical has been repaired, air conditioning was added and carpet is being ordered.

**Legislative Appropriations:** The Mayor and I met with Senator Ausley and Representative Shoaf regarding the City's Legislative Appropriations requests. The City filed two requests, including a \$600,000 request for I&I studies of the wastewater and stormwater systems, and \$1.1 million to fund the engineering and design of the City's wastewater treatment plant. The engineering request does not look like it will be approved. The request for I&I studies is still a possibility, but could be funded at less than the requested amount.

**Duke Energy Economic Development:** I met with representatives from Duke Energy's Economic Development staff, The Great Northwest, Opportunity Florida, and staff from Franklin County to discuss economic development opportunities at property owned by the City and County near the airport. Duke Energy has assigned economic development staff to assist the City and County in determining the feasibility of using the City's 95 acre parcel, and adjacent property owned by Franklin County for economic development. Based on factors including, proximity to the airport, rail lines, the Gulf of Mexico, Highway 98, and the City's reuse water facility, and others, the contractor will determine the marketability of that property to industrial interests.

**Water Department Warning Letter:** The Florida Department of Environmental Protection issued a Warning Letter to the City of Apalachicola on December 21, 2021, regarding issue with the Potable Drinking Water System. With the assistance of Dewberry Engineering, the City responded to the Warning Letter on February 7, 2022. A copy of the response to the warning letter is appended to this update.

**Wastewater Treatment Plant Warning Letter:** The Florida Department of Environmental Protection issued a February 9, 2022 Warning Letter to the City citing issues at the Wastewater Treatment Plant from a compliance evaluation inspection conducted on December 15, 2021. A telephone conference was conducted with FDEP, Dewberry Engineers, and City staff on February 24, 2022, which served as the City's initial response to the warning letter, but an official response is being drafted with the assistance of Dewberry Engineers and the WWTP's Lead Operator William Cox. The WWTP warning letter is appended to this update.

# Grant Development and Implementation Coordinator – Bree Robinson

City Commission Meeting – Tuesday, March 8, 2022

**1. Florida Department of Transportation – SCOP Grant Application – Leslie Street**  
City Commission passed Resolution 2022-01 on 2/23/22 for the City of Apalachicola to apply for funding for Leslie Street. The City is requesting \$610,169.30 to remedy the underground issues, resurfacing the entire street length, and for new road signs based off of engineer's suggestions and recommendations. There are no dates available currently for awards, etc.

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

Full application submitted on 2/16/2022 requesting \$712,314.58 for feasibility study and design for 3 locations: Sylvester Williams Park, the Botanical Gardens, and a large unused parcel of land that the City owns near the airport.

**Please see attached application questionnaire for full updates. It addresses:**

- What grant did the City of Apalachicola apply for and what?
- Proposed Site Locations:
- What is a Stormwater Park?
- What do Stormwater Parks look like?
- What is a feasibility study?
- What will happen if the application is awarded? Is there going to be construction?
- Opportunities for Citizen Input?
- Who to reach out to with questions, concerns, or ideas?

If approved this will be posted on the website and then altered for public notice if grant is awarded.

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

Application Denied.

Submitted on 11/30/21. The ranked list of applications was sent out on 2/28/22 and Apalachicola's application ended up ranking 66/152, with the last accepted application being number 53 and about \$7 million away from being funded. (This program had \$80 million in requests for \$30 million in funding!)

Staff suggestion is to break this project into two phases for future applications.  
Phase 1: Planning & Design

Phase 2: Construction

**4. 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 – Two RFIs (requests for information) were received and answered.**

**5. 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.

**6. 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.

**Old City Hall - Architect has completed and submitted structural analysis and hopes to complete the full analysis with drawings and structural recommendations soon.**

**HCA – Architect is finishing measurements and will have assessment complete by next month.**

**7. Grants Update -**

- a. FDOT City Landscaping Bids Received –**Work began 2/3/22 and final walkthrough is afternoon of 3/2/2022.**
- b. CDBG-DR Infrastructure – Avenues Stormwater Repair Project is moving forward. City had 30 days to submit documents (policies and procedures, etc.) to DEO. (end of Feb.). 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.

Engineer to be procured once DEO approved solicitation documentation.

- i. City is missing 3 internal policies that were requested, (DEO is giving us more time on these as long as we are progressing):
  1. Fraud Waste and Abuse Policies
  2. Financial Management Policies
  3. Quality Assurance and Quality Control PoliciesCity staff is working on creating policies for review.
- 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. – 3/2/22 Riverfront Revitalization and Hill Community Revitalization projects: Grant agreements being formulated at DEO, City to begin environmental exemption process on administrative and engineering services. Engineer to be procured once DEO approves solicitation documentation.
- d. HMGP Emergency Generators – Awaiting CDBG-DR Award for Matching Funds. Received and signed and Release of Funds forms for CDBG-DR match – in contact with DEO weekly waiting for status updates and notice to proceed.
- e. HMGP Market Street Vacuum Station Documents received and executed. Awaiting CDBG-DR Award for Matching Funds. Received and signed and Release of Funds forms for CDBG-DR match – in contact with DEO weekly waiting for status updates and notice to proceed.
- 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 – additional RFIs for Bodiford received. Answers sent in.
  - ii. Scipio – Designs from Dewberry coming soon.
  - iii. Alleyway Repairs – Alleyway: 3, 7, 9, 8, 10, 11, 6, 2, 5, 12, 4 Crushed Shells to be replaced. Speaking to public works on timeline – working with Travis on this.
  - iv. Old City Hall and HCA Contents loss from Michael – Ordering replacement items from loss. (Funding already received – just needs to be ordered and receipts turned in.) Some items have been ordered through the month – being careful not to go over \$\$ limits. Will finish up ordering items in March.
  - v. Lafayette Park – Will change scope of this project once the lighting donation project is complete. Waiting on updates from Dan.
  - vi. Hurricane Sally – waiver of match application documents submitted and sent in.
- 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.\*~~

- ◆—DEP requested to review RFP documents before solicitation. Waiting for updates and have been inquiring weekly on status.
- Currently engineers are revising opinion of cost to submit to DEP for final review concerning eligibility of scope to be fully funded under DEP with 2 different funding sources ( Resilient Florida and Water Restoration Assistance)

Grant #1 Vulnerability Study

Second round application submitted on 2/14/2022. Waiting for updates.

## 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. **FWC FBIP (Florida Boating Improvement Program) grant applications are due 4/4, City is planning on applying for this initiative to potentially cover the cost difference.**

## 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.) **Waiting on updated plans from Dewberry and USDA approval.**

## 11. *Coronavirus State and Local Fiscal Recovery Funds (SLFRF) – American Rescue Plan*

The City formerly made application to the SLFRF program and received an award of \$1,179,010.00. The City has received half of this allocated amount and will receive the second half after spending the first deposit. City staff believes that the former finance director earmarked this money for engineering expenses for the new WWTP design. If



the engineering is indeed going to be covered by the dual grants from DEP as noted above, then this money is left on the table for the City. (Pending waiting for DEP full scope approval.)

There were original stipulations on how to spend this money with there being 4 categories noted:

1. Public health & economic impacts
2. Premium pay
3. Revenue loss
4. Investments in water, sewer, or broadband infrastructure

**There is a FINAL RULE going into effect on April 1<sup>st</sup> and the City has been advised to not spend any of this money until after 4/1/2022 – the FINAL RULE offers more uses for this funding and could potentially fund several city projects.**

Dates:

- » First Report due April 30, 2022
- » Funds must be obligated by December 31, 2024
- » All expenditures must be complete by December 31, 2026

Please see extra info below:

American Rescue Plan Info:

- Final Rule takes place starting on April 1, 2022, until then, the Interim Rule remains in effect. (4 categories)
- Electing the “standard allowance” to spend on government services
  - Government Services generally include any service traditionally provided by government unless Treasury has stated otherwise. Here are some examples:
    - Construction of schools and hospitals
    - Road building and maintenance and other infrastructure
    - Health Services
    - General Government administration, staff, and admin facilities
    - Environmental remediation
    - Provision of police, fire, and other public safety services, including purchase of vehicles
  - **However, these funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (uses of funds that undermine COVID-19 mitigation practices in line with CDC guidance and recommendations)**
  - All projects MUST follow 2CFR procurement
  - No construction of the following:
    - New correctional facilities as a response to an increase in rate of crime

- New congregate facilities to decrease the spread of COVID 19 in the facility
- Convention centers, stadiums or other large capital projects intended for general economic development or to aid impacted industries
- Funds cannot be used for payments for debt services or replenishing rainy day funds.
- Reporting – first report will be due on April 30, 2022

All information included in this report is accurate as of March 2, 2022 at 12:00pm. After that time, information is subject to change.

## NFWF – Emergency Coastal Resilience Fund 2021:

## City of Apalachicola Regional Park and Stormwater Facility Phase 1 Feasibility Study

## Application Questionnaire for City of Apalachicola Citizens

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**What grant did the City of Apalachicola apply for and for what?**

- The City of Apalachicola applied for a National Fish and Wildlife Foundation grant – the Emergency Coastal Resilience Fund 2021 program on February 16<sup>th</sup>, 2022. The City applied with the project: City of Apalachicola Regional Park and Stormwater Facility Phase 1 Feasibility Study in the amount of \$712,314.58. We are hoping to hear awards by May 2022.
- This application is to fund a feasibility study, environmental assessment, and engineering to utilize City of Apalachicola owned property to potentially create a regional stormwater facility and walking park in the future. (This application is not for construction.) The new park would serve as a regional stormwater facility that will provide flood protection and treatment of urban runoff pollutants along with providing a walking park and recreational hub for the surrounding community.
- We are hoping to evaluate 3 sections of City owned land:
  - **Sylvester Williams Park** - The Sylvester Williams Park will ultimately demonstrate the enormous benefits of the low-impact development planning process by creating a dual-purposed area. The higher elevation at this location would allow for a large volume of stormwater to be treated and stored here. In addition, integrating the stormwater facility within the park will increase environmental sustainability. The park currently covers approximately 8 acres. Based upon current information, the location of the park could serve as a stormwater facility that would receive stormwater runoff from approximately 20% of the City.
  - **Botanical Gardens** - The Botanical Gardens, is a low-lying area that could potentially be a smaller stormwater park. Although smaller in area, the Botanical Gardens would still support a wet pond facility and would utilize walking trails to allow the community to preserve the beauty of the park while utilizing the walking trails as a health benefit.
  - **90 Acre City-owned parcel** - The large unused parcel of land owned by the city, nearby to the airport, could be used to create a stormwater park that could potentially serve as a future area for economic development or affordable housing. By developing a large stormwater park on this property, the City could set the tone for future smart development of the surrounding areas. By integrating wetland features in the stormwater facility and rehabilitating some of the degraded wetlands that exist on the parcel, the City could develop a site that is both environmentally and aesthetically pleasing.
- Proposed site locations for feasibility study:



### What is a Stormwater Park?

- Stormwater parks enhance communities by treating stormwater and providing recreational opportunities. Well-designed green stormwater infrastructure practices blend seamlessly into the existing landscape and provide an aesthetically pleasing experience for both citizens and visitors. Essentially, a stormwater park is a space specifically engineered to draw, treat, and hold the City's stormwater in a retention pond or designated area to relieve flooding and pooling of stormwater within City limits.
- Currently, the City of Apalachicola experiences flooding in certain areas of the city and would like to see more options to treat stormwater runoff before the stormwater discharges into the Bay. The City would like to design these regional stormwater facilities to integrate into the surrounding areas and to give greater benefit to the communities that these facilities will serve. By using low-impact designs and designing facilities that are being implemented within park settings, the communities located around these parks will be able to utilize the facilities for recreational benefits.
- The proposed sites could provide the entire city with the following impacts:
  - Community Health and Fitness impacts
  - Greater Water Quality
  - Impacts to the Fishing and Oyster Industries through Stormwater Quality
  - Greater Community Social Interaction
  - Preservation of Environmental Features
  - Possible Economic Development
- (Good resource for more information: [gupc-resource-guide.pdf \(nrpa.org\)](https://www.nrpa.org/gupc-resource-guide.pdf) )

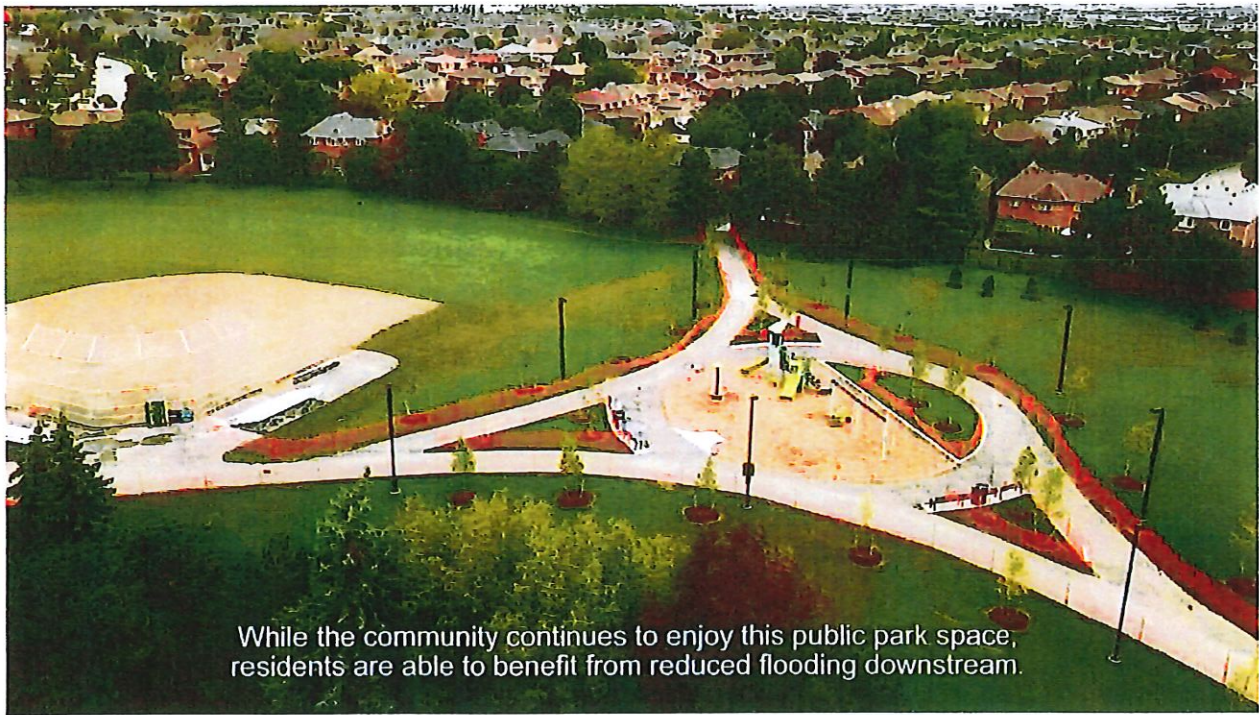
### What do Stormwater Parks look like?



(Cascades Park – Tallahassee, FL)



(Draa Field Stormwater Park – Titusville FL)



(Eastgate Park Stormwater Management Facility – Mississauga, Ontario)



(Corktown Common Park – Toronto, Ontario)

### What is a feasibility study?

- A feasibility study is an assessment of the practicality of a proposed plan or method, basically taking every factor into account and seeing if a project is possible, practical, and suitable for the area. Various site conditions can have an impact on determining the most appropriate green stormwater infrastructure practices available, or how a specific practice must be adapted to meet the physical constraints of the site. These include climate, soil conditions, space availability, and the location of sewer, stormwater, water, and other utilities.
- Each site will be evaluated from an environmental standpoint. All natural features will be delineated. Wetlands and uplands will be mapped for each site. Hydrological studies will be performed. Geotechnical services will be utilized to determine seasonal high water tables. Finally, topographic information will be utilized to determine what areas of the City could drain to each site.

### What will happen if the application is awarded? Is there going to be construction?

- If awarded, there will be no construction funded from this application – this application is strictly for the studies and design work. If Phase 1 is funded and the feasibility studies are successful and show potential, the city commission will then make the call to apply for Phase 2: Construction, pending input from citizens on site selection and design. If awarded, there will be opportunity for citizen input during the study and design process during Phase 1.
- If this project is not awarded, then it will be tabled for more discussion and potential future grant opportunities.

### Opportunities for Citizen Input?

- If awarded, the City will then schedule and hold Stakeholder Workshops to help evaluate the feasibility of each site, determine design features for the site and provide the City residents with an opportunity to give input to

the overall designs for the project. The ideas that come out of the workshops will be implemented during the design phase of the project.

- Current Design Ideas Include:
  - Lit Walking Track
  - Pavilions and Picnic Tables
  - Court (Pickleball, etc.)
  - Fountains within the Retaining Pond
  - ADA Compliant Playground Equipment
  - Bike Racks
  - Amphitheatre
- Citizen input will be a large factor in evaluating the feasibility of this project and choosing a final site for the Phase 2: Construction application.

#### Who can I reach out to with questions, concerns, or ideas?

- If you have a technical question about stormwater parks and what they can offer, you can direct your questions to City Manager Travis Wade ([twade@cityofapalachicola.com](mailto:twade@cityofapalachicola.com)) or to Bree Robinson ([brobinson@cityofapalachicola.com](mailto:brobenson@cityofapalachicola.com)).
- If you have general questions, concerns, or ideas you can reach out to your commissioners:
  - Mayor Brenda Ash – [bash@cityofapalachicola.com](mailto:bash@cityofapalachicola.com)
  - Anita Grove – [agrove@cityofapalachicola.com](mailto:agrove@cityofapalachicola.com)
  - Despina George – [dgeorge@cityofapalachicola.com](mailto:dgeorge@cityofapalachicola.com)
  - Donna Duncan – [dduncan@cityofapalachicola.com](mailto:dduncan@cityofapalachicola.com)
  - Adriane Elliott – [aelliott@cityofapalachicola.com](mailto:aelliott@cityofapalachicola.com)

## ATTORNEY REPORT

**TO:** City Commission, City of Apalachicola

**FROM:** Daniel W. Hartman, Esq.

**DATE:** March 2022

**SUBJ:** City Attorney Report for Commission Meeting

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### 1. Code Enforcement Matters

#### a. *Smith/Hall SW Floodplain matter*

At the most recent Case Management Conference the Court set these matters for a one day trial on August 10, 2022. Efforts to settle both cases are ongoing.

### 2. CRA

Research has been conducted per the direction from the City Commission at the February 2022 meeting. The threshold question is whether or not the Commission can extend the term of the CRA consistent with the provisions of Section 163.3755, F.S. On this question I have consulted with a number of professionals experienced with the law and practices associated with Florida CRA's and researched available legal resources.

Based on my research to date I have concluded that there does not exist legal authority to extend the term of the CRA in light of the plain language of applicable Florida law. The result is that the City should conclude the financial affairs of the CRA consistent with State law in consultation with the City auditor. The City has the option of setting up a new CRA consistent with Ch. 163, F.S.

### 3. Lafayette Park Lighting Agreement

Attached for review is the Lafayette Park Lighting Agreement. Material revisions are as discussed at the previous meeting. Specifically, providing for payment by the Historic



Apalachicola Foundation, Inc. (Foundation) of all labor and material costs. The Foundation reserves to itself the option of terminating the agreement in the event the labor and/or material costs exceed expectations. Also the Foundation will directly contract and pay for materials and labor required for installation. **Action is required to approve the agreement and authorize the Mayor or Manager to sign the Agreement on behalf of the City.**

#### **4. Solid Waste ITN**

Available for review and comment is the Draft Solid Waste ITN. The ITN has also been provided to the City's solid waste consultant for review and revision. Once finalized it will be advertised and put out for response.

MINUTES OF THE SPECIAL MEETING OF THE APALACHICOLA CITY COMMISSION HELD  
TUESDAY, MARCH 22, 2022, 4:00 PM AT THE APALACHICOLA COMMUNITY CENTER.

PRESENT: Mayor Brenda Ash  
Commissioner Despina George  
Commissioner Adriane Elliott  
Commissioner Anita Grove  
ABSENT: 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.

**AGENDA ADOPTION**

Commissioner Anita Grove made a motion to adopt the Agenda amending that Items 5 and 4, be discussed before Item 3, and to discuss applying for a special category grant in the amount of \$500,000 to aide in the renovation to finish the old City Hall project. Commissioner Adriane Elliott seconded and the motion carried 4-0.

**OLD CITY HALL SCOPE OF WORK CHANGE – NPS GRANT**

Commissioner Grove made a motion to authorize to request from DHR, the ability to modify the scope and the budget not to exceed the grant amount to better meet the needs of the building and make it more resilient. Commissioner Elliott seconded and the motion carried 4-0.

Commissioner Elliott made a motion to modify the contract to read the contractor can bill against the deliverables incrementally, provided that the amounts do not exceed the estimated amount in the contract budget. Commissioner Grove seconded. Discussion held.

Commissioner Elliott amended her motion to modify the contract to read the contractor can bill against the deliverables incrementally, provided that the amounts do not exceed the estimated amount in the contract budget, and that the City Manager report the payments to the Commission monthly, and to advise of the progress that led to that billing invoice. Commissioner Grove seconded and the motion carried 4-0.

**TRIUMPH GULF COAST – WITHDRAW PREVIOUS APPLICATION FOR POPHAM BUILDING AND ICE MACHINE**

Commissioner Elliott made a motion to approve the City Manager to withdraw from the previous TRIUMPH application for the Popham Building and the Ice Machine. Discussion held. Motion died for lack of second.

**WWTP AIR CONDITIONING UNITS – EXPENDITURE APPROVAL**

Commissioner Grove made a motion to approve the City Manager's recommendation for purchase of the Waste Water Treatment Plant air conditioning units, and that it be awarded to Weston Heating and Air. Commissioner Elliott seconded and the motion carried 4-0.

**ADJOURNMENT**

Commissioner Elliott made a motion to adjourn the meeting. Commissioner George seconded and the motion carried 4-0.

\_\_\_\_\_  
Brenda Ash, Mayor

\_\_\_\_\_  
Deborah Guillotte, City Clerk

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
MONDAY, March 14<sup>th</sup>, 2022  
Community Center/ City Hall -1 Bay Avenue  
Agenda

**Workshop: Signs-Continued: 5:00 pm**

**Attendance: Al Ingle, Bobby Miller, Elizabeth Milliken, Lee McLemore, Dan Hartman.**

**Signs-Lighting: Al Ingle-Intensity level- Foot Candles; examples to consider.**

**City can purchase meter to measure intensity.**

**Signs size discussed at previous workshop-consensus to increase  
for larger building face up to 2% or 24sf-whichever larger.**

**Lee McLemore- Piggly Wiggly sign? There was Piggly Wiggly sign before  
Hurricane Michael.**

**Al Ingle- It does not comply with the City Ordinances; did not go through  
P&Z; no building permit; was more than 50%.  
CVS had to comply.**

**Bobby Miller- What about the Culligan sign; Tamara's?**

**Al Ingle- Code Enforcement and Commission not enforcing.**

**Should not be making exceptions.**

**Need to follow LDC.**

**Regular Meeting: 6:00 pm**

**Attendance: Al Ingle, Bobby Miller, Jim Bachrach, Elizabeth Milliken, Lee McLemore,  
Chase Galloway, Dan Hartman.**

**1. Approval of Feb.14th, 2022 regular meeting minutes.**

**Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Lee McLemore. All in favor-Motion  
carries.**

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
MONDAY, March 14<sup>th</sup>, 2022  
Community Center/ City Hall -1 Bay Avenue  
Agenda

2. Review, Discussion and Decision for Review for New Single-Family Home. **(R-2) @ 319 Cottage Hill.** Block A, Lot 1. For T. Ray-Owner; Contractor: tbd  
  
**Denied. Does not meet setbacks required in the current Land Development Code.**
  
3. Review, Discussion and Decision for Fence. **(Historic District) (C-2) @ 111 Ave E,** Block 32, Lot 9. For R. Stafford-Owner; Contractor: tbd  
**Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Bobby Miller. All in favor-Motion carries.**
  
4. Review, Discussion and Decision for Deck. **(R-2) @ 170 20<sup>th</sup> St.** Block 246, Lots 1-3. For P. Martina-Owner; Contractor: Tbd  
**Motion to approve by Bobby Miller; 2<sup>nd</sup> by Lee McLemore. All in favor-Motion carries.**
  
5. Review, Discussion and Decision for Shed. **(R-2) @ 377 22<sup>nd</sup> Ave.,** Block 216, Lots 27-28. For K. Brown–Owner; Contractor: Tool Time  
**-Rescinded**
  
6. Review, Discussion and Decision for Shed. **(R-2) @ 325 Earl King St.,** Block 216, Lots 15-16. For D. Nichols-Owner; Contractor: Tbd  
**Motion to approve by Bobby Miller; 2<sup>nd</sup> by Chase Galloway. All in favor-Motion carries.**
  
7. Review, Discussion and Decision for Replace Shed/Garage. **(R-2) @ 170 21<sup>st</sup> Ave.** Block 245, Lots 1-3. For B. Hoffman–Owner; Contractor: tbd  
**Motion to approve by Jim Bachrach; 2<sup>nd</sup> by Elizabeth Milliken. All in favor-Motion carries.**
  
8. Review, Discussion and Decision for New Single-Family Home. **(R-2) @ 89 Main St.** 2.25 acres RR Right of Way. For B. Skiles–Owner; Contractor: Sterling Buskirk  
**Motion to approve by Bobby Miller; 2<sup>nd</sup> by Jim Bachrach. All in favor-Motion carries.**

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
REGULAR MEETING  
MONDAY, March 14<sup>th</sup>, 2022  
Community Center/ City Hall -1 Bay Avenue  
Agenda

Other/New Business:

**Motion by Jim Bachrach; 2<sup>nd</sup> by Chase Galloway to request alternate P&Z member to attend meetings. –all in favor**

Outstanding/Unresolved Issues:

**Motion to adjourn by Chase Galloway; 2<sup>nd</sup> by Bobby Miller**



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**Al Ingle-Chair**

CITY OF APALACHICOLA  
ADMINISTRATION DEPARTMENT  
March 2022

- Updated meeting calendar on website
- Payroll
- Finance Clerk posted revenues and expenses
- Assist staff with tree applications, utility bill issues
- Staff assisted with Cemetery, utility bills, garbage, permitting issues, city property rentals and other miscellaneous duties
- Billing Clerk assists the City Manager, City Clerk and Finance Director as needed, works front office with water bill collections, cemetery lot sales, assists water and sewer department as needed
- Completed tasks as assigned by the City Manager/Commission
- Public Records Request
- Annual golf cart sticker renewals
- Business License Renewal Notices and processing by City staff

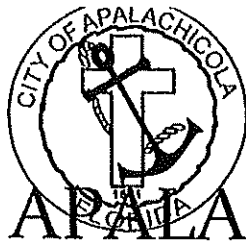
91 work orders issued and 75 work orders completed

2486 payments processed

2104 bills mailed

95 cut-off list

Approximately 200 checks processed by accounts payable



# CITY OF APALACHICOLA

152 Coach Wagoner Blvd. \* Apalachicola, Florida 32320 \* 850-653-9319 \*

## BUILDING DEPARTMENT

March 2022

- 4 Building Permits In Process
- 43 Building Permits Issued
- 55 Building Inspections
- 2 Fire Safety Inspection
- 13 Certificates of Completion Issued
- 2 Certificate of Occupancy Issued
- 3 Stop Work Orders
- Daily Phone Inquiries & Emails Answered
- Several On-Site Meetings
- Daily Office Meetings
- Records Requests
- 7 Planning & Zoning Applications Processed
- March Planning & Zoning Meeting Agenda & Minutes



## Monthly Report for the Apalachicola Margaret Key Public Library March 2022

### Statistics:

- 1,497 patrons visited our library
- 690 books/movies/audiobooks circulated
- 39 new accounts opened
- 296 patrons used our computers
- \$521.15 collected as library revenue
- 140 items donated to the library
- 142 hours donated by our wonderful volunteers
- 10,789 people reached with 39 Facebook posts
- 25 accounts reached with 30 Instagram posts

March proved to be a busy month, and a record number of patrons visited our library. Kindergartners from the First Baptist Christian Church visited us and were given a library tour. Apalachicola Police Officer Webb delighted, educated, and read to the kids as part of our First Friday Celebrity Reader. Thank you, Officer Webb!

Spring Break was packed with daily activities for the kids in our community. Chalk Art started the week, followed by Tie Dyed Shirts, Jewelry Making with Kristin Anderson, Song Writing with Michael Anderson, Junior Ranger Recruiting with Ranger Peggy Obear, Colored Pencil Art, Steam Club with Richard Lenhart, Window Art with Jenny Odom, and a Library Paint Out with the Forgotten Coast Plein Air. What a Spring Break week we had!

VITA Volunteers from the United Way of the Big Bend now prepare taxes for our patrons, free of charge, every Tuesday from 1-6, from March 15<sup>th</sup> to April 12<sup>th</sup>. This is a huge benefit for community! Anyone interested need only contact the library for an appointment.

We continue to enjoy our partnership with Bring Me A Book Franklin, which hosts Books for Babies at 10:30am and Sunset Stories at 5:30pm every Tuesday, led by Karen Kessel.

Lego Club is hosted every Thursday at 3:00pm. Master Gardener Helen is available every Sunday, from 1:00-3:00pm, to answer your gardening needs. We hosted Libby School with Isel and Windows Class with Natalie Parsley. Book Club met the second and third Wednesday at 6:00pm. Author Mary T. Bell joined the Book Club via zoom. Local legend, Sue Riddle Cronkite, engaged a crowd at the Author Event we hosted with PALS and Downtown Books and Purl.

Our volunteers continue to help us. Liz Perkins helps with our calendars and fliers. Richard Lenhart continues to handle our shelf organization, troubleshoots our electronics, and now hosts monthly Steam Club. Celia Winterringer catalogs new materials, while Sondra Taylor-Furbee, Leslie Render, Mary Whitesell, and Connie Finneran all help at the desk. Elly Bissen helped with our Spring Break events. Clara York generously donates our paper, and patrons continue to donate books.

Library hours are 10am to 6pm Monday - Friday and Sundays from 12pm to 4pm. We help patrons with reading, writing, and learning; as well as a suite of print/copy/scan/fax/and notary services. We loan books, movies, puzzles, and items from our Library of Things.

Lucy Carter, Library Director & Isel Sánchez-Whiteley, Library Assistant

## March 2022 Water & Sewer Field Report

- Installed Water & Sewer taps at 195 & 197 Coach Wagoner Blvd
- Installed Water & Sewer taps at 62 15<sup>th</sup> Street
- Installed Water & Sewer taps at 164 Ave. J
- Flushed all Fire Hydrant's South of 98
- Completed all monthly reports for DEP and Northwest Florida
- Completed all meter reading for the month
- Collected all the required water samples for the month of March
- Cleaned grease from all the lift stations
- Rebuilt Cl2 pumps at the water plant
- Completed locates as able to
- Started PMs on A-Line on Vacuum Sewer pits and buffer tank
- Responded to any vacuum station alarms And low vac calls
- Working on any violations that DEP and EPA had
- Still working with Flow Vac on vacuum pit monitoring
-

## City of Apalachicola public works monthly report

March 2022

- Worked on storm ditch on ellis vanvleet.
- painted walls at johnson complex
- cleaned public restrooms every morning during the week and on weekends.
- Serviced two vehicle.
- replaced tires on 1 vehicle.
- repaired play ground equipment at project impact.
- collected 180 bags of trash from city garbage cans down town and city parks.
- completed 9 work orders.
- cleaned and dug out several small ditches throughout the city.
- cleaned ditches on timothy simmons st.
- removed concrete cones on 14th st.
- cleaned ditch on 24th ave.
- cleaned storm drain on leslie st.
- cleaned culvert ave. f and 10th st.
- cleaned culverts on mrytle ave.

Prepared by Robert osburn