

REGULAR MEETING  
APALACHICOLA CITY COMMISSION  
TUESDAY, MARCH 5, 2024 – 4:00PM  
FORMER APALACHICOLA MUNICIPAL LIBRARY  
74 6<sup>TH</sup> STREET, 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. Presentation: The Southern Group**
- III. Presentation: DEP/Park Service: Chapman Botanical Garden Pavilion**
- IV. Agenda Adoption**
- V. Public Comment**
- VI. New Business**
  - 1. Problem Gambling Awareness Month Proclamation
  - 2. Rules of Procedure
  - 3. City Clerk Position
  - 4. FDOT M-SCOP Application
  - 5. Surplus Property
  - 6. Denton Cove Litigation
- VII. Unfinished Business**
  - 1. Tasks Previously Directed by the City Commission-Commissioner George
- VIII. Mayor and Commissioner Comments**
- IX. City Manager Communications**
- X. Finance Director Communications - Report Attached**

**XI. Attorney Communications**

**XII. Consent Agenda**

**Commission Meeting Minutes Adoption – January 16, 2024 Workshop; January 16, 2024 Regular Meeting; February 6, 2024 Regular Meeting; February 20, 2024 5PM Workshop & Special Meeting; February 20, 2024 6PM Workshop**

**XIII. Department Reports – Included in Agenda Packet**

**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.

### **Pavilion Modifications:**

- Pavilion size reduced from approximately 1800 square feet to approximately 1464 square feet.
- Exterior finish (Sierra Tan) to match Hardwood Upland Park color (Standard Building Guide 2016).
- Columns/Trim (Fascia) modified to reflect the architectural design of the Orman House.
- More green space has been created with the reduction of size to the pavilion.

### **Restroom Modifications:**

- Restrooms shifted to avoid removing live oaks.















**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:**                    Problem Gambling Awareness Month

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:** The Florida Council on Compulsive Gambling has requested that the City of Apalachicola vote to approve the attached Problem Gambling Awareness Month Proclamation.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Proclamation

**STAFF'S COMMENTS AND RECOMMENDATIONS:**



**CITY OF APALACHICOLA PROCLAMATION  
PROBLEM GAMBLING AWARENESS MONTH**

**WHEREAS**, problem gambling is a serious public health issue affecting one to three percent of the general adult population and often results in personal, financial, familial, legal, and other costs, including a high risk of suicide; and

**WHEREAS**, it is estimated that over 200,000 Florida adults of diverse age, race, ethnicity, and socio-economic status suffer from past-year gambling problems, and 800,000 more are at risk of developing such difficulties, constituting 4.7 % of the adult population ages 18 and older; and

**WHEREAS**, it is further important to note that these statistics do not account for youth, who are increasingly and deceptively exposed to gambling concepts and are at an increased risk for developing gambling-related problems; and

**WHEREAS**, it is also essential to recognize problem gambling as a societal issue, with 8-10 additional people adversely impacted by every problem gambler, increasing the affected population by an estimated additional 1.5 million individuals, with conservative projected social costs amounting to more than \$9 billion nationally each year; and

**WHEREAS**, problem gambling is treatable for those who seek help, which minimizes the harm to Floridians and to the State as a whole; and

**WHEREAS**, the Florida Council of Compulsive Gambling's (FCCG's) public awareness campaign provides an opportunity to educate the public, policymakers, educators, businesses, mental health and criminal justice professionals, and others, about the potential adverse effects of gambling, as well as social, legal, financial, and emotional impacts and available supports; and

**WHEREAS**, free referrals to problem gambling resources and supports, including to licensed and certified treatment providers, self-help support groups, the FCCG's Online Program for Problem Gamblers (OPPG), the FCCG's Peer Connect Program, financial supports, legal resources, and many more are readily available to all Floridians by calling or texting the 888-ADMIT-IT HelpLine; and

**WHEREAS**, any individual, professional, or other organization dedicated to assisting those in need can participate in raising awareness and preventing problem gambling by promoting the statewide, confidential, multilingual, toll-free, and 24/7 888- ADMIT-IT Problem Gambling HelpLine; and

**WHEREAS**, the City of Apalachicola can demonstrate its support in addressing problem gambling by raising public awareness through declaration of proclamation of the month of **March 2024 as Problem Gambling Awareness Month** in the City of Apalachicola.

**NOW, THEREFORE**, I, Brenda Ash, Mayor of the City of Apalachicola, Florida, do hereby proclaim the month of March 2024 as Problem Gambling Awareness Month in the City of Apalachicola.

**DATED THIS 5<sup>TH</sup> DAY OF MARCH, 2024**

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**Brenda Ash, Mayor**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:** Amended Rules of Procedure

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 2  
**Department:** Administration  
**Contact:** Travis Wade  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** During the drafting of the Roles and Responsibilities for the Tree Committee, it was stated by a Commissioner during a commission meeting that there was no need to state certain information in the document since it was already stated in the Rules of Procedure. Upon reviewing the Rules of Procedure regarding Boards and Committees, it was realized that some of the language needed to be revised. I have proposed a revision to the language in red text and removed language by strikethrough in the attached draft.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**



**RULES OF PROCEDURE  
FOR THE CITY COMMISSION  
OF THE CITY OF APALACHICOLA**

**EFFECTIVE JUNE 4, 2019**

The City of Apalachicola Charter allows the City Council to adopt procedural guidelines for City Council meetings to the extent they do not conflict with local or state law. The following Rules of Procedure will provide more detailed guidelines for the conduct of efficient and orderly meetings.

**PARLIAMENTARY PROCEDURE**

Robert's Rules of Order will serve as a guide for parliamentary procedures in the conduct of all City Commission meetings. Any exceptions noted in these rules or by Resolution of the Commission shall take precedence. A violation of parliamentary procedure shall not call into question the validity of any decision or action of the Commission so long as the requirements of State law and the City Charter have been met and the intent of the Commission is clear from the minutes of the proceedings.

**RULES OF CIVILITY**

The City of Apalachicola encourages citizen participation in the democratic process and recognizes and protects the right of freedom of speech afforded to all. As the City Commission conducts the business of the City, rules of civility shall apply. City Commission members, City officials, and members of the public are to respectfully communicate according to the City Commission's Rules of Procedure. Persons shall speak only when recognized by the Presiding Officer and, at that time, refrain from engaging in personal attacks or derogatory or offensive language. Comments from citizens being made at a time other than during the period titled "Public Comments" should be focused on the issue at hand. Outbursts will not be tolerated and those who do not conduct themselves in a respectful and lawful manner shall be subject to removal as outlined in the City Commission's Rules of Procedure. It shall be the responsibility of each individual to demonstrate civility.

**PREFACE**

The City of Apalachicola conducts municipal government, performs municipal functions, and renders municipal services and exercises any power for municipal purposes according to the City Charter, except as otherwise provided for by law. Any conflict or need for clarification arising out of the following Rules of Procedure shall be resolved, where applicable, by provisions of the City Charter which shall prevail, except as otherwise provided for by law. Any Amendments to the City Charter which may require revisions to the Rules of Procedure shall be administratively prepared by the City Clerk and adopted by the City Commission.

These Rules of Procedure are adopted by the City Commission to guide the City Commission through its primary operations and functions. They are designed to provide the structure needed to conduct City business while also maintaining the flexibility needed to efficiently and effectively carry out the public business as circumstances may dictate.

The Government in the Sunshine Act, also known as the Sunshine Law, provides a right of access to governmental proceedings of public boards or commissions at both the state and local levels. The law is equally applicable to elected and appointed boards, and applies to any gathering of two or more

members of the same board to discuss some matter which will foreseeably come before that board for action. Members-elect to such boards or commissions are also subject to the Sunshine Law, even though they have not yet taken office. There are three basic requirements of s. 286.011, F.S.: (1) meetings of public boards or commissions must be open to the public; (2) reasonable notice of such meetings must be given; and (3) minutes of the meetings must be taken and promptly recorded.

#### **RULE 1         MEETINGS**

All City Commission meetings shall be held in the ~~Community Center, 1 Bay Avenue~~ **74 6<sup>th</sup> Street**, Apalachicola, Florida, unless advertised otherwise, and shall be open to the public. In case of emergency, the Mayor may designate an appropriate meeting place for a meeting open to the public. Robert's Rules of Order, as revised, so long as they do not conflict with Ordinances, Statutes, these Rules, or the Apalachicola Charter, shall be used as a guide in conducting City Commission meetings.

#### **RULE 2         REGULAR MEETINGS**

As noted in City Charter Section 17, the City Commission shall hold regular meetings on the first Tuesday after the first Monday of each month commencing at 6:00 p.m. From time to time, regular meetings may be adjusted by Resolution of the City Commission to accommodate a holiday schedule. Meetings shall also be rescheduled to accommodate Elections as scheduled by the Franklin County Supervisor of Elections. The news media shall be notified and appropriate notice shall be posted at City Hall and on the City's website.

#### **RULE 3         SPECIAL MEETINGS**

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call or schedule a Special Meeting of the City Commission. A minimum of forty eight (48) hours' notice shall be given to all City Commission members for all Special City Commission Meetings. Notice of the call of such Special Meetings shall be by majority agreement of the City Commission, or in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Only matters on the agenda or matters of an emergency nature may be acted upon by the Commission. Justification of emergency action shall be noted in the minutes of the meeting. Notice shall be posted at City Hall.

#### **RULE 4         EMERGENCY MEETINGS**

The Mayor, or in the Mayor's absence, the Mayor Pro-Tem, two (2) or more Commission members, or the City Manager, may call an Emergency Meeting of the City Council upon not less than six (6) hours' notice to every City Commission member. Notice of the call of such Emergency Meetings shall be in writing, signed by the party or parties making the call, and shall be served on every member, either by notifying the member in person, by telephone, electronic media, or by leaving a copy of said notice at the member's legal residence. The news media, the City Attorney, the City Clerk, the City Manager, and affected Department Heads shall also be notified. The notice shall state the business to be transacted at such meeting and no other business than that so specified shall be transacted. Notice shall be posted at City Hall. If there is no longer a need for an Emergency Meeting, the entity that called the meeting is authorized to cancel such meeting.



## **RULE 5            WORKSHOPS**

A workshop may be called orally or in writing by the Mayor, any two (2) or more City Commission members, or the City Manager. The City Commission can initiate workshops, also known as Special Meetings, that are public meetings to improve communication, to gain information, or to create a stronger working relationship among the elected officials of the general city government. Public attendance is encouraged. A minimum of forty eight (48) hours' notice shall be given for all Workshops and shall be posted at City Hall.

## **RULE 6            QUORUM AND ATTENDANCE**

- (a) A Quorum of the City Commission for the transaction of any business shall consist of three (3) members, but a lesser number may adjourn from time to time until a quorum is present. Once a quorum has been established, a majority of the City Commission present at the meeting shall be required to carry a motion, unless, by Statute, Ordinance, or other regulation, an extraordinary majority (4/5ths) of the City Commission is required for approval. Absence from four consecutive regular meetings of the Commission shall operate to vacate the seat of a member, unless such absence is excused by the Commission by Resolution. As stated in City Charter Section 20, "The affirmative vote of three members shall be necessary to adopt any ordinance or resolution, and the passage of all ordinances and resolutions shall be taken by the "yeas" and "nays" and entered upon the journal."
- (b) City Commission members may participate at all regular, special, or emergency meetings of the City Commission by use of electronic media in those instances where the member is temporarily deployed, reassigned, activated, or transferred by any branch of the United States Military or the Florida National Guard for a period of longer than thirty (30) days. In addition, this policy shall cover any other situation resulting in the absence of the member due to illness, medical related issues of a non-incapacitation nature, or extraordinary circumstances related to their job or family emergencies causing them to be physically unable to attend a meeting. In all instances, participation by electronic media will only be allowed if a quorum is physically present at the site where the meeting is actually being held.
- (c) In addition to the City Commission members, City officials whose regular attendance shall be required at meetings of the City Commission are the: City Attorney, City Clerk, City Manager, or their designees, and City Department Directors as charged by the City Manager. The Chief of Police, or their representative, shall be present to provide security and assistance in maintaining order.

## **RULE 7            NEW COUNCIL MEMBERS**

The term of City Commission members elected to office shall commence on the first Tuesday following the first Monday in October following the general election. A swearing-in ceremony for the new City Commission members will be coordinated by the City Clerk. The City Clerk in conjunction with the City Manager will provide orientation materials.



## **RULE 8            ELECTION OF MAYOR PRO-TEM**

- (a) The election of Mayor Pro-Tem pursuant to Section 16 of the Charter shall occur at the first regular meeting following each regular municipal election at which newly elected Commissioners assume their duties of office.
- (b) In case of the absence or temporary disability of the Mayor, the Mayor Pro-Tem serves as the Presiding Officer during the absence. In case of the absence or temporary disability of the Mayor and Mayor Pro-Tem, an Acting Chair, elected from members of the City Council, serves during the continuance of the absences or disabilities.

## **RULE 9            PRESIDING OFFICER**

- (a) The Mayor, or in the Mayor's absence the Mayor Pro-Tem shall preside over all meetings of the Commission. In the absence of the Mayor and Mayor Pro-Tem, at the hour fixed for any meeting, the City Manager shall call the City Council to order, whereupon a temporary Chair shall be elected by the members present. Upon arrival of the Mayor and Vice-Mayor, the temporary Chair shall relinquish the chair upon conclusion of the business immediately before the Commission.
- (b) The Presiding Officer shall be responsible for enforcing the Rules of Procedure and conducting meetings in a manner which preserves order and decorum, prevents attacks on personalities or the impugning of members' motives, and confine debate or comments to the question under discussion. The Mayor shall endeavor to conduct meetings in a fashion that draws balance between the informality and congeniality possible in a small community while also maintaining the decorum and formality necessary to conduct business in an orderly fashion.
- (c) The Presiding Officer shall take the Chair at the hour fixed for the meeting and call the members to order. The Presiding Officer shall state every question given before the Commission. The City Clerk will record the vote on all matters in which the recording of yeas and nays is required by law or with respect to which any member requests such recording. The Presiding Officer or City Clerk will announce the decision of the City Commission on all subjects and the Presiding Officer will decide on questions of order. Any member may appeal from the decision of the Presiding Officer, in which event a majority vote of the members present shall govern and conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.
- (d) The Presiding Officer shall remain objective, consistent with Robert's Rules of Order. According to Robert's "Rule Against Chair's Participation in Debate," the Presiding Officer has, as an individual, the same rights in debate as any other member; but the impartiality required of the Chair in an assembly precludes exercising these rights while presiding. On certain occasions, the Presiding Officer may believe that a crucial factor relating to such a question has been overlooked and that their obligation as a member to call attention to the point outweighs their duty to preside at that time. If the Presiding Officer wishes to place a motion, the gavel must be relinquished.



Based upon these Rules of Procedure, the gavel will be relinquished in the following order:

1. Mayor Pro-Tem;
2. Other City Commission members based on seniority of tenure;
3. City Clerk/City Manager.

The "Rule Against Chair's Participation in Debate" further states that the Presiding Officer who relinquished the chair shall not return to it until the pending main question has been disposed of, since they have shown themselves, to be partisan as far as that particular matter is concerned. Unless a Presiding Officer is extremely sparing in leaving the chair to take part in debate, they may destroy members' confidence in the impartiality of their approach to the task of presiding.

Once a motion has been made and second received, the Presiding Officer shall hear comments from the other City Commission members. Following comments from the other City Commission members, the Presiding Officer shall be permitted to provide their input on the motion.

- (e) The Presiding Officer may declare the meeting adjourned at any time in the event of an emergency affecting the safety of those present.

#### **RULE 10      CITY CLERK**

- (a) The City Clerk, or Deputy Clerk, serves as parliamentarian, and advises the Presiding Officer as to correct rules of procedure or questions of specific rule application. The City Clerk calls to the attention of the Presiding Officer any error in the proceedings that may affect the substantive rights of any City Commission member, or may otherwise do harm.
- (b) It shall be the duty of the City Clerk of the City Commission, in addition to other duties prescribed by law, to keep and preserve correct minutes of the proceedings of the City Commission. The minutes shall be a public record. Proposed substantive additions or corrections to proposed minutes, other than spelling and grammatical corrections, shall be furnished in writing to the City Clerk not less than twelve (12) hours prior to the meeting at which approval action is scheduled. The record of every meeting when approved and entered in the minutes shall be signed by the Presiding Officer at such meeting and attested by the City Clerk. The City Clerk shall prepare an Agenda for each regular meeting of the City Commission in the order of business and furnish a copy thereof to each member, the City Attorney, and the City Manager at least seventy-two (72) hours in advance of said meeting. All official meetings of the Commission shall be recorded on an automatic recording device by tape, record, or other device and permanently preserved in the official records of the City or until their destruction as specifically authorized by the State or City Commission.
- (c) Requests for copies of public records regarding a meeting of the City Commission shall be made through the Office of the City Clerk. The cost shall be in accordance with State law.



## **RULE 11**      **RULES OF DEBATE**

- (a) The Presiding Officer may move, second, and debate subject only to such limitation of debate as are enforced by these standing rules on all members and shall not be deprived of any of the rights and privileges as a member.
- (b) When a member desires to speak in debate on a subject open to debate, the member must address the Presiding Officer. When recognized by the Presiding Officer, the member may speak only on matters germane to the business or questions under debate.
- (c) A member, once recognized, shall not be interrupted while speaking unless the member is called to order for transgressing any rule of the City Commission or failing to maintain proper decorum. If a member is called to order while speaking, the member shall cease speaking until the questions of order is determined by the Presiding Officer.
- (d) After the decision on any question, it shall be in order only for a member voting on the prevailing side to move for reconsideration at the same meeting, but such motion may be seconded by the member. If a motion to reconsider is lost, it shall not be renewed again at the same meeting. A motion to reconsider may be laid on the table or postponed indefinitely, and the effect of such action in either case shall be to defeat the motion to reconsider and to prevent further consideration thereof.

## **RULE 12**      **CONDUCT AND RESPONSIBILITY OF MEMBER**

- (a) Any member who is unable to attend a City Commission or other meeting due to sickness or for a duly authorized reason shall notify the City Clerk, who shall notify the Presiding Officer before the meeting.
- (b) No member present at any meeting of the City Commission shall leave the meeting without permission from the Presiding Officer.
- (c) While the City Commission is in session, the members shall preserve order and decorum. A member shall neither by conversation or otherwise delay or interrupt the proceedings or the peace of the City Commission, or disturb any member while speaking, or refuse to obey the Rules of Procedure of the City Commission or the Presiding Officer.
- (d) No member shall speak on any question, discuss any matter, interrupt another, or make a motion without first addressing the Presiding Officer and obtaining recognition.
- (e) No member shall be allowed to vote on any motion or measure, or gain the privilege of the floor, unless the member is at their designated seat.
- (f) Every member, in speaking on any matter, shall be confined to the question, shall not use unbecoming or abusive language, and shall avoid personalities.

- (g) No member shall be permitted to explain his or her vote during a vote, but may do so during discussion and prior to the result of the vote being announced.
- (h) Every member who is present when a question is put, unless excluded by a conflict of interest, shall vote in the affirmative or negative.
- (i) Every member shall observe the Code of Ethics as set forth in the laws of the State of Florida and as required by the Charter or Ordinances of the City. Disclosure to the City Commission of a private interest, as required by the State law on ethics, shall be accomplished in the form as prescribed by the Commission of Ethics, State of Florida.
- (j) No member shall direct the City Manager to forward to another political subdivision or government agency communications on matters under consideration by the City Commission or its committees except where there is clear understanding of approval by the City Commission or in response to routine matters in consonance with the previous actions of the City Commission. Nothing precludes a member from initiating correspondence on City stationary over their own signature indicating the City Commission seat they currently hold. Nothing in this Rule is to be construed to limit or restrict the Mayor acting in his or her official capacity from coordinating with the City Manager in answering or responding to correspondence or communications relative to the business of the City.
- (k) Ex parte Communications – Oral or written communications (sometimes referred to as lobbying or information gathering) between a Commission Member and others, including staff, where there is a substantive discussion regarding a quasi-judicial decision by the City Commission. The exchanges must be disclosed by the City Commission member so the public may respond to such comments before a vote is taken.

#### **RULE 13      CONFLICT OF INTEREST**

No City Commission member shall vote in their official capacity on a matter which would inure to their special private gain or loss, or which the City Commission member knows would inure to the special gain or loss of any principal by whom they are retained, of the parent organization or subsidiary of a corporate principal by which they are retained, or a relative or of a business associate. The City Commission member in conflict shall announce such conflict before any discussion commences. They may participate in the discussion but may not vote. Within 15 days of following that City Commission meeting, they shall file with the City Clerk a Form 8B which describes the nature of their interest in the matter. The Form 8B shall be received by the City Clerk and incorporated into the minutes of the meeting.

#### **RULE 14      ORDINANCES**

An enacted Ordinance is a legislative act that prescribes general, uniform, and permanent rules of conduct relating to the corporate affairs of the City. City Commission action shall be taken by Ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty. All Ordinances shall be introduced in writing, and scheduled for public hearing after advertisement.



- (a) Any non-emergency Ordinances, with the exception of zoning Ordinances, shall be initiated by either a member of the City Commission, the City Attorney, or the City Manager. Each Ordinance shall be introduced in writing and shall embrace one (1) subject and matters properly connected therewith. The subject shall be clearly stated in the title. No Ordinance shall be revised or amended by reference to its title only. Ordinances to revise or amend shall set out in full the revised or amended act, section, or subsection or paragraph of a section or subsection. Rezoning Ordinances shall be scheduled on the City Commission Agenda following the required public hearing(s) before the Planning and Zoning Board and, once scheduled, the same procedure as outlined shall be followed unless State law provides otherwise.
- (b) Any Ordinance or Resolution prepared for consideration by the City Commission shall be reviewed by the City Attorney prior to introduction to the City Commission. Upon request by the Presiding Officer or any member, the City Attorney shall render an opinion to the City Commission concerning the legality of any Ordinance or Resolution pending before it. Every Ordinance and Resolution which amends prior Ordinances or Resolutions shall indicate words being deleted by strike-through, and shall include underlining of words being added to existing provisions.
- (c) In acting upon Ordinances, the Ordinance shall be introduced on first reading as to form only. The City Clerk shall then cause the Ordinance to be published in a newspaper of general circulation in the City, at least ten (10) days before the second reading, a notice of proposed enactment pursuant to and in compliance with Chapter 166, Florida Statutes. Prior to adoption, on second and final reading, a public hearing shall be held to enable citizens to comment on the proposed Ordinance. On second and final reading, an affirmative vote of the majority of the members present shall be necessary for the passage or adoption of the Ordinance.
- (d) The Council may, by two-thirds (2/3) vote of its membership, declare an Ordinance to be an emergency measure and pass such Ordinance without regard to any reading as required by the City Charter. Every emergency Ordinance, except emergency appropriations, shall automatically stand repealed as of the sixty-first (61st) day following the date on which it was adopted, but this shall not prevent reenactment of the Ordinance under regular procedures, or if the emergency still exists, in the manner specified in the City Charter. An emergency Ordinance may also be repealed by adoption of a repealing Ordinance in the same manner specified in the Charter for adoption of emergency Ordinances.
- (e) Whenever any Ordinance or Resolution has been introduced for the consideration of the City Commission, and the measure failed to be adopted or passed, such measure, unless substantially changed, shall not be introduced again until the lapse of at least three (3) months from the date of the City Commission meeting at which it failed adoption or passage.
- (f) If a Motion to pass an Ordinance fails, the Ordinance shall be considered lost.
- (g) Upon final passage, every Ordinance and Resolution shall be signed by the Presiding Officer of the Commission, attested by the City Clerk and approved as to form by the City Attorney.

#### **RULE 15        RESOLUTIONS**

Generally, an enacted Resolution is an internal legislative act that is a formal statement of policy concerning matters of special or temporary character. City Commission action shall be taken by Resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All Resolutions shall be reduced to writing. A Resolution may be put to its final passage on the same day on which it is introduced.

#### **RULE 16        MOTIONS**

An enacted Motion is a form of action taken by the City Commission to direct that a specific action be taken on behalf of the City. A Motion, once approved and entered into the record, is the equivalent of a Resolution in those instances where a Resolution is not required by law. All motions shall be made and seconded before debate.

- (a) A motion is to be worded in a concise, unambiguous, and complete form.
- (b) No speech is to be made in reference to a motion when it is introduced. There will be no debate until a motion has been seconded and, if requested by a City Commission member, the question stated by the Presiding Officer or the City Clerk.
- (c) When the question has been stated, it is before the City Commission and mover is entitled to the floor.
- (d) The order of procedure of motions shall be in accordance with Robert's Rules of Order.

#### **RULE 17        WITHDRAWAL OF MOTIONS**

Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.

#### **RULE 18        AMENDING OF MOTIONS**

At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in Rule 17.

#### **RULE 19        RECONSIDERATION**

A motion to reconsider shall be allowed at any time during a meeting, except when a motion on some other subject is pending. No motion to reconsider shall be made more than once on any subject at the same meeting. A motion to reconsider may be made:

- (a) At the same meeting during which an action was taken, provided that the motion to reconsider is made by a City Commission member of the prevailing side of the original motion.
- (b) At a subsequent meeting by any Commissioner.



Upon passage of a motion to reconsider, no substantive action on the matter may be taken at that meeting so that the public and media may be on notice of the matter to be reconsidered. The subject matter shall be scheduled at the next regular City Commission meeting for any action the City Commission deems advisable.

**RULE 20        RESCINDING ACTION PREVIOUSLY TAKEN**

City Commission action may be rescinded by a four-fifths (4/5) vote. The motion may be made by any City Commission member after a motion to reconsider has been adopted by a majority vote.

**RULE 21        PRIVILEGE OF THE FLOOR**

By permission of the Presiding Officer, the privilege of the floor shall be extended to a citizen or citizens to address the Commission on any matter pending before it or which needs the attention of the City Commission. At public hearings required by law or fixed by the City Commission, the Presiding Officer shall extend the floor to a reasonable number of proponents or opponents of the subject matter of the public hearing, and those filing written requests to be heard with the City Clerk shall be heard prior to other persons who appear at the hearing. Each person addressing the City Commission shall proceed to the place assigned for speaking, give his or her name and address in an audible tone of voice for the record and limit his or her address to three (3) minutes, unless a lesser time is fixed for all speakers by the Presiding Officer or further time is granted by the City Commission. The person may speak only to matters germane to City business or to questions under discussion. All remarks shall be addressed to the City Commission as a body and not to any member thereof. All questions of members shall be directed through the Presiding Officer.

**RULE 22        PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, so far as they are applicable or not in conflict with these standing rules, the Ordinances, or the Charter of the City, shall govern the proceedings of the City Commission.

**RULE 23        SUSPENSION OF STANDING RULES**

Any standing rule contained herein may be temporarily suspended for special reasons by a vote of four-fifths (4/5) of all City Commission members unless such suspension would conflict with provisions of the Ordinances or the Charter of the City.

**RULE 24        EFFECTS OF RULES**

No Ordinance, Resolution or action duly passed, adopted or taken by the City Commission shall be held to be invalid because of failure of the City Commission to comply with or abide by any one or more of the provisions of these standing rules if such Ordinance, Resolution or action would otherwise be valid under the Charter or Ordinances of the City or laws of this State but for such provisions of these standing rules alleged to have been violated or ignored.

**RULE 25        INFORMAL CONSIDERATION OF MATTERS**

When, in the judgment of the Presiding Officer, it becomes necessary to give detailed consideration to a matter under conditions of freedom, approximating those of a Committee, the Presiding Officer may entertain a motion for the City Commission to consider the matter informally. When such a motion is made and properly seconded, the effect is to suspend the standing rule limiting the number of times a member can speak and inquire into matters of fact on the main questions and any amendments,

except that the member may not inquire a second time into questions of fact until other members have had an opportunity to do so.

While considering a question informally, the Council may, by four-fifths (4/5) vote, limit the number or length of speeches or in any other way limit or close discussion. Proceedings of the City Commission under informal consideration are recorded in the minutes of the meeting just as they would be if the considerations were under formal standing rules. Informal consideration ceases automatically as soon as the main question is disposed of. Informal consideration of a matter may also be ended before the main question is disposed of by a majority vote of the City Commission on a motion "that the regular standing Rules of Procedure be enforced."

Under the informal standing rules, members may obtain the floor after being recognized by the Presiding Officer.

#### **RULE 26      PREPARATION OF AGENDAS**

The City Manager and City Clerk are responsible for the preparation of the Agenda. The Mayor or any City Commission member may place an item on the Agenda. The City Attorney, City Clerk, and City Manager may also place an item on the Agenda.

As general practice, all supporting documentation and Board Request Form must be provided to the City Manager for review or the item(s) may not be included on the Agenda.

- (a) The agenda will be in five (5) parts: Awards, Recognitions and Presentations; Reports and Communications; Public Hearings; Consent; and Business.
- (b) Deadline for items to be placed on the Agenda is no later than 12:00 noon on the Tuesday before the ~~next meeting~~ **distribution of the Agenda**.
- (c) Content of items on the Consent Agenda shall be limited to routine items that do not need discussion, which may include but are not limited to such items as the Minutes, Resolutions, payment requests, and reports from committees, etc. During the reading of the Consent Agenda, any member may pull an item for separate discussion.
- (d) The City Manager or any Commission member may, in the event of an emergency, place items on the Agenda after the above deadline.
- (e) Commission members are encouraged to present their reports as Agenda items in order to provide the public and other Commission members prior notification of the report's subject matter.
- (f) Agendas and all necessary background materials will be delivered to the members no later than **5:00 p.m. on the Friday prior to the Friday before the next meeting (eleven days prior to the meeting date)** via notification by electronic mail. In the event an item must be placed on the Agenda after it has gone to the City Commission, a Supplemental Agenda will be issued no less than 24 hours prior to all meetings.



- (g) A request from a citizen to be placed on the Agenda shall be received in writing on the Board Request Form provided by the City Clerk no later than the close of business on the Monday of the week preceding the ~~next regular City Commission meeting~~ **distribution of the Agenda** and include information and/or back-up documentation on the subject they want to discuss. If a citizen does not present an appropriate topic or information in writing, the citizen will not be placed on the Agenda but will be told that he or she can speak at the beginning of the City Commission meeting under Public Comment or have their Agenda item rescheduled to a future meeting.
- (h) Citizens who wish to address the City Commission on an item on the agenda shall complete a Speaker Card and give it to the City Clerk before the meeting starts. All persons, other than members of the City Commission or Staff, addressing the City Commission shall step up to the microphone and state his or her name and address prior to making his or her statements. The Mayor shall have the authority to waive such requirement in the event of apparent physical disability of the speaker.
- (i) The Agenda, as well as any supporting documentation that are part of the Agenda, shall be available for review online on the City's website, or in the Office of the City Clerk.

**RULE 27      AGENDAS – ORDER OF BUSINESS**

The business of all regular meetings of the City Commission shall be transacted as follows; provided, however, that the Presiding Officer may, by simple majority voice vote or consensus of the City Commission, re-arrange items on the Agenda to more expeditiously conduct the business before the City Commission:

- (a) Invocation & Pledge of Allegiance to the Flag

The City Council may maintain a clergy or layperson rotational roster, which may be used to rotate among the local clergy or laypersons the presentation of the invocation at the regular or special meetings. The Presiding Officer shall lead the Pledge or delegate to another party.

- (b) Agenda Adoption

- (c) Awards, Recognitions and Presentations

Items under this section include Special Award Presentations, Proclamations, scheduled citizen or group presentations, and recognitions. Proclamations, Special Awards, and Letters of Honor shall be requested and processed through the Office of the City and shall be submitted on a form provided by the City Clerk.

- (d) City Council Reports and/or Correspondence

During this section, each City Commission member will have the opportunity to make comments or discuss any items of concern.

(e) City Manager and City Attorney Reports and/or Correspondence

During this section, the City Manager and City Attorney will have the opportunity to make comments, provide updates, or discuss any items of concern.

(f) Public Hearings

Public hearings shall be scheduled at regular meetings of the month unless otherwise determined by the City Commission or State Statute. The procedures followed for public hearings are generally as follows:

- (1) The City Manager, or their designee, should describe the Agenda item to be considered and provide the Staff recommendation. The Presiding Officer should then inquire as to whether any City Commission members have questions for the administration. After the City Commissioner's questions are answered, the Presiding Officer opens the public hearing and requests comments from the public. Generally, the petitioner or proponent for the issues in the Public Hearing is invited to address the City Commission first.
- (2) Following public comment (if any), the Presiding Officer closes the Public Hearing. Discussion and consideration of the matter will follow under "Unfinished Business" where a City Commission member may put forth a motion.

(g) Public Comment

The City Commission recognizes the importance of protecting the rights of its citizens and taxpayers to express their opinions on the operation of City government and encourages citizen participation in the local government process. The City Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely and proper manner.

The purpose of the public comment portion of the meeting is to receive citizen input pertaining to matters over which the City Commission has jurisdiction or control. This period of time is for comments and not for questions directed to the City Commission or Staff for immediate answer or for debate. Questions directed to the City Commission may be referred to Staff to be answered within a reasonable period of time following the date of the meeting. The City Commission shall not take final action at the same meeting on items addressed under this section. Final action can only be taken if the City Commission waives its Rules of Procedures. The City Commission can direct Staff to place any item requiring final action on an upcoming City Commission Meeting or Workshop. The exceptions are items of an emergency nature so declared.

No citizen shall speak until duly recognized by the Presiding Officer, and they shall immediately cease speaking and relinquish the podium when requested by the Presiding Officer. After being recognized, the citizen shall:



- (a) Step up to the podium and give their name and address;
- (b) State the topic or position (for/against) of the item under discussion; and
- (c) Address all remarks and questions to the City Commission as a body, and not a member thereof, except through the Presiding Officer.

~~Five (5)~~ **Three (3)** minutes shall be allotted to each citizen who wishes to speak at this time, unless more time is granted by the Presiding Officer or City Commission. A citizen cannot yield time to another citizen.

NOTE: Citizens are encouraged to call the appropriate City department during regular business hours. If you have contacted the department and for some reason results were not satisfactory, please call the director of the department or the City Manager's office.

Employees of the City may address the City Commission on matters of public concern. Employee comments that address an active grievance/arbitration, employee appeal matter (all of which are covered in the Personnel Policies and Procedures Manual) or a personnel dispute will not be entertained as part of citizen comments. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

(h) Consent Agenda

The Presiding Officer shall inquire if any City Commission member wishes to withdraw any items from the Consent Agenda. If any item is withdrawn by any member of the City Commission, the Presiding Officer addresses those item(s) individually following the vote on the motion to approve the other Consent Agenda items.

(i) Council Business

Items in this section are reports or requests presented by the City Attorney, City Clerk, City Commission member, City Manager, or Staff for City Commission consideration.

(j) Adjournment

No meeting shall be permitted to continue beyond 10:00 p.m. without the approval of a majority of the City Commission. A new time limit must be established before taking a City Commission vote to extend the meeting. In the event that a meeting has not been closed or continued by City Commission vote prior to 10:00 p.m., the items not acted on are to be continued to 8:30 a.m. on the following day, unless state law requires hearing at a different time or unless the City Commission, by majority vote of members present, determines otherwise.

**RULE 28      BOARDS, COMMITTEES, AND MEETINGS**

The City Commission may form ad hoc or special committees from time to time. Citizen advisory boards and committees may be created and dissolved by Resolution, Ordinance, or other act adopted by the City Commission. All members shall serve at the pleasure of the City Commission.

The mission of advisory boards and committees shall be to examine various policy issues referred by the City Commission, staff, or as determined in the work plan. Committees shall provide guidance to the City Commission in the development of policy recommendations **at the request of the City Commission, City Attorney, or City Manager**. ~~Committees shall not attempt to manage the administrative operations of the City;~~ **Committees have no administrative, fiscal, or enforcement authority** ~~the Committee members are prohibited from~~ **will not be involved in** directing staff.

- (a) The City Manager/City Clerk's office shall furnish the Chair of each advisory board or committee copies of all Resolutions or Ordinances that pertain to that committee. Such information shall be delivered to the committee Chair within one (1) week after adoption by the City Commission, or as soon thereafter as possible.
- (b) Appointment to citizen advisory boards/committees shall be by roll call vote during a regular City Commission meeting. ~~Priority must be given to applicants from the~~ **Board/Committee members must be residents of the** City of Apalachicola.
- (c) All citizen advisory boards/committees or other bodies shall meet at the ~~Community Center, 1 Bay Avenue~~ **74 6<sup>th</sup> Street**, Apalachicola, Florida or other public buildings within the City after required public notice is given. Generally, committee meetings should be scheduled on days other than days of the City Commission meetings. The news media shall be notified and appropriate notice shall be posted at City Hall. All meetings shall comply with state law regarding public meetings.
- (d) Committee Chairs and Committee Vice-Chairs shall be elected by the membership and both shall serve for a term of one (1) year or for a different term as the City Commission may decide. **No member shall serve more than two consecutive terms as Chair**. Committee members shall be approved by the City Commission **and may not serve on more than one committee unless service is required by law**. Committee meetings may be called by the Chair, Vice-Chair, Mayor, or the City Manager when sufficient business or timing is appropriate. Such meetings shall have an Agenda published to each Committee member when possible at least seventy-two (72) hours in advance. If the Committee Chair is unwilling or unable to call committee meetings, the Vice-Chair may call the meeting.
- (e) All citizen advisory boards/committees or other bodies shall provide the minutes taken at each meeting to the City Clerk. All communications to the City Commission from such boards, committees, or other bodies shall be received by the City Commission's Presiding Officer with a copy to the City Clerk.
- (f) All Chairpersons of citizen advisory boards/committees or other bodies may provide updates to the City Commission at its regularly scheduled meetings. All requests for presentations shall be submitted to the Office of the City Manager or City Clerk.
- (g) City employees shall not be precluded from serving on citizen advisory or other committees so long as membership requirements are met.



- (h) The City Commission may make exceptions to the above general policy on a case-by-case basis when necessary to: preserve the stability of the board or committee; retain a particular appointee because of his/her special expertise or knowledge; or for such other circumstances as the City Commission deems warranted.
- (i) Appointees' personal and business affairs conducted within the City of Apalachicola must be in substantial compliance with all City regulatory and taxing authorities' rules and regulations. Appointees deemed to be in chronic violation of any City rules, regulations, or policies, **the Florida Code of Ethics, or Florida's Sunshine Law**, may be disallowed from membership **or removed from** citizen advisory boards or committees by a majority vote of the City Commission.
- (j) Citizen advisory boards and committees created by or in response to federal or state statutory requirements shall conduct business consistent with these guidelines unless otherwise provided for by such federal or state statutory requirements.
- (k) Citizen advisory boards and committees are required to adhere to the "Guidelines for Citizen Advisory Boards and Committees" as approved by the City Commission. These guidelines are incorporated below.

#### GUIDELINES FOR CITIZEN ADVISORY BOARDS AND COMMITTEES

- (1) Committees are to be designated as standing or special (ad hoc).
- (2) A sunset date will be specified for special committees when appropriate.
- (3) Transition between Members: By-laws, enacting Ordinances, guiding document, etc. will include language, which provides for members (whose terms have expired) to continue serving until the appropriate appointments are made.
- (4) Term length for serving on any standing committee will be a minimum of two (2) years unless otherwise specified (e.g. State Statute may require term lengths of less than two (2) years, board/committee enacting Ordinance provisions).
- (5) Attendance:
  - (a) Reports/notices of absences are made to the board or committee Chair (or Staff liaison if the Chair is unavailable).
  - (b) The board or committee liaison will provide written notice of attendance violations to the City Commission Presiding Officer. The City Commission will be responsible for removing members who do not meet the attendance requirement.
  - (c) Absence from four (4) consecutive regular meetings of the advisory board or committee shall operate to vacate the seat of a member, unless such absence is excused by the City Commission by Resolution setting forth the fact of such excuse duly entered into the minutes.

- (6) Election of Officers: All board and committee officers (i.e. Chair, Vice Chair, etc.) shall be elected by the membership of the citizen advisory board or committee, unless otherwise specified.
- (7) Meeting Frequency:
- (a) At a minimum, all boards and committees shall meet once per year.
  - (b) The names of those boards and committees that do not meet this minimum requirement shall be submitted to the City Clerk's Office.
  - (c) Recommendations to dissolve committees or other recommended action will be submitted to the City Commission for consideration.
  - (d) Any advisory board or committee whose officers are elected/appointed as prescribed in federal/state statute shall be exempted from Guideline No. 6.
- (8) Parliamentary Procedure: ~~As appropriate,~~ Robert's Rules of Order ~~may~~**shall** be used as a guide in conducting board and committee meetings.

**RULE 29      SUSPENSION AND CONSTRUCTION OF RULES**

No permanent change in the standing rules shall be made without notice specifying the purpose and wording of the change given at a previous regular meeting of the Commission and the adoption of the permanent change by a vote of four-fifths (4/5) of all members. The Rules of Procedure are for the efficient and orderly conduct of City Commission business only. No violation of such rules shall invalidate any action of the City Commission when approved by a majority vote required by law.



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:** City Clerk Position

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 3  
**Department:** Administration  
**Contact:** Travis Wade  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** The promotion of Lee Mathes to Finance Director has created a vacancy in the City Clerk position. The City Charter states that the Commission appoints the City Clerk. Sheneidra Cummings has been assisting with Clerk duties while Ms. Mathes was serving as the Interim Finance Director and City Clerk. Ms. Cummings has also attended some City Clerk training. There are two options: Advertise the position, or promote from within.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Motion to hire Ms. Cummings internally.

**FUNDING SOURCE:**

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:** M-SCOP Application

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 4  
**Department:** Administration  
**Contact:** Travis Wade  
**Presenter:** Travis Wade

**BRIEF SUMMARY:** The application deadline for FDOT MSCOP applications is March 15, 2024. Last year we applied for repaving of Commerce Street from Leslie Street to Avenue E at a cost of more than \$1 million. The City's engineers have recommended that we reduce the scope of the request to one city block. The highest traffic area is between Avenues D and E. The worst section of the street is between Avenues F and G. However, if we want to conduct this as a phased project we may wish to start at Leslie Street and work north and request a new block of street each year.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** FDOT MSCOP

**ATTACHMENTS:** None

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**CITY OF APALACHICOLA  
RESOLUTION NO 2024-01**

**A RESOLUTION OF THE CITY COUNCIL MEMBERS OF THE CITY OF APALACHICOLA, FLORIDA, AUTHORIZING THE MAYOR OR CITY MANAGER TO APPLY FOR FDOT FUNDING THROUGH THE “MUNICIPAL SMALL COUNTY OUTREACH PROGRAM (M-SCOP)”, FOR RESURFACING COMMERCE STREET.**

WHEREAS, The City of Apalachicola, Florida has requested the State of Florida Department of Transportation for financial assistance through their M-SCOP grant program for the resurfacing of Commerce Street.

WHEREAS, the State of Florida has requested that The City of Apalachicola submit one (1) M-SCOP application attached hereto; and

WHEREAS, the State of Florida Department of Transportation requires that a resolution be passed by the City Council Members in support for applying for financial assistance through their M-SCOP grant program.

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF APALACHICOLA COUNCIL MEMBERS, OF FLORIDA THAT:**

1. The Mayor or City Manager of the City of Apalachicola, Florida apply for financial assistance from the Florida Department of Transportation for one (1) M-SCOP grant program.

DULY PASSED AND ADOPTED by the City Council Members of City of Apalachicola, Florida, on this 5th day of March, 2024.

**CITY COUNCIL MEMBERS  
CITY OF APALACHICOLA, FLORIDA**

\_\_\_\_\_  
**BRENDA ASH, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**TRAVIS WADE, CITY MANAGER**



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:** Surplus Vehicles

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:** The vehicles on the attached list have been replaced or are inoperable and not worth repairing. I am requesting that the Commission declare them surplus property so I can send them to the auction.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Motion to declare the vehicles surplus property and direct the City Manager to send them to the auction.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** List of proposed surplus vehicles

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

## **SURPLUS PROPERTY**

- |                                |                        |
|--------------------------------|------------------------|
| 1. 2004 Chevrolet 2500 P/U     | VIN: 1GCHC23486F228620 |
| 2. 2006 Chevrolet 2500 P/U     | VIN: 1GCHC23406F230275 |
| 3. 2001 Ford F150 P/U          | VIN: 1FTRE17282KA93943 |
| 4. 2006 Chevrolet 2500 P/U     | VIN: 1GCHC23486F232145 |
| 5. 2004 Ford E350 Van          | VIN: 1FB5531565HA58244 |
| 6. 2002 Chevrolet Impala       | VIN: 2G1WB58K881343946 |
| 7. 2001 Ford F550 Bucket Truck | VIN: 1FDAF57F61E91565  |
| 8. 2010 Dodge Charger          | VIN: 283CA2CV4AH280209 |

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
March 5, 2024**

**SUBJECT:**       Consideration/Authorization to Initiate Litigation Denton Cove Ltd./Denton Cove GP, LLC

**AGENDA INFORMATION:**

Agenda Location:   New Business  
Item Number:       6  
Department:        City Attorney  
Contact:            Dan Hartman  
Presenter:          Dan Hartman

**BRIEF SUMMARY:**

The City and Denton Cove agreed that the Denton Cove complex could pump sewer to the Ellis Van Fleet Lift station on an interim basis until the upgrades to the IGA Lift Station are complete in order to receive their CO. The City engineer has provided all requested information and the City has budgeted its lump sum contribution to the design and equipment to be installed. Denton Cove has been notified of the same as well as the unsustainable demand being placed on the Ellis Van Fleet lift station. All recent communication by the City Manager and myself has been ignored.

It is my opinion that litigation must be commenced in order to bring this matter to conclusion. The objectives would include the cost of the Denton Cove portion of upgrades to the IGA Station and declaratory relief terminating/limiting current sewer service until the sewer upgrades are complete and capacity is available.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Authorization to file suit.

**FUNDING SOURCE:**

N/A

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

Approve



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: March 5, 2024**

**SUBJECT:** Tasks previously directed by the city commission

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 1  
**Department:** Governing Body  
**Contact:** Commissioner George  
**Presenter:** Commissioner George

**BRIEF SUMMARY:** There is a backlog of tasks directed by the city commission which remain unresolved. There is a need to identify these tasks and set priorities and next steps for completion.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve a motion to set priorities for task completion and a timeline for follow-up with the city commission.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** List of uncompleted tasks assigned by the city commission. The commission may be aware of other tasks which should be added to this list.

**STAFF'S COMMENTS AND RECOMMENDATIONS:** None.

**Tasks previously directed by city commission:**

Municode corrections and ordinance to adopt new city code.

Encroachment ordinance.

Consultant for building, planning & zoning, and code enforcement policies and procedures.

Gibson complex parking requirements resolution

Procurement policy revision to include levels of authority for purchases.

Accessory dwelling unit proposal.

Denton Cove payment for lift station repairs.

Lease terms for all entities occupying city property.

Capital improvement projects status and cost estimates.

Duke Energy charging stations decision.

Workforce housing proposal for city property lot rentals.

CITY OF APALACHICOLA  
FINANCE DEPARTMENT REPORT  
January & February 2024

1. Processed payroll for all January and February pay periods.
2. Processed retirement and insurance payment for January and February.
3. The Finance Clerk does an amazing job at issuing purchase orders, posting deposits, running accounts payable, and providing any information requested by various departments.
4. Payments for all Sinking Funds have been funded to bring up to date per bond compliance.
5. Coordinating with Grants Coordinator to get copies of all grant contracts and list of all funded grants so grant financial notebooks can be made for each grant. Grant notebooks will have all contracts, change orders, and detailed financial information so it is easily accessible to determine what is expected back in reimbursements.
6. Created requested audit spreadsheets and provided requested information to auditors.
7. Commissioner George provided detailed ARPA information which allows me to get a better handle on what has been spent and what funds are remaining.
8. Chris Moran is assisting staff with various issues and balancing accounts so we can get to the point of accurate numbers so Banyon conversion can begin. This is a long process, but a necessary one.
9. Pulled general ledger for both general fund and enterprise fund from QuickBooks. Hoping to provide a budget expense report in March, but I am having to make sure expenses and revenues have been coded to the correct line item. Because there is no more space available in QuickBooks to add any new accounts to the system, multiple items have been lumped together into one line item so that information is having to be separated into the correct budget line items. I want the report to be as accurate as possible.
10. I welcome any knowledge and expertise that can bring me up to speed.

If anyone has any questions, please don't hesitate to contact me.

Lee Mathes  
City Clerk/Finance Director



A Workshop of the Apalachicola City Commission was held on Tuesday, January 16, 2024 at 4:00 PM at the Holy Family Center located at 203 Dr. Frederick Humphries Street, Apalachicola, Florida.

Present: Mayor Pro-Tem Anita Grove, Commissioner Adriane Elliott, Commissioner Despina George, City Manager Travis Wade, City Attorney Dan Hartman, Planner Bree Robinson, Grants Coordinator Sarah Bourque, Code Enforcement Officer PJ Erwin

Workshop called to order by Mayor Pro-Tem Grove.

### **AGENDA ADOPTION**

Motion to adopt agenda made by Commissioner Elliott, seconded by Commissioner George. Motion carried 3 to 0.

### **WORKSHOP – AFRICAN AMERICAN MUSEUM DISCUSSION**

Hammond Design Group Architects and Rhodes + Brito Architects presented concept design for African American Museum.

General comments received from public.

Commission discussed floor plan, building style, and roof style.

Commission agreed to move forward with the second shown floor plan, the modern style building (B), and the exposed roof style (iB).

Motion to adjourn made by Commissioner Elliott, seconded by Commissioner George. Motion carried 3 to 0.

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Anita Grove, Mayor Pro-Tem

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Bree Robinson, City Planner

A Regular Meeting of the Apalachicola City Commission was held on Tuesday, January 16, 2024 at 6PM at the Former Apalachicola Municipal Library located at 74 6<sup>th</sup> Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Despina George, Commissioner Anita Grove, Commissioner Adriane Elliott, City Manager Travis Wade, City Attorney Dan Hartman, City Clerk Lee Mathes, Planner Bree Robinson, Code Enforcement Officer PJ Erwin, Chief of Police Bobby Varnes

Mayor Ash called meeting to order followed by Invocation and Pledge of Allegiance.

### **AGENDA ADOPTION**

Motion to approve agenda with addition of Public Comment and deletion of Item #1 under New Business – Owl Café Food Truck Request made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

### **PUBLIC COMMENT**

1. Donna Ingle spoke on vision for Chapman Botanical Gardens.
2. Tami Ray-Hutchinson, on behalf of H'COLA, request the use of Franklin Square on February 16<sup>th</sup> – 18<sup>th</sup> for the annual African American History Festival.

City Manager Wade stated all that is needed is the completion of an event application for a permit for the event.

### **CYNTHIA SARTAIN – REQUESTING INTERPRETATION OF CODE REGARDING RECREATIONAL VEHICLES**

Dean and Cynthia Sertain have requested advice regarding whether property owners may park a recreational vehicle in their yard in R-2 zone. Staff and Attorney Hartman have interpreted the Code to allow homeowners to park an RV in their yard, but the Code prohibits using the RV as a dwelling. The Sertain's provided a presentation regarding their interpretation of the Code and requests the Commission's interpretation of the Code.

Discussion held regarding definition interpretation of recreational vehicle and allowance of recreational vehicle to be stored on property owner's property.

Attorney Hartman stated the Sertain's disagree with Staff's interpretation of the Code. A RV is not a permanent structure, it is not for permanent use, it cannot be used as a living dwelling, but the City has never prohibited anyone from parking their RV on their property.

Commissioner Elliott stated she supports Staff's interpretation.

Commissioner Grove stated parking an RV is no different than parking a boat or a work trailer on your private property.

Commissioner George stated she appreciates the public reading and trying to interpret the Code and understands how the Sartains could have reached their interpretation of the Code.

Discussion continued.

Motion to deny request of interpretation of the Code regarding storage of recreational vehicles made by Commissioner Elliott and seconded by Commissioner Grove.

Commissioner George stated the Commission is not denying the Sartains an interpretation of the Code.

Motion amended to deny different reinterpretation of Code and support Code Enforcement Officer and Attorney Hartman's interpretation made by Commissioner Elliott, seconded by Commissioner Grove.

Motion carried 4 to 0.

#### **APPROVAL FOR EMERGENCY EXPENDITURE TO REHAB WELL #6**

City Manager Wade explained that well #6 is out of service due to a sulfur bacteria in the well casing and pump. The remaining two wells are running constantly without any down time, and the third well is critical for the City's water supply. The expenditure is for \$7,400 for pump rebuild/repair/reinstallation, and \$18,580 to treat the well and casing.

Motion to authorize emergency expenditure for well #6 in amount of \$7,400 for pump rebuild/repair/reinstallation and \$18,580 to treat well and casing made by Commissioner Grove, seconded by Commissioner George. Motion carried 4 to 0.

#### **ARBOR DAY PROCLAMATION**

Attorney Hartman read proclamation in its entirety.

Motion to approve Arbor Day Proclamation made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 4 to 0.

Commissioner Grove stated the annual Arbor Day Celebration will be held on January 27<sup>th</sup> from 9AM – Noon at the Apalachicola Library.

#### **TREE COMMITTEE ROLE AND RESPONSIBILITIES**

City Manager Wade stated at the December meeting, the Commission directed him, City Attorney, Code Enforcement, and Commissioner Grove to develop the role and responsibilities for the Tree Committee.

Dennis Winterringer presented recommended revisions to the Tree Committee role and responsibilities.



Commissioner George presented her recommended changes to proposed Tree Committee role and responsibilities and stated all citizen boards/committees need mission statements and are appointed by the City Commission. Commission should be encouraging citizens to participate in committees and boards.

City Manager Wade stated that he is in the process of reviewing the roles and responsibilities of all City appointed committees/boards, and that no committee or board has enforcement authority. All committees/boards respond to direction from City Commission, and if a committee or board breaks the law, then that committee or board has become a liability to the City.

Commissioner Grove stated there is room for growth and we need to figure out a way to help each other rather than hinder. There is much community energy and there are many talented people in the community. Commissioner Grove recommends that all committees/boards be addressed at one time.

Commissioner Elliott stated the Commission is not responsible for the day-to-day activities of Staff and doesn't have a problem with the recommended role and responsibilities presented by Staff. Mr. Winterringer's recommendations can easily be incorporated into the Staff's recommendations.

Attorney Hartman stated the City has to be careful in delegating authority to a Committee because they hold an advisory role and are not held accountable like Staff.

Mayor Ash stated she appreciates all volunteers and agrees there is a liability when there is too much authority given to an individual or committee. All committees/boards need a rewrite on their mission statement and these committees/boards are acting under the direction of the City Commission and can be a liability. Mayor Ash stated that she appreciates Staff, and the Commission needs to be mindful of not supporting Staff in decisions.

Discussion held.

Motion to table item at this time made by Commissioner Grove, seconded by Commissioner Elliott.  
Motion carried 4 to 0.

#### **PARKS & RECREATION COMMITTEE DISCUSSION RE: CHAPMAN BOTANICAL GARDENS**

Faye Gibson gave presentation regarding proposed construction of a pavilion located in Chapman Botanical Gardens. Ms. Gibson recommends the Commission table approving design plans until public input has been received.

Attorney Hartman stated he has reviewed the lease and management plan. The Commission cannot dictate purpose and location of pavilion but does have a say in the design which can be reviewed in February. The Commission is bound by the management plan in the lease. This is a State facility, but the City can refuse to renew the lease when it comes up for renewal.

Mayor Ash stated we just need to wait until February meeting when DEP will present the design.

#### **BUSINESS LICENSE AD HOC COMMITTEE APPOINTMENTS**

Code Enforcement Officer PJ Erwin stated this will be a seven member committee and we have received eight applications. Ms. Erwin presented applications and stated this committee should only last approximately four or five months.

Discussion held concerning applicant requirements.

Commissioner George expressed concern regarding increasing any fees and recommended incorporating fees into fee schedule.

Ms. Erwin stated this committee will not only look at fees, but also update the business categories.

Motion to not consider increasing business license fees made by Commissioner George, seconded by Commissioner Grove. Motion died for lack of majority. Opposed are Mayor Ash and Commissioner Elliott.

Motion to appoint Cutler Edwards, Elinor Mount-Simmons, Andrea Pendleton, Clayton Mathis, Kathy Robinson, Chase Galloway, and Kristen Willis to the Business License Ad Hoc Committee made by Commissioner George, seconded by Commissioner Elliott. Motion carried 4 to 0.

#### **MAYOR & COMMISSIONER'S COMMENTS**

Mayor Ash stated she appreciates all volunteers.

Commissioner Grove distributed the Apalachicola Bay System Management and Restoration Plan to Commission. Commissioner Grove addressed the Battery Park launch fee stating that all Franklin County property owners should be given a free launch decal, regardless if you live or don't live full time in Franklin County.

Commissioner Elliott stated most likely their drivers license and boat registration are issued in the same County.

Commissioner George recommends adding this item to the February agenda.

Mayor Ash stated that if someone owns a second home, then the launch fee should not be a hardship.

Commission agreed to add to February agenda.

Commission agreed to add to February agenda.

Commissioner Elliott recommends to treat the approval of the annual African American History Festival with a standing resolution like the Florida Seafood Festival. Commissioner Elliott stated she will submit a board action request for this item.

#### **CITY MANAGER COMMUNICATIONS**

City Manager Wade updated Commission on Finance Director advertisement, ongoing FEMA projects, Leslie Street project, and commended Public Works Staff on their work in the new meeting space.

Commissioner George asked when the Community Center will be available for rental.

City Manager Wade stated needed repairs like new flooring, ceiling, and paint need to be done first.

Commissioner George questioned if the City can allow a for profit business to lease space in the Community Center.

Attorney Hartman stated the City can lease the space but cannot offer someone an unfair business advantage. Attorney Hartman stated he will also look into the zoning requirements.

#### **FINANCE DIRECTOR COMMUNICATIONS**

Report included in agenda packet.

#### **ATTORNEY COMMUNICATIONS**

1. Approval of Stipulation – City vs. Smith/Hall Case – Attorney Hartman stated the stipulation has been submitted in the agenda packet and recommends motion to approve and authorize Mayor Ash to sign stipulation.

Motion to approve conditions set forth in stipulation and authorize Mayor Ash to sign stipulation made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

#### **CONSENT AGENDA**

Motion to approve consent agenda made by Commissioner George, seconded by Commissioner Grove. Motion carried 4 to 0.

#### **DEPARTMENT REPORTS**

Reports included in agenda packet.



Motion to adjourn made by Commissioner Elliott, seconded by Commissioner Grove. Motion carried 4 to 0.

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Brenda Ash, Mayor

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Lee Mathes, City Clerk

A Regular Meeting of the Apalachicola City Commission was held on Tuesday, February 6, 2024 at 4:00 PM at the former Apalachicola Municipal Library located at 74 6<sup>th</sup> Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Despina George, Commissioner Anita Grove, Commissioner Donna Duncan, Commissioner Adriane Elliott, City Manager Travis Wade, City Attorney Dan Hartman, Planner Bree Robinson, Code Enforcement Officer PJ Erwin, Deputy Clerk Sheneidra Cummings, Chief of Police Bobby Varnes

Regular Meeting called to order by Mayor Ash followed by Invocation and Pledge of Allegiance.

#### **AGENDA ADOPTION**

Motion to adopt agenda made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

#### **PUBLIC COMMENT**

Myrtis Wynn expressed concern regarding the housing and homeless issue in Franklin County.

#### **RULES OF PROCEDURE**

Motion to recommend changes to Rule 29 Boards, Committees, and Meetings, of the Rules of Procedure to provide clarity and understanding of the roles, responsibilities, and processes of the City's Citizen Advisory Committees made by Commissioner Elliott, seconded by Commissioner Grove.

Discussion held.

Motion carried 4 to 1. Commissioner George opposed.

#### **BATTERY PARK MARINA BOAT RAMP STICKER RESIDENT OR PROPERTY OWNER**

Commissioner Grove requested that all Franklin County property owners be eligible for the free ramp sticker. Commissioner George agreed.

Commissioner Elliott and Commissioner Duncan agree that only actual Franklin County residents should receive the free ramp sticker.

City Manager Wade explained that proving residency is much easier than proving property ownership.

No action taken by Commission.

**FLOODPLAIN VARIANCE – 100 AVENUE D**

Motion to approve a floodplain variance for 100 Avenue D on the basis that it is a historic structure, and the proposed work will not diminish the historic value made by Commissioner Grove, seconded by Commissioner Elliott. Motion carried 5 to 0.

**FWC FLORIDA BOATING IMPROVEMENT PROGRAM – BAY AVENUE SEAWALL APPLICATION AUTHORIZATION**

Motion to authorize City Grant Coordinator and Project Manager Sarah Bourque to submit an application for repairs on the Bay Avenue Seawall for the Fish and Wildlife Conservative Commission (FWC) Florida Boating Improvement Program (FBIP) grant with City Manager Wade and Mayor Ash as signing authorities made by Commissioner Grove, seconded by Commissioner Elliott. Motion carried 5 to 0.

Commissioner Elliott recommended using ARPA funds for project if grant is not funded.

**FDEP/CHAPMAN BOTANICAL GARDENS PROJECT APPROVAL**

FDEP representatives Jason Towle, Lydia Panabaker, and Michael Foster presented site plan, in accordance with the management plan, for the restroom and pavilion to be constructed at Chapman Botanical Gardens.

Public comments consisted of the updating of FDEP management plan for the Chapman Botanical Gardens, maintenance responsibility of restrooms and pavilion, support and nonsupport of proposed restroom and pavilion, removal of trees, lack of public workshops for project, parking, and Orman House repairs.

Mr. Towle and Josh Hodgson addressed public concerns.

Commission discussion consisted of project deadline; lack of community involvement for project; removal of trees; agreement with FDEP regarding maintenance and gardening, park hours, admission fees, parking, Orman House repairs, pavilion size, management plan renewal, pavilion design, landscaping plan, and project being constructed in a flood plain area.

Motion to approve the proposed project for pavilion and restroom contingent there is one meeting to discuss design, aesthetics, and trees made by Commissioner Elliott, seconded by Commissioner Grove.

Motion amended to postpone project approval until March 5<sup>th</sup> regular meeting in order to obtain additional information made by Commissioner Elliott, seconded by Commissioner Grove.

Discussion continued regarding management plan and proposed project.



Motion carried 4 to 1. Commissioner George opposed.

**TREE COMMITTEE ROLES/RESPONSIBILITIES**

Discussion held and public comments received.

Motion to approve Tree Committee's role and responsibilities as presented made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 3 to 2 with Commissioner George and Commissioner Grove opposing.

**BOARD OF ADJUSTMENT MEMBER APPOINTMENT**

Motion to appoint Chris Presnell to Board of Adjustment made by Commissioner Elliott, seconded by Commissioner Duncan. Motion carried 5 to 0.

**HILLSIDE SIDEWALK & LIGHTING PROJECT – WORKSHOP/SPECIAL MEETING SCHEDULING**

Motion to set workshop and special meeting on February 20, 2024 at 5PM to discuss Hillside Sidewalk and Lighting Project made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

**FINANCE DIRECTOR DECISION**

Motion to appoint Lee Mathes as Finance Director with the contingency that Ms. Mathes receive training and assistance from a certified CPA made by Commissioner George.

Commissioner Duncan immediately opposed and suggested re-stating the motion to reflect that Ms. Mathes' hiring was not contingent upon receiving outside assistance, but rather can be an added benefit to her while in that position, if the Commission agree.

Motion was restated to appoint Lee Mathes as Finance Director, with the Commission to discuss hiring assistance from an outside firm at the March regular meeting made by Commissioner George, seconded by Commissioner Grove. Motion carried 5 to 0.

**ARPA**

Motion to set ARPA workshop for February 20, 2024 at 6PM made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

**GENERATOR CONTRACT**

Motion to award contract to BGN Contractors for Police Department and City Hall generators made by Commissioner Grove, seconded by Commissioner George.

Commissioner George questioned the price difference between the contract and bid amount.

City Manager Wade explained that this project is divided in two with two different funding sources. BGN Contractors' bid included both projects.

Motion amended to award contract for Police/Fire Department and City Hall generators to BGN Contractors in the amount of \$211,650.000 made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

**MAYOR & COMMISSIONER'S COMMENTS**

Mayor Ash directed City Manager Wade to draft letter to Early Head Start for non-removal from 6<sup>th</sup> Street Recreation Center; addressed Avenue L drainage issues; and would like the Manager Wade to present options for a volunteer recognition event.

Commissioner Grove inquired about the DEP \$5 million appropriation.

City Manager Wade stated that The Southern Group is advocating for the entire \$5 million and should have additional information for the next meeting.

Commissioner Grove expressed concern regarding the ordinance pertaining to demolition process and would like for item to be included on next regular meeting agenda.

Commissioner George recommends that the next regular meeting agenda have an update for items the Commission has directed to staff on, as these items are not being made a priority. Commissioner George will submit a board action request for the agenda item.

Commissioner Duncan addressed drainage issue on 21<sup>st</sup> Street and Ellis Van Vleet; anchor found in the Apalachicola River that could possibility be donated to City; and requested an update on the Robert Davis 10<sup>th</sup> Street property matter.

Attorney Hartman provided and update. (See Attorney's Report)

Commissioner Elliott recommends that more speed limit signs be posted in downtown area and recommends the City establish a speed limit standard for the C1 zone.

**CITY MANAGER COMMUNICATION**

City Manager Wade updated Commission on FLC sessions.

**FINANCE DIRECTOR COMMUNICATION**

No report.

**ATTORNEY COMMUNICATIONS**

Attorney Hartman made a request on behalf of Robert Davis regarding the property on 10<sup>th</sup> St. requesting the Commission allow an additional 60 days to meet his requirements. The Commission honored his request.

Motion to allow a 60-day extension to Robert Davis regarding 10<sup>th</sup> Street property matter made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

**CONSENT AGENDA**

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

**DEPARTMENT REPORTS**

January and February reports will be included in March agenda packet.

**ADJOURNMENT**

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

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Brenda Ash, Mayor

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Sheneidra Cummings, Deputy Clerk

A Workshop and Special Meeting of the Apalachicola City Commission was held on Tuesday, February 20, 2024 at 5:00 PM at the Holy Family Center, 203 Dr. Frederick Humphries Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Donna Duncan, Commissioner Anita Grove, Commissioner Despina George, City Manager Travis Wade, City Attorney Dan Hartman, Deputy Clerk Sheneidra Cummings, Planner Bree Robinson, Grants Coordinator Sarah Bourque

Meeting called to order by Mayor Ash.

#### **AGENDA ADOPTION**

Motion to adopt agenda made by Commissioner Grove, seconded by Commissioner George. Motion carried 5 to 0.

#### **WORKSHOP – HILLSIDE SIDEWALKS & LIGHTING PROJECT**

City Manager Wade outlined the purpose for project and most recent scope for the Hillside Sidewalks & Lighting Project.

#### **PUBLIC COMMENT**

Public comment consisted of sidewalk lighting, sidewalk route location, tree protection along sidewalk route, and Hill history.

City Manager Wade addressed sidewalk thickness in front of driveways, tree protection along sidewalk route(s), and lighting along proposed sidewalks.

Commissioner Duncan recommends shifting 8<sup>th</sup> Street sidewalk one block south connecting to Hwy 98 thru Chestnut Cemetery on 8<sup>th</sup> Street, 8<sup>th</sup> Street sidewalk will end at Avenue K, 7<sup>th</sup> Street sidewalk will end at Avenue K, and MLK sidewalk will run from 5<sup>th</sup> Street to 12<sup>th</sup> Street.

Commissioner Elliott agrees with Commissioner Duncan's recommendation so long as it does not hinder the project from moving forward or becoming cost prohibitive. Commission could approve the most recent scope but would rather approve the route Commissioner Duncan recommended.

Commissioner Grove agrees with Commissioner Duncan's recommendation. As an alternative, if one was needed, the sidewalk could also run on Avenue K between 8<sup>th</sup> Street and Dr. Frederick Humphries connecting to Holy Family and African American Museum. Commissioner Grove expressed concern on sidewalk thickness.

Commissioner George expressed concern on project costs and what scope of work is included within the allotted project funds. Commissioner George recommends concentrating on the connectivity of 12<sup>th</sup> Street to MLK because if the Commission's goal is commercial revitalization, then that is the area that



development will happen and not along a residential street. Commissioner George stated that until other project costs are nailed down, then it seems premature to decide on a project scope.

City Manager Wade stated a scope must be determined in order to determine project costs.

Discussion held.

Commissioner George recommends the priority be from 5<sup>th</sup> Street to 12<sup>th</sup> Street along MLK, not in support of sidewalk going from Avenue K to Avenue L on 8<sup>th</sup> Street, but maybe divert the sidewalk to Avenue K between 7<sup>th</sup> and 8<sup>th</sup> Street or connect to Chestnut Cemetery.

**SPECIAL MEETING – HILLSIDE SIDEWALKS & LIGHTING PROJECT SCOPE APPROVAL**

Motion to shift sidewalk south one block so that sidewalk on 8<sup>th</sup> Street runs from Avenue K to Chestnut Cemetery, 7<sup>th</sup> Street sidewalk will end at Avenue K, and MLK sidewalk will run from 5<sup>th</sup> Street to 12<sup>th</sup> Street made by Commissioner Duncan, seconded by Commissioner Elliott. Motion carried 5 to 0.

**ADJOURNMENT**

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

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Brenda Ash, Mayor

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Lee Mathes, City Clerk

A Workshop of the Apalachicola City Commission was held on Tuesday, February 20, 2024 at 6:00 PM at the Holy Family Center located at 203 Dr. Frederick Humphries Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Adriane Elliott, Commissioner Anita Grove, Commissioner Despina George, Commissioner Donna Duncan, City Manager Travis Wade, City Attorney Dan Hartman, Deputy Clerk Sheneidra Cummings, Planner Bree Robinson

Meeting called to order by Mayor Ash.

#### **AGENDA ADOPTION**

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

#### **PUBLIC COMMENT**

Laraela Coxwell wanted to make sure meetings are consistently recorded, expressed concern regarding water and sewer rates and repayment of DEP loan, Leslie Street repairs, and homeless issue.

#### **WORKSHOP – ARPA PROJECTS**

City Manager Wade stated the goal for this workshop is to select and prioritize the ARPA projects so he can proceed to get updated quotes for the projects.

Commissioner George reviewed ARPA funds received and how much has already been spent, feels the list presented by Manager Wade are previous discussed suggestions and not priorities, reviewed ARPA project allocations outlined in the FY 23-24 budget and provided corrections. Commissioner George stated her first priority is to use the remaining ARPA funds, approximately \$687,000, to pay down the DEP loan; second option is to find one once in a lifetime project that is only made possible because of ARPA funds.

Commissioner Grove stated her priorities are water well repairs and HVAC on several City owned buildings. Commissioner Grove stated she understood that ARPA funds cannot be used to pay down debt.

Commissioner George explained that ARPA funds cannot be used to pay debt, but she recommends shifting some budgeted expense line items to ARPA approved expenses to free up funds within the operating budget. This allows the freed-up funds within the operating budget to be used to pay on the DEP loan.

Commissioner Elliott stated her priorities are Battery Park Marina seawall, Scipio Creek Marina repairs/improvements, and covering excess expenditures for Leslie Street. Commissioner Elliott recommends sticking to projects that will generate the biggest return and will have an extended benefit

to the taxpayers. Commissioner Elliott stated all options should be explored before dedicating all ARPA funds towards paying down the DEP loan.

Commissioner Duncan stated her priorities are drinking water, and various infrastructure needs throughout the City. Commissioner Duncan stated her position on the DEP loan is that the City is no longer in default, the loan is non-interest bearing, but doesn't see how shifting expenses still doesn't violate the rule that says ARPA monies can't be used to pay debt.

Commissioner Grove stated creating a project list has to become a priority because there is a deadline in which funds must be obligated.

Discussion held regarding project priorities and costs.

Mayor Ash stated the Commission needs to direct staff on how to move forward.

Commissioner Grove stated her priority is water well repairs.

Commissioner George recommends shifting funds to pay down DEP loan.

Commissioner Elliott recommends Leslie Street project overage, Battery Park Marina sea wall, and Scipio Creek repairs/improvements.

Commissioner Duncan recommends doing repairs to City owned buildings, particularly repairing/replacing the HVAC at Holy Family.

City Manager Wade will obtain quotes on the above-mentioned projects and hopefully have them back in time for the March meeting.

Mayor Ash stated once quotes have been received, then the Commission can prioritize the projects or hold additional workshops if needed.

Mayor Ash directed Staff to post an update on the Leslie Street project to the websites so citizens can be kept informed.

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

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Brenda Ash, Mayor

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Lee Mathes, City Clerk

## Apalachicola Margaret Key Public Library January 2024 & February 2024



Library hours are 10am to 6pm Monday – Friday, and Sundays from 12pm to 4pm.

We are YOUR City of Apalachicola Library.

Come sign up for your FREE Apalachicola library card. Any library offering is FREE to the public.

Follow us on Facebook or Instagram @Apalachicolalibrary for the latest!

### January 2024 Statistics:

- 2,429 people in our library - 29 new accounts opened - 309 patrons used our computers
- 76 hours donated by our wonderful volunteers - 681 books/movies/audiobooks circulated
- 566 items donated to the library - \$486.40 collected as library revenue
- 29,758 people reached on Facebook & Instagram

Classic Movie Night "Some Like It Hot" on 1/11 @ 6pm spiced up the library this Winter with free popcorn and laughs! Author and nature photographer John Spohrer engaged a packed library on 1/25 @ 6pm with a slideshow and the stories behind his shots. The City of Apalachicola Tree Committee gave away trees at the library on Saturday 1/27, in recognition of Florida's Arbor Day. All trees were claimed in record time!

### February 2024 Statistics:

- 3,019 people in our library! (Avg. of 100+ people every day this month!) - 46 new accounts opened!
- 286 patrons used our computers - 106 hours donated by our wonderful volunteers
- 624 books/movies/audiobooks circulated - 483 items were donated to the library
- \$611.33 collected as library revenue - 22,475 people reached on Facebook & Instagram

The library partnered with the Hillside Coalition of Laborers (H'COLA) for the 2<sup>nd</sup> annual 'Readings in Black' on 2/6 @ 6pm, highlighting the works of black writers, poets, and thinkers. The Volunteer Income Tax Assistance program has returned with more appointment times available than ever before. Residents of Franklin County can have their taxes filed for FREE at the library, now-April 15th. The library's celebrated Winter Music Series launched this month with FREE concerts every Thursday @ 6pm. See the full lineup at [apalachicolalibrary.com/events](http://apalachicolalibrary.com/events). The Franklin County Sheriff's Office brought K-9 therapy dog Valentine on Valentine's Day of course (!) to meet with library patrons young and old for some good 'ol puppy love. The library also had a booth at the H'COLA African American Festival on Saturday 2/17, and showcased the Black Legends panels of local African American leaders in the library beginning Wednesday, 2/21.

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Your City of Apalachicola Library helps with reading, writing, and learning, and offers a suite of print/copy/scan/fax/and notary services. We loan FREE books, movies, puzzles, board games, and items from our Library of Things. We offer FREE audio books, e-books, and digital magazines through the Libby app, FREE language learning through Mango.com, & FREE streaming TV shows and movies through the Kanopy app. We also have a Book sale space on-site with FREE magazines. All donations go to our Friends of the Library 501c3 nonprofit, the Patrons of the Apalachicola Library Society (PALS). We also offer Yoga weekly on Mondays @ 6:15pm, Homework Help (FREE tutoring!) weekly on Tuesdays & Thursdays starting @ 2:45pm and Bring Me A Book Franklin hosts 'Books for Babies' weekly on Tuesday mornings @ 10:30am. Our once-a-month book club meets each 3<sup>rd</sup> Wednesday @ 6pm. Do you have a club you'd like to start in the library? Want to know more about a program? Is there a book or item you need?

Call: 850-653-8436 or email: [apalachicolalibrary@gmail.com](mailto:apalachicolalibrary@gmail.com)

## Happy March!

Isel Sánchez-Whiteley & Barbara 'Nissie' McNair, Library Assistants  
Lucy Carter, Library Director



Permit #	Category	Permit Type	Property Address	Issue Date	Issued By	Valuation	Amount Paid
24AP-CM0001	Zoning	Commercial Minor	25 Ave D	02/19/2024	Reynold Nippe	\$1,500.00	\$100.00
24AP-CM0001	Zoning	Commercial Minor	25 Ave D	02/19/2024	Reynold Nippe		\$2.00
24AP-CM0001	Zoning	Commercial Minor	25 Ave D	02/19/2024	Reynold Nippe		\$2.00
24AP-MO0002	One Stop	Misc. Other	98-12th St	02/16/2024	Reynold Nippe	\$4,500.00	\$90.00
24AP-MO0002	One Stop	Misc. Other	98-12th St	02/16/2024	Reynold Nippe		\$2.00
24AP-MO0002	One Stop	Misc. Other	98-12th St	02/16/2024	Reynold Nippe		\$2.00
24AP-P0002	One Stop	Plumbing Permit	169-22nd Ave	02/16/2024	Reynold Nippe	\$1,220.00	\$100.00
24AP-P0002	One Stop	Plumbing Permit	169-22nd Ave	02/16/2024	Reynold Nippe		\$2.00
24AP-P0002	One Stop	Plumbing Permit	169-22nd Ave	02/16/2024	Reynold Nippe		\$2.00
24AP-WR0004	One Stop	Window Replacement	242 - 6th St	02/14/2024	Reynold Nippe	\$4,200.00	\$100.00
24AP-WR0004	One Stop	Window Replacement	242 - 6th St	02/14/2024	Reynold Nippe		\$2.00
24AP-WR0004	One Stop	Window Replacement	242 - 6th St	02/14/2024	Reynold Nippe		\$2.00
24AP-RB0007	Residential Alteration	Residential Addition	30-8th St	02/14/2024	Reynold Nippe	\$30,000.00	\$445.50
24AP-RB0007	Residential Alteration	Residential Addition	30-8th St	02/14/2024	Reynold Nippe		\$2.00
24AP-RB0007	Residential Alteration	Residential Addition	30-8th St	02/14/2024	Reynold Nippe		\$2.00
24AP-RR0003	One Stop	Residential Re-Roof	261 Dr. Frederick S. Humphries St.	02/14/2024	Reynold Nippe	\$39,780.00	\$100.00
24AP-RR0003	One Stop	Residential Re-Roof	261 Dr. Frederick S. Humphries St.	02/14/2024	Reynold Nippe		\$2.00
24AP-RR0003	One Stop	Residential Re-Roof	261 Dr. Frederick S. Humphries St.	02/14/2024	Reynold Nippe		\$2.00
24AP-AC0001	One Stop	Air Conditioner	147-9th St	02/13/2024	Reynold Nippe	\$5,400.00	\$100.00
24AP-AC0001	One Stop	Air Conditioner	147-9th St	02/13/2024	Reynold Nippe		\$2.00
24AP-AC0001	One Stop	Air Conditioner	147-9th St	02/13/2024	Reynold Nippe		\$2.00
24AP-E0006	One Stop	Electric Permit	111 Ave E	02/13/2024	Reynold Nippe	\$500.00	\$100.00
24AP-E0006	One Stop	Electric Permit	111 Ave E	02/13/2024	Reynold Nippe		\$2.00
24AP-E0006	One Stop	Electric Permit	111 Ave E	02/13/2024	Reynold Nippe		\$2.00
24AP-E0005	One Stop	Electric Permit	335 Earl King	02/05/2024	Reynold Nippe	\$1,500.00	\$100.00
24AP-E0005	One Stop	Electric Permit	335 Earl King	02/05/2024	Reynold Nippe		\$2.00
24AP-E0005	One Stop	Electric Permit	335 Earl King	02/05/2024	Reynold Nippe		\$2.00

24AP-W/R0003	One Stop	Window Replacement	13 Adams St	02/05/2024	Reynold Nippe	\$17,000.00	\$100.00
24AP-W/R0003	One Stop	Window Replacement	13 Adams St	02/05/2024	Reynold Nippe		\$2.00
24AP-W/R0003	One Stop	Window Replacement	13 Adams St	02/05/2024	Reynold Nippe		\$2.00
24AP-M0001	One Stop	Mechanical Permit	15 Ave D	02/01/2024	Reynold Nippe	\$34,000.00	\$200.00
24AP-M0001	One Stop	Mechanical Permit	15 Ave D	02/01/2024	Reynold Nippe		\$2.00
24AP-M0001	One Stop	Mechanical Permit	15 Ave D	02/01/2024	Reynold Nippe		\$2.00
						\$139,600.00	\$1,579.50

Permit #	Category	Permit Type	Property Address	Payment Date	Issued By	Valuation	Amount Paid
24AP-RB0004	Residential Alteration	Residential Remodel	237 - 8th St	01/30/2024	Reynold Nippe	\$20,000.00	\$252.00
24AP-AF0001	One Stop	AC/Furnace	80-5th St.	01/30/2024	Reynold Nippe	\$6,775.00	\$100.00
24AP-AF0001	One Stop	AC/Furnace	80-5th St.	01/30/2024	Reynold Nippe		\$2.00
24AP-AF0001	One Stop	AC/Furnace	80-5th St.	01/30/2024	Reynold Nippe		\$2.00
24AP-CR0001	One Stop	Commercial Re-Roof	261 Dr. Frederick S. Humphries St	01/30/2024	Reynold Nippe		\$2.00
24AP-CR0001	One Stop	Commercial Re-Roof	261 Dr. Frederick S. Humphries St	01/30/2024	Reynold Nippe		\$2.00
24AP-WF0002	One Stop	Window Replacement	10 Ellis Van Vleet	01/26/2024	Reynold Nippe	\$2,900.00	\$100.00
24AP-WR0002	One Stop	Window Replacement	10 Ellis Van Vleet	01/26/2024	Reynold Nippe		\$2.00
24AP-WF0002	One Stop	Window Replacement	10 Ellis Van Vleet	01/26/2024	Reynold Nippe		\$2.00
24AP-CB0001	Commercial New	New Commercial	121 Market St	01/25/2024	Reynold Nippe	\$690,000.00	\$64.35
24AP-CB0001	Commercial New	New Commercial	121 Market St	01/25/2024	Reynold Nippe		\$41.40
24AP-CB0001	Commercial New	New Commercial	121 Market St	01/25/2024	Reynold Nippe		\$4,140.00
24AP-CB0001	Commercial New	New Commercial	121 Market St	01/25/2024	Reynold Nippe		\$150.00
24AP-CB0001	Commercial New	New Commercial	121 Market St	01/25/2024	Reynold Nippe		\$2,145.00
24AP-RB0004	Residential Alteration	Residential Remodel	237 - 8th St	01/24/2024	Reynold Nippe	\$20,000.00	\$75.00
24AP-RB0004	Residential Alteration	Residential Remodel	237 - 8th St	01/24/2024	Reynold Nippe		\$2.00
24AP-RB0004	Residential Alteration	Residential Remodel	237 - 8th St	01/24/2024	Reynold Nippe		\$2.00
24AP-RB0004	Residential Alteration	Residential Remodel	237 - 8th St	01/24/2024	Reynold Nippe	\$20,000.00	\$100.00
24AP-P0001	One Stop	Plumbing Permit	15 Ave D	01/24/2024	Reynold Nippe	\$15,000.00	\$75.00
24AP-P0001	One Stop	Plumbing Permit	15 Ave D	01/24/2024	Reynold Nippe		\$2.00
24AP-P0001	One Stop	Plumbing Permit	15 Ave D	01/24/2024	Reynold Nippe		\$2.00
24AP-WR0001	One Stop	Window Replacement	256 Hwy 98	01/23/2024	Reynold Nippe	\$3,500.00	\$100.00
24AP-WR0001	One Stop	Window Replacement	256 Hwy 98	01/23/2024	Reynold Nippe		\$2.00
24AP-WR0001	One Stop	Window Replacement	256 Hwy 98	01/23/2024	Reynold Nippe		\$2.00
24AP-RR0002	One Stop	Residential Re-Roof	80 5th St	01/19/2024	Reynold Nippe	\$6,500.00	\$100.00
24AP-RR0002	One Stop	Residential Re-Roof	80 5th St	01/19/2024	Reynold Nippe		\$2.00
24AP-RR0002	One Stop	Residential Re-Roof	80 5th St	01/19/2024	Reynold Nippe		\$2.00
24AP-RB0002	Residential Alteration	Residential Remodel	207 Ave D	01/18/2024	Reynold Nippe	\$200,000.00	\$1,494.50
24AP-RB0002	Residential Alteration	Residential Remodel	207 Ave D	01/18/2024	Reynold Nippe		\$14.90
24AP-RB0002	Residential Alteration	Residential Remodel	207 Ave D	01/18/2024	Reynold Nippe		\$2.00
24AP-E0004	One Stop	Electric Permit	237 - 8th St	01/18/2024	Reynold Nippe	\$1,200.00	\$100.00
24AP-E0004	One Stop	Electric Permit	237 - 8th St	01/18/2024	Reynold Nippe		\$2.00
24AP-E0004	One Stop	Electric Permit	237 - 8th St	01/18/2024	Reynold Nippe		\$2.00
24AP-RR0001	One Stop	Residential Re-Roof	192 5th St	01/11/2024	Reynold Nippe	\$6,000.00	\$100.00

24AP-RR0001	One Stop	Residential Re-Roof	192 5th St	01/11/2024	Reynold Nippe		\$2.00
24AP-E0002	One Stop	Electric Permit	220 Ave D	01/05/2024	Reynold Nippe	\$10,000.00	\$100.00
24AP-E0002	One Stop	Electric Permit	220 Ave D	01/05/2024	Reynold Nippe		\$2.00
24AP-E0002	One Stop	Electric Permit	220 Ave D	01/05/2024	Reynold Nippe		\$2.00
24AP-E0003	One Stop	Electric Permit	15 Ave D	01/05/2024	Reynold Nippe	\$5,000.00	\$75.00
24AP-E0003	One Stop	Electric Permit	15 Ave D	01/05/2024	Reynold Nippe		\$2.00
24AP-E0003	One Stop	Electric Permit	15 Ave D	01/05/2024	Reynold Nippe		\$2.00
23AP-P0061	One Stop	Plumbing Permit	13 Adams St	01/04/2024	Reynold Nippe	\$2,100.00	\$100.00
23AP-P0061	One Stop	Plumbing Permit	13 Adams St	01/04/2024	Reynold Nippe		\$2.00
23AP-P0061	One Stop	Plumbing Permit	13 Adams St	01/04/2024	Reynold Nippe		\$2.00
24AP-WH0001	One Stop	Water Heater	33-16th St	01/02/2024	Reynold Nippe	\$1,500.00	\$25.00
24AP-WH0001	One Stop	Water Heater	33-16th St	01/02/2024	Reynold Nippe		\$2.00
24AP-WH0001	One Stop	Water Heater	33-16th St	01/02/2024	Reynold Nippe		\$2.00

\$1,010,475.00      \$9,504.15

# APALACHICOLA POLICE DEPARTMENT

January and February Report 2024

A lot of community events that have kept us busy for January and February. We did patrol at the Oyster Cook off and the African American History Festival. Sgt. Smith, Sgt. Webb and Lt. Turner did detail at Butts and Clucks. Chief Varnes participated in the MLK Parade with Lt. Davis blocking traffic. Chief Varnes also will participate in the Marty Gras Barkus Parade this weekend. Sgt. Webb, who was on scene during the AAHF, also has been spending time with the elderly guests at Holy Family. Several incidents of bank fraud has been reported and investigated by our department this month. Sgt. Smith also assisted Ems with a dementia patient and on over dose. We have also assisted in some Baker acts these couple of months.

January and February

Traffic Stops/ Warnings/ citations	50/20/8
Arrests/ Warrant Requests	9
Traffic Accidents	7
Burglary/Theft calls	8
Assist Citizens/ Complaints/investigations	450
Trespass Warnings/agreements	20
Business alarm calls/building checks/welfare checks	800
assist county call/other agencies	65
Assist Animal control	3
Domestic cases involving violence/disturbance calls	0
 Total calls from dispatch	 2234





## **CITY OF APALACHICOLA CODE ENFORCEMENT**

192 Coach Wagoner Blvd \* Apalachicola, Florida 32320 \* 850-653-8222

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### **CODE ENFORCEMENT OFFICE**

**December 2023**

**January 2024**

**7 Tree Permits  
5 Fence Permits  
8 Sidewalk Permits  
4 Sign Permits  
1 Mural Permit  
6 Fill Permits**

**Daily Phone Inquiries & Emails Answered**

**Weekly Report and Inspection: STR operation in the Residential Zones**

**Coordinate with City Planner to develop Fact Sheets for short-term and monthly vacation rentals in City limits.**

**Route inspections daily**

**Attend monthly P&Z and City Commission meetings**

**Coordinate with Business License Clerk to pull together meeting of Business License Ad Hoc Committee; held first meeting.**

#### **Code Violation Issues:**

- **Fill Dirt (2)**
- **Short-term Rentals (4) - residential**
- **RV - (4)**
- **Nuisance (Trash, waste, burning, etc.) (4)**
- **Storage (PODS): 3**
- **Signs: 1**

**Continued to work with City Staff to organize building dept systems.**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S
	Jurisdiction	Payment D/Category	Permit Type	Assessed T	Property Ad Fee	Type	Amount Pa	Transaction	Cashier	Reference I	Receipt Nu	Payment M	Notes	Primary Co	Applicant A	Parcel N	Valuation		
1	Apalachicola	12/28/2023	One Stop	Fill Dirt	23AP-FD00	169 22nd A AV Flood Zc	\$200.00	Payment	Pamela Ew	1570	1766	Check	Guft Coast Land Clearing						
2	Apalachicola	12/28/2023	One Stop	Fill Dirt	23AP-FD00	170 22nd A AV Flood Zc	\$200.00	Payment	Pamela Ew	1570	1767	Check	Guft Coast Land Clearing						
3	Apalachicola	12/28/2023	Land Use	Tree	23AP-T008	83 Avenue I Tree App Fe	\$50.00	Payment	Pamela Ew	1647	1768	Check	Frances R. Wiggins						
4	Apalachicola	12/28/2023	Land Use	Tree	23AP-T008	83 Avenue I Tree Refore	\$60.00	Payment	Pamela Ew	1647	1769	Check	Frances R. Wiggins						
5	Apalachicola	12/28/2023	Land Use	Fence	23AP-F003	249 Prado Fence - Ne	\$75.00	Payment	Pamela Erwin		1771	Check	Mark Doward						
6	Apalachicola	12/21/2023	Land Use	Fence	23AP-F003	245 12th St Fence - Ne	\$75.00	Payment	Pamela Ew	2128	1761	Check	Dana Allen						
7	Apalachicola	12/18/2023	Commercial Mural	23AP-M00C	122 Comm Mural Perm	\$100.00	Payment	Pamela Ew	2338	1746	Check	Kelly Cummings							
8	Apalachicola	12/18/2023	Commercial Sign	23AP-S000	127 Comm Sign Permit	\$30.00	Payment	Pamela Erwin		1750	Check	LeeAnne & Lindsey Poltronis							
9	Apalachicola	12/18/2023	Commercial Sign	23AP-S000	127 Comm Sign Permit	\$30.00	Payment	Pamela Erwin		1751	Check	LeeAnne & Lindsey Poltronis							
10	Apalachicola	12/18/2023	Land Use	Tree	23AP-T008	343 25th A Tree App Fe	\$50.00	Payment	Pamela Erwin		1748	Check	Eliso Jimenez Escobar						
11	Apalachicola	12/18/2023	Land Use	Tree	23AP-T008	343 25th A Tree Refore	\$250.00	Payment	Pamela Erwin		1749	Check	Eliso Jimenez Escobar						
12	Apalachicola	12/17/2023	One Stop	Fill Dirt	23AP-FD00	155 20th A Other - Res	\$50.00	Payment	Pamela Erwin		1764	Check	paid Check #3100 on 4. Earl Duggar						
13	Apalachicola	12/15/2023	Land Use	Fence	23AP-F003	242 15th St Fence - Ne	\$50.00	Payment	Pamela Ew	1196	1744	Check	Jeff Keith						
14	Apalachicola	12/11/2023	One Stop	Fill Dirt	23AP-FD00	72 12th Str X Flood Zor	\$100.00	Payment	Pamela Erwin		1733	Check	Patrick Cummings						
15	Apalachicola	12/7/2023	One Stop	Tree	23AP-T006	119 17th St Tree App Fe	\$50.00	Payment	Pamela Ew	1168	1725	Check	Duncan and Susan Blair						
16	Apalachicola	12/7/2023	One Stop	Tree	23AP-T006	119 17th St Tree Refore	\$145.00	Payment	Pamela Ew	1168	1726	Check	Duncan and Susan Blair						
17	Apalachicola	12/6/2023	Commercial Sign	23AP-S000	170 Water I Sign Permit	\$50.00	Payment	Pamela Ew	1060	1723	Check	Apalachicola Yacht Club							
18	Apalachicola	12/6/2023	Commercial Sign	23AP-S000	170 Water I Sign Permit	\$23.62	Payment	Pamela Ew	1060	1724	Check	Apalachicola Yacht Club							
19	Apalachicola	12/1/2023	Commercial Sign	23AP-F001	273 24th A Fence - Res	\$50.00	Payment	Pamela Erwin		1735	Check	Jesse & Amanda Thompson							
20	Apalachicola	12/1/2023	Zoning	Fence	23AP-F003	252 Water I COA - Com	\$50.00	Payment	Pamela Erwin		1714	Credit Card	john bone						
21	Apalachicola	12/1/2023	Land Use	Fence	23AP-F003	252 Water I COA - Com	\$50.00	Payment	Pamela Ew	1225	1715	Check	Isabel Paterissas						
22	Apalachicola	12/1/2023	Commercial Sign	23AP-S000	146 Ave E Sign Permit	\$50.00	Payment	Pamela Ew	1225	1716	Check	Isabel Paterissas							
23	Apalachicola	12/1/2023	Commercial Sign	23AP-S000	146 Ave E Sign Permit	\$64.00	Payment	Pamela Ew	1225	1716	Check	Isabel Paterissas							
24	Apalachicola	12/1/2023	Commercial Sign	23AP-S000	71 Mark Str Sign Permit	\$50.00	Payment	Pamela Ew	6673	1717	Check	Jerry Hall							
25	Apalachicola	12/1/2023	Commercial Sign	23AP-S000	71 Mark Str Sign Permit	\$44.60	Payment	Pamela Ew	6673	1718	Check	Jerry Hall							
26	Apalachicola	12/1/2023	Land Use	Business Si	23AP-BS00	127 Comm Sidewalk Ft	\$200.00	Payment	Pamela Ew	1039	1720	Check	Sunkissed Boutique						
27																			
28																			

Jurisdiction	Payment D:	Category	Permit Type	Assessed T	Property Ad	Fee Type	Amount Paid	Transaction	Cashier	Reference I	Receipt Nu	Payment M
Apalachico	1/29/2024	Land Use	Tree	24AP-T000	250 1/2 Hw	Tree App Fe	\$50.00	Payment	Pamela Erwin	2502	1799	Check
Apalachico	1/29/2024	Land Use	Tree	24AP-T000	250 1/2 Hw	Tree Refore	\$120.00	Payment	Pamela Erwin	2502	1800	Check
Apalachico	1/29/2024	Land Use	Fence	24AP-F000	189 Avenue	Fence - New	\$75.00	Payment	Pamela Erwin	139	1801	Check
Apalachico	1/19/2024	One Stop	Fill Dirt	24AP-FD00	207 11th St	X Flood Zone	\$100.00	Payment	Pamela Erwin		1791	Check
Apalachico	1/16/2024	Commercial Sign		24AP-S000	192 Coach	Sign Permit	\$50.00	Payment	Pamela Erwin		1786	Check
Apalachico	1/16/2024	Commercial Sign		24AP-S000	192 Coach	Sign Permit	\$138.00	Payment	Pamela Erwin		1787	Check
Apalachico	1/5/2024	Land Use	Tree	24AP-T000	161 Ave C	Tree Refore	\$35.00	Payment	Pamela Erwin		1780	Check
Apalachico	1/5/2024	Land Use	Business Sign	24AP-BS00	122 Comm	Sidewalk Fe	\$200.00	Payment	Pamela Erwin		1783	Check
Apalachico	1/5/2024	Land Use	Business Sign	24AP-BS00	51 Comm	Sidewalk Fe	\$200.00	Payment	Pamela Erwin		1784	Check
Apalachico	1/4/2024	Land Use	Business Sign	24AP-BS00	14 Ave D	Sidewalk Fe	\$200.00	Payment	Pamela Erwin		1779	Check
Apalachico	1/3/2024	Commercial Business Sign		23AP-BS00	23 Ave D	Sidewalk Fe	\$250.00	Payment	Pamela Erwin		1777	Check
Apalachico	1/3/2024	Land Use	Tree	24AP-T000	126 Ave D	Tree App Fe	\$50.00	Payment	Pamela Erwin		1775	Check
Apalachico	1/3/2024	Land Use	Tree	24AP-T000	126 Ave D	Tree Refore	\$70.00	Payment	Pamela Erwin		1776	Check
Apalachico	1/2/2024	Land Use	Fence	24AP-F000	161 Ave G	Fence - New	\$75.00	Payment	Pamela Erwin	3336	1774	Check

Total \$1,613.00

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# City of Apalachicola WWTP

## Monthly Report for January 2024

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During the month of January 2024, the City of Apalachicola has hired an operator trainee to work at the WWTP. Some of the items that we have been working on this month are listed below.

- Recorded all required daily parameters as outlined by the permit.
- Completed all required monthly testing as outlined by the permit.
- Completed all monthly reports and submitted them on time as outlined in the permit.
- At the time of this report the WWTP treated and discharged 13.492mg the month of January 2024.
- Staff have continued to keep the grounds cut and presentable at the WWTP.
- A Public Works inmate crew has kept the grounds trimmed.
- Staff have continued to work in the spray fields using the mulcher and the bush hog as well.
- Replaced a damaged track on the skid steer.
- Staff continued to put more rock in the roadways where mudholes are being created in the spray fields.
- Contacted Forestry about meeting on site to discuss the process of getting a burn permit to burn piles of trees that have been removed in the spray fields. This meeting has yet to be set up. Only phone calls placed at this time.
- Hauled sludge to the landfill.
- Changed 3 sections of damaged filter fabric on the south Aqua Disk filter at the WWTP.
- Put rebuilt mixer in basin #2. Mixer is still not working. Ordered new power cable and will schedule to install and test mixer for proper operation.
- The transformer for Blower #4 is not working. Staff have reached out to an electrician about the replacement of the transformer. There are two other blowers for basin 3 to operate with so this is not an immediate issue of concern. Steps will be taken to get this repaired in a timely manner depending on parts availability.

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# City of Apalachicola WWTP

## Monthly Report for February 2024

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Some of the items that we have been working on this month are listed below.

- Recorded all required daily parameters as outlined by the permit.
- Completed all required monthly testing as outlined by the permit.
- Completed all monthly reports and submitted them on time as outlined in the permit.
- At the time this report was made, the WWTP treated and discharged 6.753mg during the month of February 2024. This still leaves 10 more days in the month for extra flow to be accounted for.
- We did have to use our reject pond during the month of February. The heavy rainfall sent more infiltration to the WWTP than the plant could handle so flow had to be sent to the reject pond till parameters were met for normal discharge. The reject pond has been being returned to the plant for treatment and normal discharge.
- Staff have continued to keep the grounds cut and presentable at the WWTP. Inmates have been weed eating on the property.
- Staff have continued to work in the spray fields using the mulcher and the bush hog as well.
- Staff has had a technician from Aqua Aerobics come on site to make needed repairs to one of the disk filters. There were some programing problems that staff could not repair on their own.
- The service truck for the WWTP has been ordered and we are expecting to have a begin build date in February 2024. When it is completed, I will be getting email confirmation and the expected delivery date to the dealership.
- Staff worked diligently to maintain quality effluent during heavy periods of rainfall that created heavy loadings at the plant.
- Staff used the vacuum excavator to remove grease and scum buildup on the top of the basins that also allow for filamentous bacteria to grow in. This was put into the drying beds for drying, pathogen destruction and disposal later.
- Staff have continued to make roadways and monitoring wells accessible in and around the spray fields.
- Lead Operator and City Manager went to Destin for a course on WWTP grit removal systems and pump designs. This aided in mandatory CEU accrual for operators as well as insight into differing types of grit removal for the aid in the designs of the grit removal system for the new WWTP.



CITY OF APALACHICOLA  
CITY CLERK MONTHLY REPORT  
JANUARY & FEBRUARY 2024

- Utility bills have been processed and mailed before the end of the month.
- Prepared January and February Commission minutes. Prepared February and March agenda packets and emailed to Commission and City Attorney.
- Notified 2K Web Group to upload meeting agenda packets to website and post meeting dates and times to website.
- Staff assisted customers with cemetery items, utility bill questions and payments, garbage/yard trash complaints, public records request, golf cart decals, Battery Park ramp stickers, business licenses, and other miscellaneous duties.
- Completed tasks as assigned by the City Manager/Commission.
- Completed and mailed general monthly billing.
- Assisted Staff with various issues and projects.
- Onboarded new employees Sarah Bourque (Grants Coordinator) and Daijon Penamon (Water & Sewer Field Crew). Assisted employees with HR related issues.
- Processed retirement and insurance payments.
- Followed up with MuniCode regarding omitted documents.
- Completed 2 public records request.
- In the process of scanning all committee minutes so all committee minutes can be uploaded to website.

City of Apalachicola public works monthly report  
January and february 2024

The public works department, services all city vehicles and replaces all the tires on city vehicles, services all the mowers and weed eaters, cuts all city parks, cut all city properties, clean all city buildings, empty all garbage cans down town and city parks, clean city right of ways, cut city right of ways, and patch holes on city roads as needed. And set community center up for monthly meetings.

- Serviced 2 vehicles and changed oil.
- collected trash from down town and public parks.
- cut and cleaned ditches 12<sup>th</sup> st. for storm water runoff.
- completed 9 work orders.
- Removed trees in alley off of mlk and moved alley over because new survey had alley on private property.
- Cleaned culverts out on ave i.
- Removed trees that was cut down on 12<sup>th</sup> st.
- Cleaned ditch on ave d.
- Cleaned storm drains on bay ave. and ave. b,c,d.
- Took down Christmas tree and lights.
- Cleaned house hold garbage from 145 6<sup>th</sup> st., over flow from dumpster.
- Repaired storm drain 6<sup>th</sup> st.
- Patched pot holes all over town.
- Removed palm tree trunks on 8<sup>th</sup> st.
- Removed diseased palms from several locations in city limits.
- Replaced stop sign on 12<sup>th</sup> and ave m.
- Repairing alleys and putting rocks in several alleys marked by gps for grant that was givin.
- Painted parking spot lines on market street.

Prepared by, Robert Osburn