A Regular Meeting of the Apalachicola City Commission was held on September 3, 2025 at 6:00 PM at the Commission Meeting Room located at 74 6th Street, Apalachicola, Florida.

Present: Mayor Brenda Ash, Commissioner Anita Grove, Commissioner Despina George, Commissioner Donna Duncan, Commissioner Adriane Elliott, Interim City Manager Chris Holley, City Clerk Sheneidra Cummings, Attorney Dan Hartman

Meeting was called to order by Mayor Ash followed by invocation and pledge of allegiance.

## Agenda Adoption

Mayor Ashe requested a motion to adopt the agenda with amendments to unfinished business and new business. The amendments included moving the FY 23/24 Audit Report Adoption from unfinished business to new business, and adding several change orders to unfinished business: change order for well rehab projects, change order for manufacturer of the scrubber, change order for installation of the scrubber, and the FAMU lease agreement.

Motion to amend the agenda as presented was made by Commissioner Grove, seconded by Commissioner George. None opposed, Motion carried, 5-0.

Mayor Ashe congratulated incumbent Commissioner Duncan and Commissioner-elect Donna Knudson on their election.

## Public Comment

**Johnny McLaurin commented and requested action from Board**

Mr. McLaurin explained that in June, he had a tree limb on city property that was about to fall and potentially damage his fence and shed. After reporting the issue to City Hall, he was told it would take 7-10 days for the city contractor to address it. Due to safety concerns, Mr. McLaurin hired someone to remove the tree limb at a cost of $200, and he requested reimbursement from the city.

Motion to reimburse Mr. McLaurin $200 for the tree removal on city property was made by Commissioner Grove, seconded by Commissioner George, and carried unanimously.

**Patricia Dollar commented.**
**Dennis Green commented.**

## **New Business:** Library Conceptual Plan

Liz Sparks updated the commission on the library parking lot paving project, noting that the County Commission had approved a task order for reengineering, design documents, permits, and construction administration at a cost of approximately $15,000. She presented a memorandum of understanding (MOU) between PALS and the city for improvements to the library courtyard and tree planting, which PALS would fund.

Commissioner George suggested changing the city contact person in the MOU from the library assistant acting library director to the city manager. Attorney Hartman confirmed this would be a simple edit that would not materially change the agreement.

Motion to approve the memorandum of understanding and the conceptual drawing of the landscape plan, with the change of the city's point of contact to the city manager instead of the library assistant acting library director, was made by Commissioner Grove, seconded by Commissioner Elliott, and carried unanimously.

## **New Business:** 25/26 Fee Schedule

Dennis Winterringer commented on the code enforcement fees and fines, specifically those related to tree removal. He clarified that the $50 fine listed for trees removed prior to application approval should be described as an additional application fee rather than a fine. He also suggested increasing tree removal fees from $25 to $35 for trees 8-16 inches in diameter, from $35 to $45 for trees 16-35 inches, and from $250 to $300 for the total non-heritage tree maximum per lot to help fund more tree planting.

City Manager Holley and the commission discussed several fee changes:

- Adding a commercial golf cart registration class at $100 per cart
- Increasing security deposits for facility rentals: Holy Family to $300, Sixth Street Center and Community Center to $250, keeping Lafayette and Riverfront at $250
- Increasing boat launch fees from $10 to $15 daily and to $180 annually for non-Franklin County residents
- Increasing the floodplain management fee from $100 to $250
- Adjusting tree removal fees as suggested by Mr. Winterringer
- Adding "bars" to sidewalk use permits, which previously only mentioned restaurants
- Addressing credit card processing fees

Commissioner Elliott suggested adding a temporary golf cart registration option for visitors that could be purchased at the boat ramp kiosk. Chief Barnes expressed concern about enforcement

challenges, particularly during busy events. After discussion, it was agreed to explore adding this option.

The commission also discussed creating an event fee for fishing tournaments using the boat launch facility, with Commissioner Duncan mentioning an upcoming tournament on September 13th. It was decided that the city manager and chief would work out an agreement for this specific tournament rather than establishing a permanent fee at this time.

The fee schedule will be incorporated into the budget for further review.

## **New Business:** Lethal Bronzing Disease Tree Waiver

Commissioner Grove presented information on lethal bronzing disease affecting palm trees in the city. She reported that the disease is spreading throughout town and many trees have been removed in recent years. The Tree Committee recommended:

1. Increasing awareness by providing information at the library and on the city website
2. Waiving the tree permit fee for diseased palms
3. Building inoculation kits to be housed at the library for residents to use

There was extensive discussion about potential liability issues with lending out equipment that requires drills and sterilization. Attorney Hartman expressed concern about the city providing such equipment and suggested instead offering detailed instructions on treatment.

Motion to waive the tree permit fee, make information available to residents about the disease, and purchase inoculation kits to loan out to residents was made by Commissioner George, seconded by Commissioner Elliott. Motion carried, 4-1. Mayor Ash opposed.

A second motion specifying that the kits would include only detailed instructions was made by Commissioner Elliott, seconded by Commissioner Duncan. None opposed. Motion carried 5-0.

## **New Business:** Local Bill Expansion of Eastpoint W & S District

Attorney Hartman reported that at the August 21, 2025 local delegation meeting, Representative Shoaff and Senator Simon voted on a proposed local bill to expand the boundaries of the East Point Water and Sewer Independent District to include St. George Island and Apalachicola's utility system. He explained that while no formal bill language has been presented, the intent is clear, and the city needs to determine whether it wants to remain in the water and sewer business or cooperate with the transfer to East Point.

City Manager Holly noted that while he supports regionalism in principle, the distance between East Point and Apalachicola would make interconnecting the systems cost-prohibitive, eliminating a key advantage of regional approaches. He suggested maintaining open communication with the delegation while seeking clarification on their objectives.

Commissioner Elliott expressed concern that the proposal came without prior consultation with either Apalachicola or the East Point Water and Sewer District. He raised several issues:

- The district's inability to serve customers outside its boundaries
- Loss of local control over the rate structure if the governor appoints all board members
- Potential impacts on grants in progress and the Apalachicola Stewardship Act

Commissioner Grove emphasized the need to assess what the city has invested in the system over the past 5-10 years before considering a transfer of assets. She noted that both Gulf County and East Point face similar infrastructure challenges due to small population bases.

The commission decided to task staff and Attorney Hartman with gathering more information from meetings with the delegation and lobbyists before making any decisions.

## **Unfinished Business:** FY 23/24 Audit Report Adoption

Chris Moran presented the FY 23/24 audit report, noting there were no changes from the draft presented at the previous meeting. He reported that the general fund finished the year with $3,076,000 in assets, $513,000 in accounts payable, and a fund balance of $2,562,000. The utility fund had $1,353,000 in current assets, $1,200,000 in restricted assets, total assets of $23,861,000, and a fund balance of $19,609,000, with a change in net position of $177,000.

Moran highlighted that the city is now current on all bank reconciliations and books for the first time in recent history. He discussed three recurring compliance comments: segregation of duties (due to small staff size), financial statements not prepared in accordance with GAAP (which he expects to be removed next year), and issues with property, plant, and equipment records.

Commissioner George inquired about the disappearance of ARPA funds that the city had tried to protect during the past two fiscal years, noting that budget overruns had occurred because of incomplete accounting records. Moran confirmed that losses in the general fund over two consecutive years had depleted those funds.

Motion was made by Commissioner George to accept the fiscal year 2023-2024 audit report, seconded by Commissioner Elliott. None opposed. Motion carried, 5-0.

## **Unfinished Business:** HCA Lease Agreement

Attorney Hartman presented an amended lease agreement for the Historic Cotton Exchange (HCA) building. The lease provides for $10 per year rent, allows use of the second floor by city staff, and permits tenant use of the second floor for exhibits during off hours. The tenant had requested a 10-year term, but the lease would remain year-to-year at the city's discretion with renewal requests required 60 days before the end of the term. The city would pay all utilities and internet, with the tenant maintaining $500,000 in insurance.

Bonnie Davis, representing the North Florida African American Corridor Project, requested that the commission also consider two related agreements for Holy Family and the to-be-constructed African American Museum, which she characterized as a package deal. She explained that each property has different needs:

- The HCA is suitable for a lease arrangement with shared space
- Holy Family serves multiple organizations and would be better managed through a management agreement rather than a lease
- The museum needs approval to begin fundraising for its completion

Commissioner Elliott expressed concern about approving all three agreements when only the HCA lease was clearly listed as an action item on the agenda. Despite Ms. Davis's appeal about the urgency of fundraising for the museum, the commission agreed to only vote on the HCA lease at this meeting.

Motion to approve the HCA lease agreement was made by Commissioner Duncan, seconded by Commissioner George, and carried unanimously.

The commission agreed to review the management agreements for Holy Family and the museum at the next meeting.

## **Unfinished Business:** Change Orders

The commission reviewed three change orders:

1. Well Rehab Project: A $21,800 increase was needed due to deterioration found in the piping of Well 6 and an incorrectly sized pump. The city would continue to operate on Wells 5 and 7 until the repairs are completed in approximately three weeks.

Motion to approve the change order of $21,800 for the well rehabilitation of Well 6 was made by Commissioner Grove, seconded by Commissioner George. None opposed. Motion carried, 5-0.

2. Manufactured Ductwork for Force Draft Aerator: Two related change orders were presented: $23,170 for ECS to manufacture piping for the force draft aerator and $2,600 for SGS to build pipe supports. Josh Baxley from Dewberry explained that the original assumption was that old piping could be reused, but it had been damaged during a storm.

Motion to approve both change orders related to the force draft aerator was made by Commissioner Grove, seconded by Commissioner Elliott. None opposed. Motion carried, 5-0.

## **Unfinished Business:** FAMU Lease Agreement

City Manager Holly explained that FAMU needed to be relocated from the community center lobby to the field house. Their previous lease had expired in May, and they needed an extension through May 1 of the following year, with the only change being the address of the leased space.

Motion to extend the FAMU lease and change the address was made by Commissioner Grove, seconded by Commissioner Elliott, and passed 3-2 with Commissioners Duncan and George opposed.

## **Mayor and Commissioner Comments**

Commissioner Elliott noted the need to address other lease agreements, including the Rainey House, and suggested reconstituting an HCA board to handle museum management rather than addressing such matters in regular commission meetings.

Commissioner Grove reported on two assignments:

1. She shared information about FWC's proposed harvesting rules for Apalachicola Bay, noting a limited opening planned for January and February for both recreational and commercial use.
2. She investigated the intersection of Market Street and Avenue E regarding signage needs, reporting that FDOT had recorded only two crashes in recent years but was willing to explore additional signage options.

## City Manager & Attorney Communications

City Manager Holley provided updates on several items:

1. City Manager Interviews: Interviews with candidates are scheduled for the following week. A meet and greet will be held, followed by formal interviews at 1:00 PM on Wednesday. Holly expressed hope that the commission would select a candidate and have them start around October 1.
2. Marina Projects: He is working to consolidate various marina improvement projects, including the V Pier, Scipio dock work, and electrical design. The city intends to apply for TDC funding of approximately $500,000 for the V Pier project.
3. Economic Development Board: Bill Williams requested the appointment of a business person to represent the city on the board, which will be considered at a future meeting.
4. African American Museum Groundbreaking: After discussion of scheduling conflicts, the commission agreed to hold the groundbreaking ceremony on September 9 at 9:00 AM.
5. DEP Agreement: Holly mentioned ongoing discussions with DEP about a unique situation requiring a commitment from the city to prevent future water system issues. Attorney Hartman and Lisa Kelly are working on this matter.

## Consent Agenda Items

Motion was made by Commissioner George to adopt the consent agenda items, seconded by Commissioner Grove. None opposed. Motion carried, 5-0.

## Adjournment

A motion to adjourn was made by Commissioner Elliott, seconded by Commissioner Grove. None opposed. Motion carried, 5-0.

**Meeting adjourned.**

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**Brenda Ash, Mayor**

**ATTEST:**

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**Sheneidra Cummings, City Clerk**