

PUBLIC HEARING AND REGULAR MEETING  
APALACHICOLA CITY COMMISSION  
TUESDAY, MAY 7, 2024 – 4:00PM  
FORMER APALACHICOLA MUNICIPAL LIBRARY  
74 6<sup>TH</sup> STREET, APALACHICOLA, FLORIDA 32320

**AMENDED AGENDA**

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

- I. Call to Order**
  - Invocation
  - Pledge of Allegiance
  
- II. Agenda Adoption**
  
- III. Presentation: Chestnut Cemetery, Caty Greene**
  
- IV. Presentation: Chestnut Cemetery, Torben Madsen**
  
- V. PUBLIC HEARING: Ordinance 2024-01 Business/Occupation License Tax**
  
- VI. Public Comment**
  
- VII. New Business**
  - 1. HCA Building DHR Grant
  - 2. Lafayette Park Milkweed Planting
  
- VIII. Unfinished Business**
  - 1. 2<sup>nd</sup> Reading & Adoption Decision: Ordinance 2024-01 Business/Occupation License Tax
  - 2. Resolution for Previously Approved SRLF Loan for LSL Inventory
  - 3. FCREC Lease for Space
  - 4. Rules of Procedure
  - 5. Appointment to P&Z Board
  - 6. Cemetery Use for Events
  - 7. 1<sup>st</sup> Reading: Access Ordinance 2024-02

**IX. Mayor and Commissioner Comments**

**X. City Manager Communications - Report Attached**

**XI. Finance Director Communications - Report Attached**

**XII. Attorney Communications**

**XIII. Consent Agenda**

**Commission Meeting Minutes Adoption: April 2<sup>nd</sup> Regular meeting Minutes**

**Adoption of Planning & Zoning Minutes: March 11, 2024**

**XIV. 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.

APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date:

SUBJECT: Cemetery Grant Update & Tree evaluation

AGENDA INFORMATION:

Agenda Location: Chestnut Street Cemetery  
Item Number:  
Department: N/A  
Presenter: Cathy Greene, ACHS Administrator

BRIEF SUMMARY: update on state grant for restoration in  
the Chestnut Street Cemetery

RECOMMENDED MOTION AND REQUESTED ACTIONS:

FUNDING SOURCE:

Dept of State, Division of Historical Resources

ATTACHMENTS:

Provided at April Meeting (can resubmit)

STAFF'S COMMENTS AND RECOMMENDATIONS:



March 28, 2024

Blue denotes trees scheduled for removal in April 2024 as recommended by arborist.  
 Green denotes additional trees that arborist recommended for removal but that Historical Society does not plan to remove in April 2024.  
 Yellow denotes two additional trees the Historical Society would like to get an updated arborist evaluation.

INVENTORY<sup>1</sup> AND STATUS<sup>2</sup> OF TREES AT CHESTNUT STREET CEMETERY  
 TWENTY TREES FOR ARBORIST EVALUATION

Tree No.	Species	DBH <sup>3</sup> (inches)	Health <sup>4</sup>	Likelihood of structural failure <sup>5</sup>	Targets <sup>6</sup>	Risk <sup>7</sup>	Certified arborist recommendation	Post-inventory notes and status as of 3/22/24 <sup>2</sup>
4	Live oak	32	2	C	B,C,D	High	Remove	Retain. Previous trimming around power line. Does not currently appear to be structurally unsound.
7	Laurel oak	15	3	C	B,O	Medium	Remove	Surveyor's map incorrectly labels as live oak. Remove.
13	Live oak	28	4	C,T(?)	B,C		Remove	Does not currently appear to be structurally unsound. Retain.
25	Laurel oak	16	3	B	B,C	Medium	Prune, monitor	Surveyor's map incorrectly labels as live oak.
29	Live oak	14	3	C	C	High	Remove	Remove.
33	Live oak	20	2	C	B,C	High	Remove	Remove.
34	Live oak	12	2	C	C	High	Remove	Remove.
41	Live oak	19	2	C	B,C	High	Remove	Laurel oak, which is susceptible to wind damage. Tree has grown, and trunk diameter has increased to

Tree No.	Species	DBH <sup>3</sup> (inches)	Health <sup>4</sup>	Likelihood of structural failure <sup>5</sup>	Targets <sup>6</sup>	Risk <sup>7</sup>	Certified arborist recommendation	Post-inventory notes and status as of 3/22/24 <sup>2</sup>
60	Oak	7	5	C	B,C	Medium	Monitor	extent it and roots are starting to affect adjacent monument. Remove. Mostly dead crown.
63	Laurel oak	12	1	C	C	Medium	Prune, monitor	Arborist didn't rate health and rated likelihood of structural failure to be "D," imminent danger. Could be a typographical error, more likely to be "C," probable Target recorded as "C," monument. Only one small monument in vicinity. Trim and retain.
70	Live oak	25		D	C	High	Remove	Likely just trim.
81	Live oak	20	3	C	C	High	Remove	Likely just trim.
82	Live oak	20	3	C	C	High	Remove	
83	Live oak	20	4	B	C	Medium	Prune, soil test, monitor	Old Chapman oak in cemetery adjacent to the house of famous botanist Dr. Alvan W. Chapman for which this species is named. Probably one of the largest Chapman oaks in the State. Reluctantly remove. City (Tree Help LLC) trimmed dead wood 3/23. Large limb fell about
89	Live oak	20	3		B,C	High	Remove	

Tree No.	Species	DBH <sup>3</sup> (inches)	Health <sup>4</sup>	Likelihood of structural failure <sup>5</sup>	Targets <sup>6</sup>	Risk <sup>7</sup>	Certified arborist recommendation	Post-inventory notes and status as of 3/22/24 <sup>2</sup>
129	Cedar	26	1	C	B, C	High	Remove	2/1/24. Now structurally unsound. Remove.
132	Magnolia	20	1	C	B, C	High	Remove	Remove.
135	Cedar	18	5		B, C	Medium	To protect wall at tree base, remove	Remove.
136	Cedar	15	5	B	B, C	Low	To protect wall at tree base, remove	Remove. City (Tree Help LLC) trimmed dead wood 3/23. Condition similar to cedar No. 129 that had large limb fall about 2/1/24. Remove.
168	Cedar	24	1	C	A, B, C, O	High	Remove	

<sup>1</sup> Inventory prepared by certified arborist Stanton Rosenthal, Big Ben Forestry Services, Inc., in November 2016 and attached to March 8, 2017, letter report.

<sup>2</sup> Status notes prepared by Dennis Winteringer, Chestnut Street Cemetery Committee, Apalachicola Area Historical Society, following initial inventory.

<sup>3</sup> Diameter at breast height (4 ½ feet above ground level).

<sup>4</sup> Health.

1 = very poor

2 = poor

3 = fair

4 = fairly good

5 = good

<sup>5</sup> Likelihood of structural failure.

A = improbable





# Big Bend Forestry Services Inc.

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March 8, 2017

**Re: City of Apalachicola, Florida, historic Chestnut Cemetery**

Dear Mark Curenton:

This report of management recommendations for the trees and grounds of the historic Chestnut Cemetery is submitted to you to help improve the below listed four items which were submitted to you in a previous letter dated June 1, 2016.

1. Overall risk analysis of existing trees located within the cemetery.
2. General Tree Care Plan with specific recommendations for structural remediation and/or removal of high risk trees.
3. Aesthetic analysis of the tree canopy with replanting recommendations (utilizing appropriate historical species.)
4. Groundcover management recommendations, including horticultural and wildlife enhancements.

For item one (Overall risk analysis of existing trees located within the cemetery) we took an inventory of trees (see attached inventory) in the cemetery and rated them for health and structure as shown in the charts below. Then we noted potential targets such as fences and monuments as shown in the charts below. These three observations then were used to draw conclusions to give us an overall risk rating of low, medium, high or extreme. Finally, we listed recommendations to improve health, structure and potentially reduce risk to monuments and other targets of value in the cemetery from the trees.

<u>Health</u>	<u>Likelihood of Structural Failure</u>	<u>Target</u>
1 = Very Poor	A = Improbable	A = People
2 = Poor	B = Possible	B = Fence
3 = Fair	C = Probable	C = Monument
4 = Fairly Good	D = Imminent Danger	O = Utility
5 = Good		

The inventory went well and all trees were surveyed. Before we get to that part of the report it would be good to review tree history and the physical aspects of the land and tie that into what we found in the survey.

The main soil types found in Chestnut Cemetery is Resota fine sand. On lower slopes on the southwest side of the cemetery Mandrin fine sand is found. See attached soil map and key. Resota fine sand has slopes of 0-5%, is moderately well drained and has very rapid permeability. Native vegetation typically consists of sand pine (*Pinus clausa*), slash pine (*Pinus elliotii*), longleaf pine (*Pinus palustris*), sand live oak (*Quercus geminate*), and turkey oak (*Quercus laevis*) with an understory of native shrubs, saw palmetto (*Serenoa repens*), rosemary (*Ceratiola ericoides*) and wiregrass (*Aristida stricta*). The Mandrin fine sand is somewhat poorly drained, has low fertility and is found in flatwoods. When wildfires were present, this forest went through a series of back and forth between communities dominated by pines or hardwoods. I suspect that in earlier times of this graveyard's existence, before air photos, that slash pines were a dominate species and that sand live oaks, laurel oaks (*Quercus hemisphaerica*) and southern red cedar (*Juniperus virginiana var. virginiana*) were present in the understory. More recently, as the pines have mostly died off, the oaks and cedar became dominate in the canopy. At some point, cabbage palms (*Sable palmetto*) were planted. Red cedar's abundance in the cemetery also leads to the high probability of many being planted or favored when naturally regenerating. Management of the understory has been primarily mowing and foot traffic as fire has been suppressed. This has created a lack of tree reproduction for many decades. Overtime, age, lightning and other abiotic factors have taken out some trees to create openings that are no longer filled with new trees. The soils are sandy and have low fertility. This combined with low mowing heights and foot traffic has created a combination of pulverized mulch, poor grass cover and areas with no vegetation and only bare sand (see pictures below). This leads to compacted soils which are a poor root zone environment for all plants. Continuing this current management methods will eventually create an area of no trees and mostly bare sand. Above ground tree management (pruning) was also largely absent.

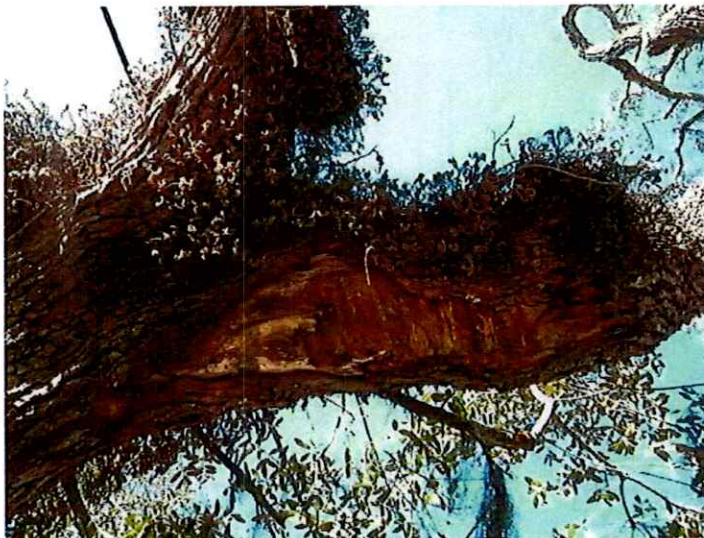


To avoid these conclusions and instead have a landscape that protects the historical landscape, enhances aesthetics and reduces the risk to monuments and the public, we recommend the following actions.

Remove all trees recommended for removal, prioritizing the trees determined to have an extreme risk. These tree removals should be followed quickly by removing those trees recommend for removal that were determined to be of high risk.

Next, a pruning program should begin for those trees that pruning was recommended. This program should be completed by an International Society of Arboriculture (ISA) certified arborist. Again, prioritizing those trees determined to have a high risk followed by medium and lower risk trees. Besides reducing the risk to the listed targets, pruning can be done to help shape the structure of the tree to avoid future structural problems. It is important to note here that improper pruning by uninformed people can increase the risk of structural failures and lead to liability for those doing the pruning.

Tree number 37 is a live oak that leans out of the cemetery, over a road and into the space of the Chapman House. For this tree, we did a more in depth evaluation. Attached is our completed "ISA Basic Tree Risk Assessment Form." Our determination for the tree's risk rating is high. Mitigations options as stated are "Avoid future injury to roots and trunk. Structural enhancement to reduce risk. Regular inspections and appropriate pruning, etc." What this means is that vehicles going on the road under the tree have not only caused damage to the roots, but have been damaging its upper trunk as well (see picture below). This is leading to decay which may eventually lead to structural failure.



As the trunk increases in girth, this problem will only get worse. Remedies include prohibiting vehicles that are tall enough to hit the upper trunk from using the road or removing the tree. If it is decided that the tree can be saved, the crown of the tree will need to be regularly pruned as the crown continues to grow towards the Chapman House. Again, I recommend that pruning be done only under the supervision of an ISA

certified arborist and in coordination with the owner(s) of the Chapman House. The damaged trunk will need to be inspected at least once a year for the foreseeable future, to monitor the trees' response to these actions.

The cabbage palms will need better protection from lawn pruning equipment and people

using them as bulletin boards, especially those trees planted along Avenue E (US Highway 98). Both types of damage can introduce decay into the trunks which can make the trees a higher risk to the public and result in causing a loss of these valuable landscape enhancing plants. Mulching around the palms will reduce the need to cut grass up against their trunks. A simple bulletin board could be made available as an alternative to pounding nails and staples into the tree trunks. Note, that mulch on all types of trees' root zones should be two to four inches deep and not be piled up against tree trunks.

Soil tests should also be completed where noted. A simple soil test kit can be obtained from your University of Florida Extension Office (see attached form). We will be happy to help analyze the results of these tests to determine if a fertilizer application(s) would be helpful. If fertilization would be helpful we can then recommend what type of fertilizer, the application rates and timing of application(s). Fertilizer should be applied using the broadcast method and have a significant slow release component. Note that Florida Statute 482.1562 states that all commercial fertilizer applicators must have a license from the Florida Department of Agriculture and Consumer Services (FDACS) by January 1, 2014. To get this license, each Green Industry worker must be trained in the GI-BMPs and receive a certificate of completion from UF/IFAS and FDEP.

After appropriate trees are removed and/or properly pruned, a replanting program should begin where shade is desired. A tree replanting program can also increase age diversity and reintroduce exterminated species.

Many such public places have programs where someone can donate money for the purchase of a tree to memorialize someone, certainly, an appropriate program for your cemetery. To avoid losing the historical look of the cemetery's landscape I have provided an approved list of trees from which people can select appropriate species (see below). Excellent and comprehensive information including how to plant a tree and its predicted irrigation needs (frequency, amount and length of establishment period) can be found on a University of Florida web page at <http://hort.ifas.ufl.edu/woody/planting.shtml>

Note, establishing an irrigation system by ground trenching is not recommended as it would cause excessive damage to already existing tree root systems. This would increase the risk of structural failure and could also cause a decline in health of your trees, creating an increased risk for park visitors, monuments and other objects of value.

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Below is a suggested approved list of trees for planting in Chestnut Cemetery.

Sand live oak (*Quercus geminate*)

Laurel oak (*Quercus hemisphaerica*)  
Slash pine (*Pinus elliottii*)  
Longleaf pine (*Pinus palustris*)  
Sand pine (*Pinus clausa*)  
Cabbage palm (*Sabal palmetto*)  
Southern red cedar (*Juniperus virginiana* var. *virginiana*)

Good management of trees and other plants includes good soil (root zone) management. This will involve eliminating all bare soil areas. To do this, it must first be determined which ground cover is most suitable for which areas. Simply put, where grass won't grow do to shade or soil compaction and wear from foot traffic, you should use mulch.

For these shady areas or trails with high foot traffic, a mulch layer of 2-4 inches deep should be maintained. The mulch will help reduce the impact of compaction by dissipating weight of foot traffic and equipment. It is also useful in that mulched paths can direct foot traffic to intended pathways. Remember, the best mulch is that which is readily available. This is what comes off your trees, leaves small twigs and acorns, etc. This type of self-mulching helps to recycle nutrients on site, improve water retention and the overall soil environment. Wood chips from powerline tree maintenance is an excellent choice if mulch needs to be brought onto the site.

Where it is determined that grass is a suitable ground cover, you can get it to grow better by using proper mowing heights and frequencies. St. Augustine grass should be maintained at a height of no lower than 3.5 – 4 inches with no more than 1/3 of the leaf blades being removed with any mowing. Excellent information on management of St. Augustine grass can be found at the University of Florida web page <http://edis.ifas.ufl.edu/lh010>

Another alternative or complement to grass in open sunny areas would be the use of native wildflowers and if desired, the non-native but not invasive crimson clover (*Trifolium incarnatum*). Historically, Florida's landscape was awash with color from spring through fall. Fire-maintained pinelands, fallow agricultural fields, and marshy areas around lakes and rivers produced an abundance of flowering forbs. It would be a highly aesthetic feature to bring back some of this historical beauty to Chestnut Cemetery. Introducing flowers will also help to attract butterflies and other nectar feeding wildlife.

Of the three common flower establishment methods -- planting seedlings, direct seeding, and natural regeneration -- the latter two are recommended for flower areas in the cemetery. The planting of seedlings is cost prohibitive in all but the smallest areas.

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Because naturally occurring stands of spring blooming wildflowers are not found in the cemetery it is recommended that these communities be established by direct seeding. Recommended species include: blanket flower (*Gaillardia pulchella*), black-eyed Susan (*Rudbeckia hirta*), lance-leaved coreopsis (*Coreopsis lanceolata*) and tickseed (*Coreopsis tinctoria*). Given the soil type and square footage of the planting areas, a seed supplier will formulate the above species mix and provide seeding rates.

## Procedures for Establishing Flowers.

### *Site preparation*

1. Select bare soil areas or herbicide the intended area in early August with glyphosate and let sit for one month.
2. Scalp the areas existing vegetation with a mower to a height of one inch and remove the cuttings.
3. Let the area sit for one month, allowing weed seeds to germinate.
4. Apply herbicide again.
5. Allow the area to sit for one week or more prior to seeding.

### *Seeding*

The recommended seeding period for North Florida is late November through December.

1. After site preparation is completed, broadcast seed (at the rate recommended by the seed supplier) evenly over the area.
2. Obtain good seed soil contact by lightly raking. Rolling the area with a sod roller is highly recommended for maximum seed soil contact. With adequate rainfall, seeds will begin to germinate within 30 to 60 days. Most wildflowers will bloom the first spring after planting. The annuals will be the first to bloom with the perennial coming on shortly after. The peak blooming season is in April and May with secondary blooming continuing throughout the summer months.

### *Follow up maintenance*

1. Spring blooming flowers can be mowed after peak bloom when seeds have matured. This will disperse seeds throughout the area. Mow no lower than 8 to 10 inches so as not to disturb the crowns of established plants.
2. Mow the area again in late winter (late February or early March).
3. Remove the cuttings.

Crimson clover can be directly seeded in bare areas or grassy areas. The seed should be raked in on bare areas to avoid washing of the seed during heavy rains. Dispersing seed in Mid-October to November is best for establishment. Other than this, no site preparation is necessary. Flowering occurs in early spring. Crimson clover is a nitrogen fixing plant which would have the added benefit of boosting nitrogen to your infertile soils.


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The open park-like tree density in Chestnut Cemetery is excellent bluebird habitat. To assist the bluebirds, bluebird boxes should be erected and maintained. One box for every 2 to 3 acres of pasture is the recommended density. Bluebird boxes should be placed 4 to 6 feet above the ground on trees or posts equipped with predator guards. Predator guards, although they do not guarantee safety, can provide a degree of protection from raccoons, house cats, and rat snakes. If placed along the edge of an opening, the entrance of each box should face the open area. It is important to place boxes at least 100 yards apart. This will reduce territorial conflicts between neighboring nesting pairs and make the

boxes most effective in raising young bluebirds to fledglings. Excellent information on construction, placement and maintenance of bluebird-type nest boxes can be found at the North American Bluebird Society's web page <http://www.nabluebirdsociety.org/Fact/bluebirdfacts.htm>

Please feel free to call on me if you have further questions, or require additional clarification of any of the above recommendations. I have enjoyed working with you on this project.

Sincerely,



Stanton Rosenthal  
Big Bend Forestry  
UF/IFAS Extension Forestry Agent Emeritus

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cc: Sam Hand, FAMU Extension Faculty

**Soil Map of Chestnut Cemetery located in the City of  
Apalachicola, Florida.**



**Soil Key:**

29 Resota fine sand, 0-5% slopes Moderately well drained; very rapid permeability  
 Native vegetation consists of sand pine, slash pine, longleaf pine, dwarf live oak, and  
 turkey oak with an understory of native shrubs, sawpalmetto, rosemary and sparse  
 pineland threeawn.

24 Mandrin fine sand somewhat poorly drained, low fertility soil found in flatwoods.



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Chestnut Cemetery Arborist Report

**AGENDA INFORMATION:**

**Agenda Location:** Presentation  
**Item Number:**  
**Department:** N/A  
**Presenter:** Torben Madson

**BRIEF SUMMARY:**

Presenting arborist report.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** 1) Accept the Arborist report; and 2) limit the number of trees that the Apalachicola Historical Society can remove to no more than five (5) trees and based on the tree selection that is specifically identified in the Gulf Coast Arboriculture Report.

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

1. Arborist Report: Gulf Coast Arboriculture, LLC

**STAFF'S COMMENTS AND RECOMMENDATIONS:** N/A

## **Gulf Coast Arboriculture LLC**

3509 Hidden Valley Ct.

Lynn Haven, FL 32444

[www.gulfcoastarbor.com](http://www.gulfcoastarbor.com)

Specializing in the Care, Preservation and Appraisal of Trees

### **Chestnut Cemetery Selected Tree Report**

I was asked to assess twenty trees as to whether they should be removed or if other options exist. Of the twenty trees, it is my opinion that only four or five trees warrant removal. I have presented options for all the other trees on their respective data sheet.

When it comes to a decision regarding removing or keeping a tree there are several questions that should come into play. 1. What is the economic value of the tree, its purpose, its condition, both structure and health? 2. If the tree should fail, what might it hit or damage (target)? 3. Finally, what is the value of the target and what is the likelihood of tree failure?

The Best Management Practices for Tree Risk Assessment (ANSI A300 Part 9 Standard Practices) states "It is impossible to maintain trees free of risk; some level of risk must be accepted to experience the benefits that trees provide. The National Tree Safety Group, which is a partnership of organizations in the United Kingdom, has drafted a guidance document that identifies five key principles for tree risk management. This provides a foundation for balancing tree risk and the benefits that trees provide:

- Trees provide a wide variety of benefits to society.
- Trees are living organisms and naturally lose branches or fall.
- The risk to human safety is extremely low.
- Tree owners have a legal duty of care.
- Tree owners should take a balanced and proportionate approach to tree safety management.

Because trees are unique living organisms, not all practices can be applied in the same way to all trees. Procedures and methodologies should be selected and applied as appropriate, with consideration for what is reasonable and proportionate to specific conditions and situations."

**Trees and landscapes have value:** The benefits provided by plants in urban, suburban and rural settings are numerous. Over the past three decades research has demonstrated the contribution that trees within a landscape make to real estate property value, as well as the beneficial role plants can play in conserving energy, removing atmospheric contaminants, moderating stormwater runoff, sequestering carbon, improving physical and mental aspects of human health, and increasing social capital (tree canopy is a marker of community affluence).<sup>1</sup> In addition, in an urban area during summer, trees can significantly lower ambient air temperature and moderate the urban heat island effect (heat generated by the sun and absorbed on pavement, building walls and roofs). This reduces air conditioning cost and electric utility load demand. In urban business districts the presence of trees increases shopping, foot traffic, sales and supports higher unit product prices.<sup>2</sup>

Other tree benefits include:

- Moderating climate change: trees are an affordable, natural way that can be implemented quickly to pull carbon dioxide out of the atmosphere today.

<sup>1</sup>Guide for Plant Appraisal, 10th edition, page 1.

<sup>2</sup><https://www.arborday.org/trees/treefacts/>

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- Trees play a critical role in creating healthier, safer, and more connected communities. They clean our air, filter our water, and even slow storm surge and flooding in our cities. Trees also provide shade and cool our cities by up to 10 degrees.
- Trees continue to connect communities, cultures, and generations. Neighborhood trees have shown the ability to reduce stress, reduce blood pressure, improve overall health and development in children, and encourage physical activity. They also improve recovery time from sickness or surgery. They have been shown to reduce violence in housing projects, and along urban roadsides reducing the number of accidents. Areas with trees along with nice landscaping are used in the treatment of PTSD among returning military men and women.
- Trees support wildlife and aquatic life by providing habitat and helping to keep waterways healthy. This ensures that ecosystem balance can be maintained, and biodiversity can thrive.

Some people use cemeteries and other natural areas to decompress and relax, especially if trees are present in the cemetery, it takes on a park status. The trees add beauty, cool the air, provide shade, and transform an open uninviting place into one of peace, relaxation, and enjoyment. I expect the Campbells that reside by the two cedar trees # 134 & 135 knew and were grateful for trees.

Thirty years ago, the US forest Service in Cooperation with the University of California at Davis started studying what trees actually contribute to the individual owner, the environment and the community in economic terms. The Science has become quite good. In addition to the above-mentioned benefits and those enumerated in the chart below, trees in residential settings have been shown to increase property values from 5 to 15 percent.

**Economic value of the 20 trees I looked at in the Cemetery (\$ per year)**

Storm water control	Savings of electricity	Improved air quality	Sequestration of CO2	Total
\$501	\$196	\$44	\$85	\$826

Note: This assumes the trees are healthy and of normal form for the species, which some are not.

The condition of the trees', both structure and health is shown in the attached tables.

**Next, what are the targets?** The probable targets here are the cemetery fence, headstones, grave markers, and walls that define the perimeter of the site. While historically important, concrete or stone markers themselves can be repaired or economically replaced. Most of the materials are durable and not easily broken. The other target might be a person who visits the graveyard. In looking at the hurricane photos I was sent, I see tree damage, fence damage, the uplifting, and destruction of a low brick wall; but I cannot see damage to headstones or markers. In my opinion, the value of the stone targets is low, and a person being injured or killed is remote due to infrequent visitation.

**Target value is relatively low.** High value targets would be the loss of life (frequent visitation), a tree with, not just a partial failure, but a catastrophic failure hitting a home or vehicle.

**Likelihood of tree failure.** The likelihood of whole tree failure is unlikely even in moderate to strong winds. The likelihood of partial tree failure, such as limbs dropping and falling, is moderate

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Specializing In the Care, Preservation and Appraisal of Trees

in their current state of structural condition. Almost all the trees in the cemetery have structural problems including dead wood, broken branches and some weak crotches that need attention. Some of the trees I did not examine have obvious conditions as bad or worse than those of the trees I did examine. The pruning recommended on each individual tree listed in the report should be done as promptly as possible. Removing dead wood will significantly reduce the risk of falling limbs. Reducing the tree crown will clear up most of the risk associated with long skinny (poor branch diameter to length ratio) limbs and reduce the wind and weight load on the whole tree while preserving the general character of the tree. The risk Matrix on the next page shows my opinion of the average for the site as a whole. It is simply an example of how risk assessment should be viewed and practiced. Each tree would be rated somewhat differently. The below assessment is based on the condition expected once pruning and crown reduction has been done. The result is low risk.

**Tree Risk Assessment Matrix**

**Matrix 1. The likelihood of a tree failure impacting a specified target.**

Likelihood of Failure	Likelihood of Impact			
	Very Low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

**Matrix 2. Level of risk as the combination of Likelihood of a tree or tree part failing and impacting a specific target, and the severity of the associated consequences.**

Likelihood of Failure & impact	Consequences of Failure:			
	Negligible	Minor	Significant	Severe
Very Likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

**Tree care recommendations for the cemetery**

1. Fertilize with LESCO brand 8-2-12 + 4mg and other micronutrients. This is a good slow-release product designed by the University of Florida initially for palm trees, but further plant

Earl C. Mirus Jr., BS, MF, ISA Certified Arborist #SO-1142  
 (850) 774-6275 e-mail: earlmirus@outlook.com

## Gulf Coast Arboriculture LLC

3509 Hidden Valley Ct.

Lynn Haven, FL 32444

[www.gulfcoastarbor.com](http://www.gulfcoastarbor.com)

Specializing in the Care, Preservation and Appraisal of Trees

nutrition studies over two decades revealed it is also very good for trees, especially those that have been stressed and are on infertile soils. Apply 10 pounds per 1000 square feet of root area three times per growing season (April – August)

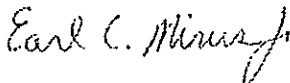
2. Irrigate during periods of drought (10 days without significant rain and none expected). Trees and most plants including grass prefer irrigation with one half inch of water two times per week. Much of the time we get more rain than that.
3. Only ISA (International Society of Arboriculture) Certified Arborists should be hired to prune trees. They have specialized training in pruning, work safety, have passed a rigorous examination and agreed to a code of ethics. They must obtain CEU's each year with a mandatory minimum needed for re-certification every three years. There are two ISA certified contractors in Bay County and additional ones in Tallahassee.

Miscellaneous Notes: All heading cuts should be cut on a slant of 15 to 20 degrees to shed water. Different species have different wood characteristics such as strength, weight per cubic foot, and decay resistance. For example, Live oak is the strongest wood in North America and is also one of the most decay resistant. Laurel oak and Southern magnolia are neither as strong as live oak nor as decay resistant. Consequently, a defect in live oak may be less important than the same defect in magnolia. Live oak was used in construction of old battle ships because it would repel cannon balls.

If multiple quotes for the work are required, the best way I have found to accomplish that is to have me meet with all possible vendors at the same time. I lead a walk to each of the trees, explain what needs to be done, let them make their notes and prepare their individual quotes to be submitted to me or to the appropriate person. No talk about money takes place during the meeting. This way all vendors are bidding on the same work.

Thank you for allowing me to be of assistance. If you have any questions please do not hesitate to call or email me.

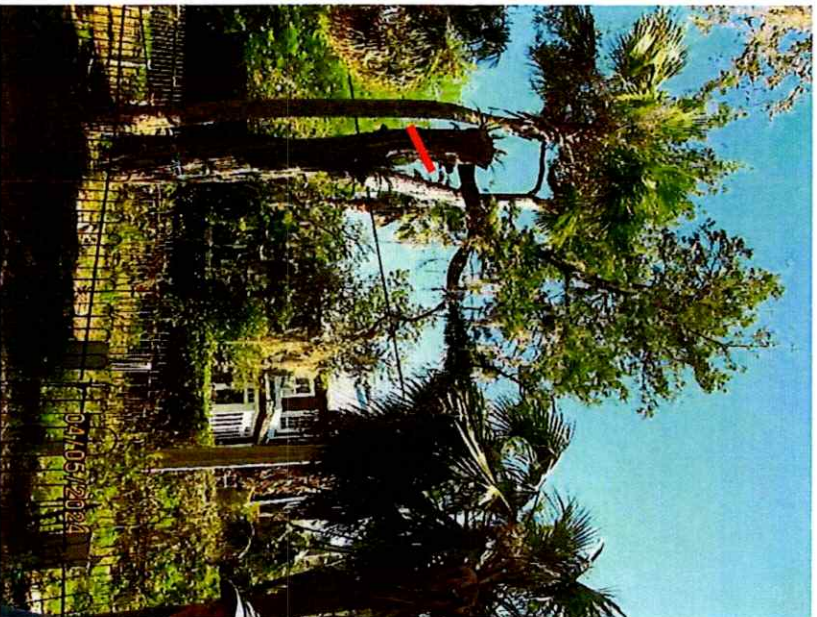
Sincerely,



Earl C. Mirus Jr  
Consulting Arborist

### Chesnut Cemetery Specified Assessment - Tree # 168

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
1	Cedar	25	Poor	Fair	Low-Medium	Prune the main trunk below the horizontal branch attachment or remove the tree.	Pruning will increase the tree's structure and aesthetic rating and reduce risk of failure.



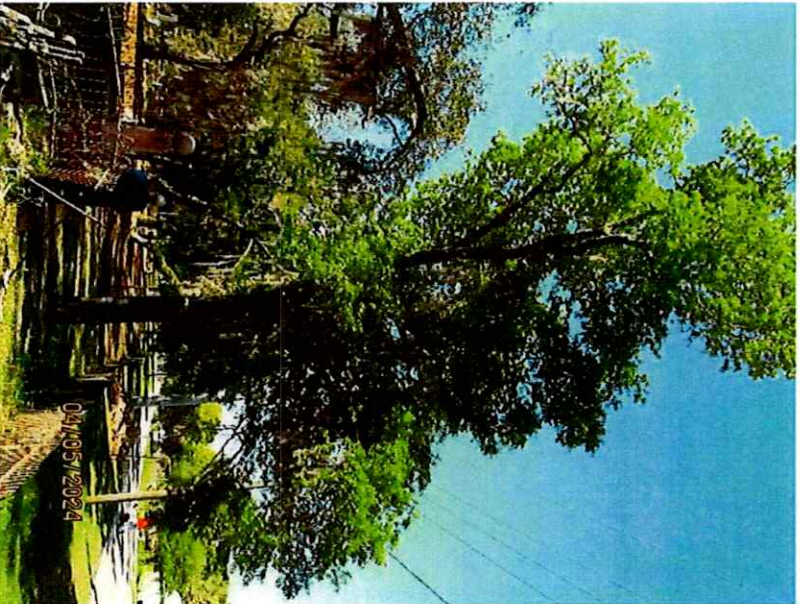
Chesnut Cemetery Specified Assessment - Tree # 4

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
2	Live oak	25	Fair	Fair- good	High	Deadwood Prune and reduce crown 10 to 15%	There are some moderate defects in the main leader. The crown reduction will reduce weight and wind load, thus reduce risk of failure. <b>Keep Tree</b>



### Chesnut Cemetery Specified Assessment - Tree # 7

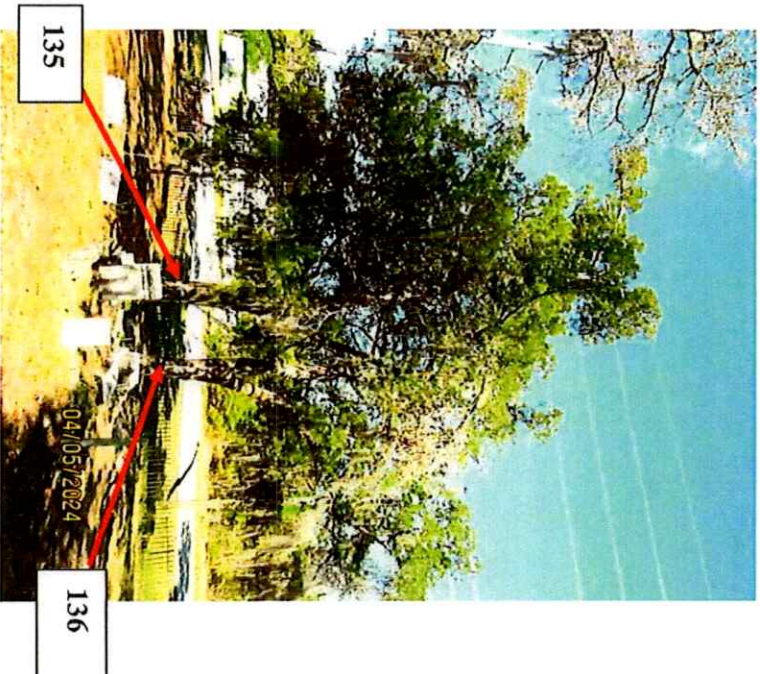
Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
3	Laurel oak	20	Upper area is poor, lower 40 ft. is fair to good	Good	High	Numerous burls are OK. Prune old break at top to a lateral	The pruning will remove most of the defective areas of the tree. <b>Keep Tree</b>





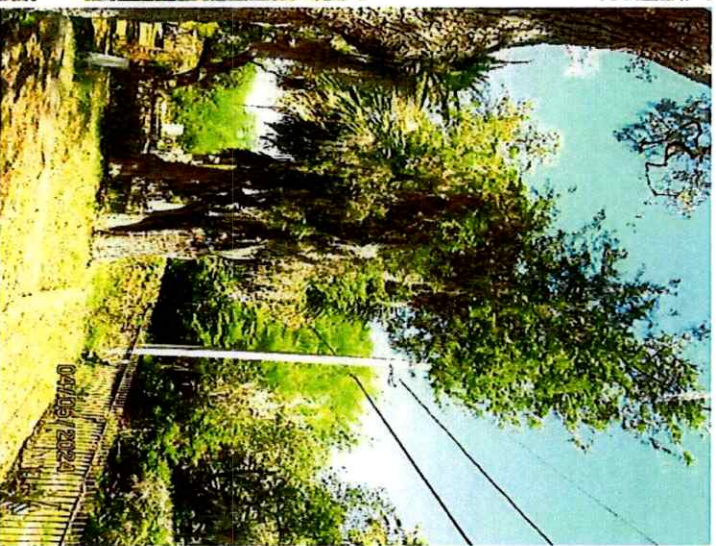
### Chesnut Cemetery Specified Assessment - Tree # 135 and 136

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
4	Cedar 136	16	Good	Fair - good	High	None	If lifting/tilting of the head stones by the root flare are concerning, relocate the stone markers a few feet away or level them in position. The tree's root flare grows slowly <b>Keep Trees</b>
	Cedar 135	17	Good	Fair - good	Medium -High	Prune deadwood and top of the tree below the break.	



### Chesnut Cemetery Specified Assessment - Tree # 129

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
5 & 6	Cedar	26	Poor	What's left is good	Low	Remove the tree. It is within a couple of feet of a utility high voltage wire -contact Duke Power for assistance.	Once the top of the tree is gone, the trunk can be left standing for many years as a wildlife fauna and flora tree, if that is wished.



**Chesnut Cemetery Specified Assessment - Tree # 13**

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
7	Live oak	24	Poor - fair	Fair - Good	High	Prune dead wood and reduce crown by 15 - 20% to reduce weight and wind load on the lower tree trunk.	A cracked area exists on the SW side of the tree about 8 feet up. It is probably compliments of Hurricane Michael. If so, the tree after crown reduction can probably stand many more years and the tree will probably strengthen itself.



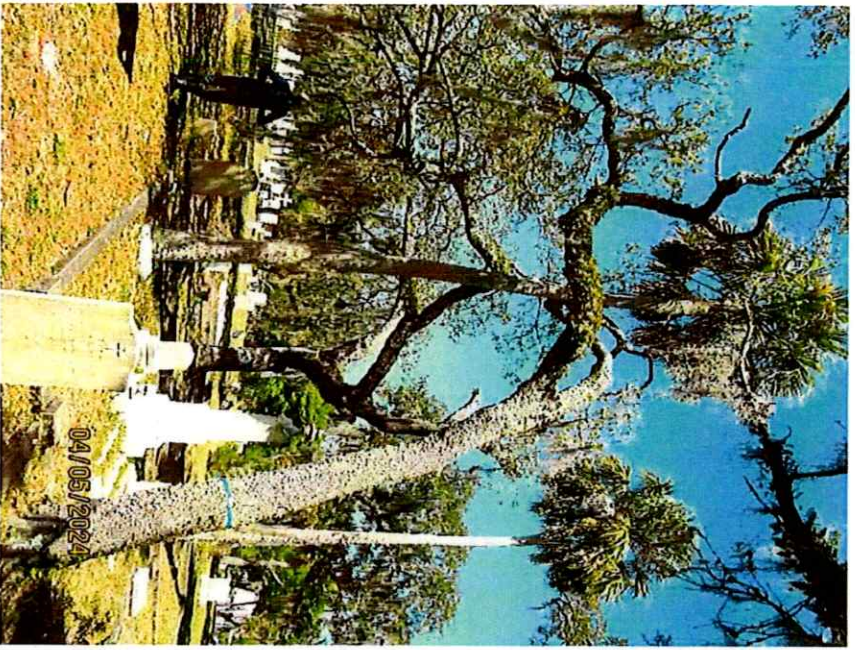
Chesnut Cemetery Specified Assessment - Tree # 132

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
8	Southern magnolia	16	Poor	What remains is Fair	Low	None	Many holes with decay. <b>Remove Tree</b>



Chesnut Cemetery Specified Assessment - Tree # 33

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
9	Live oak	22	Poor-fair	Fair - good	High	Prune dead wood and reduce crown.	Pruning will mitigate most of the risk of this tree and increase its structural rating to Fair. No visible root impact on grave markers.



Chesnut Cemetery Specified Assessment - Tree # 34

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
9	Live oak	16	Poor	Poor	Low	None	Large split and break at fork, <b>Remove Tree</b>



11	Live oak	18	Fair - Good	Fair - Good	Medium	Prune deadwood and reduce crown	Crown reduction will lessen the weight and wind load on the tree, trunk and roots.
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Chesnut Cemetery Specified Assessment - Tree # 29

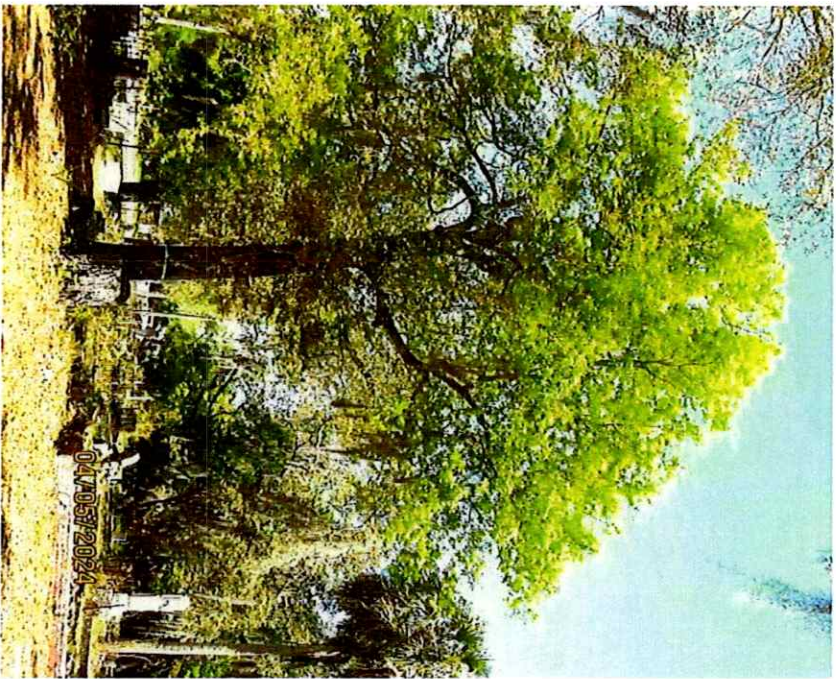


Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
12	Live oak	14	Poor	Fair	Low	None	Remove tree



**Chesnut Cemetery Specified Assessment - Tree # 25**

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
13	Laurel oak	19	Poor - Fair	Fair - Good	Medium	Prune dead and decaying wood	Pruning will remove the dangerous limbs in the tree and result in a structural condition rating increase to fair to good.



Chesnut Cemetery Specified Assessment - Tree # 89

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
14	Live oak (Chapman)	20	Poor	Fair - Good	Medium - High	Mark off area so people cannot walk under it. Also fence and headstone are possible targets.	Serious defect on the tree trunk which supports the whole tree. <b>Remove tree</b>



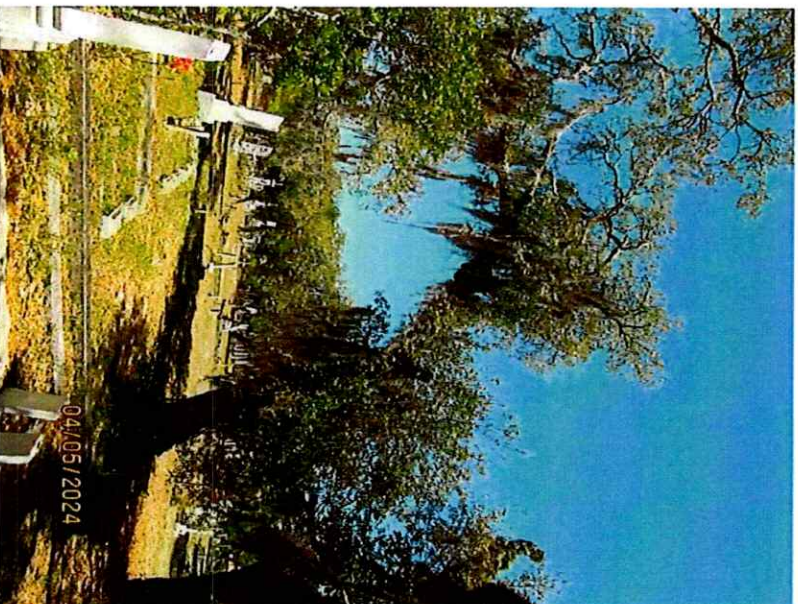
**Chestnut Cemetery Specified Assessment - Tree # 70**

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
16	Live oak	23	Poor - fair	Fair	Medium	Mark off area so people cannot walk under it until branch is removed.	Prune large dead limb (in foreground), which is the major defect in the tree. The post pruning structural rating would be fair-good.



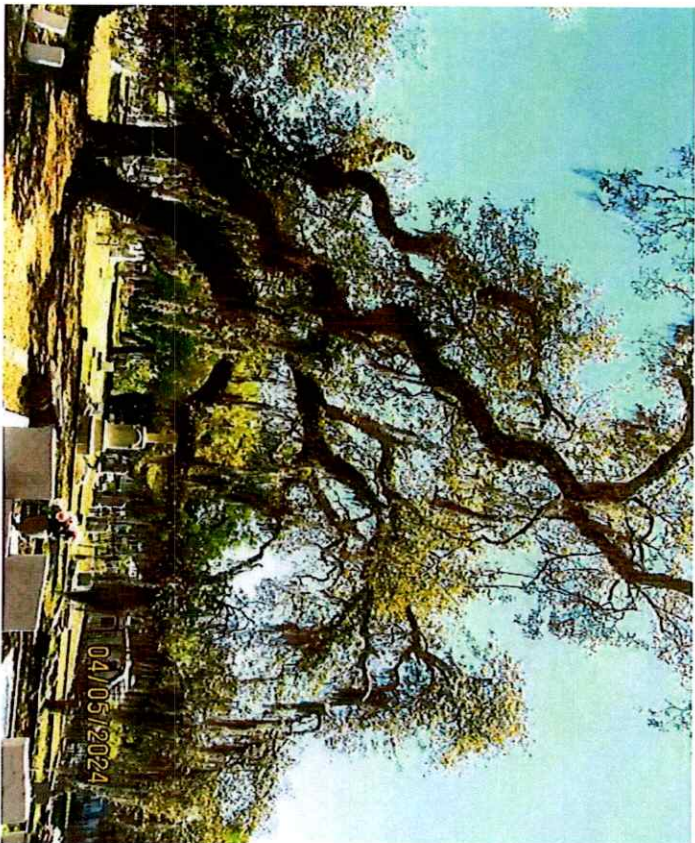
Chesnut Cemetery Specified Assessment - Tree # 81

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
17	Live oak	19	Fair	Fair	Low to Medium	Prune deadwood, thin sprouts.	Pruning will remediate most of the structural risk of this tree.



Chestnut Cemetery Specified Assessment - Tree # 82 & 83

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
18	Live oak	18	Poor - Fair	What little is left is fair.	Low to Medium	Prune deadwood and reduce crown	There are two significant breaks in the main leaders of each tree, probably from hurricane Michael. Reducing crown size will reduce weight and wind load on the tree trunk and roots, and risk of failure.



Chesnut Cemetery Specified Assessment - Tree # 63

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
20	Laurel oak	14	Poor - Fair	Fair - Good	Medium	Prune dead and decaying wood	Pruning will remove the dangerous limbs in the tree and result in a structural condition rating increase to fair.



Chesnut Cemetery Specified Assessment - Tree # 60

Photo #	Species	DBH Inches	Structural condition	Health condition	Aesthetic value	Cultural plan	Comments
21	Laurel oak	7	Poor	Fair	Medium	none	Tree has a tight V crotch with ingrown bark. It is likely to split in the future..





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ORDINANCE 2024-01

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, AMENDING ORDINANCE 2005-11, (92-9), (88-5), (80-11), (72-4), ADOPTED BY THE CITY COMMISSION OF APALACHICOLA FLORIDA; PROVIDING FOR NEW CATEGORIES FOR OCCUPATIONAL, BUSINESSES, TRADES, OCCUPATIONS, PROFESSIONS AND AGENCIES AND CORPORATION; PROVIDING A NEW SCHEDULE FOR THE PAYMENT AND ENFORCEMENT OF OCCUPATIONAL LICENSE TAX ON BUSINESSES, TRADES, OCCUPATIONS, PROFESSIONS AND AGENCIES AND CORPORATIONS WITHIN THE CITY OF APALACHICOLA, FIXING THE AMOUNTS THEREOF; TO AMEND PART II – CODE, SUBPART A, GENERAL ORDINANCES, CHAPTER 22 – LICENSES AND BUSINESS REGULATIONS, ARTICLE II, BUSINESS TAX RECEIPTS, SECTION 22-20 TO 22-31; PROVIDING PENALTIES FOR FAILURE TO PAY THE SAME; PROVIDING FOR TRANSFER OF LICENSE FEE; AND PROVIDING FOR AN EFFECTIVE DATE.

FINDINGS:

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

WHEREAS the current code provisions applicable to the categories and rates for the local business tax in the City are in need of update. Clarification, revising, and additional categories for the local business tax have been deemed necessary, and the need for adjusting the rates for each category for businesses located in the City.

WHEREAS, the City of Apalachicola has determined that it is in the public interest to adopt amendments to its General Ordinances pertaining to Business Tax Receipts; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, that:

NOTE: ~~Struck-through~~ language is language proposed to be deleted, Underlined language is amended language, and \*\*\* represents sections that have been skipped and that

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*remain unchanged.*

## ARTICLE II. BUSINESS TAX RECEIPTS

### Sec. 22-20. Application.

- (a) The city levies an occupational license tax for the privilege of engaging in or managing any business, profession, or occupation with the city of Apalachicola. The occupational/business license tax is levied on:
  - (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within the city.
  - (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within the city.
  - (3) Any person who does not qualify under subsection (1) or subsection (2) of this section and who transacts any business or engages in any occupation or profession in interstate commerce, if the license tax is not prohibited by section 8, article 1 of the United States Constitution.
- (b) It shall be unlawful for any person or entity to carry on, conduct or engage in any business, trade, occupation or profession within the city, without having first completed the application for a business tax receipt, paid the required tax fee and obtained the required business tax receipt from the city clerk. New business applicants shall first complete the application for a business tax receipt and it shall be verified that the business, trade, occupation or profession is located within the city on property zoned in accordance with the provisions of the Apalachicola Land Development Code. ~~Such verification shall be in the form of a certificate of occupancy issued by the building inspector prior to the issuance of a business tax receipt by the city clerk. Failure to produce a certificate of occupancy will result in denial of a business tax receipt except for those persons or entities conducting or engaging in a service, trade, profession or any type of business or occupation within the city, but not having a permanent structure for conducting business within the city.~~
- (c) Those businesses wishing to renew a current issued business tax receipt may renew their business tax receipts by paying the required tax fee when due. An additional completed application or certificate of occupancy will not be required for renewal of a business tax receipt already on record with the city clerk.
- (d) If a business tax receipt is issued and the location of the business office or establishment is not zoned in accord to the city's land development code, the business tax receipt shall be revoked and the fee returned to the applicant. Final determination of zoning requirements shall be the responsibility of the city planning office.

(Ord. No. 88-5, § 1, 9-22-1988; Ord. No. 92-9, § 1, 10-6-1992; Ord. No. 2005-11, § 1, 9-27-2005)

### Sec. 22-21. Dates due.

- (a) All business tax receipts shall be sold by the city clerk beginning July 1 of each year and shall be due and payable on or before September 30 of each year and shall expire on September 30 of the succeeding year. Any person, firm, or corporation who shall commence any business, trade, occupation or profession or any

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other activity mentioned in said schedule for which a business tax receipt per annum is required may purchase a business tax receipt for the remainder of the paid year if commencing after April 1 at one-half the price required to be paid, and all business tax receipts shall expire on September 30.

- (b) No business tax receipt shall be issued for more than one year, and all business tax receipts shall expire on October 1 of each year, except as provided by state law.

(Ord. No. 88-5, § 2, 9-22-1988; Ord. No. 92-9, § 2, 10-6-1992; Ord. No. 2005-11, § 2, 9-27-2005)

### **Sec. 22-22. Appropriation of proceeds of tax.**

The proceeds of the tax hereby levied are hereby appropriated to the general fund account of the city.

(Ord. No. 88-5, § 3, 9-22-1988; Ord. No. 92-9, § 3, 10-6-1992; Ord. No. 2005-11, § 3, 9-27-2005)

### **Sec. 22-23. Transfer of license.**

Any business tax receipt may be transferred to a new owner when there is a bona fide sale of the business upon payment of a transfer fee ~~as established by the city,~~ **of ten percent of the annual license tax, but not less than \$3.00 or more than \$25.00, and presentation of the original license and evidence of the sale.** ~~presentation of the original business tax receipt, evidence of the sale and a certificate of occupancy approved by the building inspector.~~

(Ord. No. 88-5, § 4, 9-22-1988; Ord. No. 92-9, § 4, 10-6-1992; Ord. No. 2005-11, § 4, 9-27-2005)

### **Sec. 22-24. Delinquent taxes.**

Those business tax receipts not renewed by October 1 of each year shall be considered delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five percent penalty for each month of delinquency thereafter until paid. The total delinquency penalty shall not exceed 25 percent of the business tax receipt for the delinquent establishment.

(Ord. No. 88-5, § 5, 9-22-1988; Ord. No. 92-9, § 5, 10-6-1992; Ord. No. 2005-11, § 5, 9-27-2005)

### **Sec. 22-25. Penalty.**

- (a) Any person engaging in or managing any business, occupation, or profession without first obtaining a local business tax receipt, if required hereunder, shall be subject to a penalty of 25 percent of the license determined to be due.
- (b) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorney fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

(Ord. No. 88-5, §§ 6, 7, 9-22-1988; Ord. No. 92-9, §§ 6, 7, 10-6-1992; Ord. No. 2005-11, §§ 6, 7, 9-27-2005)

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**Sec. 22-26. Charitable organizations.**

The requirements of those organizations for occasional sales of fundraising projects are the same as provided by F.S. § 205.192.

(Ord. No. 88-5, § 9, 9-22-1988; Ord. No. 92-9, § 9, 10-6-1992; Ord. No. 2005-11, § 9, 9-27-2005)

**Sec. 22-27. Dispute over category of business or occupational license fee.**

If any person or entity engaging in any occupation or business for profit within the city disagrees as to which category his business is in or the fee assessed for a business tax receipt, the city clerk, with assistance from the building inspector, shall investigate his type of business or occupation and make the final determination of the appropriate category and/or fee.

(Ord. No. 88-5, § 10, 9-22-1988; Ord. No. 92-9, § 10, 10-6-1992; Ord. No. 2005-11, § 10, 9-27-2005)

**Sec. 22-28. Posting license.**

Every business tax receipt issued under the provisions of this article shall be posted at the place of business for which the business tax receipt was issued in a convenient and conspicuous place.

(Ord. No. 88-5, § 11, 9-22-1988; Ord. No. 92-9, § 11, 10-6-1992; Ord. No. 2005-11, § 11, 9-27-2005)

**Sec. 22-29. Business tax schedule.**

The amount of business tax levied and imposed upon every person that shall engage in or manage any of the businesses, professions, privileges or occupations is hereby fixed, graded and determined beginning October 1, 1988-2024, at the following amounts:

Business	Tax Levied
<del>(1) Abstractors of title, including companies, agents, firms or persons other than licensed attorneys, engaged in the business of making abstracts of title from public records.</del>	<del>\$85.94</del>
<del>(2) Advertising agents, per year or fraction thereof.</del>	<del>\$85.94</del>
<del>(3) Advertising and/or sign shops:</del>	
<del>a. By painting on the wall, fence, or advertising business other than that of the owner of the wall or fence.</del>	<del>\$171.88</del>
<del>b. Billposters and sign lacquerers.</del>	<del>\$17.19</del>
<del>(4) Agencies:</del>	
<del>a. Commercial agencies or persons giving information as to credit ratings or standings of individuals or firms, per year.</del>	<del>\$51.56</del>
<del>b. Rental or collecting, per year.</del>	<del>\$51.56</del>
<del>c. Corporations.</del>	<del>\$85.94</del>

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(Supp. No. 4)

d. Soliciting business for out-of-town enterprises where display rooms are maintained and merchandise kept on hand as samples for display purposes only; provided, however, the business tax hereby imposed shall not apply to establishments regularly and continuously engaged in the sale of merchandise customarily carried on hand as a part of the regular stock of such establishment.	\$351.57
e. Soliciting business for foreign concerns not otherwise provided for per year or fraction thereof.	\$85.94
f. Agents redeeming coupons.	\$34.38
(5) Amusement parks, per year.	\$343.75
(6) Apartments:	
a. Two to five units.	\$68.75
b. Each additional unit.	\$13.75
(7) Auditing companies or individuals, per year or fraction thereof.	\$85.94
(8) Automobile dealers or sales agents:	
a. Per year, or fraction thereof.	\$171.88
b. Automobile dealers or sales agents, automobile accessories and automobile garage or repair shop, and dealers in gasoline and oils and auto painting, when combined under one ownership and operation, per year.	\$171.88
c. Automobile garage and/or repair and paint shop.	\$60.13
d. Automobile painters, itinerant.	\$85.94
e. Automobile parking and automobile trailer parking lots.	\$85.94
f. Automobile wrecking or dismantling for salvage.	\$85.94
(9) Bakeries operated by steam or other power, per year.	\$85.94
(10) Banks or bankers.	\$343.75
(11) Barbershops:	
a. One chair.	\$20.63
b. Each additional chair.	\$6.88
(12) Beauty parlors:	
a. One operator.	\$25.75
b. Each additional operator.	\$17.19
(13) Bicycles, renting or repairing, per year.	\$34.38
(14) Billiard/pool and similar tables, or places where charges are made for playing pool or billiards, for each table, per year.	\$17.19

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(15) Boardinghouses and roominghouses, hotels or motels, etc., having available accommodations for more than three guests, whether occupied or not, per room, per year.	\$3.44
(16) Bonding companies.	\$85.94
(17) Bottling companies, including canned drink manufacturers, per year.	\$171.88
(18) Bowling alleys, each alley, per year.	\$17.19
(19) Brokers, those who carry stock on hand and who sell to registered wholesale merchants only and act as intermediary between buyer and seller for the consideration of a brokerage or commission from either for the sale of stocks, bonds, merchandise, etc.	\$85.94
(20) Building and loan associations, per year.	\$85.94
(21) Businesses—professional:	
a. Dentists.	\$85.94
b. Lawyers.	\$85.94
c. Physicians/surgeons.	\$137.50
d. Optometrists.	\$85.94
e. Chiropractors/osteopaths.	\$137.50
f. Psychologists.	\$85.94
g. Certified public accountants.	\$85.94
h. Veterinarians.	\$85.94
i. Court reporters.	\$85.94
j. Architects.	\$85.94
k. Auctioneers.	\$85.94
l. Foresters.	\$85.94
m. Surveyors/civil engineers.	\$85.94
n. Chiropodists, per year.	\$85.94
(22) Bus stations, concessions	(see merchants)
(23) Business firms other than merchants. All types and forms of businesses of every kind whatsoever not otherwise covered in this article, nor covered in separate peddlers ordinances.	\$85.94
(24) Cabinet makers or carpenter shops.	\$85.94
(25) Car washes.	\$68.75
(26) Cement or artificial stone manufacturers, per year.	\$85.94

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(27) Circuses or carnival parades.	\$386.69
(28) Circuses, held under one tent where one admission is charged, per year.	\$468.75
(29) Claims and collecting agencies, other than lawyers.	\$85.94
(30) Contractors:	
a. Building, painting, remodeling, and roofing.	\$85.94
b. Residents with one or more subcontractors (subcontractors may obtain licenses under respective classification).	\$85.94
c. Contractors, paving or cement works (including delivering cement).	\$85.94
d. Electricians or electrical contractors.	\$85.94
e. Plumbers, including pipe fitters and contractors, selling of fixtures or conducting shop.	\$85.94
f. Contractors, not otherwise provided for.	\$85.94
(31) Craft shops.	\$55.00
(32) Dancing schools/halls.	\$34.38
(33) Day care centers.	\$41.25
(34) Dredging companies.	\$171.88
(35) Dry cleaners, steam cleaners and clothes pressers, or either, hat blocking and dryers, or either.	\$68.75
(36) Electrical energy, distribution.	\$386.69
(37) Electronics sales and/or repairs.	\$85.94
(38) Express companies.	\$128.88
(39) Exterminators.	\$68.75
(40) Florists or dealers in flowers.	\$51.56
(41) Fairs and rides, devices, each, per week.	\$17.19
(42) Food vendors, stands or mobile units (on private property only) (applicants should not be issued a business tax receipt in these categories until approval is obtained from the city's planning and zoning board).	\$68.75
(43) Fruits, vegetables, wares, etc., stands, mobile units or trucks, selling not in connection with licensed merchants (on private property only).	\$51.56
(44) Furniture dealers (not under merchant classification).	\$137.50
(45) Games, such as shuffleboard, throwing balls at figures and the like, per day.	\$34.38

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(46) Gasoline and oil:	
a. Wholesale.	\$171.88
b. Retail dealers:	
1. One pump on private property.	\$34.38
2. Two to four pumps on private property.	\$60.19
3. Five or more pumps on private property.	\$85.94
c. Dealers in propane, butane or any other form of gas for heating, lighting, etc., per year.	\$85.94
(47) Ice cream manufacturers:	
a. Wholesaling.	\$85.94
b. Retailing.	\$171.88
(48) Ice manufacturers.	\$85.94
(49) Installing of machines, fixtures and/or equipment, not otherwise covered in this article.	\$85.94
(50) Insurance agencies and/or companies:	
a. Insurance agencies.	\$68.75
b. Insurance companies, each company represented.	\$68.75
(51) Janitorial/carpet services.	\$68.75
(52) Jewelers, repairing/sales and/or watch repair (also see merchants for stock).	\$85.94
(53) Labor recruiters, inducing laborers to leave the city or county for employment.	\$976.56
(54) Landscaping and yard maintenance.	\$85.94
(55) Laundry and/or linen services.	\$85.94
(56) Machine and/or welding shops.	\$85.94
(57) Manufacturing, not otherwise covered.	\$85.94
(58) Marine ways.	\$51.56
(59) Masseurs, each person, per year or fraction thereof.	\$85.94
(60) Merchants, storekeepers and wholesale dealers, to include antique and second hand shops, in accordance with the value of the stock of goods as follows:	
a. Stock of less than \$1,000.00.	\$51.56
b. Stock of \$1,000.00 and less than \$5,000.00.	\$68.75
c. Stock of \$5,000.00 and less than \$20,000.00.	\$85.94
d. Stock of \$20,000.00 and less than \$40,000.00.	\$120.31

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(Supp. No. 4)



e. Stock of \$40,000.00 and up.	\$171.88
Provided that all persons applying for a business tax receipt under this classification shall make affidavit before the city clerk, as the ex officio tax collector, as to the value of the stock of goods for which a business tax receipt is applied for, and such affidavit shall be made and filed among the city records prior to the issuance of any business tax receipt.	
(61) Monument companies.	\$68.75
(62) Motorcycles or motorbikes, agents or dealers or shops for repairs.	\$51.56
(63) Moving pictures/performance theaters.	\$171.88
(64) Music teachers.	\$34.38
(65) Newspapers:	
a. Published six days a week or more often.	\$171.88
b. Weekly, and publishers of magazines or similar publications, other than those published by a department of the state.	\$85.94
(66) Nursery stock, agents or dealers, per year or fraction thereof.	\$51.56
(67) Pawn shops.	\$68.75
(68) Painters of signs, artists.	\$34.38
(69) Peddlers (must have approved special exception). A peddler is one who offers merchandise along streets from door to door. The term "peddler" shall not include the following: a. Sales made to dealers or permanent merchants by commercial travelers selling in the usual course of business. b. Sheriffs, constables, bona fide assignees receivers or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law. c. Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state, owned or controlled by such vendor. d. Solicitations, sales or distributions made by charitable, educational or religious organizations which have their principal places of activity within this city. When approved as a special exception, peddlers shall present the approved special exception application to the city clerk prior to the	\$386.69

issuance of a business tax receipt.	
(70) Pharmacies (not to be classified as merchants).	\$103.13
(71) Photographers.	\$85.94
(72) Piano and organ tuners, etc., per year or fraction thereof.	\$25.75
(73) Pile driving or drivers, per unit.	\$85.94
(74) Printing/office supply.	\$55.00
(75) Radio stations.	\$55.00
(76) Real estate brokers.	\$85.94
(77) Real estate salespersons, and those making businesses of dealing in real estate, whether selling their own or not, as defined by state law other than real estate brokers.	\$85.94
(78) Repair and/or service shops:	
a. Bicycles and small motors.	\$34.38
b. Boats and boat motors.	\$85.94
c. Radios, televisions and electronics, including installation.	\$85.94
(79) Restaurants (including lounges or bars):	
a. One to 15 chairs or stools.	\$42.94
b. 16 to 25 chairs or stools.	\$68.75
c. Over 25 chairs or stools.	\$85.94
d. Restaurants with lounges or bars, add an additional —	\$34.38
e. Lounges or bars only (no food served).	\$85.94
f. If dancing is permitted, add an additional —	\$34.38
(80) Rinks—skating, bicycle or other.	\$85.94
(81) Shoe shops.	\$55.00
(82) Shooting galleries, when located in permanent structures or locations.	\$85.94
(83) Sideshows, each, with circuses, per day.	\$51.56
(84) Tailors.	\$34.38
(85) Taxidermists.	\$34.38
(86) Telephone companies.	\$386.69
(87) Television cable companies.	\$309.38
(88) Television stations.	\$68.75
(89) Truck lines or companies.	\$386.69
(90) Trucks for hire (\$75.00 per truck).	\$103.13
(Each truck operated other than as a qualified carrier, per year)	

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(Supp. No. 4)

(91) Undertakers, embalmers and/or funeral directors.	\$128.88
(92) Vehicles for hire, vehicle rentals:	
<p>a. All persons engaging in or carrying on the business of renting or hiring to the general public automobiles or other motor vehicles, either with or without drivers, shall pay a business tax in the sum of \$20.00 and in addition thereto, when more than one vehicle is used in such business, the sum of \$10.00 on each such vehicle exceeding one.</p>	
<p>b. All persons engaging in or carrying on the business of renting or hiring motor vehicles either with or without drivers, shall furnish the city and file in the office of the city clerk a personal bond secured by a cash deposit or with at least two sufficient sureties to be approved by the city clerk or a surety company authorized to do business in the state in the following amount: \$625.00 where not more than one vehicle is used in such business; \$1,250.00 where two vehicles are used in such business; and an additional \$375.00 for each vehicle exceeding two vehicles used in such business; provided, however, the total amount of any bond required of any one such business shall not exceed the sum of \$2,000.00. The bond shall be conditioned to indemnify passengers and the general public receiving personal injuries or suffering property damage by any act of negligence of the obligor or any of his agents, servants or employees in the operation or conduct of said business, and said bond shall be payable to the city and shall be for the benefit of and subject to action thereon by any person who shall have sustained an actionable injury protected thereby. No business tax receipt shall be issued to engage or continue in such business until such bond has been filed and approved, and no such bond so accepted shall be cancelled by any company issuing the same except upon such notice being given by the company issuing such bond and no such bond shall be revoked unless a new bond is filed and accepted before the date of the cancellation of the bond; provided, however, the applicant for a business tax receipt may file in lieu of the bond a policy of liability insurance with some casualty company or insurance company authorized to do business in the state with liability limits of \$10,000.00 for one person injured and a \$20,000.00 limit for injuries of two or more persons and a property damage limit of \$500.00. When any cash deposit is made, the city shall pay six percent interest on said during the time such deposit is maintained.</p>	
<p>c. Any person who shall carry on, conduct or continue the operation of the business of renting or hiring to the general public automobiles or other motor vehicles, either with or without drivers, without filing such bond or insurance policy or having the same one file or without having attached to the vehicle used in the operation of such business the metal tag or plate issued to any vehicle used in such business, as provided for in this section, shall be guilty of a violation of this Code.</p>	

(93) Vending machines:	
a. Each person who may operate or place for public use any vending machine or mechanical device designed to operate by the insertion into such machine of a coin or metal disk or slug for the purpose of dispensing merchandise, producing or reproducing music, musical sounds or noises and/or produce picture or pictures, prints or writings, or which is operated for amusement only, or as a game of skill and amusement, each separate machine used in the city, per year.	\$42.94
b. The above classification shall not apply to the following machines which are separately taxed: vending peanut machines, chewing gum machines, popcorn machines, and drink machines.	
(94) Video shops/sales and rentals.	\$55.00
(95) Video game rooms (per game).	\$13.75
(96) Wholesale, retail or wholesale and retail fish and seafood dealers.	\$85.94
(97) Wood yards or persons selling wood.	\$34.38

<b>COMMUNICATION &amp; MEDIA</b>	
Telecommunications Companies	\$425
Newspaper and Publishing Companies	\$185
Other: Communication & Media	\$100
<b>CONTRACTORS (DBPR LICENSED)</b>	
Building Contractor	\$100
Cement/Concrete Contractor	\$100
Electrician (Contractor)	\$100
HVAC (Mechanical) Contractor	\$100
Painters - Contractor	\$100
Pile Driving or Divers	\$100
Pool & Spa Contractor	\$100
Plumbers (Contractor)	\$100
Roofing Contractor	\$100
Sheet Metal Contractor	\$100
Solar (Contractor)	\$100
Other: Contractors	\$100
<b>HEALTH, WILLNESS &amp; PERSONAL CARE</b>	
Chiropractors/Osteopaths Businesses	\$100
Dancing Schools/Halls	\$35
Day care centers	\$30
Day Spa	\$100
Dental Offices	\$100
Dry Cleaners	\$80
Fitness Centers	\$80
Hair, Nail & Beauty Salons	\$25
Laundry and Linen Services	\$100

Massage Therapist Studio/Shop	\$100
Medical Offices/Services	\$100
Music Schools	\$30
Optometrists Offices	\$100
Psychologists Offices	\$100
Tailoring Shops	\$40
Veterinary Services	\$100
Other: Health, Wellness, and Personal Care	\$75
<b>HOSPITALITY, LODGING &amp; ENTERTAINMENT</b>	
Amusement Parks (permanent)	\$375
Bed and Breakfasts	\$12.00 per unit
Beer and Wine Bars (no food) (includes branding items)	\$100
Boarding Rooms (Houses)	\$12.00 per unit
Bowling Alleys	\$20
Circus, Carnivals, and Fairs (transient)	\$300
Cooking Schools	\$40
Hotels	\$12.00 per unit
Marinas (Slips, Storage, Dry & Wet)	\$10.00 per unit
Monthly Vacation Rentals (Residential Zones)	\$25.00 per unit
Moving Pictures/Performance Theaters	\$175
Motels	\$12.00 per unit
Restaurants (no alcohol – includes branding items)	\$50
Restaurants with beer & wine (includes branding items)	\$75
Restaurants with full bar (includes branding items)	\$100
Rinks, Skating, Bicycle or Other	\$50
Short-term Vacation Rentals (Commercial & O/R Zones)	\$25.00 per unit
Video Game Rooms (Permanent)	\$50
Other: Hospitality, Lodging and Entertainment	\$75.00 unless multiple units, which would be \$10.00 per unit

<b>MANUFACTURING &amp; INDUSTRIAL SERVICES</b>	
Cement or Artificial Stone Manufacturing Companies	\$100
Electronics Sales and/or Repair Businesses	\$100
Electrical Energy Companies, distribution of	\$400
Ice Manufacturing Companies	\$75
Machine & Fixture Installation Companies	\$100
Machine and/or Welding Shops	\$100
Other: Manufacturing and Industrial Services	\$100
<b>PROFESSIONAL &amp; BUSINESS SERVICES</b>	
Title Companies	\$100
Accounting Service Businesses	\$100
Advertising and Marketing Agencies	\$100
Apartment Managing Companies	\$10 per unit
Architectural Services	\$100
Auctioneering Companies	\$100
Auditing Companies	\$100
Banks	\$375
Bonding Companies	\$100
Building and Loan Associations	\$100
Claims and Collecting Agencies	\$100
Consulting Services	\$100
Court Reporter Services	\$100
Employment Agencies (formerly Labor Recruiter)	\$100
Express Courier Services	\$130
Forestry & Arborist Services	\$100
Fish & Wildlife Guide Services	\$80
Insurance Agency or Company	\$80
Investment and Wealth Brokerage Firms	\$100
Legal Offices	\$100
Printing & Office Supplies	\$75

Real Estate Offices	\$100
Surveyors/Civil Engineers Offices	\$100
Other: Professional and Business Services	\$100
<b>REPAIR &amp; MAINTENANCE SERVICES</b>	
Automotive Parts & Repair Shops	\$75
Cabinet Makers or Carpenter Shops	\$75
Car Wash Businesses	\$75
Boat Maintenance & Repair Shops	\$75
Exterminating Businesses	\$75
Handyman (e.g. carpentry, repair, etc.) Services	\$60
Janitorial/Carpet Services/Cleaning Services	\$60
Landscaping and Yard Maintenance Businesses	\$60
Monument Companies	\$75
Piano and Organ Tuning Services	\$40
Repair and/or Service Shops, etc.	\$75
Undertakers & Embalming & Funeral Director Services	\$125
Woodyards or Woodworking Businesses	\$75
Other: Repair & Maintenance	\$75
<b>RETAIL SERVICES</b>	
Art Galleries	\$50
Bicycle Renting/Repair	\$50
Boutiques	\$50
Butcher Shops (Retail)	\$50
Convenience Stores	\$50
Craft Shop (Arts & Crafts)	\$50
Gift Shops	\$50
Florist Shops	\$50
Furniture Shops	\$50



Gas Stations (Retail)	\$100
Gas & Oil Dealers (Retail)	\$100
Grocery Stores	\$100
Jewelry Shop	\$50
Motorcycles or Motorbikes Shops	\$50
Plant Nursery	\$50
Pawn Shops	\$80
Pharmacy	\$120
Photography Studio	\$50
Seafood (Retail)	\$60
Shoe Shop	\$50
Sign Shops	\$50
Vending Machine Businesses	\$50
Other: Retail	\$50
<b>TRANSPORTATION &amp; LOGISTICS</b>	
Automobile Dealers	\$100
Dredging Companies	\$185
Electric Charging Stations Companies	\$50
Trucklines & Companies	\$400
Taxis, Car Service, Limo Businesses	\$50
Truck & Car Rental Businesses	\$75
Other: Transportation & Logistics	\$75
<b>WHOLESALE AND DISTRIBUTION</b>	
Beer, Wine & Spirits Production & Distribution	\$185
Bottling Companies	\$100
Seafood & Fish – Wholesale	\$100
Gasoline and Oil – Wholesale	\$185
Other: Wholesale and Distribution	\$100

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(Ord. No. 88-5, § 13, 9-22-1988; Ord. No. 92-9, § 13, 10-6-1992; Ord. No. 2005-11, § 13, 9-27-2005)

**Sec. 22-30. ~~Business tax receipt purchase required.~~**

~~Every contractor, person or entity carrying on, conducting or engaging in any service, trade or profession or any type business or occupation within the city shall first purchase a business tax receipt from the city clerk.~~

(Ord. No. 88-5, § 14, 9-22-1988; Ord. No. 92-9, § 14, 10-6-1992; Ord. No. 2005-11, § 14, 9-27-2005)

**~~Sec. 22-31. Compliance.~~**

The issuance of a business tax receipt by the city does not constitute a waiver or release of compliance with applicable federal, state and local laws.

(Ord. No. 88-5, § 15, 9-22-1988; Ord. No. 92-9, § 15, 10-6-1992; Ord. No. 2005-11, § 15, 9-27-2005)

**Secs. 22-321—22-50. Reserved.**

Section 4. Severability Clause. If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable, shall be severed here from and the remainder of this Ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall take effect upon approval by the City Commission.

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PASSED FIRST READING ON: \_\_\_\_\_

PASSED SECOND READING ON: \_\_\_\_\_

CITY OF APALACHICOLA

BY: \_\_\_\_\_  
Brenda Ash, Mayor

ATTEST:

\_\_\_\_\_  
SHENEIDRA CUMMINGS  
CITY CLERK

THINGS TO REMEMBER REGARDING BUSINESS LICENSE RECEIPTS:

1. To effect the sale or transfer of a business license:
  - a. The new owner must present the original license with evidence of sale of business.
  - b. Pay a transfer/sale fee of 10% of annual tax for the business; said fee shall be not less than \$3.00 and not more than \$25.00.
  
2. Delinquent taxes are to be assessed as follows:
  - a. A 10% fine for the month of October
  - b. A 5% fine for each subsequent month.
  - c. A total of not more than 25%.
  
3. The fine for failure to obtain a business license is 25% of the cost of the license in addition to any other penalty provided by law or ordinance.
  
4. After the revised/amended ordinance is passed in 2024, the rates can be raised up to 5% by a super majority vote of the Commission every other year (2026, 2028, etc.). Rates can always be lowered.

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Division of Historical Resources, Special Category grant, phase 2 HCA  
<https://dos.fl.gov/historical/grants/special-category-grants/>

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 1  
**Department:** Grants  
**Presenter:** Commission Grove, Sarah Bourque

**BRIEF SUMMARY** Board authorization to apply for year two special category repair money grant for the HCA in the amount of \$350,000. There is a 25% match of \$87,500 which has to be cash however, we are **REDI community**, so we are only required to have 25% of that match in cash: \$21,875. The last grant to make repairs came in under budget for the year one HCA project by approximately \$19K so we won't have to use the \$20,000 the city commissioned approved for the extra brick repair work – we could carry that over and use that as the match.

This would Phase two like we got for the old city hall to continue the repairs which would include repairs to front and back doors leaks. The building needs a better gutter system to stop leaks and prevent future damage. None of those things were covered by the last grant.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Approve applying for the DHR Special Category grant in the amount of \$350,000 and approve a match of \$21,875.

**FUNDING SOURCE:** Did not spend match previously allocated in budget for last grant \$19,000. This could be used as the match.

**ATTACHMENTS:** List of needed repairs

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

**Repairs:**

Replace Front Door (French doors) 2 sets with impact resistant doors

Replace Back Door with impact resistant door

Relocate gutter downspout on back of building to accommodate storm shutters

Replace all gutters on building

Tuck point and weatherproof second floor brick walls

Add Handicap accessible threshold – front and back door

Replacing 9 windows on back of 2<sup>nd</sup> floor with impact resistant windows.

Interior window trim on new downstairs windows.

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Milkweed planting at city park located at intersection of 12<sup>th</sup> Street and Bay Avenue

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 2  
**Department:** Parks and Recreation Committee  
**Contact:** Donna Ingle  
**Presenter:** Donna Ingle

**BRIEF SUMMARY:**

A mass planting of *Asclepias incarnata* - pink swamp milkweed - is proposed for the city park property at the intersection of 12th Street and Bay Avenue.

The plants will enhance the conservation and visitor-use potential of the property, whereby monarch butterfly habitat will be created for both adult and larval individuals. There is great ornamental value in planting this incredibly attractive, native milkweed species. This park is a terrific location due to the fact pink swamp milkweed is salt tolerant and thrives in a wet environment.

Aside from monarch conservation, pink swamp milkweed is a rare species in its own right, and the planting would serve as a conservation opportunity for securing a population of this species in the area.

The addition of a picnic table along with signage would help increase visitation to the park.

The addition of these plants will decrease the need for mowing, resulting in less labor required to maintain the park by the city.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

Approval by City Commission so that planting can be accomplished as soon as possible before the summer heat begins.

**FUNDING SOURCE:**

Scott Davis, Director of the Milkweed Foundation will be donating the plants and supervising planting.  
If the City would like a picnic table and signage that would need to be funded by the City.

ATTACHMENTS:



STAFF'S COMMENTS AND RECOMMENDATIONS:



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: April 2, 2024**

**SUBJECT:** 2<sup>nd</sup> Reading Ordinance 2024-01 Business/Occupational License Tax

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 1  
**Department:** Administration  
**Presenter:** Travis Wade and Dan Hartman

**BRIEF SUMMARY:**

Ordinance 2024-01

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Approve 2<sup>nd</sup> Reading Business /Occupational License Tax Ordinance 2024-01

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

1. Ordinance No. 2024-01

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval of 2<sup>nd</sup> reading of Ordinance 2024-01.

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval of 2<sup>nd</sup> reading Ordinance 2024-01.

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ORDINANCE 2024-01

AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, AMENDING ORDINANCE 2005-11, (92-9), (88-5), (80-11), (72-4), ADOPTED BY THE CITY COMMISSION OF APALACHICOLA FLORIDA; PROVIDING FOR NEW CATEGORIES FOR OCCUPATIONAL, BUSINESSES, TRADES, OCCUPATIONS, PROFESSIONS AND AGENCIES AND CORPORATION; PROVIDING A NEW SCHEDULE FOR THE PAYMENT AND ENFORCEMENT OF OCCUPATIONAL LICENSE TAX ON BUSINESSES, TRADES, OCCUPATIONS, PROFESSIONS AND AGENCIES AND CORPORATIONS WITHIN THE CITY OF APALACHICOLA, FIXING THE AMOUNTS THEREOF; TO AMEND PART II – CODE, SUBPART A, GENERAL ORDINANCES, CHAPTER 22 – LICENSES AND BUSINESS REGULATIONS, ARTICLE II, BUSINESS TAX RECEIPTS, SECTION 22-20 TO 22-31; PROVIDING PENALTIES FOR FAILURE TO PAY THE SAME; PROVIDING FOR TRANSFER OF LICENSE FEE; AND PROVIDING FOR AN EFFECTIVE DATE.

**FINDINGS:**

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

WHEREAS the current code provisions applicable to the categories and rates for the local business tax in the City are in need of update. Clarification, revising, and additional categories for the local business tax have been deemed necessary, and the need for adjusting the rates for each category for businesses located in the City.

WHEREAS, the City of Apalachicola has determined that it is in the public interest to adopt amendments to its General Ordinances pertaining to Business Tax Receipts; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, that:

**NOTE:** *Struck-through language is language proposed to be deleted, Underlined language is amended language, and \*\*\* represents sections that have been skipped and that*

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*remain unchanged.*

## ARTICLE II. BUSINESS TAX RECEIPTS

### Sec. 22-20. Application.

- (a) The city levies an occupational license tax for the privilege of engaging in or managing any business, profession, or occupation with the city of Apalachicola. The occupational/business license tax is levied on:
- (1) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any business within the city.
  - (2) Any person who maintains a permanent business location or branch office within the city, for the privilege of engaging in or managing any profession or occupation within the city.
  - (3) Any person who does not qualify under subsection (1) or subsection (2) of this section and who transacts any business or engages in any occupation or profession in interstate commerce, if the license tax is not prohibited by section 8, article 1 of the United States Constitution.
- (b) It shall be unlawful for any person or entity to carry on, conduct or engage in any business, trade, occupation or profession within the city, without having first completed the application for a business tax receipt, paid the required tax fee and obtained the required business tax receipt from the city clerk. New business applicants shall first complete the application for a business tax receipt and it shall be verified that the business, trade, occupation or profession is located within the city on property zoned in accordance with the provisions of the Apalachicola Land Development Code. ~~Such verification shall be in the form of a certificate of occupancy issued by the building inspector prior to the issuance of a business tax receipt by the city clerk. Failure to produce a certificate of occupancy will result in denial of a business tax receipt except for those persons or entities conducting or engaging in a service, trade, profession or any type of business or occupation within the city, but not having a permanent structure for conducting business within the city.~~
- (c) Those businesses wishing to renew a current issued business tax receipt may renew their business tax receipts by paying the required tax fee when due. An additional completed application or certificate of occupancy will not be required for renewal of a business tax receipt already on record with the city clerk.
- (d) If a business tax receipt is issued and the location of the business office or establishment is not zoned in accord to the city's land development code, the business tax receipt shall be revoked and the fee returned to the applicant. Final determination of zoning requirements shall be the responsibility of the city planning office.

(Ord. No. 88-5, § 1, 9-22-1988; Ord. No. 92-9, § 1, 10-6-1992; Ord. No. 2005-11, § 1, 9-27-2005)

### Sec. 22-21. Dates due.

- (a) All business tax receipts shall be sold by the city clerk beginning July 1 of each year and shall be due and payable on or before September 30 of each year and shall expire on September 30 of the succeeding year. Any person, firm, or corporation who shall commence any business, trade, occupation or profession or any

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other activity mentioned in said schedule for which a business tax receipt per annum is required may purchase a business tax receipt for the remainder of the paid year if commencing after April 1 at one-half the price required to be paid, and all business tax receipts shall expire on September 30.

- (b) No business tax receipt shall be issued for more than one year, and all business tax receipts shall expire on October 1 of each year, except as provided by state law.

(Ord. No. 88-5, § 2, 9-22-1988; Ord. No. 92-9, § 2, 10-6-1992; Ord. No. 2005-11, § 2, 9-27-2005)

### **Sec. 22-22. Appropriation of proceeds of tax.**

The proceeds of the tax hereby levied are hereby appropriated to the general fund account of the city.

(Ord. No. 88-5, § 3, 9-22-1988; Ord. No. 92-9, § 3, 10-6-1992; Ord. No. 2005-11, § 3, 9-27-2005)

### **Sec. 22-23. Transfer of license.**

Any business tax receipt may be transferred to a new owner when there is a bona fide sale of the business upon payment of a transfer fee as established by the city, **of ten percent of the annual license tax, but not less than \$3.00 or more than \$25.00, and presentation of the original license and evidence of the sale.** ~~presentation of the original business tax receipt, evidence of the sale and a certificate of occupancy approved by the building inspector.~~

(Ord. No. 88-5, § 4, 9-22-1988; Ord. No. 92-9, § 4, 10-6-1992; Ord. No. 2005-11, § 4, 9-27-2005)

### **Sec. 22-24. Delinquent taxes.**

Those business tax receipts not renewed by October 1 of each year shall be considered delinquent and subject to a delinquency penalty of ten percent for the month of October, plus an additional five percent penalty for each month of delinquency thereafter until paid. The total delinquency penalty shall not exceed 25 percent of the business tax receipt for the delinquent establishment.

(Ord. No. 88-5, § 5, 9-22-1988; Ord. No. 92-9, § 5, 10-6-1992; Ord. No. 2005-11, § 5, 9-27-2005)

### **Sec. 22-25. Penalty.**

- (a) Any person engaging in or managing any business, occupation, or profession without first obtaining a local business tax receipt, if required hereunder, shall be subject to a penalty of 25 percent of the license determined to be due.

- (b) Any person who engages in any business, occupation, or profession covered by this chapter, who does not pay the required business tax within 150 days after the initial notice of tax due, and who does not obtain the required receipt is subject to civil actions and penalties, including court costs, reasonable attorney fees, additional administrative costs incurred as a result of collection efforts, and a penalty of up to \$250.00.

(Ord. No. 88-5, §§ 6, 7, 9-22-1988; Ord. No. 92-9, §§ 6, 7, 10-6-1992; Ord. No. 2005-11, §§ 6, 7, 9-27-2005)

**Sec. 22-26. Charitable organizations.**

The requirements of those organizations for occasional sales of fundraising projects are the same as provided by F.S. § 205.192.

(Ord. No. 88-5, § 9, 9-22-1988; Ord. No. 92-9, § 9, 10-6-1992; Ord. No. 2005-11, § 9, 9-27-2005)

**Sec. 22-27. Dispute over category of business or occupational license fee.**

If any person or entity engaging in any occupation or business for profit within the city disagrees as to which category his business is in or the fee assessed for a business tax receipt, the city clerk, with assistance from the building inspector, shall investigate his type of business or occupation and make the final determination of the appropriate category and/or fee.

(Ord. No. 88-5, § 10, 9-22-1988; Ord. No. 92-9, § 10, 10-6-1992; Ord. No. 2005-11, § 10, 9-27-2005)

**Sec. 22-28. Posting license.**

Every business tax receipt issued under the provisions of this article shall be posted at the place of business for which the business tax receipt was issued in a convenient and conspicuous place.

(Ord. No. 88-5, § 11, 9-22-1988; Ord. No. 92-9, § 11, 10-6-1992; Ord. No. 2005-11, § 11, 9-27-2005)

**Sec. 22-29. Business tax schedule.**

The amount of business tax levied and imposed upon every person that shall engage in or manage any of the businesses, professions, privileges or occupations is hereby fixed, graded and determined beginning October 1, 1988-2024, at the following amounts:

Business	Tax Levied
(1) Abstractors of title, including companies, agents, firms or persons other than licensed attorneys, engaged in the business of making abstracts of title from public records.	\$85.94
(2) Advertising agents, per year or fraction thereof.	\$85.94
(3) Advertising and/or sign shops:	
a. By painting on the wall, fence, or advertising business other than that of the owner of the wall or fence.	\$171.88
b. Billposters and sign lacquerers.	\$17.19
(4) Agencies:	
a. Commercial agencies or persons giving information as to credit ratings or standings of individuals or firms, per year.	\$51.56
b. Rental or collecting, per year.	\$51.56
c. Corporations.	\$85.94

d. Soliciting business for out-of-town enterprises where display rooms are maintained and merchandise kept on hand as samples for display purposes only; provided, however, the business tax hereby imposed shall not apply to establishments regularly and continuously engaged in the sale of merchandise customarily carried on hand as a part of the regular stock of such establishment.	\$351.57
e. Soliciting business for foreign concerns not otherwise provided for per year or fraction thereof.	\$85.94
f. Agents redeeming coupons.	\$34.38
(5) Amusement parks, per year.	\$343.75
(6) Apartments:	
a. Two to five units.	\$68.75
b. Each additional unit.	\$13.75
(7) Auditing companies or individuals, per year or fraction thereof.	\$85.94
(8) Automobile dealers or sales agents:	
a. Per year, or fraction thereof.	\$171.88
b. Automobile dealers or sales agents, automobile accessories and automobile garage or repair shop, and dealers in gasoline and oils and auto painting, when combined under one ownership and operation, per year.	\$171.88
c. Automobile garage and/or repair and paint shop.	\$60.13
d. Automobile painters, itinerant.	\$85.94
e. Automobile parking and automobile trailer parking lots.	\$85.94
f. Automobile wrecking or dismantling for salvage.	\$85.94
(9) Bakeries operated by steam or other power, per year.	\$85.94
(10) Banks or bankers.	\$343.75
(11) Barbershops:	
a. One chair.	\$20.63
b. Each additional chair.	\$6.88
(12) Beauty parlors:	
a. One operator.	\$25.75
b. Each additional operator.	\$17.19
(13) Bicycles, renting or repairing, per year.	\$34.38
(14) Billiard/pool and similar tables, or places where charges are made for playing pool or billiards, for each table, per year.	\$17.19

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(15) Boardinghouses and roominghouses, hotels or motels, etc., having available accommodations for more than three guests, whether occupied or not, per room, per year.	\$3.44
(16) Bonding companies.	\$85.94
(17) Bottling companies, including canned drink manufacturers, per year.	\$171.88
(18) Bowling alleys, each alley, per year.	\$17.19
(19) Brokers, those who carry stock on hand and who sell to registered wholesale merchants only and act as intermediary between buyer and seller for the consideration of a brokerage or commission from either for the sale of stocks, bonds, merchandise, etc.	\$85.94
(20) Building and loan associations, per year.	\$85.94
(21) Businesses — professional:	
a. Dentists.	\$85.94
b. Lawyers.	\$85.94
c. Physicians/surgeons.	\$137.50
d. Optometrists.	\$85.94
e. Chiropractors/osteopaths.	\$137.50
f. Psychologists.	\$85.94
g. Certified public accountants.	\$85.94
h. Veterinarians.	\$85.94
i. Court reporters.	\$85.94
j. Architects.	\$85.94
k. Auctioneers.	\$85.94
l. Foresters.	\$85.94
m. Surveyors/civil engineers.	\$85.94
n. Chiropodists, per year.	\$85.94
(22) Bus stations, concessions	(see merchants)
(23) Business firms other than merchants. All types and forms of businesses of every kind whatsoever not otherwise covered in this article, nor covered in separate peddlers ordinances.	\$85.94
(24) Cabinet makers or carpenter shops.	\$85.94
(25) Car washes.	\$68.75
(26) Cement or artificial stone manufacturers, per year.	\$85.94

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(27) Circuses or carnival parades.	\$386.69
(28) Circuses, held under one tent where one admission is charged, per year.	\$468.75
(29) Claims and collecting agencies, other than lawyers.	\$85.94
(30) Contractors:	
a. Building, painting, remodeling, and roofing.	\$85.94
b. Residents with one or more subcontractors (subcontractors may obtain licenses under respective classification).	\$85.94
c. Contractors, paving or cement works (including delivering cement).	\$85.94
d. Electricians or electrical contractors.	\$85.94
e. Plumbers, including pipe fitters and contractors, selling of fixtures or conducting shop.	\$85.94
f. Contractors, not otherwise provided for.	\$85.94
(31) Craft shops.	\$55.00
(32) Dancing schools/halls.	\$34.38
(33) Day care centers.	\$41.25
(34) Dredging companies.	\$171.88
(35) Dry cleaners, steam cleaners and clothes pressers, or either, hat blocking and dryers, or either.	\$68.75
(36) Electrical energy, distribution.	\$386.69
(37) Electronics sales and/or repairs.	\$85.94
(38) Express companies.	\$128.88
(39) Exterminators.	\$68.75
(40) Florists or dealers in flowers.	\$51.56
(41) Fairs and rides, devices, each, per week.	\$17.19
(42) Food vendors, stands or mobile units (on private property only) (applicants should not be issued a business tax receipt in these categories until approval is obtained from the city's planning and zoning board).	\$68.75
(43) Fruits, vegetables, wares, etc., stands, mobile units or trucks, selling not in connection with licensed merchants (on private property only).	\$51.56
(44) Furniture dealers (not under merchant classification).	\$137.50
(45) Games, such as shuffleboard, throwing balls at figures and the like, per day.	\$34.38

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(Supp. No. 4)

(46) Gasoline and oil:	
a. Wholesale:	\$171.88
b. Retail dealers:	
1. One pump on private property:	\$34.38
2. Two to four pumps on private property:	\$60.19
3. Five or more pumps on private property:	\$85.94
c. Dealers in propane, butane or any other form of gas for heating, lighting, etc., per year:	\$85.94
(47) Ice cream manufacturers:	
a. Wholesaling:	\$85.94
b. Retailing:	\$171.88
(48) Ice manufacturers:	\$85.94
(49) Installing of machines, fixtures and/or equipment, not otherwise covered in this article:	\$85.94
(50) Insurance agencies and/or companies:	
a. Insurance agencies:	\$68.75
b. Insurance companies, each company represented:	\$68.75
(51) Janitorial/carpet services:	\$68.75
(52) Jewelers, repairing/sales and/or watch repair (also see merchants for stock):	\$85.94
(53) Labor recruiters, inducing laborers to leave the city or county for employment:	\$976.56
(54) Landscaping and yard maintenance:	\$85.94
(55) Laundry and/or linen services:	\$85.94
(56) Machine and/or welding shops:	\$85.94
(57) Manufacturing, not otherwise covered:	\$85.94
(58) Marine ways:	\$51.56
(59) Masseurs, each person, per year or fraction thereof:	\$85.94
(60) Merchants, storekeepers and wholesale dealers, to include antique and second-hand shops, in accordance with the value of the stock of goods as follows:	
a. Stock of less than \$1,000.00:	\$51.56
b. Stock of \$1,000.00 and less than \$5,000.00:	\$68.75
c. Stock of \$5,000.00 and less than \$20,000.00:	\$85.94
d. Stock of \$20,000.00 and less than \$40,000.00:	\$120.31

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e. Stock of \$40,000.00 and up.	\$171.88
Provided that all persons applying for a business tax receipt under this classification shall make affidavit before the city clerk, as the ex officio tax collector, as to the value of the stock of goods for which a business tax receipt is applied for, and such affidavit shall be made and filed among the city records prior to the issuance of any business tax receipt.	
{61} Monument companies.	\$68.75
{62} Motorcycles or motorbikes, agents or dealers or shops for repairs.	\$51.56
{63} Moving pictures/performance theaters.	\$171.88
{64} Music teachers.	\$34.38
{65} Newspapers:	
a. Published six days a week or more often.	\$171.88
b. Weekly, and publishers of magazines or similar publications, other than those published by a department of the state.	\$85.94
{66} Nursery stock, agents or dealers, per year or fraction thereof.	\$51.56
{67} Pawn shops.	\$68.75
{68} Painters of signs, artists.	\$34.38
{69} Peddlers (must have approved special exception). A peddler is one who offers merchandise along streets from door to door. The term "peddler" shall not include the following: a. Sales made to dealers or permanent merchants by commercial travelers selling in the usual course of business. b. Sheriffs, constables, bona fide assignees receivers or trustees in bankruptcy or other public officers selling goods, wares and merchandise according to law. c. Bona fide residents of the state selling fruits, vegetables, dressed meats, fowl or farm products which were produced on land within the state, owned or controlled by such vendor. d. Solicitations, sales or distributions made by charitable, educational or religious organizations which have their principal places of activity within this city. When approved as a special exception, peddlers shall present the approved special exception application to the city clerk prior to the	\$386.69

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issuance of a business tax receipt:	
{70} Pharmacies (not to be classified as merchants):	\$103.13
{71} Photographers:	\$85.94
{72} Piano and organ tuners, etc., per year or fraction thereof:	\$25.75
{73} Pile driving or drivers, per unit:	\$85.94
{74} Printing/office supply:	\$55.00
{75} Radio stations:	\$55.00
{76} Real estate brokers:	\$85.94
{77} Real estate salespersons, and those making businesses of dealing in real estate, whether selling their own or not, as defined by state law other than real estate brokers:	\$85.94
{78} Repair and/or service shops:	
a. Bicycles and small motors:	\$34.38
b. Boats and boat motors:	\$85.94
c. Radios, televisions and electronics, including installation:	\$85.94
{79} Restaurants (including lounges or bars):	
a. One to 15 chairs or stools:	\$42.94
b. 16 to 25 chairs or stools:	\$68.75
c. Over 25 chairs or stools:	\$85.94
d. Restaurants with lounges or bars, add an additional —	\$34.38
e. Lounges or bars only (no food served):	\$85.94
f. If dancing is permitted, add an additional —	\$34.38
{80} Rinks — skating, bicycle or other:	\$85.94
{81} Shoe shops:	\$55.00
{82} Shooting galleries, when located in permanent structures or locations:	\$85.94
{83} Sideshows, each, with circuses, per day:	\$51.56
{84} Tailors:	\$34.38
{85} Taxidermists:	\$34.38
{86} Telephone companies:	\$386.69
{87} Television cable companies:	\$309.38
{88} Television stations:	\$68.75
{89} Truck lines or companies:	\$386.69
{90} Trucks for hire (\$75.00 per truck):	\$103.13
{Each truck operated other than as a qualified carrier, per year}	

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(91) Undertakers, embalmers and/or funeral directors.	\$128.88
(92) Vehicles for hire, vehicle rentals:	
<p>a. All persons engaging in or carrying on the business of renting or hiring to the general public automobiles or other motor vehicles, either with or without drivers, shall pay a business tax in the sum of \$20.00 and in addition thereto, when more than one vehicle is used in such business, the sum of \$10.00 on each such vehicle exceeding one.</p>	
<p>b. All persons engaging in or carrying on the business of renting or hiring motor vehicles either with or without drivers, shall furnish the city and file in the office of the city clerk a personal bond secured by a cash deposit or with at least two sufficient sureties to be approved by the city clerk or a surety company authorized to do business in the state in the following amount: \$625.00 where not more than one vehicle is used in such business; \$1,250.00 where two vehicles are used in such business; and an additional \$375.00 for each vehicle exceeding two vehicles used in such business; provided, however, the total amount of any bond required of any one such business shall not exceed the sum of \$2,000.00. The bond shall be conditioned to indemnify passengers and the general public receiving personal injuries or suffering property damage by any act of negligence of the obligor or any of his agents, servants or employees in the operation or conduct of said business, and said bond shall be payable to the city and shall be for the benefit of and subject to action thereon by any person who shall have sustained an actionable injury protected thereby. No business tax receipt shall be issued to engage or continue in such business until such bond has been filed and approved, and no such bond so accepted shall be cancelled by any company issuing the same except upon such notice being given by the company issuing such bond and no such bond shall be revoked unless a new bond is filed and accepted before the date of the cancellation of the bond; provided, however, the applicant for a business tax receipt may file in lieu of the bond a policy of liability insurance with some casualty company or insurance company authorized to do business in the state with liability limits of \$10,000.00 for one person injured and a \$20,000.00 limit for injuries of two or more persons and a property damage limit of \$500.00. When any cash deposit is made, the city shall pay six percent interest on said during the time such deposit is maintained.</p>	
<p>c. Any person who shall carry on, conduct or continue the operation of the business of renting or hiring to the general public automobiles or other motor vehicles, either with or without drivers, without filing such bond or insurance policy or having the same on file or without having attached to the vehicle used in the operation of such business the metal tag or plate issued to any vehicle used in such business, as provided for in this section, shall be guilty of a violation of this Code.</p>	

(93) Vending machines:	
a. Each person who may operate or place for public use any vending machine or mechanical device designed to operate by the insertion into such machine of a coin or metal disk or slug for the purpose of dispensing merchandise, producing or reproducing music, musical sounds or noises and/or produce picture or pictures, prints or writings, or which is operated for amusement only, or as a game of skill and amusement, each separate machine used in the city, per year.	\$42.94
b. The above classification shall not apply to the following machines which are separately taxed: vending peanut machines, chewing gum machines, popcorn machines, and drink machines.	
(94) Video shops/sales and rentals.	\$55.00
(95) Video game rooms (per game).	\$13.75
(96) Wholesale, retail or wholesale and retail fish and seafood dealers.	\$85.94
(97) Wood yards or persons selling wood.	\$34.38

<b>COMMUNICATION &amp; MEDIA</b>	
Telecommunications Companies	\$425
Newspaper and Publishing Companies	\$185
Other: Communication & Media	\$100
<b>CONTRACTORS (DBPR LICENSED)</b>	
Building Contractor	\$100
Cement/Concrete Contractor	\$100
Electrician (Contractor)	\$100
HVAC (Mechanical) Contractor	\$100
Painters - Contractor	\$100
Pile Driving or Divers	\$100
Pool & Spa Contractor	\$100
Plumbers (Contractor)	\$100
Roofing Contractor	\$100
Sheet Metal Contractor	\$100
Solar (Contractor)	\$100
Other: Contractors	\$100
<b>HEALTH, WILLNESS &amp; PERSONAL CARE</b>	
Chiropractors/Osteopaths Businesses	\$100
Dancing Schools/Halls	\$35
Day care centers	\$30
Day Spa	\$100
Dental Offices	\$100
Dry Cleaners	\$80
Fitness Centers	\$80
Hair, Nail & Beauty Salons	\$25
Laundry and Linen Services	\$100

Massage Therapist Studio/Shop	\$100
Medical Offices/Services	\$100
Music Schools	\$30
Optometrists Offices	\$100
Psychologists Offices	\$100
Tailoring Shops	\$40
Veterinary Services	\$100
Other: Health, Wellness, and Personal Care	\$75
<b>HOSPITALITY, LODGING &amp; ENTERTAINMENT</b>	
Amusement Parks (permanent)	\$375
Bed and Breakfasts	\$12.00 per unit
Beer and Wine Bars (no food) (includes branding items)	\$100
Boarding Rooms (Houses)	\$12.00 per unit
Bowling Alleys	\$20
Circus, Carnivals, and Fairs (transient)	\$300
Cooking Schools	\$40
Hotels	\$12.00 per unit
Marinas (Slips, Storage, Dry & Wet)	\$10.00 per unit
Monthly Vacation Rentals (Residential Zones)	\$25.00 per unit
Moving Pictures/Performance Theaters	\$175
Motels	\$12.00 per unit
Restaurants (no alcohol – includes branding items)	\$50
Restaurants with beer & wine (includes branding items)	\$75
Restaurants with full bar (includes branding items)	\$100
Rinks, Skating, Bicycle or Other	\$50
Short-term Vacation Rentals (Commercial & O/R Zones)	\$25.00 per unit
Video Game Rooms (Permanent)	\$50
Other: Hospitality, Lodging and Entertainment	\$75.00 unless multiple units, which would be \$10.00 per unit



<b>MANUFACTURING &amp; INDUSTRIAL SERVICES</b>	
Cement or Artificial Stone Manufacturing Companies	\$100
Electronics Sales and/or Repair Businesses	\$100
Electrical Energy Companies, distribution of	\$400
Ice Manufacturing Companies	\$75
Machine & Fixture Installation Companies	\$100
Machine and/or Welding Shops	\$100
Other: Manufacturing and Industrial Services	\$100
<b>PROFESSIONAL &amp; BUSINESS SERVICES</b>	
Title Companies	\$100
Accounting Service Businesses	\$100
Advertising and Marketing Agencies	\$100
Apartment Managing Companies	\$10 per unit
Architectural Services	\$100
Auctioneering Companies	\$100
Auditing Companies	\$100
Banks	\$375
Bonding Companies	\$100
Building and Loan Associations	\$100
Claims and Collecting Agencies	\$100
Consulting Services	\$100
Court Reporter Services	\$100
Employment Agencies (formerly Labor Recruiter)	\$100
Express Courier Services	\$130
Forestry & Arborist Services	\$100
Fish & Wildlife Guide Services	\$80
Insurance Agency or Company	\$80
Investment and Wealth Brokerage Firms	\$100
Legal Offices	\$100
Printing & Office Supplies	\$75

Real Estate Offices	\$100
Surveyors/Civil Engineers Offices	\$100
Other: Professional and Business Services	\$100
<b>REPAIR &amp; MAINTENANCE SERVICES</b>	
Automotive Parts & Repair Shops	\$75
Cabinet Makers or Carpenter Shops	\$75
Car Wash Businesses	\$75
Boat Maintenance & Repair Shops	\$75
Exterminating Businesses	\$75
Handyman (e.g. carpentry, repair, etc.) Services	\$60
Janitorial/Carpet Services/Cleaning Services	\$60
Landscaping and Yard Maintenance Businesses	\$60
Monument Companies	\$75
Piano and Organ Tuning Services	\$40
Repair and/or Service Shops, etc.	\$75
Undertakers & Embalming & Funeral Director Services	\$125
Woodyards or Woodworking Businesses	\$75
Other: Repair & Maintenance	\$75
<b>RETAIL SERVICES</b>	
Art Galleries	\$50
Bicycle Renting/Repair	\$50
Boutiques	\$50
Butcher Shops (Retail)	\$50
Convenience Stores	\$50
Craft Shop (Arts & Crafts)	\$50
Gift Shops	\$50
Florist Shops	\$50
Furniture Shops	\$50

Gas Stations (Retail)	\$100
Gas & Oil Dealers (Retail)	\$100
Grocery Stores	\$100
Jewelry Shop	\$50
Motorcycles or Motorbikes Shops	\$50
Plant Nursery	\$50
Pawn Shops	\$80
Pharmacy	\$120
Photography Studio	\$50
Seafood (Retail)	\$60
Shoe Shop	\$50
Sign Shops	\$50
Vending Machine Businesses	\$50
Other: Retail	\$50
<b>TRANSPORTATION &amp; LOGISTICS</b>	
Automobile Dealers	\$100
Dredging Companies	\$185
Electric Charging Stations Companies	\$50
Trucklines & Companies	\$400
Taxis, Car Service, Limo Businesses	\$50
Truck & Car Rental Businesses	\$75
Other: Transportation & Logistics	\$75
<b>WHOLESALE AND DISTRIBUTION</b>	
Beer, Wine & Spirits Production & Distribution	\$185
Bottling Companies	\$100
Seafood & Fish – Wholesale	\$100
Gasoline and Oil – Wholesale	\$185
Other: Wholesale and Distribution	\$100

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(Ord. No. 88-5, § 13, 9-22-1988; Ord. No. 92-9, § 13, 10-6-1992; Ord. No. 2005-11, § 13, 9-27-2005)

**Sec. 22-30. ~~Business tax receipt purchase required.~~**

~~Every contractor, person or entity carrying on, conducting or engaging in any service, trade or profession or any type business or occupation within the city shall first purchase a business tax receipt from the city clerk.~~

(Ord. No. 88-5, § 14, 9-22-1988; Ord. No. 92-9, § 14, 10-6-1992; Ord. No. 2005-11, § 14, 9-27-2005)

**~~Sec. 22-31. Compliance.~~**

The issuance of a business tax receipt by the city does not constitute a waiver or release of compliance with applicable federal, state and local laws.

(Ord. No. 88-5, § 15, 9-22-1988; Ord. No. 92-9, § 15, 10-6-1992; Ord. No. 2005-11, § 15, 9-27-2005)

**Secs. 22-321—22-50. Reserved.**

Section 4. Severability Clause. If any portion of this ordinance is declared invalid or unenforceable, then to the extent it is possible to do so without destroying the overall intent and effect of this ordinance, the portion deemed invalid or unenforceable, shall be severed here from and the remainder of this Ordinance shall continue in full force and effect as if it were enacted without including the portion found to be invalid or unenforceable.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. This ordinance shall take effect upon approval by the City Commission.

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PASSED FIRST READING ON: \_\_\_\_\_

PASSED SECOND READING ON: \_\_\_\_\_

CITY OF APALACHICOLA

BY: \_\_\_\_\_  
Brenda Ash, Mayor

ATTEST:

\_\_\_\_\_  
SHENEIDRA CUMMINGS  
CITY CLERK

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Resolution 2024-03

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:** At the November 7, 2023 meeting, the Commission approved the City's application for a State Revolving Loan to fund an FDEP required Lead Service Line Inventory. The loan includes a 49% principal forgiveness clause that results in the City paying for 51% of the total. At the time the City was not aware that the Resolution is required.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** - Motion Approve Resolution 2024-03

**FUNDING SOURCE:**

**ATTACHMENTS:**

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends approval

**CITY OF APALACHICOLA  
RESOLUTION 2024-03**

**A RESOLUTION OF THE CITY OF APALACHICOLA, FLORIDA RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes provide for loans to local government agencies to finance the LCRR Compliance Phase 1 Lead Service Line Inventory; and

**WHEREAS**, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

**WHEREAS**, the State Revolving Fund Loan priority list designates Loan Number LS190310 as eligible for available funding; and

**WHEREAS**, the City of Apalachicola, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA, AS FOLLOWS:**

**SECTION I.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION II.** The City of Apalachicola, Florida is authorized to apply for a loan to finance the project.

**SECTION III.** The revenues pledged for the repayment of the loan is the Loan Reserve Account with Centennial Bank in the amount of \$27,348.00.

**SECTION IV.** The City Manager, Travis Wade, is hereby designated as the authorized representative to provide assurances and commitments required by the loan application.

**SECTION V.** The Mayor, Brenda Ash, is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. Mayor Brenda Ash is authorized to represent the City in carrying out the City's responsibilities under the loan agreement and is authorized to delegate responsibility to appropriate City Staff to carry out technical, financial, and administrative activities associated with the loan agreement.

**SECTION VI.** The legal authority for borrowing moneys to finance this project is 166.111 Florida Statutes.

**SECTION VII.** All resolutions or part of resolutions in conflict with any of the provisions of this resolution are hereby repealed.

**SECTION VIII.** If any or portion of a section of this resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this resolution.

**SECTION IX.** This resolution shall become effective immediately upon its passage and adoption.

**PASSED AND ADOPTED THIS 7<sup>TH</sup> DAY OF MAY, 2024.**

**APPROVED AS TO FORM AND LEGALITY**

\_\_\_\_\_  
**BRENDAASH, MAYOR**

\_\_\_\_\_  
**DAN HARTMAN, CITY ATTORNEY**

**ATTEST:**

\_\_\_\_\_  
**SHENEIDRA CUMMINGS, CITY CLERK**



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Franklin County Republican Executive Committee Lease Request

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 3  
**Department:** Administration  
**Contact:** Travis Wade  
**Presenter:** Travis Wade/Brant Banks

**BRIEF SUMMARY:** Brant Banks, representing the Franklin County Republican Executive Committee, was shown space in the City Hall complex and quoted \$250/month based on a \$.29/sq ft price that was calculated as a fair market price based on comparable spaces. Mr. Banks is requesting a decreased rate based on rates paid by other tenants.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** None

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Rules of Procedure

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:** Suggestions for amending the Rules of Procedure were submitted by Commissioner George and Mayor Ash. Those suggestions are attached.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Suggestions by Commissioner George and Mayor Ash, along with a Draft of the Amended Rules of Procedure

**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~~ **4:00** 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.

**Commissioner George's Review and proposed changes  
to Rules of procedure**

**Rule 1 – Meetings** – Concur with city manager's draft revision.

**Rule 2 – Regular Meetings** – The city manager did not propose a change to the 6PM regular meeting time, although the meeting time was changed to 4PM at the 11/02/21 commission meeting by a vote of the city commission. The change did not meet the requirements of Rule 29, and the change in meeting time is inconsistent with an ordinance which established the meeting time.

**Rule 3 – Special Meetings** – The notice requirements for special meetings are not clear. The rule requires that notice be posted at city hall (but not on the city website) and doesn't specify if that notice must be posted 48 hours in advance and whether that notice includes an agenda and documentation. There has been inconsistency in practice. Should this rule be revised?

**Rule 10 – City Clerk** – Item 10(b) should be updated to include reflect the new deadlines (see Rule 26(f)).

**Rule 14 – Ordinances** – There is a city policy which requires a series of workshops for ordinances that amend the LDC, which are not specified in this rule. Do we need to clarify when workshops are required, including joint workshops of the city commission and the P&Z board?

**Rule 26 – Preparation of Agendas** – Concur with city manager's draft revisions.

Rule 26(a) is not consistent with the order of the agendas in practice. Should the rule be revised or our agendas made to comply?

**Rule 27 – Agendas – Order of Business** – Same comment as for Rule 26(a).

There is a draft revision to Rule 27(g) to change public comment time from five minutes to three minutes. The public has been limited to three minutes since 10/05/21, without a vote of the city commission. The notation on the top of the agenda was simply changed, without an explanation. The five-minute time limit specified in the rules should be reinstated.

**Rule 28** – Other than the draft revisions to change the meeting place and to make the residency requirement consistent with the city charter, the proposed changes are unnecessary and overly restrictive. Time would be better spent developing policies for the operation of city departments rather than instituting rules for volunteers who serve at the pleasure of the city commission to make recommendations.

## **Mayor Ash's Recommendations for Rules of Procedure:**

### **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 **4:00** . ~~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 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.

(d) The City Manager or any Commission member may, **only** in the event of an emergency, place items on the Agenda after the above deadline.

(f) Agendas and all necessary background materials will be delivered to the members no later than 5:00 p.m. on the Friday before the next meeting via notification by electronic mail. In the event **of an emergency** 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.

### **RULE 27**

**AGENDAS – ORDER OF BUSINESS** : (**Currently the agenda outline is not in this order**)

(j) Adjournment

No meeting shall be permitted to continue beyond **8:00** ~~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 **8:00** ~~10:00~~ p.m., the items not acted on are to be continued to **9:00** ~~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.

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Appointment of Alternate Member to P&Z

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 5  
**Department:** Planning and Zoning  
**Contact:** Travis Wade/Bree Robinson  
**Presenter:** Travis Wade/Bree Robinson

**BRIEF SUMMARY:** A vacancy was announced for an alternate member of the P&Z Board, applications were received and reviewed. Five (5) applications are attached.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** Motion to Approve

**FUNDING SOURCE:** N/A

**ATTACHMENTS:** Applications

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

REQUESTED BOARD/COMMITTEE APPOINTMENT Planning & Zoning

APPLICATION DATE 9/21/23

DATE APPOINTED \_\_\_\_\_

NAME: Raymond B. Mabrey Sr

MAILING ADDRESS: 105 11th St

PHYSICAL ADDRESS: above

CELL#: 850 653 5284 HOME#: 850 653 9223

EMAIL: rbmabrey@media.com b h net

PLACE OF EMPLOYMENT: Retired

WORK#: \_\_\_\_\_

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?

25+ years

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?

Have Time to look at operations & help city in their evaluations

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?

Knowledge of Codes, Rules & Reg

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?

County Com. 2 yrs, Health Inspector 14 yrs

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?

City Com., p47

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

yes

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

yes

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

yes

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

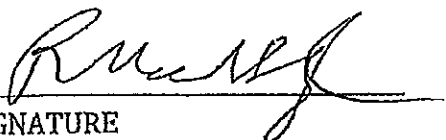
yes

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

14 yrs STATE 7 12 yrs private

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

yes

  
SIGNATURE

R. Mahoney  
PRINTED NAME



March 18, 2024

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

REQUESTED BOARD- *Planning and Zoning Board - Alternate*

NAME- *Phillip W. Fuerschbach*

MAILING ADDRESS -- *189 Avenue E, Apalachicola FL 32320*

CELL# *505 328 4709*

EMAIL *philmar@q.com*

PLACE OF EMPLOYMENT- *Retired from Sandia National Laboratories, Albuquerque , NM*

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?  
*11 years.*

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD?

*I believe planning and zoning are critical to maintaining the unique character of Apalachicola and in developing it for the future.*

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON THE BOARD?

*I have been interested in architecture and building construction all of my life, and I would enjoy the opportunity to share my knowledge and to contribute to my community.*

4. DO YOU HAVE ANY PREVIOUS EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS?

*I have served on International technical committees in several positions including as Chairman of the following three:*

*\*Welding Research and Development Committee of the American Welding Society*

*\*Albuquerque Chapter of the American Welding Society*

*\*AWS C7.4 -- An American National Standard (ANSI)*

5. HAVE YOU ATTENDED ANY CITY MEETINGS?

*During my years in Apalachicola, I have attended several City Commission meetings as well as Planning and Zoning meetings.*

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

*Yes.*

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

*Yes.*

March 18, 2024

8. HAVE YOU READ/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

Yes.

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

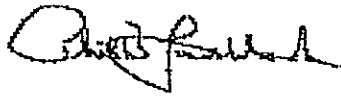
Yes.

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE?  
IF SO, HOW LONG?

*I am a mechanical engineer, and I designed a passive solar house which I built in New Mexico in 1986. When I moved to Apalachicola, I undertook an extensive multi-year restoration of our 1907 historic home here, largely without compromising the original floor plan and exterior appearance.*

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

Yes.

A handwritten signature in black ink, appearing to read "Phillip W. Fuerschbach". The signature is written in a cursive style with some loops and flourishes.

Phillip W. Fuerschbach

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

PLANNING + ZONING

REQUESTED BOARD/COMMITTEE APPOINTMENT + ARCHITECTURE REVIEW ALTERNATE

APPLICATION DATE MARCH 20, 2024

DATE APPOINTED \_\_\_\_\_

NAME: LINDA R. BUCHANAN  
MAILING ADDRESS: 211 8<sup>TH</sup> ST, APALACHICOLA 32320.  
PHYSICAL ADDRESS: SAME  
CELL#: 229 308 8605 HOME#: SAME  
EMAIL: lbuchanan1955@gmail.com

PLACE OF EMPLOYMENT: RETIRED  
WORK#: N/A

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?  
PURCHASED HOME IN 2006; ESTABLISHED FL RESIDENCY IN 2015;  
RETIRED AND HERE FULL TIME SINCE JUNE 2023

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?  
I HOPE MY PROFESSIONAL EXPERIENCE IN HIGHER EDUCATION,  
COMMUNITY DEVELOPMENT, AND THE NAVY WILL BE A  
USEFUL COMPLEMENT TO THIS BOARD.

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?  
FAMILIARITY WITH PROGRAM, ARCHITECTURAL, STRATEGIC  
REVIEW/EVALUATION. EXPERIENCE WITH ACCREDITATION AT  
VARIOUS LEVELS TRANSLATES CLOSELY WITH THIS BOARD.

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR  
OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?  
TROUP COUNTY, GEORGIA ECONOMIC DEVELOPMENT AUTHORITY - 8 YEARS  
RANDOLPH COUNTY, GEORGIA CHAMBER OF COMMERCE, ECONOMIC DEVELOPMENT  
AUTHORITY - 7 YEARS

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?  
YES. COUNTY COMMISSION AS WELL. SINCE JUNE,  
APPROXIMATELY 5.

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

YES, I WILL DEVOTE AS MUCH TIME AS NEEDED FOR THOROUGH REVIEW AND PREPARATION.

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

YES.

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

YES, AND HAVE PAID PARTICULAR ATTENTION TO THE UPDATED PLAN.

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

YES, I ALSO SERVE ON THE APALACHICOLA AREA HISTORICAL SOCIETY BOARD.

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

YES, I HAVE BEEN DIRECTLY INVOLVED WITH APPROX \$30 MIL OF BUILDING PROJECTS OVER PAST 30 YEARS; SOME NEW, OTHERS HISTORIC PRESERVATION.

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

YES.

RESPECTFULLY SUBMITTED,



SIGNATURE

LINDA R. BUCHANAN

PRINTED NAME

BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE

REQUESTED BOARD/COMMITTEE APPOINTMENT PLANNING + ZONING

APPLICATION DATE 7-3-23

DATE APPOINTED \_\_\_\_\_

NAME: GREGORY GOLGOWSKI

MAILING ADDRESS: 1 25<sup>TH</sup> AVE, APALACHICOLA

PHYSICAL ADDRESS: SAME

CELL#: 321-1624-9323 HOME#: —

EMAIL: Golgowski @ Gmail . com

PLACE OF EMPLOYMENT: Retired

WORK#: \_\_\_\_\_

1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?

Home owned 5 years, resident 2 years

2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?

I've had a career-long participation in growth management and environmental protection and would like to offer that experience and interest to the city.

3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?

I'm committed to objectively and collaboratively maintaining a vision for city growth, and experienced in local government matters. AICP certified with government and private development experience.

4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?

Florida Greenways Trails Council member - 3 years, Staff to ECFRPC and Orange County, FL BCC, Columbia County NY P+Z - total 32 years.

5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?

Z-3 City Commission and P+Z in 2023, Leach Tree Comm, Recreation Comm.

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

Yes

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

Very familiar with codes and comp plans in general and writing policy. Have read parts of the city's code and comp plan - still working on that.

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

Same as #7

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

Yes

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

Professional - focus on land use and environmental planning for 45 years.

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

Yes, had to adhere to it during Florida government employment.

SIGNATURE

GREG GOLEWSKI  
PRINTED NAME

**BOARD/COMMITTEE CANDIDATE QUESTIONNAIRE**

**REQUESTED BOARD/COMMITTEE APPOINTMENT: P&Z Alternate**

**APPLICATION DATE 04/10/24**

**DATE APPOINTED**

**NAME:** Ashley Leonard  
**MAILING ADDRESS:** 112 11th St Apalach  
**PHYSICAL ADDRESS:** 112 11th St Apalach  
**CELL#:** 712-490-1523 **HOME#:** \_\_\_\_\_  
**EMAIL:** AshleyL@railsafetraining.com

**PLACE OF EMPLOYMENT:** Business Owner of Rail Safe Training, Fortune Management, and Lodestar Coaching  
Design Associate at Studiolo Design

**1. HOW LONG HAVE YOU BEEN A RESIDENT OF THE CITY OF APALACHICOLA?**  
Approximately six years

**2. WHY ARE YOU INTERESTED IN SERVING ON THIS BOARD/COMMITTEE?**  
Serving on the city's board is a significant responsibility that can impact the development and future of our community. The board members have the responsibility to uphold zoning laws which shape the physical and economic character of our neighborhood, they are actively involved in the decision making process, there is a professional development benefit by being involved in public policy, city planning, and zoning laws, and it is personally rewarding to contribute to the well being and growth of our city.

**3. WHAT DO YOU FEEL YOU CAN CONTRIBUTE BY SERVING ON BOARD/COMMITTEE?**  
Visionary/Big picture thinking; shape development and land use by focusing on overall goals.  
Business background: strong business acumen, communication and conflict resolution, leadership, problem solving, financial acumen, coaching approach, risk management, etc  
Expertise: educational background in architecture, urban planning, sustainability and development.

**4. DO YOU HAVE ANY EXPERIENCE BY PREVIOUSLY SERVING ON ANY CITY, COUNTY, OR OTHER GOVERNMENTAL BOARDS? IF SO, WHICH BOARDS AND HOW LONG?**  
N/A

**5. HAVE YOU ATTENDED ANY CITY MEETINGS? IF SO, WHICH ONES?**  
Yes, I have attended some city meetings. The first meeting I attended was when the fence ordinance was discussed. I often read agenda and minutes or watch recordings.

6. WILL YOU BE ABLE TO CONTRIBUTE THE NECESSARY TIME TO PROPERLY RESEARCH ISSUES AND BE AVAILABLE TO ATTEND SCHEDULED MEETINGS?

My travel schedule has led me to carefully consider the commitment required for the planning and zoning board, which has delayed my application. Despite my schedule, I am dedicated to contributing effectively and participating fully. I am adept at time management and will attend meetings virtually when necessary. I can ensure all that I will be well-prepared for discussions and decisions and remain in constant communication with the board and community.

7. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S LAND DEVELOPMENT CODE?

Yes, I have read and am familiar with the land development code. I still have plenty to learn and understand.

8. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S COMPREHENSIVE PLAN?

Yes, I have read and am familiar with the city's comprehensive plan.

9. HAVE YOU READ AND/OR FAMILIAR WITH THE CITY'S HISTORIC GUIDELINES?

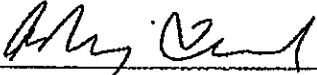
Yes, I have read and am familiar with the city's historical guidelines. In fact, I wrote a research paper a few years ago titled "Apalachicola's Economic Dependence on Industry and Its Struggle to Maintain Affordable Housing while Maintaining Historical Relevance".

10. DO YOU HAVE ANY EXPERIENCE IN CONSTRUCTION, PLANNING, LAND USE, OR ARCHITECTURE? IF SO, HOW LONG?

I have several years of planning, building, and construction management experience both from personal projects and working professionally with clients. I have completed 40 credit hours towards an M.A. in Interior Architecture which has provided formal education in historical architectural styles (exteriors), sustainability, design/build management, etc.

11. IF APPOINTED, YOU WILL BE REQUIRED BY LAW TO FOLLOW THE SUNSHINE LAW. HAVE YOU READ AND/OR FAMILIAR WITH THE SUNSHINE LAW?

Yes, I have read and understand that the sunshine law requires public meetings, public records, and that a reasonable notice of meetings is required.

  
SIGNATURE

Ashley Leonard  
PRINTED NAME



**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** Cemetery Use For Events

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:** There has been a request to use Chestnut Cemetery by a for-profit group as a site for a ghost tour. This request was denied in a past request for regular usage of the cemetery. However, the individual has asked the City to approve an Event Permit Application to hold an event (ghost tour) in Chestnut Cemetery. He cites the fact that the Historic Society (a not-for-profit group) holds an annual ghost walk tour. Problems that I see are: being fair to all parties, there is not a fee schedule for event fees for cemeteries.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** - Motion to prohibit all events in City Cemeteries

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

Event Application- Apalachicola Historical Society

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends that in fairness, all events should be prohibited in City Cemeteries. City parks are areas commonly used for events.

City of Apalachicola  
1 Avenue E  
Apalachicola, FL 32320  
Special Event Application

APPLICANT

Name of Applicant: Shan Raetzloff

Title (if applicable): \_\_\_\_\_

Name of Organization: Apalachicola Area Historical Society, Inc

Is your organization a non-profit:  Yes  No If yes, please attach documentation.

Is your organization tax exempt:  Yes  No If yes, please attach documentation.

Mailing Address: PO Box 75  
Street Address

Apalachicola  
City

Fla  
State

32329  
Zip Code

Phone: 615-294-6905  
Daytime Phone Cell Phone

Email: raetzloff @ bellsouth.net

EVENT

Name of Event: Ghostwalk

Description of Event (include purpose):

Tour of the cemetery with  
actors playing people interred in  
the cemetery telling their stories

Location of Event: Chestnut St Cemetery

Event/Organization Web Address: https://aahs.wildapricot.org

Event Date(s) & Time(s):

Date	Day of the Week	Start Time	End Time
<u>May 18, 2024</u>	<u>Saturday</u>	<u>6:30pm</u>	<u>9PM</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Setup Date(s): Sat, May 18, 2024

Setup Time(s): 1 PM to 6<sup>30</sup> P

Cleanup Date(s): Sunday, May 19, 2024  
Cleanup Time(s) 8 AM to 12N

Will this be an annual Event:  Yes  No If yes, next years date(s)  
biannual Oct, 2024

EVENT LOGISTICS

1. Estimated Attendance (Includes event crew, participant, and spectators):

250 250  
This Year Last Year

Maximum number at peak time: 100

2. Will Alcohol be served or sold: Served  Sold  No Alcohol

3. Approximate number of food vendors: 0

\*Event promoter is responsible for obtaining copies of all licenses and insurance from each vendor and provided the same to the City. All vendors must be listed on the site plan.

4. Approximate number of all other vendors along with type i.e. crafts, sponsors, informational

\*May need to provide copy of certificate of insurance in a form acceptable to the City for each vendor:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Will electricity be required?:  Yes  No Source \_\_\_\_\_

Location of electricity \_\_\_\_\_

6. List event equipment (Include things such as seating, tents, booths, and trucks. These should all be listed on site map (if required) as well.

Tables will be set up at Ave E entrance along with a garbage can

7. List entertainment type (bands, DJ, dancers, clowns, etc.): None

8. List dates and times of music and/or amplified sound: None

9. Will private security be provided:  Yes  No

If yes, list organization: \_\_\_\_\_

10. Will portable restrooms be used?  Yes  No

If yes, answer the following and list on site plan:

How many: \_\_\_\_\_ Installation Date: \_\_\_\_\_ Removal Date: \_\_\_\_\_

11. Event holders are responsible for trash removal, and must provide their own cans and dumpsters.

Please list your plan. Garbage can at event; staff will pick up any other trash left

Please include on site plan and answer the following:

How many: \_\_\_\_\_ Sizes: \_\_\_\_\_

Installation Date: \_\_\_\_\_ Removal Date: \_\_\_\_\_

12. Please list any admission charges, donations, parking, registration or other fee and how much.

\$10 per adult  
Free - Students + children under 18

13. Does the event require street closures?

Yes

No

If yes, complete the following:

Dates(s) of street closure:      Begin \_\_\_\_\_ End \_\_\_\_\_

Time of street closure:            Begin \_\_\_\_\_ End \_\_\_\_\_

List street(s) to be closed: \_\_\_\_\_

\*A letter must be delivered to all residents that will be directly impacted by a road closure. Attach letter along with addresses to this application.

14. Will there be a parade:

Yes

No

If yes complete the following:

Street(s) that will be utilized for parade route: \_\_\_\_\_

Time assembly to begin: \_\_\_\_\_

Time parade starts: \_\_\_\_\_

Total number of people in the parade: \_\_\_\_\_

Number of vehicles in the parade: \_\_\_\_\_

Number of animals in parade: \_\_\_\_\_

Number of floats: \_\_\_\_\_

Number of bands: \_\_\_\_\_

\*Attach parade route map to application.





15. Will there be a running/walking/biking/ water event?

Yes

No

If yes, answer the following:

Time assembly to begin: \_\_\_\_\_

Time event starts: \_\_\_\_\_

Estimated ending time: \_\_\_\_\_

Event will be conducted on:

Streets

Sidewalks

Water

\*Attach route map to application

16. Will a city dock be used for the event?

Yes

No

If yes, hours of use: \_\_\_\_\_

Location of Dock: \_\_\_\_\_

List of vendors who will use the dock: \_\_\_\_\_

\*Any dock used for the event will need to remain open to the public during the event:

17. Please check the additional facilities you plan on using:

Pavillion(s)

Gazebo

Restrooms

Parking lot(s)

## SITE PLAN CHECKLIST

The following items should be on your site plan if applicable.

- Food Vendors
- Additional vendors/sponsors
- Electrical locations
- Event equipment
- Portable restrooms
- Dumpsters
- Street Closures
- Parade route
- Beer trucks
- Alcohol area
- Fencing/Barricades
- Bounce houses
- Tents
- First Aid
- Command Center



·Carnival

· Any additional elements that will be on site for your event

X Shaw Rafferty April 2, 2024  
APPLICANT SIGNATURE      DATE

X  
\_\_\_\_\_  
APPROVED BY      TITLE      DATE

AVENUE F (CHERRY STREET)

ALLEY

AVENUE E (CHESTNUT STREET)

8TH STREET (PINE STREET)



SCALE IN FEET



○ Garbage Can



Tables

**APALACHICOLA CITY COMMISSION  
REQUEST FOR BOARD ACTION  
Meeting Date: May 7, 2024**

**SUBJECT:** 1<sup>st</sup> Reading: Ordinance 2024-02 Access Ordinance

**AGENDA INFORMATION:**

**Agenda Location:** Unfinished Business  
**Item Number:** 7  
**Department:** Admin  
**Presenter:** Travis Wade, Dan Hartman

**BRIEF SUMMARY:**  
Ordinance 2024-02

**RECOMMENDED MOTION AND REQUESTED ACTIONS:** 1<sup>st</sup> Reading of Ordinance 2024-02 Access Ordinance and recommend for Public Notice for 2<sup>nd</sup> Reading

**FUNDING SOURCE:** N/A

**ATTACHMENTS:**

1. Ordinance No. 2024-02

**STAFF'S COMMENTS AND RECOMMENDATIONS:** Staff recommends 1st reading Ordinance 2024-02.

**ORDINANCE NO: 2024-02**

**AN ORDINANCE OF THE CITY OF APALACHICOLA, FLORIDA, PROVIDING FOR THE REGULATION OF ACCESS TO CITY OWNED, CONTROLLED OR LEASED PROPERTY; PROVIDING FOR PURPOSE; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Article VII, Section 2 of the Florida Constitution provides that municipalities shall have governmental, corporate and proprietary powers to enable municipalities to conduct municipal government, perform municipal functions and render municipal services; and

**WHEREAS**, Chapter 166, Florida Statutes, the "Municipal Home Rule Powers Act," implements the applicable provisions of the Florida Constitution and authorizes municipalities to exercise any power for municipal purposes, except when expressly prohibited by law and to enact ordinances in furtherance thereof;

**WHEREAS**, the purpose of this Ordinance is to provide regulations governing access to City owned, controlled or leased property throughout the City;

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF APALACHICOLA, FLORIDA:**

**Section 1. Control of Access to City-owned, Controlled and Leased Property.**

- a. Consistent with decisions of the U.S. Supreme Court, public access to areas within enclosed facilities owned, controlled, and leased by the City of Apalachicola may be restricted depending upon whether such areas are classified as "designated public forum", "limited designated public forum", or "nonpublic forum". How areas within enclosed facilities owned, controlled, and leased by the City of Apalachicola are classified is based upon their intended use. For example, there are certain areas which are intended primarily for the use of City employees in the conduct of their business; there are certain areas which, while primarily intended for the use of City employees in the conduct of their business, may from time to time be utilized for the convening of public meetings; there are certain

limited areas which may be open to the public while engaging in legitimate business with City officers or employees; and there may be certain areas which are primarily intended for the convening of public meetings.

- b. The City Manager is hereby authorized to manage public access to enclosed City-owned, controlled, and leased property. In the performance of such responsibilities, the City Manager shall have the authority to identify which areas are to be considered designated public forum, limited designated public forum, or nonpublic forum.
- c. Upon the classification of areas within enclosed City-owned, controlled, and leased property, the City Manager is hereby authorized, subject to the availability of appropriated funds, to employ whatever means he deems necessary and appropriate to separate designated public forums from nonpublic forums, including, but not limited to the use of physical barriers and signage. The City Manager shall also have the authority to develop and implement procedures to regulate and control public access within City-owned, controlled, and leased property to provide for the security and privacy of public visitors; to provide for the security and privacy of City employees and officers; and to minimize potential disruptions to the work of City government. Any person who engages in conduct that causes disruptions to the work of City government shall be deemed to no longer be present within the City-owned, controlled, or lease property on legitimate public business.
- d. The City Commission Chambers, non-public employee work areas and conference rooms in the City Hall are hereby declared to be nonpublic forums unless or until a public meeting is convened in such areas pursuant to public notice or by invitation. All City employees work areas within City Hall which are designated by appropriate signage as work areas shall be considered as nonpublic forums. Members of the public are prohibited from entering City employee work areas without being escorted by a City employee. All other areas of the City Hall are hereby designated as limited public forums and only persons who are present to engage in legitimate public business with City officers or employees shall be authorized. It shall be a violation of this Ordinance to be within a nonpublic forum or a limited public forum without authorization. Unauthorized persons found by the City

Manager, his designee or a City law enforcement officer to be within a nonpublic forum or a limit public forum and who refuse to leave the premises upon request, shall be considered a trespasser. Law Enforcement at its option, at the request of the City may issue a trespass warning notice for this conduct.

- e. Except within the City Commission Chambers, conference rooms, and other locations in which a public meeting is being conducted pursuant to a public notice, it shall be unlawful and a violation of this Ordinance, to record video and/or sound within City-owned, controlled, and leased property, without the consent of all persons whose voice or image is being recorded. This prohibition shall not apply to any law enforcement activities. In addition to being a violation of this Ordinance, if anyone who is observed to be recording video and/or sound within City-owned, controlled, or leased property, without the consent of all persons whose voice or image is being recorded, and such person refuses to cease activity after being advised that such activity is prohibited under this Ordinance, such refusal shall be considered to be a disruption to the work of City government. Therefore, such persons shall be deemed to no longer be present within the City-owned, controlled, or leased property on legitimate public business. The City Manager and his designees are hereby authorized on behalf of the City of Apalachicola, Florida to request any person who refuses to cease the unconsented video and/or sound recording to immediately leave the premises. Any person who refuses to cease the unconsented to video and/or sound recording, and refuses to immediately leave the premises following the request of the City Manager or his designee, shall be considered as a trespasser. Law Enforcement, at its option, at the request of the City may issue a trespass warning notice for this conduct.
  
- f. The City Manager and his/her designees may have cause to remove any person they determine: (1) Acts in any manner which violates or is reasonably suspected to violate any federal, state or local law, ordinance, rule or regulation; or (2) Acts in any manner which violates any City rules or policy, including but not limited to the Facility Rules; or any directive on any sign or notice at the public property. The City Manager and his designees are hereby authorized on behalf of the City of Apalachicola, Florida to warn persons of this

prohibited activity and request such activity to cease. Law Enforcement, at its option, at the request of the City may issue a trespass warning notice for these violations of conduct.

- g. The City Manager and his designees are hereby authorized on behalf of the City of Apalachicola, Florida to warn persons who have entered into or remain in areas where they are not authorized to be, and to request such persons to depart. The City Manager, and his designees, are hereby authorized to call upon Law Enforcement to treat as trespassers any persons who refuse to depart after such a request has been made. Law Enforcement, at its option, may enforce any person's refusal to depart by means of Section 810.08 and 810.09, Florida Statutes or issue a trespass warning notice.

## **Section 2. Facility Rules.**

The following conduct is prohibited within the interior spaces of all City-owned or controlled buildings of the City of Apalachicola:

- (1) Engaging in any conduct prohibited by federal, State of Florida, or City of Apalachicola law.
- (2) Possessing any weapons, except as specifically permitted by law.
- (3) Smoking, chewing tobacco, use of e-cigarettes or vaping devices, or carrying any lighted or smoldering pipe, cigar, or cigarette.
- (4) Disruptive, harassing or unsafe behavior, including conduct which interferes with City employees or City officials in the performance of their duties, or interferes with the proper use of the City facility by others.
- (5) Abusive or harassing behavior, including use or display of obscene language, gestures, or graphics.
- (6) Blocking entrances, exits, fire exits, access areas, or otherwise interfering with the provision of services or the use of City property.
- (7) Entering or remaining in nonpublic areas without authorization. Areas inside City buildings, including offices, hallways, stairways, and elevators are open to the public only to the extent necessary to attend to City business, or attending a City-authorized function, event, or activity to which the person is an invitee, or attending a duly noticed public meeting. Otherwise, such areas are deemed nonpublic areas.
- (8) Any act which could result in substantial risk of harm to persons or property.

- (9) Disrupting City business, events, or other City sponsored or authorized activities.
- (10) Leaving unattended packages, backpacks, luggage, or other personal items. Any such items are subject to immediate confiscation.
- (11) Laying down or sleeping in chairs, benches, or otherwise.
- (12) Possession of illegal drugs.
- (13) Posting or affixing to City property without permission from the City Manager, or his/her designee, any signs, leaflets, posters, flyers, pamphlets, brochures, and written, pictorial or graphic material of any kind.
- (14) Tampering with or unauthorized use of building or facility systems or devices, including electrical, plumbing, locks, doors or cameras.
- (15) Audio and/or video recording anywhere inside of City buildings except during duly noticed public meetings, or as otherwise approved by the City Manager, or his/her designee. Except as otherwise approved by the City Manager, or his/her designee, audio and/or video recording may only be conducted within the City Commission Chamber, and any room, or office within which said activity has been authorized by law. Any person found to be conducting audio and/or video recording except as authorized by herein, must cease doing so immediately if any visitor, City employee or City official expresses his/her desire not to be recorded. This rule does not apply to audio and/or video recording performed by authorized law enforcement personnel engaged in the performance of their official duties. Audio and/or video recording of public meetings must be undertaken in a quiet and orderly manner so as not to interfere with the conduct of the meeting, block the view of any person attending the public meeting, or block any aisle, row, ingress or egress.
- (16) Remaining in a City building after posted hours of operation or after the conclusion of an authorized "after hours" public meeting or event.
- (17) Failure to cease conduct specifically prohibited in items 1 through 16 above immediately after a request by City staff to do so.
- (18) A copy of the foregoing Facility Rules shall be posted in close proximity to all public entrances of City-owned or controlled buildings of the City of Apalachicola.



**Section 3. Severability.** If any portion of this Ordinance is declared invalid, the valid remainder hereof shall remain in full force and effect.

**Section 4. Effective Date:** This Ordinance shall become effective upon adoption.

First Reading on :May 7, 2024  
Second Reading and Adoption on :June 4, 2024

ATTEST: City Commission of the  
City of Apalachicola, Florida

By: \_\_\_\_\_  
Sheneidra Cummings, City Clerk

By: \_\_\_\_\_  
Brenda Ash, Mayor

## City Manager Updates

**Highway 98 Water Leak**—The field crew repaired the water leak that was mentioned by Mr. Jimmy Gander at the April meeting. The leak was repaired on Monday, April 22. Rhett Butler advised that there did not appear to be any damage or erosion due to the leak.

**Cumulative Substantial Improvements (CSI)**—Bree and I had a call with FDEM regarding a move from 10 years to either 5 or 1 years. We have scheduled another call with FEMA to determine the benefit of 5 years as opposed to 1 year, and will be able to make a recommendation at the June Regular Meeting.

**My Accident**—I was cutting a tree at my house and it kicked out, knocked me off my feet, and fell on me. I broke my tibial plateau in three places and was told to keep my leg elevated until my next Dr.'s appointment. I have been working from home answering emails, phone calls, participating in conference calls, and signing checks and documents that are being brought to me. I hope to be back in the office Wednesday, May 1. I will be on crutches or in a wheelchair due to an order of "no weight-bearing" on my right leg for 10-12 weeks. Thank you for all of the calls and messages of support!!

CITY OF APALACHICOLA  
FINANCE DEPARTMENT REPORT  
April 2024

1. Processed payroll for April pay periods.
2. Processed retirement and insurance payments for April.
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. Assisting City Clerk with duties as needed.
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. **All grant contracts have been obtained. I am now in the process of getting all the payments and reimbursements onto a spreadsheet. Auditors will need this information also so they can get an accurate account of all grant activity.**
6. Chris Moran spent two days with staff. 9/30/23 cash balances were reviewed. The creation of a new chart of accounts was discussed in length. Banyon entered the chart of accounts that were sent, but there are corrections that need to be made. The chart of accounts will be expanded to reflect all grant activity, and department expenditures will be coded according to the Uniform Accounting System. Chart of accounts is being reviewed thoroughly and corrections are being made.
7. Finance staff had one 2 hour Banyon training session. A brief overview was given on how to enter items into chart of accounts, post receipts, and post payments. Journal entries were not discussed during this training session. After the chart of accounts has been corrected, data will then be entered into the system. It will be slow going at first until we get familiar with the new system, but things are progressing.
8. Audits have been completed for the garbage billing, Scipio Creek billing, and Battery Park billing. I am working with Waste One and Lizette to make necessary corrections and changes to reflect accurate billing. **Scipio Creek and Battery Park are now being billed correctly and all corrections have been made to accounts. I am trying to review the Waste One bill on a monthly basis to make sure we are staying on track with that.**
9. Completed various Human Resources duties. Onboarded new employee Sonya Shuman for the front office receptionist position. City Clerk was included in onboarding process. Trained City Clerk on processing paperwork on new employees.

10. Provided ARPA expenses so annual report could be completed. Traci Buzbee with The Management Expert will be filing the report. I have attached the expenses thus far. If any of the information is incorrect, please let me know.

11. Working with The Management Experts (FEMA) to obtain financial information from Hurricane Michael so reimbursements can be sent to the City. This is a huge project but is a top priority as the reimbursement is around \$900,000. Traci Buzbee has sent me all the Hurricane Michael FEMA projects, so now I am having to go through checks and documents to provide all the information required. **I am still working on this project.**

12. Currently I have 3 big projects going on at once – Banyan conversion and all that entails with that; collecting required FEMA documentation for reimbursement; and FY 22/23 audit. Financials are coming along with a budget expense report – there are several wheels turning at once to make this happen. **I am still working on these 3 projects at one time. Everything is moving forward, just slow.**

13. As always, I welcome any suggestions or knowledge. If anyone would like to have a sit-down with me or has any questions, please don't hesitate to contact me.

Lee Mathes  
Finance Director

**CITY OF APALACHICOLA  
ARPA EXPENSES AS OF 4/22/2024**

1. 9/6/23 - Community Center - #1 Bay Avenue – Weston A/C – New AC Unit - \$7,000.00
2. 3/18/24 – City Hall – 192 Coach Wagoner Blvd – Home Depot – New Flooring - \$638.10
3. 2022 & 2023 – Drinking Water/Wastewater Consulting Fees related to Consent Order & Final Order – Dewberry Engineering - \$34,643.00
4. 2022 & 2023 -Old City Hall Grant Matches - \$50,000.00
5. 6/2/22 – Ring Power – New Caterpillar Tractor - \$131,776.02
6. January – April 2024 – Old Library Renovations – 74 6<sup>th</sup> Street
  - Weston A/C – 1/9/24 – A/C Work - \$650.00
  - Weston A/c – 4/11/24 – New A/C - \$5,700.00
  - Ace Hardware – Jan & Feb 2024 – building materials - \$584.43
  - Howard Technologies – 8/1/23 – sound system - \$18,633.00
  - Howard Technologies – 1/23/24 – sound system - \$13,094.00
  - Certified Roofing – 7/11/23 - \$20,415.00 - \$5,991.50 is ARPA
  - Cates Electrical – 2/23/24 - \$471.40
  - Taylor's Building Supply – building materials - \$2,655.34
  - Winsupply – materials - \$106.04
  - Home Depot – flooring - \$2,114.29

A regular meeting of the Apalachicola City Commission was held on Tuesday April 2, 2024, at 4PM, at the former Apalachicola Municipal Library located at 74 6<sup>th</sup> St., Apalachicola, FL.

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

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

### **AGENDA ADOPTION**

Motion to approve agenda made by Commissioner Elliott and seconded by Commissioner Grove

### **PRESENTATION: Capital Area Community Action Agency (CACAA)**

Tim Center, Director of CACAA informed the Commission that the agency has secured another location and will be vacating the 6<sup>th</sup> Street Rec. Center located at 222 6<sup>th</sup> Street, by mid-June. Mr. Center thanked the Commission for their generosity, and stated that the Head Start Program will be moving to the Chapman Building, located at 155 Ave E.

Commissioner George thanked Director Center for his commitment to Franklin County and acknowledged the importance of the Head Start Program.

Mayor Ash concurred with Commissioner George.

### **PUBLIC COMMENT**

Caty Greene spoke on behalf of the Apalachicola historical Society and the grant the society is working on for the Chestnut Cemetery. Ms. Greene presented the Commission with documentation regarding the grant opportunity and looks forward to the Commission's input.

Torben Madson voiced concern regarding the proposed removal of eighteen oak trees located in Chestnut Cemetery. Mr. Madsen requested that the Commission does not allow any trees to be removed until an additional arborist report has been presented to the Commission at the May 7<sup>th</sup> meeting.

Jimmy Gander spoke about the ongoing repairs and restrictions happening on Leslie Street and shared concerns regarding water coming up from the cement slabs and the safety of his building located on Leslie Street. Mr. Gander is concerned that the standing water is coming from the City water lines and asked if the source of the leak can be identified, and this issue resolved promptly.

Discussion held.

Travis ensured the Commission that our Water Field Crew would resolve this issue and have an update by the May 7<sup>th</sup> meeting.

LaRaela Coxwell spoke about CDBG-DR Grant and the reallocation of funding for businesses who no longer wish to participate. Coxwell also expressed concern regarding the lack of transparency and not being updated regularly about the grant process they are participating in.

**FEMA SCIPIO CREEK MARINA AWARD**

Grant Coordinator Sarah Bourque provided an update on the bid closing for Scipio Creek Marina Dock Repair Project and asked the Commission to approve the recommendation to award the repair project to Coastline Clearing for \$74,090.00.

Motion to approve and award Coastline Clearing with the \$74,090.00 Scipio Creek Marina project was made by Commissioner Grove, seconded by Commissioner Elliott. No discussion. Motion carried 5-0.

**FEMA BODIFORD PARK AWARD**

Grant Coordinator Sarah Bourque provided an update on the bid closing for Bodiford Park Dock Repair Project and asked the Commission to approve the recommendation to award the repair project to Coastline Clearing for \$53,824.00.

Motion to approve and award Coastline Clearing with the \$53,824.00 Bodiford Park Dock Repair Project was made by Commissioner Grove, seconded by Commissioner Elliott. No discussion. Motion carried 5-0.

**GRANT ADMINISTRATION: CONTINUING SERVICES AWARD(S)**

Grant Coordinator Sarah Bourque presented five firms for continuing services based on the review and recommendation of City Manager and requested that the Commission to approve Staff's recommendation to award the five firms with Grant Administration Continuing Service(s) contracts. The five firms are Ovid Solutions, Gouras & Associates, Bay Media Anchor CEI, and HAFF.

Motion to approve continuing services contracts for Ovid Solutions, Gouras & Associates, Bay Media Anchor CEI, and HAFF was made by Commissioner Grove, seconded by Commissioner Elliott. No discussion. Motion carried 5-0.

**PUBLIC COMMENT (continued)**

Jim Elliott spoke about the importance of maintaining Veteran's Park and the benefit of having restrooms on-site. Elliott was in support of the Chapman Botanical Gardens restroom proposal from DEP.

Myrtis Wynn expressed full support for the Botanical Gardens pavilion and restroom project. Wynn expressed the importance of having the restrooms and the establishing connectivity from Veteran's Park to the African American History Museum which would be located on 6<sup>th</sup> Street. Ms. Wynn also presented the Commission with a petition consisting mainly of long-time Hill residents' who were also in support of the DEP's proposal for a pavilion and restrooms to be constructed in Chapman Botanical Gardens.

Mark Shields expressed full support for the pavilion and restrooms proposed by DEP.

Thomas Becknell presented information on Dr. Chapman and expressed full support of the restroom and pavilion proposal offered by DEP.

Al Mirabella expressed full support of the restroom and pavilion project for Chapman Gardens.

Liz Fitzhugh supports the partnership between the City a DEP and expressed concern about the City allowing DEP to start building despite having a landscaping plan presented.

Al Douglas supports the restrooms, however, does not see a benefit of having a pavilion in the botanical gardens. Mr. Douglas suggests having smaller seating areas positioned along the sidewalk.

Ottis Amison expressed support for the restroom and pavilion project and commented on the need for ADA accessible restrooms for veterans as well as local visitors. Mr. Amison, being a County Commissioner, related similar concerns that the county is facing in regard to the maintenance and upkeep of County parks and open spaces and urged the Commission to consider accepting assistance from the DEP and allow them to continue to maintain Veteran's Park and the Gardens.

Katy Davis expressed concern regarding DEP's proposal and expressed that she supports the restrooms however, questioned the proposed location and the potential harm to the existing trees. Ms. Davis also opposed the size of the pavilion and suggested a few smaller pavilions.

Ted Mastiller expressed full support of the DEP's proposal for restrooms and pavilion.

Pamela Irwin commented on the importance of connectivity between the C-1 and C-2 districts and the revitalization of the Hillside community. Ms. Erwin expressed full support for DEP's proposal and urged the Commission to approve the State's plan for Chapman botanical Gardens and consider the benefit and opportunity of having a pavilion and restrooms to accommodate various groups of people, organizations, and events.

Pete Whitesell expressed support for the veterans and mentioned his concern in regard to the maintenance of the proposed structure and restroom facilities. Mr. Whitesell urged the Commission to take caution with moving forward with DEP's plan and consider the staff and resources to maintain.

Greg Perkins expressed support for improvements in the botanical gardens and commented on the benefit of having the pavilion and restrooms.



Donna Ingle expressed support for having restrooms however, opposed the proposed location of the restrooms and pavilion.

Faye Gibson expressed appreciation to the Commission and support for their decision to not move forward with the DEP's plan at previous meetings. Mrs. Gibson stated that restrooms are necessary however, the proposed location would endanger the existing live oak trees.

Cutler Edwards expressed support with the restroom and pavilion project proposed by DEP and encouraged the Commission to think broadly about the botanical gardens and its potential use(s).

Mayor Ash acknowledged a list of names who are also in support of the DEP's restroom and pavilion project for the botanical gardens. The list will be placed on record.

Walter Robinson expressed full support for restrooms.

Commissioner Elliott summarized the latest DEP proposal and expressed appreciation to the public for their participation and civic engagement. Commissioner Elliott clarified that the DEP proposal was tabled from Feb 16<sup>th</sup> regular meeting and that no decision has been made by the Commission to approve or deny their proposal. Commissioner Elliott commented on the vast resources that the State provides and encouraged fellow board members to continue to build a strong working relationship with DEP for environmental protection and historical preservation within the City. Commissioner Elliott recommend approving the improvements for Chapman Botanical Gardens.

A motion was made to approve the proposed improvements to Chapman Botanical Gardens submitted by DEP at the March 5<sup>th</sup> regular commission meeting, seconded by Mayor Ash, after passing gavel to Mayor Pro-Tem, Commissioner Grove. Discussion held.

Commissioner Duncan expressed concerns regarding the DEP's refusal to move forward if a decision was not being made by this meeting.

Mayor Ash spoke about the Hill Community and the long-standing neglect of that community referencing previous opportunities for improvements and/or development which has been met with tremendous opposition. Mayor Ash expressed sentiments for the residents of the Hill Community and recognized that there were an overwhelming majority who was in favor of the improvements i.e. restrooms and pavilion at the gardens.

Commissioner George expressed concern about perceived information that the DEP would potentially abandon their lease with the City and/or re-allocate funds if the City did not make a decision at the April 2nd meeting. Commissioner George expressed support with establishing connectivity between C-1 and C-2 commercial districts, and development and improvements in the Hill Community, and developing the gardens to honor Dr. Chapman's work and contribution.

Commissioner George asked Joshua Hodgson, Manager of the Orman House State Park, Gorrie Museum and St. George Island State Park, to clarify and provide any update and/or information in regard to the State re-allocating funds and ending their lease with the City. Mr. Hodgson

Discussion continued.

Mayor Ash clarified through her conversation with Chuck Hatcher, Director of the Florida Park Service, that DEP would not come back before the Commission if the project was not approved.

Commissioner Grove commented.

Commissioner George commented.

Discussion concluded.

Motion made by Commissioner Elliott was restated and carried 3-2. With Commissioner Grove and Commissioner George Opposed.

#### **BUSINESS/OCCUPATIONAL LIC. TAX ORDINANCE AMENDMENT**

City Staff and Cutler Edwards, Business Lic. Committee Chair presented the committee's recommendation for revised business/occupational license categories and rate structure.

A motion to approve the occupational license rate and category recommendations (Exhibit 1, 5 pages) made by Commissioner Grove seconded by Commissioner Elliott. Discussion held. Motion carried 4-0, Commissioner George opposed.

Attorney Hartman presented the first reading of Ordinance 2024-01 and read aloud for the record. Ordinance 2024-01 amend the existing Occupational Lic Ordinance 2005-11 for the record.

A motion to advertised for the 2<sup>nd</sup> reading of Business/Occupational Tax Lic Ordinance 2024-01 was made by Commissioner Elliott, seconded by Commissioner Grove. Discussion held. Motion carried 4-1, Commissioner George opposed.

#### **TASKS DIRECTED BY COMMISSION**

Commissioner George recommended that tasks given to Staff be appropriately tracked and followed up on and be brought back before the Commission to be resolved publicly.

Attorney Hartman provided updates the Commission on the list of tasks. Discussion held.

Commissioner Grove suggest that Pamela Erwin, Code Enforcement Officer and Bree Robinson, City Planner, compile a list of what procedures has been implemented within the last eight months that has helped improve processes in their department.

Mayor Ash concurred with Commissioner Grove, and instructed Staff to present to the Commission what processes and procedures that they've already created and present the list to City Manager Wade and Attorney Hartman to ensure that their procedures are in line with State statues.

Commissioner Elliott noted that the Building Department with the assistance of the Planner, Code Enforcement Officer, and Permit Clerk, has been able to drastically reduce the number of complaints and are working more efficiently. Commissioner Elliot also suggested recognizing them

for their hard work and dedication to improving their processes and procedures in their respective departments. Lastly, Commissioner Elliott suggested that the Commission receives feedback from Staff regarding any deficiencies in their respective departments.

A motion was made by Commissioner Grove to forward the task of developing a checklist of department processes and bring to the June 4<sup>th</sup> meeting, seconded by Commissioner Elliott. Discussion held. Motion carried 4-1, Commissioner George opposed.

Attorney Hartman proceeded updating the Commission on tasks previously directed to Staff.

Discussion held.

Commissioner George concluded by urging Staff to provide follow up to the Commission on all tasks directed and that the completion of tasks are progressing on a timely basis.

#### **MAYOR AND COMMISSIONER COMMENTS**

Mayor Ash recommended that City Clerk keep up with tasks that the Commission direct to Staff by creating a monthly task list that identify the task and the department/Staff that the task was given. City Clerk was also instructed to send the task list to the Commission.

Mayor Ash introduced Mr. Banks, Member of The Republican Party of Franklin County, a non-civic, non-profit organization, to the Commission based on his interest in renting space in the high school building. Mr. Banks presented a counteroffer to the lease amount quoted by City Manager Wade. Manager Wade recommended Mr. Banks to present his offer to the Commission.

Discussion held. Mayor Ash directed Attorney Hartman to present his legal opinion on this and present it to the Commission at the May 7<sup>th</sup> mtg.

Mayor Ash spoke about a meeting with representatives from Congressman Dunn's office and the opportunity to request grants through various State Departments and agencies that may be beneficial to the City. Mayor Ash stated that she forwarded the information to Kate Deloach and asked the Board for their approval to have Kate Deloach apply for said grant opportunities.

A motion was made by Commissioner Grove to approve Kate Deloach to work with Travis utilizing the Area of Critical State Concern Work Plan to identify and apply for appropriate grant opportunities presented to Mayor Ash by Congressman Dunn's representative, seconded by Commissioner Elliott. Discussion held. Commissioner George commented. Motion carried 5-0.

Commissioner Grove updated the Board and public about the partnership with Resilient Apalachicola Bay, a group of individuals who will oversee the management restoration plan of the oysters that are in the Bay. Commissioner Grove inquired about the status of a potential partnership with the County to address workforce housing, and the possibility of re-zoning prospective areas within the City to allow for multifamily structures. Commissioner Grove would like to see this issue be placed on the agenda and move forward with viable solutions. Commissioner Grove also suggested that regular grant updates be posted on the website and also be included in the agenda.

Commissioner Duncan, no comment.

Commissioner George spoke about the grant that the Commission allowed the Apalachicola Historical Society to apply for and hopes to resolve any lingering issues or misinformation at the May 7<sup>th</sup> meeting. Commissioner George referenced the CDBG Grant for the Hillside and asked for an update to be presented to the Commission. Commissioner George inquired about the status of filling the P&Z Alternate. City Manager clarified and informed the Commission that applicants for the open P&Z Alternate Member will be on the May 7<sup>th</sup> meeting agenda for their review and selection. Commissioner George inquired about the status of the Inflation Reduction Act Grant opportunity and follow-up from the ARPA Workshop meeting.

Discussion held.

Commissioner Elliott followed up on the Chestnut Cemetery topic and expressed concern about proper procurement procedure. Commissioner Grove acknowledged that the City has not been privy or had any involvement in the placing of bids, approving advertisement(s), or procurement of professionals that are being used for the grant. Commissioner Grove also stated that she is unaware of any special designation on record, given to Chestnut Cemetery and the families of those buried there retain the rights to those plots. Commissioner Elliott would like to see the City have more involvement in the decision-making process when it comes to this grant, the removal of trees, any proposed maintenance and to avoid any potential disturbance of grave sites in this cemetery.

Mayor Ash directed Manager Wade to provide a CDBG-DR Hillside Grant update/summary to the Commission specifically addressing Ms. Coxwell's concerns.

#### **CITY MANAGER REPORT**

Manager Wade commented on updates provided in his report. Manager asked the Commission for guidance on an ongoing situation regarding a Special Event request to use the Chestnut Cemetery for a for-profit business.

Discussion held.

#### **ATTORNEY COMMENTS**

Presented the Commission with the draft for the access ordinance and asked the Commission to review and if no corrections, he would have the Access Ordinance ready for 1<sup>st</sup> reading at the May 7<sup>th</sup> meeting. Attorney Hartman also provided an update on Robert Davis and the potential surplus property stating that Mr. Davis has not been able to pool enough finance to make his offer to the City however, he still has an interest in working with the City to come to a viable solution for both parties. Attorney Hartman also spoke about the City's flood zone substantial improvement model and asked the Commission if they were interested in amending the existing ordinance to reduce the lookback period from ten years to a maximum of five years being that the former can stifle improvements in a floodzone.

Regular Meeting - 4/2/2024 8 of 8

Discussion held.

**CONSENT AGENDA**

A motion was made by Commissioner Elliott to approve the consent agenda, seconded by Commissioner Grove. No comments. Motion carried 5-0.

Motion to adjourn made by Commissioner Elliott, seconded by Commissioner Grove. None opposed. Motion carries 5-0.

Brenda Ash, Mayor

Sheneidra Cummings, City Clerk

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
WORKSHOP & REGULAR MEETING  
Monday, March 11<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Minutes

**Attendance:** Vice-Chair Chase Galloway, Myrtis Wynn, Jim Bachrach, Bobby Miller, Elizabeth Milliken

**Workshop: 5:00PM**

- Workshop to discuss the P&Z/Architectural Review Board's roles and responsibilities as written in the City LDC. The City Attorney, City Manager, and City Planner will go over applicable LDC, provide resources, and answer any questions that any Board members may have as the City has experienced some LDC changes over the last year. This meeting is not to discuss any potential changes to the LDC, but just to refresh on the current LDC. Adjourn by 5:50PM to allow a 10-minute break prior to the 6:00PM meeting.
  - **The City Manager, Travis Wade, discussed Robert's Rules of Order.**
  - **The City Attorney, Dan Hartman, discussed Sunshine Law. He also explained that P&Z members can meet with applicants about their projects on their own, but that they do have to disclose this when the project comes up for discussion.**
  - **The City Planner, Bree Robinson, explained how Municode works and how board members and applicants alike can easily search the Land Development Code online. She discussed the City website and directed the board to review the Planning page on the website for maps, links to resources, Q&A, and to see the forms that citizens see when applying for different projects, etc.**
  - **The City Attorney discussed the P&Z/Architectural Review Board's roles and responsibilities as laid out in Sec. 101-60. Section 109-21, 109-22, 109-48, and 109-51 were all discussed in how the P&Z Board is to discuss Certificates of Appropriateness and make considerations.**
  - **The Historic District Guidelines were discussed and the City Attorney gave a brief overview of the content as well as how to take them into account – he confirmed that they are a part of the City LDC as Historic District Guidelines and the P&Z Board should use them as a tool to approve and deny application for Certificates of Appropriateness.**

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
WORKSHOP & REGULAR MEETING  
Monday, March 11<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Minutes

- o Discussion was held and the board adjourned the workshop to enter the Regular Meeting.

**Regular Meeting: 6:00 PM**

1. Approval of February 12<sup>th</sup>, 2024 meeting minutes.
  - Motion to approve by Jim Bachrach; 2nd by Myrtis Wynn. All in favor – motion carried.
  
2. Review, Discussion and Decision for Fence. (R-2) @ 178 22<sup>nd</sup> Ave, Block 237 Lot 7. For Stephen Penn - Owner; Contractor: Self
  - Motion to approve by Bobby Miller; 2nd by Elizabeth Milliken. All in favor – motion carried.
  
3. Review, Discussion and Decision for Certificate of Appropriateness & Fence. (R-1) (Historic District) @ 140 Avenue D, Block 48 Lot 4/5. For Charles Miller; Contractor: Ryan McClain
  - Motion to approve by Jim Bachrach; 2nd by Myrtis Wynn. All in favor – motion carried.
  
4. Review, Discussion and Decision for Accessory Structures. (R-2) @ 245 Jacobie Oneal Lane, Block 226. For Olivia & Steve Wells; Contractor: TBD
  - Motion to approve by Jim Bachrach; 2nd by Bobby Miller. All in favor – motion carried.
  
5. Review, Discussion and Decision for Accessory Structure & Pavers. (R-2) @ 148 13<sup>th</sup> Street, Block 90 Lot ½ 2 & ½ 3. For Thomas Becknell & Pamela Erwin; Contractor: Self
  - Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor – motion carried.

**CITY OF APALACHICOLA**  
PLANNING & ZONING BOARD  
WORKSHOP & REGULAR MEETING  
Monday, March 11<sup>th</sup>, 2024  
**City Meeting Room – 74 6<sup>th</sup> Street**  
Minutes

6. Review, Discussion and Decision for Certificate of Appropriateness & Sign. (C-1) (Historic District) @ 25 Ave D, Block E-2 Lots 1-2-3. For Star Step Capital Florida Properties LLC (Oyster City); Contractor: William Ross Development
  - Motion to approve by Jim Bachrach; 2nd by Myrtis Wynn. All in favor – motion carried.
  
7. Review, Discussion and Decision for Certificate of Appropriateness, Fence, & Addition. (C-2) (Historic District) @ 111 Ave E, Block 32 Lots 8-19. For Tom Brocato; Contractor: Self
  - Motion to approve by Bobby Miller; 2nd by Jim Bachrach. All in favor – motion carried.

Other/New Business:


- Justin McMillan has resigned from the Board – Myrtis Wynn is now a full voting member!
- There is an alternate position now open. Advertised on City Website for applicants 3/4/24.

Outstanding/Unresolved Issues:


- 94 Bay Avenue was tabled at the February meeting – they expect to re-submit their design for the April P&Z meeting.

**Motion to adjourn the meeting by Jim Bachrach; 2<sup>nd</sup> by Myrtis Wynn – meeting adjourned.**

Meeting Minutes Approved by:

  
\_\_\_\_\_  
Vice-Chair – Joe Taylor

Chase Galloway

  
\_\_\_\_\_  
Date



**CITY OF APALACHICOLA**  
**CITY CLERK MONTHLY REPORT**

**April 2024**

- Processed and mailed out utility bills before the end of the month.
- Prepared March Commission minutes. Prepared April 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.
- 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 Form 1 and updated Board members information for Form 6 filings.
- Completed tasks as assigned by the City Manager and Mayor.
- Completed and mailed general monthly billing.
- Assisted Staff with various issues and projects.
- Assisted employees with HR related issues.
- Working on 3 public records request(s).
- Conducted interviews for Receptionist position.
- Completed Annual Consumer Confidence Report (CCR) and sent copies to DEP and Franklin County Health Dept.
- Placed ad for Public Hearing: Ordinance 2024-01
- Currently training Billing Clerk
- Updated Sewer Tap List
- Set up an online portal for better bookkeeping in regard to credit card processing.
- Verifying customer accounts in Banyon post data transfer from CUSI Utility Billing
- Working on inputting ACH information into Banyon
- Updating Battery Park and Scipio Creek Accounts for billing
- Additional clerical tasks related to Billing.

## Grant Updates

### City Commission Meeting- Tuesday, May 7<sup>th</sup> 2024

#### Submitted Applications - Pending Results:

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1. **Firehouse Subs Public Safety Foundation - Hurst Rescue Tools "Jaws of Life" \$38,465**
  - a) An application requesting Jaws of Life rescue tools for the Apalachicola Volunteer Fire Department was submitted 4/4/24. These tools were a request from the VPD and will aid them in their efforts. In the event this application is not funded, city staff will continue to apply quarterly.
2. **FDOT SCOP – Commerce Street Phase 1 \$3,278,524**
  - a) An application requesting funding for resurfacing, drainage improvements, and safety improvements for Commerce Street from Avenue C to Avenue I was submitted 5/5/23. FDOT marked is as "complete" and we are waiting for updates.
3. **FWC FBIP – Battery Park Seawall \$413,748.34 (Requested \$299,748.34, City Match \$114,000)**
  - a) An application requesting construction funds for the Battery Park Seawall was submitted and marked as "complete" by FWC on 4/19/24. The FBIP Evaluation Committee will score and rank the applications on June 27<sup>th</sup>, 2024. City staff will virtually attend and provide an update.
4. **FDACS – Beautifying the City Through Tree Planting & Maintenance \$50,000**
  - a) An application requesting funding for tree maintenance, lethal bronzing disease treatment kits, tree removal, and tree planting within the City limits was submitted 4/18/24.

#### Funded Applications:

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##### FDOT:

1. **SCOP - Leslie Street \$610,169.30 (G2N05)**
  - a) This project will remedy the underground issues, resurface the entire street length, and obtain new road signs based off engineer's estimate and recommendations. Engineering firm, Dewberry, is working on the plans to bid this project out - plans are at 90% completion and have been submitted to FDOT for review before the work can be procured. The current project completion date per FDOT is 10/31/24.

##### DEP:

1. **Resilient Florida - Critical Asset Flood Management \$2,039,500 (24SRP65)**
  - a) This grant will complete identified drainage projects in the city that have been documented, but not funded by other sources. Funds will repair known nuisance flooding drainage issues in 29+ locations throughout the city. The City of Apalachicola Critical Asset Flood Mitigation Projects include the replacement and retrofit of pipe systems at multiple roadway intersections, addition of inlets, pipes, water quality vaults, crown reconstruction, and construction of roadway conveyance system. DEP will be conducting a site visit soon!
  - b) Procurement for Grant Administration Services is underway – waiting for the City Attorney to draft agreement for the Grant Continuing Services procurement.
2. **Resilient Florida Planning Grant – COA Adaptation Plan \$67,000 (24PLN12)**
  - a) This award is funding for preparing a infrastructure plan for flood protection. The City of Apalachicola will complete the City of Apalachicola Adaptation Plan Project to include an Adaptation Plan consistent with the Florida Adaptation Planning Guidebook. The project will include public outreach and stakeholder engagement. Agreement signed 3/20/24 and project procurement is underway.
3. **Resilient Florida – Comprehensive Vulnerability Assessment \$272,500 (22PLN10)**
  - a) The City of Apalachicola will conduct the City of Apalachicola Comprehensive Vulnerability Assessment project to include an update to the 2017 Vulnerability Assessment. This includes the

Impact of sea-level rise, storm surge, and rainfall flooding. The impacts of flooding will be projected and mapped over a planning horizon that extends to 2070. Critical assets, vulnerable infrastructure, and historic properties at risk will be identified. Comprehensive plan amendments to comply with the Peril of Flood statute and adaptation strategy recommendations will also be included in the Project. \$200,000 in supplemental funding was awarded as part of the VA help resolve identified data gaps and will result in the City digitizing its infrastructure facilities including water distribution lines, sewer and stormwater.

- b) Initial public outreach has been completed. Technical data gathering is complete; 80% of Exposure Analysis is complete, and 60% of Sensitivity Analysis is complete. Collection of existing infrastructure files for digitizing currently underway.
- 4. **Resilient Florida – Wastewater Plant Repairs \$13,381,516 (22SRP17) + SLFRP - WWTP Headworks & SBR Relocation, Replacement and Upgrades for Advanced Wastewater Treatment \$5,551,875 (WG038) = Total \$18,933,391 for WWTP Relocation/Replacement**
  - a) These grants combined are to replace and repair critical wastewater facility components and to relocate the facility to ensure it is out of the flood zone. The project will ensure that the City is storm ready for years to come!
  - b) Construction is not yet underway. The project engineer, Dewberry, received sampling results and worked on biological process modeling, initial design layout, and process equipment selection in the Preliminary Design Report. 55% of the design is completed. Bidding and contractor selection will begin after completion of Design & Permitting.
  - c) As of April 2024, project is at 15% completion. Project completion date is estimated for September 2026. Final design has begun.

**Florida Commerce [Formerly DEO]:**

- 1. **Rural Infrastructure Fund - Water Treatment Plant Improvements, Potable Water Studies \$147,000 (D0225)**
  - a) This grant will evaluate existing conditions, create an enhanced sampling plan, hydraulic modeling, treatability studies and alternatives analysis. Engineering firm, Dewberry, is in progress and these studies are 30% complete!
- 2. **Rural Infrastructure Fund – Drainage Basin Analysis Phase II + Camera Work of Stormwater Lines \$300,000 (D0260)**
  - a) This grant will fund an analysis of the drainage basins that border Apalachicola River and Bay. The proposal also includes funding to begin camera-work of the stormwater lines in Phase 1. The project aims to document all stormwater conveyance characteristic, both structural and natural, along with deficiencies of each that have contributed to localized flooding within 18 drainage basin areas totaling 310 acres in the city. The City will then prioritize repairs in areas where localized flooding is present and plan for water quality treatment at the stormwater outfalls which discharge into the Apalachicola River and Apalachicola Bay. Basins 11 and 3 were covered by the 2018 grant. This grant application would address the following basins: 1, 2, 4, 5, 6, 7, 8, 9, 10, 12-19
  - b) Agreement signed 2/1/24. Waiting to procure grant administration with grant continuing services procurement.
- 3. **CDBG-DR – Avenues Stormwater Repair Project \$3,800,000 (M0016)**
  - a) This grant is to fund repairs and upgrades for the avenues stormwater drainage system. Dewberry is the engineering firm for this project.
  - b) Quotes received for drainage pipe inspections and route survey. Existing conditions CCTV survey was completed. The engineer received videos and reports which have been analyzed. The engineer worked with contractor to revise scope and cost for drainage pipe survey. Project information was distributed to interested stakeholders for environmental review. Tribal letters completed. Designs ready in next few months. Environmental review report continues. Survey results may create a few changes of the environmental review.
- 4. **CDBG-DR – Hometown Revitalization \$4,400,000 (M0034)**
  - a) This grant is to revitalize the businesses and public areas in the riverfront district. This work includes

- private business's docks along with public docks, sidewalks, lighting, and parking areas.
- b) A field survey continues with progress along Water and Commerce Streets with field survey work along Scipio Creek complete. Survey office work and plans ongoing. Engineer, HALFF Engineering, met with City of Apalachicola management on 2/21/2024 to review coast guard site, old fire station property, the Popham Building, and Andres Pier issues. As of March 31, 2024, Phase I Environmental Site Assessments (ESA's) were nearly complete, permitting was 15% complete, preliminary design and plans for Plan Set 1 were 20% complete (sites along Scipio Creek), and the engineer (Halff) was scheduling field review meetings for Plan Set #2 (street upgrades and amenities). Popham Building preliminary memo re: structural review was submitted to the City on 04.09.2024; this memo indicated that the building lacks the stability and integrity to make structural repairs and recommended demolition of the existing structure. A grant modification is forthcoming because several components of the project need to be removed from the scope of work.
- c) 404 Permitting will be required. 404 Permitting is currently at a complete halt due to legal action involving 404 permitting elsewhere in the state (unrelated to the City – this case involves a situation in south Florida). When it resumes, there will be a back-up and delays are expected. City and grant admin are concerned about 404 permitting timeline. Stakeholder outreach has started. Phase 1 ESA's are underway and nearing completion. Cultural resource surveys may be required; these are not included in the engineer's current scope of work. Additional information regarding this requirement has been requested from the engineer. Wetland delineations underway and should be completed soon. Construction to start late this year.

**5. CDBG-DR – Hill Community Project \$910,000 (M0033)**

- a) This project is to revitalize four (originally 5, one location dropped out by choice) businesses within the Hill through exterior work and renovations - each location's scope differs. This project is also to create sidewalks and lighting in the Hill area to spur economic development through walkable connectivity. Gouras and Associates is the grant administrator and CDG is the engineering firm working on the plans. Certifications for the private business owners have been prepared and sent to each owner to ensure that the program guidelines are being met by all parties. There are structural issues with a couple of the locations which may result in some scope changes in the near future.
- b) The City Commission finalized the scope of the Sidewalk & Lighting project at a special meeting on 2/20/24 after workshoping the previously approved scope. The below image shows the final scope of these improvements - these are subject to Commerce approval. The cost of materials has increased during the progression of this grant, so the priority for the funding will be sidewalks first with primary focus on MLK and the 8th Street section.
- c) Stand-alone project call with Commerce is being scheduled. Currently paused on environment because scope changes will likely be necessary. Meeting with Florida Commerce scheduled for 4/29/2024 to discuss re-allocating funds and potential scope changes.



d)

**6. CPTA – Workforce Housing Study \$75,000 (P0482)**

- a) The City was awarded \$75,000 towards a workforce housing study that could address viable solutions to the lack of workforce housing in the area. The funding came from leftover CPTA money from the last fiscal year, so we did not know the expected timeline when applying in the fall of 2023. Unfortunately, the award was not granted until late February of 2024 with a deadline of June 2024. Procurement was attempted and even the firms that had helped put this application together were not able to meet the deadline and chose not to bid on the project. No bids were received – city staff were hopeful to award this in April.
- b) Due to no bids being received and city staff not being able to find a firm willing to meet the deadline, Commerce recommended de-obligating the funding and instead re-submitting the same application for the current open CPTA opportunity, deadline in early May. City staff is currently preparing to re-submit the Workforce Housing project for the new round of CPTA funding and are waiting for direction from the City Manager on de-obligation.

**DOS:**

**1. DHR African American Cultural and Historical Grants - Apalachicola History & Culture African American Museum \$1,250,000 [\$1,000,000 Award, \$250,000 Matching Funds] (23.s.aa.900.039)**

- a) This project is funding the design and construction of a one-story, 2,000SF building with elevated ceilings. Priorities include: security, storage, office space, greeting station/gift shop, breezeway to Holy Family, bathrooms, controlled lighting for displays.
- b) There was a meeting on 1/16/2024 to show the concept direction of elevations and floor plans for the proposed museum. The third set of concepts was introduced to the City Staff, Commission, and community stakeholders. There was a presentation introducing potential site planning concepts, indoor and outdoor arrangements of display area, and potential exterior plaza configuration. Commission voted on exterior and interior layouts and designs for the museum provided by the architects. The modern style building, second floor plan, and exposed roof style were all chosen. The next phase is moving these concepts to construction documents – the architect/engineering team is in progress. See the concept design below:



**2. DHR NPS – HCA (Harrison-Raney) Repair & Flood Mitigation \$281,000 (21.h.fh.900.018)**

- a) The HCA building scope of work is complete – grant will be closed out within next week of 4/23/24!  
Note: Special Category grant request for Phase II to complete additional repairs to HCA pending City Commission approval/submittal.

**3. DHR NPS – Old City Hall Phase I \$399,916 (21.h.fh.99.006)**

- a) City has completed the scope of work for repairs and mitigation of flood damage! City is waiting for final invoice and submitting for reimbursement – should be closed out within 2 weeks of 4/23/24.
- 4. **DHR Special Categories – Old City Hall Phase II Structural Damage \$395,000 + \$98,750 Match (24.h.sc.100.069)**
  - a) City was funded for Phase II of the repair/structural work to the old city hall building! Agreement was signed 8/8/23. Bay Media will continue with grant administration as well as 4M Design, Mark Tarmey, on the designs as allowed by DOS. This grant is to secure funding to complete the Old City Hall Renovation and support the ongoing repairs funded through the NPS grant. The purpose is to stabilize the building, by proposing to install an interior rigid steel frame to provide the structural integrity of the building, exterior masonry, and support the historic second floor wood frame.
  - b) We are in the process of closing out Phase 1 and after that is complete the Phase II project will move along.

**FEMA:**

- 1. **Hurricane Michael - Bodiford Park Dock Repairs (76103)**
  - a) Dewberry engineers completed the engineered plans for this project. Project construction was bid out and awarded to Coastline Clearing in the amount of \$53,824 on 4/2/24! Contracts are in progress and work should begin soon.
- 2. **Hurricane Michael - Sciplo Creek Marina Finger Dock Repairs (76103)**
  - a) Dewberry engineers completed the engineered plans for this project. Project construction was bid out and awarded to Coastline Clearing in the amount of \$74,090 on 4/2/24! Contracts are in progress and work should begin soon.
- 3. **Hurricane Michael - Alleyways Repair (81078)**
  - a) The City received quotes for the material needed for the alleyway repairs – the material was purchased in the amount of \$16,745.40 and Public Works installed the material in 17 alleys. Before and after pictures were taken any submitted to FEMA for review – City was already in receipt of the funding, so no reimbursement is needed – just reporting.

**FDEM:**

- 1. **HMGP Market Street Vacuum Station \$120,000 (4399-150-R) with DEO Match of \$37,500 (M0142)**
  - a) The scope of this project is for the design of a new vacuum sewage station located near intersection of Market Street and Avenue G. The purpose of this project is to provide protective measures to wastewater infrastructure of the historic downtown commercial district in Apalachicola. CPWG Madrid is 90% complete with the engineered plans for the Market Street Vacuum Station – they submitted 100% designs and permits, but there were some remaining issues/priorities in the plans pointed out by staff that are currently being remedied. Monthly meetings with Commerce continue.
  - b) The next step will be to submit the final deliverables for approval and evaluation of BCA for Phase II (construction) funding.
- 2. **HMGP Critical Facilities Generators \$241,862 (4399-092-R) with DEO Match of \$26,064.75 (M0141)**
  - a) This grant will provide protection and storm mitigation by providing City Hall, the police, and fire department with portable generators. One will be at City Hall, the other will be shared by Police and Fire. The purpose of this project is to provide protection to a critical facility in Apalachicola. The project is for the purchase and installation of an emergency generating system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards.
  - b) The contract with BGN was executed and monthly progress meetings with Commerce continue – permitting is in process and general installation will begin very soon! Generators have been ordered.
- 3. **HMGP Wastewater Vacuum Station Portable Generator \$170,000 (4486-007-R)**
  - a) For purchase and setup of an emergency generator system to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards at the 108 Avenue F location. (The current generator is too small for the need and this will provide an appropriately sized and portable generator.)

- b) The bid for this project came in over budget. A budget increase was requested in February, 2024. We are waiting on determination from FDEM. The contractor has guaranteed his price without an increase until June 24, 2024.

**State Appropriations:**

1. **Spray Field & Solar Project \$130,000 (LPA0452)**
  - a) The original request for this award was for 150 replacement spray heads and installation of 11 solar controllers and supplementary batteries. The spray heads are \$553.00 apiece, and the solar installation costs (in total) amounts to \$87,880.00 for 22 locations.
  - b) DEP issued an amendment in April 2024 allowing for the funds to be used solely for acquisition of needed parts instead of having to hire out a contractor for the parts and install. This will allow The City to stretch the budget further and be able to buy more spray heads and install them in house – procurement is in the works as acquisition quotes will need to be obtained and approved by DEP prior to ordering. Work will be completed by 12/31/25.
2. **Inflow & Infiltration Study \$300,000 (LPA0451)**
  - a) The City of Apalachicola has an aging infrastructure made of terra cotta pipes and faulty water lines. The City is funded to do an infiltration and inflow study - the study will assess local sources of surface water and/or groundwater prior to entering a sewage system. This will be done with typical methods such as smoke testing, dye testing, and visual inspections to locate structural defects or water stains to summarize existing data pertinent to the hydrologic conditions and hydrogeology in the study and surrounding area. This will produce a pre-design report that will detail the scope of the problem in the analysis area, outline design options, and identify the tasks required to complete a resolution to the problem by 6/30/25.
  - b) Procurement is in progress.
3. **Stormwater Pipe Relining & Backflow Devices - \$100,000 (LPA0140)**
  - a) Urban Catalyst is the procured engineer for this project. The following locations in Apalachicola will be addressed: 1) Fred Meyer Street near 18th Street just east of the intersection, where the road is sinking at a damaged pipe joint; 2) 5th Street between Avenue C and Avenue E., where the road has several areas where the pipe joints are caving in; and 3) Avenue B between 11th and 12th Street. Funding agency does not anticipate that the funding under this Agreement will result in a fully completed project, so this award will cover a portion of the work.
  - b) An extension to 6/30/25 was granted – engineering is complete and the City tried to bid out the work with no responses twice – DEP agreed for us to be able to obtain quotes to move forward instead of going through the bidding process. Quotes for the final work are being acquired.
4. **Avenue H Parking Lot \$270,026 (Waiting for Agreement)**
  - a) The 2024 legislative session funded the Avenue H Parking Lot project. This project will provide 39 parking spaces in an area with very few options for public parking, encouraging additional economic activity in the downtown area. Permeable parking will also help with storm water management. Parking for local businesses will be provided - additionally, parking spaces will be provided that will be available for parking mitigation by local businesses.
  - b) An agreement has not yet been received – report will be updated once the agreement has been executed.
5. **Fire Hydrant Replacement Phase III \$275,000 (Waiting for Agreement)**
  - a) The 2024 Legislative session funded the Fire Hydrant Replacement Phase II project. The request was originally for \$550,000 to finish out the project, but only \$275,000 was funded. The City has worked over the last three years to replace 215 old and inoperable fire hydrants throughout the city. There are currently 110 fire hydrants remaining that are still in need of replacement. These new hydrants will benefit residents in close proximity in obtaining homeowners insurance, they will benefit the City with FDEP required flushing of drinking water and will benefit the all City residents with fire suppression and control. The funding should cover 55 of the remaining needed 110 hydrants.
  - b) An agreement has not yet been received – report will be updated once the agreement has been executed.

**ARPA:**

**1. American Rescue Plan - \$1,179,010**

- a) The City received an award of \$1,179,010 through the SLFRF program – the City has elected to use the funding as a “standard allowance” for government services.
  - b) The City Commission has been workshopping priorities for the funding – currently the City Commission is anticipating use of the funding for possible overages on the Leslie Street project and matching funds for the Battery Park Seawall grant submission. A priority list was given to the City Manager at the 2/20/24 6:00PM Workshop and quotes are being obtained for the City Commission to finalize the list of priorities for the funding.
  - c) Attended the ARPA webinar to ensure any new requirements are met for the reporting. The yearly report will be submitted by April 30th.
- 

All information in this report is accurate up to 4/23/24 at 12:00PM! If you have questions regarding any of the above projects, please direct your questions to Sarah Bourque – Grant Coordinator [sbourque@cityofapalachicola.com](mailto:sbourque@cityofapalachicola.com) and Bree Robinson – City Planner [brobinson@cityofapalachicola.com](mailto:brobinson@cityofapalachicola.com).



# Building Dept. Monthly Report: April 2024

Jurisdiction	Ka Category	Permit Typ	Permit #	Property A	Fee Type	Amount Pa	Transactor	Cashier	Reference	Receipt Nu	Payment V	Notes	Primary Co Applicant	Parcel Number
Apalachicola	Zoning	Commercial	24AP-CM01 98	Avenue Other - Cor		\$300.00	Payment	Reynold Ni 24AP-CM01		1910	Check		Construct CTabernacle 01-095-08W-8330-0030-0060	0030-0060
Apalachicola	Zoning	Commercial	24AP-CM01 98	Avenue DBPR (manu		\$6.00	Payment	Reynold Ni 24AP-CM01		1910	Check		Construct CTabernacle 01-095-08W-8330-0030-0060	0030-0060
Apalachicola	Zoning	Commercial	24AP-CM01 98	Avenue DCA (manu		\$4.50	Payment	Reynold Ni 24AP-CM01		1910	Check		Construct CTabernacle 01-095-08W-8330-0030-0060	0030-0060
Apalachicola	One Stop	Residential	24AP-R800 258	W Hwy, Roof/Re-ro		\$104.00	Payment	Reynold Ni 24AP-R800		1907	Credit Card		Ronald and Albia Thomas	
Apalachicola	One Stop	Residential	24AP-R800 258	W Hwy, DBPR (man		\$2.00	Payment	Reynold Ni 24AP-R800		1907	Credit Card		Ronald and Albia Thomas	
Apalachicola	One Stop	Residential	24AP-R800 258	W Hwy, DCA (manu		\$2.00	Payment	Reynold Ni 24AP-R800		1907	Credit Card		Ronald and Albia Thomas	
Apalachicola	One Stop	Plumbing P	24AP-P000 30	8th Str DBPR (man		\$2.00	Payment	Reynold Ni 24AP-P000		1908	Check		Millender F John Helm 01-095-08W-8330-0035-0030	0035-0030
Apalachicola	One Stop	Plumbing P	24AP-P000 30	8th Str DBPR (manu		\$2.00	Payment	Reynold Ni 24AP-P000		1908	Check		Millender F John Helm 01-095-08W-8330-0035-0030	0035-0030
Apalachicola	One Stop	Plumbing P	24AP-P000 30	8th Str Plumbing -		\$100.00	Payment	Reynold Ni 24AP-P000		1908	Check		Millender F John Helm 01-095-08W-8330-0035-0030	0035-0030
Apalachicola	Residential	Pole Barn /	24AP-RB00 114	Coach Residential		\$103.00	Payment	Reynold Ni 24AP-RB00		1906	Check		David Fowl 01-095-085W-8330-0093-0050	0093-0050
Apalachicola	Residential	Pole Barn /	24AP-RB00 114	Coach DBPR (man		\$2.00	Payment	Reynold Ni 24AP-RB00		1906	Check		David Fowl 01-095-085W-8330-0093-0050	0093-0050
Apalachicola	Residential	Pole Barn /	24AP-RB00 114	Coach DCA (manu		\$2.00	Payment	Reynold Ni 24AP-RB00		1906	Check		David Fowl 01-095-085W-8330-0093-0050	0093-0050
Apalachicola	Residential	Foundation	24AP-FO0C 58	Ave E Foundation		\$75.00	Payment	Reynold Ni 24AP-FO00		1909	Credit Card		Cates Elect Jean and G 01-095-08W-8330-0009-0040	0009-0040
Apalachicola	Residential	Foundation	24AP-FO0C 58	Ave E DBPR (man		\$2.00	Payment	Reynold Ni 24AP-FO00		1909	Credit Card		Cates Elect Jean and G 01-095-08W-8330-0009-0040	0009-0040
Apalachicola	Residential	Foundation	24AP-FO0C 58	Ave E DCA (manu		\$2.00	Payment	Reynold Ni 24AP-FO00		1909	Credit Card		Cates Elect Jean and G 01-095-08W-8330-0009-0040	0009-0040
Apalachicola	One Stop	Air Conditit	24AP-AC0C 233	6th Str HVAC - Res		\$100.00	Payment	Reynold Ni 24AP-AC00		1905	Credit Card		Air Con of \ Betty Allan 095-08W-8330-018-0070	0070
Apalachicola	One Stop	Air Conditit	24AP-AC0C 233	6th Str DBPR (man		\$2.00	Payment	Reynold Ni 24AP-AC00		1905	Credit Card		Air Con of \ Betty Allan 095-08W-8330-018-0070	0070
Apalachicola	One Stop	Air Conditit	24AP-AC0C 233	6th Str DCA (manu		\$2.00	Payment	Reynold Ni 24AP-AC00		1905	Credit Card		Air Con of \ Betty Allan 095-08W-8330-018-0070	0070
Apalachicola	Land Use	Tree	24AP-T003 215	16th Str Tree App F		\$50.00	Payment	Pamela Erv		1895	Check		Apalach Homes, LLC	
Apalachicola	Land Use	Tree	24AP-T003 215	16th Str Tree Refor		\$25.00	Payment	Pamela Erv		1899	Check		Apalach Homes, LLC	
Apalachicola	Land Use	Tree	24AP-T003 215	16th Str Tree Refor		\$60.00	Payment	Pamela Erv		1900	Check		Apalach Homes, LLC	
Apalachicola	Land Use	Business S	24AP-BS00 17	Ave D Sidewalk Fi		\$250.00	Payment	Pamela Ervin		1902	Check		WaterCraft Brewing	
Apalachicola	Land Use	Business S	24AP-BS00 17	Ave D Sidewalk Fi		\$250.00	Payment	Pamela Ervin		1902	Check		WaterCraft Brewing	
Apalachicola	Commercial	Sign	24AP-S000 17	Ave D Sign Permi		\$50.00	Payment	Pamela Ervin		1903	Check		WaterCraft Brewing	
Apalachicola	Commercial	Sign	24AP-S000 17	Ave D Sign Permi		\$47.34	Payment	Pamela Ervin		1904	Check		WaterCraft Brewing	
Apalachicola	One Stop	Commercial	24AP-CR00 100	Market Roof/Rero		\$182.00	Payment	Reynold Ni 24AP-CR00		1901	Check		Fisher Roof Jerry Hall 01-095-08W-8330-0002-0050	0002-0050
Apalachicola	One Stop	Commercial	24AP-CR00 100	Market DBPR (man		\$2.00	Payment	Reynold Ni 24AP-CR00		1901	Check		Fisher Roof Jerry Hall 01-095-08W-8330-0002-0050	0002-0050
Apalachicola	One Stop	Commercial	24AP-CR00 100	Market DCA (manu		\$2.00	Payment	Reynold Ni 24AP-CR00		1901	Check		Fisher Roof Jerry Hall 01-095-08W-8330-0002-0050	0002-0050
Apalachicola	One Stop	Fill Dirt	24AP-FD00 203	-209 Sa X Flood Zor		\$100.00	Payment	Pamela Erv		1888	Check		Toad Hollow HOA	
Apalachicola	Land Use	Tree	24AP-T003 174	17th Str Tree App F		\$50.00	Payment	Pamela Erv		1889	Check		Toad Hollow HOA	
Apalachicola	Land Use	Tree	24AP-T003 174	17th Str Tree Refor		\$25.00	Payment	Pamela Erv		1890	Check		Toad Hollow HOA	
Apalachicola	Land Use	Fill Dirt	24AP-FD00 154	Sawyer X Flood Zor		\$100.00	Payment	Pamela Erv		1891	Check		Toad Hollow HOA	
Apalachicola	Land Use	Tree	24AP-T003 168	8th Str Tree App F		\$50.00	Payment	Pamela Ervin		1892	Cash		Toad Hollow HOA	
Apalachicola	Land Use	Tree	24AP-T003 168	8th Str Tree Refor		\$70.00	Payment	Pamela Ervin		1893	Cash		Toad Hollow HOA	
Apalachicola	One Stop	Air Conditit	24AP-AC0C 103	Water HVAC - Res		\$100.00	Payment	Reynold Ni 24AP-AC00		1894	Credit Card		Gunn Heat H/S Proper 01-095-08W-8330-0000-0100	0000-0100
Apalachicola	One Stop	Air Conditit	24AP-AC0C 103	Water DCA (manu		\$2.00	Payment	Reynold Ni 24AP-AC00		1894	Credit Card		Gunn Heat H/S Proper 01-095-08W-8330-0000-0100	0000-0100
Apalachicola	One Stop	Air Conditit	24AP-AC0C 103	Water DCA (manu		\$2.00	Payment	Reynold Ni 24AP-AC00		1894	Credit Card		Gunn Heat H/S Proper 01-095-08W-8330-0000-0100	0000-0100
Apalachicola	One Stop	Air Conditit	24AP-AC0C 191	Avenue HVAC - Res		\$100.00	Payment	Reynold Ni 24AP-AC00		1895	Credit Card		Air Con of \ Anthony Te 01-095-08W-8330-0059-0090	0059-0090
Apalachicola	One Stop	Air Conditit	24AP-AC0C 191	Avenue DBPR (man		\$2.00	Payment	Reynold Ni 24AP-AC00		1895	Credit Card		Air Con of \ Anthony Te 01-095-08W-8330-0059-0090	0059-0090
Apalachicola	One Stop	Air Conditit	24AP-AC0C 191	Avenue DCA (manu		\$2.00	Payment	Reynold Ni 24AP-AC00		1895	Credit Card		Air Con of \ Anthony Te 01-095-08W-8330-0059-0090	0059-0090
Apalachicola	Land Use	Tree	24AP-T003 218	Ave D Tree App F		\$50.00	Payment	Pamela Erv		1896	Check		Harry Falk	
Apalachicola	Land Use	Tree	24AP-T003 218	Ave D Tree Refor		\$35.00	Payment	Pamela Erv		1897	Check		Harry Falk	
Apalachicola	Land Use	Window R	24AP-WR00 170	22nd A DBPR (man		\$2.00	Payment	Reynold Ni 24AP-WR00		1885	Credit Card		Shawn Cook	

Apalachicola	One Stop	Window Re 24AP-WR0 170 22rd A DCA (manu	\$2.00	Payment	Reynold Ni 24AP-WR0	1885	Credit Card	Shawn Cook	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Window Re 24AP-WR0 170 22rd A Residential	\$201.00	Payment	Reynold Ni 24AP-WR0	1885	Credit Card	Shawn Cook	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Plumbing F 24AP-P000 68 9th Stre Plumbing -	\$100.00	Payment	Reynold Ni 24AP-P000	1887	Credit Card	Ron Judsor 01-095-08W-8330-0040-0020	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Plumbing P 24AP-P000 68 9th Stre DBPR (man	\$2.00	Payment	Reynold Ni 24AP-P000	1887	Credit Card	Ron Judsor 01-095-08W-8330-0040-0020	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Window Re 24AP-WR0 52 13th Str Other - Res	\$100.00	Payment	Reynold Ni 24AP-WR0	1886	Credit Card	Jim Perry	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Window Re 24AP-WR0 52 13th Str DBPR (man	\$2.00	Payment	Reynold Ni 24AP-WR0	1886	Credit Card	Jim Perry	01-095-08W-8330-0040-0020
Apalachicola	One Stop	Window Re 24AP-WR0 52 13th Str DCA (manu	\$2.00	Payment	Reynold Ni 24AP-WR0	1886	Credit Card	Jim Perry	01-095-08W-8330-0142-0050
Apalachicola	One Stop	AC/Furnac 24AP-AF00 150 Doctor HVAC - Cor	\$75.00	Payment	Reynold Ni 24AP-AF00	1882	Credit Card	Gunn Heati Fonda Davi 01-095-08W-8330-0142-0050	01-095-08W-8330-0142-0050
Apalachicola	One Stop	AC/Furnac 24AP-AF00 150 Doctor DBPR (man	\$2.00	Payment	Reynold Ni 24AP-AF00	1882	Credit Card	Gunn Heati Fonda Davi 01-095-08W-8330-0142-0050	01-095-08W-8330-0142-0050
Apalachicola	One Stop	AC/Furnac 24AP-AF00 150 Doctor DCA (manu	\$2.00	Payment	Reynold Ni 24AP-AF00	1882	Credit Card	Gunn Heati Fonda Davi 01-095-08W-8330-0142-0050	01-095-08W-8330-0142-0050
Apalachicola	One Stop	Fill Dirt 24AP-FD00 232 8th Str X Flood 2or	\$100.00	Payment	Pamela Fw/in	1883	Check	Glen Coxwell	01-095-08W-8360-0001-0170
Apalachicola	One Stop	AC/Furnac 24AP-AF00 237 Prado : HVAC - Res	\$100.00	Payment	Reynold Ni 24AP-AF00	1884	Credit Card	Gunn Heati James Owe 01-095-08W-8360-0001-0170	01-095-08W-8360-0001-0170
Apalachicola	One Stop	AC/Furnac 24AP-AF00 237 Prado : DBPR (man	\$2.00	Payment	Reynold Ni 24AP-AF00	1884	Credit Card	Gunn Heati James Owe 01-095-08W-8360-0001-0170	01-095-08W-8360-0001-0170
Apalachicola	One Stop	AC/Furnac 24AP-AF00 237 Prado : DCA (manu	\$2.00	Payment	Reynold Ni 24AP-AF00	1884	Credit Card	Gunn Heati James Owe 01-095-08W-8360-0001-0170	01-095-08W-8360-0001-0170
Apalachicola	One Stop	Plumbing P 24AP-P000 237 8th Str Plumbing -	\$100.00	Payment	Reynold Ni 24AP-P000	1881	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	One Stop	Plumbing F 24AP-P000 237 8th Str DBPR (man	\$2.00	Payment	Reynold Ni 24AP-P000	1881	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	One Stop	Electric Per 24AP-E001 9 24th Ave DCA (manu	\$100.00	Payment	Reynold Ni 24AP-E001	1881	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	One Stop	Electric Per 24AP-E001 9 24th Ave DBPR (man	\$2.00	Payment	Reynold Ni 24AP-E001	1880	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	One Stop	Electric Per 24AP-E001 9 24th Ave DCA (manu	\$2.00	Payment	Reynold Ni 24AP-E001	1880	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	One Stop	Electric Per 24AP-E001 9 24th Ave DBPR (man	\$2.00	Payment	Reynold Ni 24AP-E001	1880	Check	K & J Plum Kung U	01-095-08W-8330-0172-0070
Apalachicola	Residential	PV System 24AP-PVRC 59 Avenue Residential	\$484.30	Payment	Reynold Ni 24AP-PVRC	1878	Credit Card	Independen Bill Barnes 01-095-08W-8330-0010-0091	01-095-08W-8330-0010-0091
Apalachicola	Residential	PV System 24AP-PVRC 59 Avenue DBPR (man	\$5.59	Payment	Reynold Ni 24AP-PVRC	1878	Credit Card	Independen Bill Barnes 01-095-08W-8330-0010-0091	01-095-08W-8330-0010-0091
Apalachicola	Residential	PV System 24AP-PVRC 59 Avenue DCA (manu	\$8.39	Payment	Reynold Ni 24AP-PVRC	1878	Credit Card	Independen Bill Barnes 01-095-08W-8330-0010-0091	01-095-08W-8330-0010-0091
Apalachicola	Residential	PV System 24AP-PVRC 59 Avenue Plan Review	\$75.00	Payment	Reynold Ni 24AP-PVRC	1878	Credit Card	Independen Bill Barnes 01-095-08W-8330-0010-0091	01-095-08W-8330-0010-0091

Apalachicola Residential Detached S 24AP-RB00 216-15th S Building Pe ##### Payment Reynold Ni 24AP-RB00 1879 Check DBPR should be \$25.75

Note: DCA should be \$38.63  
 Check received for payment in full is \$2,639.89  
 Apalach Homes, LLC

Apalachicola Residential Detached \$24AP-RB00 216-45th S DBPR (man) \$13.44 Payment Reynold Ni 24AP-RB00 1879 Check

Note: DCA should be \$38.63

DBPR should be \$25.75

Check received for payment in full is \$2,639.89

Apalach Homes, LLC

Apalachicola Residential Detached \$24AP-RB00 216-45th S Plan Review \$112.50 Payment Reynold Ni 24AP-RB00 1879 Check

Note: DCA should be \$38.63

DBPR should be \$25.75

Check received for payment in full is \$2,639.89

Apalach Homes, LLC

Note: DCA should be \$38.63  
 DBPR should be \$25.75  
 Check received for payment in full is \$2,639.89

Apalachicola  
 Residential Detached S 24AP-RB00 216-15th S Residential ##### Payment Reynold NI 24AP-RB00 1879 Check  
 DBPR should be \$25.75  
 Check received for payment in full is \$2,639.89  
 Apalach Homes, LLC

Note: DCA should be \$38.63  
 DBPR should be \$25.75  
 Check received for payment in full is \$2,639.89

Apalachicola Residential Detached S 24AP-RB00 216-15th S DCA \$13.44 Payment Reynold NI 24AP-RB00 1879 Check  
 DBPR should be \$25.75  
 Check received for payment in full is \$2,639.89  
 Apalach Homes, LLC  
 Daphne Evanoff  
 Mickey Harris  
 Doug Rauscher  
 Meraki Soil Myron Stitt  
 Meraki Soil Myron Stitt

Apalachicola One Stop Fill Dirt 24AP-FD00 90 8th AV Flood Z \$100.00 Payment Pamela Erv 5891 1877 Check  
 Apalachicola Land Use Tree 24AP-T003 123 8th Str Tree Refor \$50.00 Payment Pamela Erwin 1875 Check  
 Apalachicola Land Use Tree 24AP-T003 123 8th Str Tree Refor \$35.00 Payment Pamela Erwin 1876 Check  
 Apalachicola One Stop Electric Per 24AP-E001 30 8th Stre Electrical - \$100.00 Payment Reynold NI 24AP-E001 1874 Credit Card under 24AP-RB0007 at John Helms 01-095-08W-8330-0035-0030  
 Apalachicola One Stop Electric Per 24AP-E001 30 8th Stre DBPR (man \$2.00 Payment Reynold NI 24AP-E001 1874 Credit Card under 24AP-RB0007 at John Helms 01-095-08W-8330-0035-0030  
 Apalachicola One Stop Electric Per 24AP-E001 30 8th Stre DCA (manu \$2.00 Payment Reynold NI 24AP-E001 1874 Credit Card under 24AP-RB0007 at John Helms 01-095-08W-8330-0035-0030  
 Apalachicola One Stop Commercial 24AP-CR00 89 9th Stre Other - Res \$100.00 Payment Reynold NI 24AP-CR00 1871 Credit Card Associated with corner Tom Broca 01-095-08W-8330-0032-0090  
 Apalachicola One Stop Commercial 24AP-CR00 89 9th Stre DBPR (man \$2.00 Payment Reynold NI 24AP-CR00 1871 Credit Card Associated with corner Tom Broca 01-095-08W-8330-0032-0090  
 Apalachicola One Stop Commercial 24AP-CR00 89 9th Stre DCA (manu \$2.00 Payment Reynold NI 24AP-CR00 1871 Credit Card Associated with corner Tom Broca 01-095-08W-8330-0032-0090  
 Apalachicola Land Use Tree 24AP-T003 194 10th St Tree Refor \$50.00 Payment Pamela Erv 1872 Check  
 Apalachicola Land Use Tree 24AP-T003 194 10th St Tree Refor \$25.00 Payment Pamela Erwin 1873 Check  
 Apalachicola Residential PV System 24AP-PVRC 195-6th St Electrical - \$100.00 Payment Reynold NI 24AP-PVRC 1870 Check  
 Apalachicola Residential PV System 24AP-PVRC 195-6th St DBPR (man \$2.00 Payment Reynold NI 24AP-PVRC 1870 Check

Apalachicola	Residential PV System	24AP-PVRC 195-6th St DCA	\$2.00	Payment	Reynold NI 24AP-PVRC	1870	Check	Meraki Soli Myron Stitt	
Apalachicola	One Stop	Electric Per 24AP-E000 98 Bay Ave Electrical -	\$100.00	Payment	Reynold NI 24AP-E000	1868	Credit Card	Cates Elect Phillip and 01-095-08W-9330-0193-0010	
Apalachicola	One Stop	Electric Per 24AP-E000 98 Bay Ave DBPR (man	\$2.00	Payment	Reynold NI 24AP-E000	1868	Credit Card	Cates Elect Phillip and 01-095-08W-9330-0193-0010	
Apalachicola	One Stop	Electric Per 24AP-E000 98 Bay Ave DCA (manu	\$2.00	Payment	Reynold NI 24AP-E000	1868	Credit Card	Cates Elect Phillip and 01-095-08W-9330-0193-0010	
Apalachicola	One Stop	Electric Per 24AP-E000 91 10th Str Electrical -	\$100.00	Payment	Reynold NI 24AP-E000	1859	Credit Card	Cates Elect Richard Kai 01-095-08W-8330-0041-0070	
Apalachicola	One Stop	Electric Per 24AP-E000 91 10th Str DBPR (man	\$2.00	Payment	Reynold NI 24AP-E000	1859	Credit Card	Cates Elect Richard Kai 01-095-08W-8330-0041-0070	
Apalachicola	One Stop	Electric Per 24AP-E000 91 10th Str DCA (manu	\$2.00	Payment	Reynold NI 24AP-E000	1859	Credit Card	Cates Elect Richard Kai 01-095-08W-8330-0041-0070	
Apalachicola	Land Use	Fence	24AP-F000 160 5th Str Tree Refor	\$50.00	Payment	Pamela Erwin	1866	Check	Kathy Archibald
Apalachicola	Land Use	Fence	24AP-F000 160 5th Str Tree Refor	\$75.00	Payment	Pamela Erwin	1867	Check	Kathy Archibald
Apalachicola	Residential Pole Barn /	24AP-RB00 119-12th S Other - Res	\$100.00	Payment	Reynold NI Check 1144	1864	Check	William Ml 01-095-08W-8330-0078-0060	
Apalachicola	Residential Pole Barn /	24AP-RB00 119-12th S DBPR (man	\$2.00	Payment	Reynold NI Check 1144	1864	Check	William Ml 01-095-08W-8330-0078-0060	
Apalachicola	Residential Pole Barn /	24AP-RB00 119-12th S DCA	\$2.00	Payment	Reynold NI Check 1144	1864	Check	William Ml 01-095-08W-8330-0078-0060	
Apalachicola	One Stop	Commerce 24AP-CR00 17 Avenue DBPR (man	\$3.36	Payment	Reynold NI 24AP-CR00	1865	Credit Card	Certified Rt Rex Humpf 01-095-08W-8330-00E2-0010	
Apalachicola	One Stop	Commerce 24AP-CR00 17 Avenue DCA (manu	\$5.04	Payment	Reynold NI 24AP-CR00	1865	Credit Card	Certified Rt Rex Humpf 01-095-08W-8330-00E2-0010	
Apalachicola	One Stop	Commerce 24AP-CR00 17 Avenue Roof/Rero	\$336.00	Payment	Reynold NI 24AP-CR00	1865	Credit Card	Certified Rt Rex Humpf 01-095-08W-8330-00E2-0010	
Apalachicola	Land Use	Tree	24AP-T002 194 10th St Tree App F	\$50.00	Payment	Pamela Erwin	1862	Check	Doug Rauscher
Apalachicola	Land Use	Tree	24AP-T002 194 10th St Tree Refor	\$25.00	Payment	Pamela Erwin	1863	Check	Doug Rauscher

## Apalachicola Margaret Key Public Library

April 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 @Apalachicolapubliclibrary for the latest!

April 2024 Statistics:

- 2,563 people in our library - 24 new accounts opened - 258 patrons used our computers  
- 643 books/movies/audiobooks circulated - 565 items donated to the library - \$481.72 collected as library revenue - 20,173 people reached on social media - 116 hours donated by our *wonderful* volunteers

What a great April in the library! From a Solar Eclipse party to a record-setting closeout of our tax filing program; from another popular Classic Movie Night to our first GED information session, the library helped many in our community, and had fun in the process.

This month we also honored volunteers with our annual Volunteer Appreciation Open House. We have so many people to thank for so many contributions to this library. We have daily volunteers who help at the front desk, who shelve books, and sort donations. We have volunteers who tutor kids and teens. Volunteers with the United Way, who prepare people's taxes --this year filing 86 tax returns for our area families(!) We have volunteers who hold programs and craft times, volunteers who monitor our little libraries, put up our signs, and post our flyers, volunteers who set up, take down, and host events... Put another way, if the library does it, you can bet a volunteer is alongside!

We must give special thanks to those who give weekly and/or serve on our library boards, which meet monthly: Mary Whitesell, Leslie Rindler, Thomas Becknell, Richard Lenhart, Greg Gologowski, Janine Gedmin, Elly Bissen, Celia Winterringer, Connie Justice, Elinor Mt. Simmons, Bonnie Lewis, Sondra Taylor-Furbee, Ralph Wagoner, Jerry Hurley, Audie Pieper, Dolores Croom, and Carol Hoadley. A very special thank you goes out to Liz Perkins, Chair of the library's friends' group, The Patrons of the Apalachicola Library Society (PALS). Liz does incredible work- often behind the scenes- in helping to create the flyers and newsletters for the library, taking meeting minutes, researching, and listing books on the PALS eBay site, hosting film nights, and organizing events. In the ways of designing, writing, speaking, splicing, and sprucing, Liz is a treasure to our library! Liz, we thank you!

Your Apalachicola library is a reflection of the generosity of individuals. From its founding to the current day, volumes of volunteers shape the story that is still being written! If you'd like to become involved in the activities of the library, please let us know. We love our volunteers, and we are so grateful to you all!

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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!) by appointment, 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 May!**

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

## April 2024 WATER & SEWER FIELD CREW REPORT

- Completed all the daily rounds for the Month.
- Working on replacing the rest of the manual read meters.
- Responded to and repaired any low vacuum issues on the vacuum system.
- Completed all meter readings for the Month.
- Completed Monthly Samples for DEP
- Completed all the locates for the Month.
- Completed work orders for the Month.
- Contractors are working on the Generator Inspection Report's for the field. They found some issues on a couple of the Generators where lighting had burned out a couple of Circuit Boards. We are getting them replaced.
- Fixed a 1 1/2-inch water leak on Market Street at Gander's Complex. And installed a new Meter.
- Completed TTHM samples.
- The contractors are still in the process of replacing the Fire Hydrants around the city.
- Fixed a 4-inch water leak on 24<sup>th</sup> St. & Cornellis Rizer
- Installed a sewer tap Scarabin's Traylor Park on Brownsville Rd.
- Replaced recirculation pump & GST Blower at Water Plant.

**City of Apalachicola**  
**Public Works monthly report**  
**April 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. In addition, this department:

- Completed 3 work orders.
- Serviced and replaced brakes on city vehicle.
- Collected trash from downtown and public parks.
- Cut our routine main roads parks and cemeteries. [OB]
- Cut 17<sup>th</sup> St. and Bay Ave. storm water ditches.
- Cut ditch back on 23<sup>rd</sup> St. and Fred Meyers.
- Installing flooring and painting at police station.
- Put rocks and dirt in alleys.
- Replaced tires on two city vehicles.
- Replaced tires on city work squad trailer.
- Loaded and hauled several loads of yard debris.
- Changed oil in 2 city vehicles.
- Repaired locks in door at library.
- Cleaned around several stop signs in town for safety.
- Unclogged sewer at 6<sup>th</sup> St. Recreation Center.
- Repaired urinals at public restrooms on commerce St.

Submitted by: Robert Osburn



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# City of Apalachicola WWTP

## Monthly Report for April 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 7.835mg during the month of April 2024. This still leaves 9 more days in the month for extra flow to be accounted for.
- We did have to use our reject pond during the month of April. 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 not been weed eating on the property during April.
- Staff have continued to work in the spray fields using the mulcher and the bush hog as well.
- Staff has temporarily spliced the power and control wiring back together on the decanter for basin 2. This wire had been damaged and was very old and degrading. A new wire has been ordered and it will be installed by staff when it is received.
- Staff installed the new power cable for one of the mixers in basin 2. This wire was old and degraded and was causing the mixer to fail to operate at all. This was replaced and the unit is working properly now.
- Staff swapped a transformer from blower 2 control cabinet and installed it in blower #4 control cabinet. Blower #4 is operating normally now.
- Staff cleaned sludge out of the EQ tank multiple times because of heavy flows at the treatment plant caused by infiltration from heavy rains. Staff also had to clean sludge because of the plant going into storm mode 3 when the decanter failed to operate normally.
- Staff cleaned both filters extensively and drained and cleaned the chlorine contact chamber because of the sludge getting into the EQ tank.
- Staff have hauled sludge to the Franklin County Landfill.
- AAG Electric has picked up filter feed pump #3 for repair and installation of a new motor. This unit has been down for quite some time and was a budgeted item for repair.
- The service truck for the WWTP has been received and is in service. It is being outfitted with hardware as time permits.

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- 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 old sludge from the old digester and are drying it in the drying beds.
  - Staff have continued to make roadways and monitoring wells accessible in and around the spray fields.
  - Staff had one controlled burn of two piles of tree debris in the east spray fields that was permitted by the Division of Forestry. There will be more conducted later as weather conditions and time allows.
  - Lead Operator went to the Focus on Change that was presented by FRWA to take part in a class to achieve CEUs for points towards operator's license.

City Club Copy

# APALACHICOLA VOLUNTEER FIRE/RESCUE

Feb 2024  
23 calls

## Bi-Monthly Report

1. Accidents	<u>5</u>	7. Gas Leaks	<u>    </u>
2. Lift Assist EMS	<u>17</u>	8. Life Flights	<u>2</u>
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	<u>    </u>
4. Brush Fires	<u>    </u>	10. Training	<u>1</u>
5. House Fires	<u>1</u>	11. Transformer Fires	<u>    </u>
6. Fund Raisers	<u>    </u>	12. Vessels	<u>    </u>

1st Responder calls 26

## Firefighter Attendance

1. George Watkins	<u>5</u>	11. [unclear]	<u>    </u>
2. Fonda Davis	<u>3</u>	12. Avery Scott	<u>2</u>
3. Ginger Creamer	<u>19</u>	13. [unclear]	<u>    </u>
4. Albert Floyd	<u>6</u>	14. [unclear]	<u>    </u>
5. Rhett Butler	<u>2</u>	15. Anthony Croom	<u>3</u>
6. Bruce Hoffmann	<u>6</u>	16. Tracy Carver	<u>1</u>
7. Palmer Philyaw	<u>0</u>	17. Ricky Hinton	<u>5</u>
8. Mike Vroegop	<u>0</u>	18. Shannon Segree	<u>10</u>
9. Troy Segree	<u>17</u>	19. Adam Joseph	<u>10</u>
10. Rick Hernandez	<u>0</u>	20. Craig Gibson	<u>7</u>

Additional Notes:

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Recorded by: [Signature]

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

# APALACHICOLA VOLUNTEER FIRE/RESCUE

March 2024

## MONTHLY REPORT

21 calls

1. Accidents	<u>2</u>	7. Gas Leaks	<u>    </u>
2. Lift Assists EMS	<u>14</u>	8. Life Flight	<u>1</u>
3. Bi-Monthly Meetings	<u>2</u>	9. Search/Rescue	<u>    </u>
4. Brush Fires	<u>1</u>	10. Training	<u>    </u>
5. House Fires	<u>1</u>	11. Transformer Fires	<u>    </u>
6. Vehicle Fires	<u>    </u>	12. Vessel Fires	<u>    </u>

1st Responder 21 calls

### Firefighter Attendance

1. George Watkins	<u>9</u>	11.	<u>    </u>
2. Fonda Davis	<u>4</u>	12. Avery Scott	<u>1</u>
3. Ginger Creamer	<u>21</u>	13.	<u>    </u>
4. Albert Floyd	<u>6</u>	14.	<u>    </u>
5. Rhett Butler	<u>3</u>	15. Anthony Croom	<u>3</u>
6. Bruce Hoffman	<u>7</u>	16. Amy Cabreva	<u>6</u>
7. Palmer Philyaw	<u>1</u>	17. Ricky Linton	<u>5</u>
8.	<u>    </u>	18. Shannon Segree	<u>7</u>
9. Troy Segree	<u>17</u>	19. Adam Joseph	<u>11</u>
10. Rick Hernandez	<u>1</u>	20. Craig Gibson	<u>7</u>

### Additional Notes:

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Recorded by: (Signature)

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