

A Regular Meeting of the Apalachicola City Commission was held on Tuesday, June 6, 2023, at 4:00 PM at the Apalachicola Community Center, #1 Bay Avenue, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Anita Grove, Commissioner Donna Duncan, Commissioner Despina George, City Attorney Dan Hartman, City Manager Travis Wade, City Clerk Lee Mathes, Finance Director Mark Gerspacher

Regular meeting opened by Mayor Ash followed by Invocation and Pledge of Allegiance.

AGENDA ADOPTION

Mayor Ash requests an agenda amendment to add under New Business – Baysavers Group Support Letter for Study.

Motion to approve agenda to include under New Business – Baysavers Group Support Study made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

PUBLIC COMMENT

Donna Ingle – Update Commission on progress made in Dog Park, Lafayette Park, and Marks Memorial Park. Ms. Ingle is requesting to be added to next month’s meeting agenda to further discuss Marks Memorial Park.

Commissioner Duncan joined meeting at this time.

John Bone – Addressed Commission regarding the “No Parking” signs that have been installed on Water Street between Avenues F and G.

Al Ingle – Addressed Commission regarding the Building Department.

Melanie Lauer – Addressed Commission regarding the “No Parking” signs on Water Street and presented proposed parking solutions to the parking problem.

AWARD CEMETERY MAINTENANCE CONTRACT

Shan Raetzlaff stated the Historical Society would like to coordinate to meet the maintenance crew before any work begins to address the fragility of the stones in Chestnut Cemetery and to discuss any special events planned.

Motion to award cemetery maintenance contract to Allen & Sons Lawn Services, LLC at a bid price of \$3,800/monthly made by Commissioner Duncan, seconded by Commissioner George.

Commissioner George recommends that specific groups that deal with certain cemeteries meet with the maintenance crew before work begins to address any concerns the groups may have.

City Manager Wade stated he would be happy to coordinate an introduction between maintenance crew and any specific groups before work begins.

Motion carried 5 to 0.

T-MOBILE LEASE APPROVAL

Mollie Hill addressed concern that tower is going in her neighborhood without any notification that it was going to be installed.

City Manager Wade stated he has had discussions with T-Mobile for over a year regarding placing an antenna on the water tower. This will bring in additional revenues to the City, but the neighborhood was not notified prior.

Attorney Hartman stated this is a standard lease, and placing antennas on water towers is very common.

Motion to approve T-Mobile lease agreement to install antenna on 5th Street Water Tower with payment terms as follows: one year option with a payment of \$5,000 and once exercised the payments will be \$1,800/month to the City made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 5 to 0.

GIBSON ENCROACHMENT AGREEMENT

Mayor Ash accepted public comment at this time.

Rob Zingarelli spoke on Taranto House parking.

John Alber spoke on behalf of HAPPI concerning encroachment.

Bonnie Davis spoke on directing applicant back to Planning & Zoning.

Al Ingle stated if Planning & Zoning had known an encroachment was needed, then matter could have been addressed before now.

Tom Morgan spoke in favor of allowing encroachment.

George Coon addressed building design.

Cutler Edwards stated the encroachment would be for use of air space with posts.

Attorney Hartman stated the Commission needs to make sure the encroachment is based on the plans that was approved by Planning & Zoning.

Discussion held concerning absence of Building Official.

Commissioner Duncan stated she would like to see the application that was presented to Planning & Zoning from start to finish and doesn't think it is appropriate to make a decision until all the facts have been addressed.

Commissioner George stated that the plans approved by Planning & Zoning did not include an encroachment. The Commission doesn't have sufficient information to make an informed decision and applicant should go back before Planning & Zoning both for the encroachment issue and also for unresolved parking and height restriction issues.

Commissioner Elliott stated because of the comments made regarding the Building Department, this matter should go back before Planning & Zoning, and the Commission should table matter at this time.

Mayor Ash stated the Building Department needs to provide a full report with supporting documents from start to finish.

Attorney Hartman stated that Planning & Zoning does not approve encroachments, that is a City Commission decision. City Commission approves or disapproves the encroachment request only.

Discussion continued.

Motion to table encroachment agreement request at this time made by Commissioner Elliott, seconded by Commissioner Grove.

Mayor Ash questioned why Commission wants to table matter.

Commissioner Elliott stated the Commission doesn't have the records based on what Planning & Zoning approved and feels the City should cover their bases both legally and procedurally.

Attorney Hartman stated he will work with the Building Department to provide a history of what was approved with backup documentation.

Motion carried 5 to 0.

City Commission set a special meeting for June 20th at 4:00 PM to consider encroachment agreement.

Attorney Hartman will prepare a draft encroachment agreement.

RESIDENTIAL ACCESSORY STRUCTURES

Bonnie Davis urged Commission to workshop this topic before a decision is made.

Bree Robinson stated that staff is suggesting a moratorium on the enforcement of residential use of accessory structures in all residential zones for a time limit determined by the City Commission. During the moratorium, or until a decision is made, there could be no approvals or permitting of constructing new residential accessory structures or retrofitting existing accessory structures for a residential use. Placing a moratorium would allow time for the Commission to workshop this matter and make necessary LDC changes that could allow for residential use of accessory structures or give the City time to seek out other affordable housing solutions while not actively enforcing upon the prohibited use of accessory structures as a residence.

Attorney Hartman stated the current ordinance has to be enforced because that is the current law on the books. A workshop should be held to discuss this matter further, and a draft ordinance can be prepared.

Discussion held.

Commission set workshop for June 20th at 4:30PM to discuss matter further.

ADOPTION DECISION – RESOLUTION 2023-02 – PHASE 3 OLD CITY HALL GRANT

Attorney Hartman read Resolution 2023-02 in its entirety.

Motion to adopt Resolution 2023-02 made by Commissioner George, seconded by Commissioner Grove. Motion carried 5 to 0.

BAYSAVERS GROUP SUPPORT LETTER FOR STUDY

Commissioner Elliott explained mission of Baysavers Group.

Motion to authorize Mayor Ash to sign letter to FDEP supporting Baysavers Group to request Corps of Engineers initiate study to investigate the issues in Apalachicola Bay, St. Joe Bay, and St. Andrews Bay made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 5 to 0.

SIGN ORDINANCE WORKSHOP REQUEST

Mayor Ash received public comments at this time.

Jerry Hall supports sign ordinance workshop stating under current ordinance the size requirements are too small.

Mollie Hill stated there needs to be better communication, so business owners know how to comply with ordinances.

Isabel Pateritsas, Izzy's Café, supports sign ordinance workshop, is asking for guidance on what she needs to do regarding her business sign.

Bobby Miller stated the business owners need to be included in any decisions as they are the ones affected.

Attorney Hartman stated the City has been wrestling with the sign ordinance for over a year.

Discussion held concerning fines.

Bree Robinson stated Izzy's Café is on the Planning & Zoning agenda.

Commissioner Elliott recommends holding a joint workshop with Planning & Zoning to further discuss sign ordinance.

Commissioner Grove stated a checklist needs to be implemented as soon as possible for new business owners so they will know what all is required as far as licenses, permits, and signage.

Commission set joint workshop with Planning & Zoning for June 22nd at 5PM to discuss sign ordinance.

BLACK HISTORY TRAIL SIGNS APPROVAL

Motion to approve graphic design for all 12 signs and begin ordering signage for Black History Trails Grant made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

OLD CITY HALL ITN AWARD

Motion to execute ITN contract with Oliver-Sperry for construction services in the amount of \$325,000 for Old City Hall/Middlebrook Building made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

SCHEDULE WORKSHOPS FOR ARPA AND ENCROACHMENTS

Commission set the following meeting dates:

June 20th – Special Meeting for Gibson Encroachment – 4PM

June 20th – Workshop to discuss residential accessory structures – 4:30PM

June 22nd – Joint workshop with Planning & Zoning to discuss sign ordinance – 5PM

July 11th – Workshop to discuss ARPA projects – 3PM

MAYOR & COMMISSIONER’S COMMENTS

Mayor Ash addressed the “No Parking” signs installed on Water Street.

Chief Varnes stated it is illegal for a vehicle to be parked in the traffic lane, and if a vehicle is parked in an undesignated space.

Discussion held concerning downtown parking, one-way streets, business street parking, and engineered traffic plans for the downtown area.

Commissioner Grove addressed sidewalk survey and updated Commission on County Airport Committee.

Commissioner Duncan thanked Public Works Department for repairing the unlevelled floor at Holy Family.

Commissioner George addressed Denton Cove lift station payment, downtown garbage pickup, and Gibson Inn parking plan and height restriction.

CITY MANAGER REPORT

Report included in agenda packet.

Mayor Ash stated it is time for each Commissioner to conduct their annual City Manager evaluations.

GRANTS COORDINATOR COMMUNICATIONS

Report included in agenda packet.

FINANCE DIRECTOR COMMUNICATIONS

Mark Gerspacher updated Commission on Evergreen Salary Study costs, good faith estimate on tax revenues for new fiscal year, fire hydrant RFP, and financials.

Discussion held concerning implementation of Evergreen Salary Study.

ATTORNEY COMMUNICATIONS

Report included in agenda packet.

Discussion held concerning establishment of Code Enforcement Board.

CONSENT AGENDA

Motion to approve consent agenda made by Commissioner Elliott, seconded by Commissioner George.
Motion carried 5 to 0.

DEPARTMENT REPORTS

Reports included in agenda packet.

Mayor Ash read “Thank You” card from Janelle Paul.

ADJOURNMENT

Motion to adjourn made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 5 to 0.

Brenda Ash, Mayor

Lee Mathes, City Clerk

