

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY  
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD  
IN THE COMMISSION CHAMBERS AT CITY HALL, May 3, 2011 AT  
6:00 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Johnson, Stephens and Buzzett. City Manager Charlie Weston, Attorney Tom Gibson and City Clerk Jim Anderson were also present.

**Consent Agenda:**

Motion by Commissioner Johnson, 2<sup>nd</sup> by Commissioner Stephens, to approve the Minutes for the April 19, 2011 Regular Meeting with corrections. All in Favor; Motion carried 5-0.

**City Attorney, Tom Gibson:**

**BP Claim Update:**

Attorney Gibson has spoken with William Harrison who is representing the City today. No information has been received on our claim at this time.

**Resolution 2011-03, SRF Funding for Water Facilities:**

Mr. Weston noted that the City was approved for a 72% forgiveness loan for the Headworks and Sprayfield Project and is hopeful the City will receive the same terms for the Water Distribution Improvements.

**Estoppel Certificate- Concept Development, LLC:**

Mr. Gibson indicated that the Dollar General request will be going to the Planning and Development Review Board on May 17, 2011 for a Development Order. They are asking the City to Certify that the Joe Co. has met its entire obligation under the Town Center PUD. Attorney Gibson doesn't recommend signing the Estoppel in the form they have submitted, but suggest preparing a different one.

Attorney Gibson also noted that the Joe Co. has met all of their obligations.

Mayor Magidson asked, "Is the Dollar General buying the property?"

Attorney Gibson responded, "That is my understanding."

Motion by Commissioner Johnson, 2<sup>nd</sup> by Commissioner Stephens, for approval of an Estoppel Certificate for Concept Development, LLC that is approved by City Staff. All in Favor; Motion carried 5-0.

**City Manager, Charlie Weston:**

**Waste-Pro Assignment of Contract:**

Mr. Weston noted that approx. 30 days ago EWS was bought out by Waste-Pro. Staff recommendation is to assign the contract to Waste-Pro for the remainder of the contract. Waste-Pro has spent an extensive amount on upgrades to the Transfer Station and has shown a willingness to work with City Staff. Waste-Pro has agreed not to raise the rates this year and four Recycle Bins will be placed in the City.

Motion by Commissioner Johnson, 2<sup>nd</sup> by Commissioner Buzzett, to assign the existing Emerald Waste Service Contract to Waste-Pro. All in Favor; Motion carried 5-0.

Fred Wood from Waste-Pro recognized several of his staff members who were instrumental in the transition. Mr. Wood also noted that cardboard, newspaper & aluminum can be recycled at the Transfer Station. It has been a joy to be in Port St. Joe and he is proud to be a part of the community.

Mayor Magidson asked, "What are the locations of the Recycle Bins and what will be accepted?"

Mr. Wood responded, "The Public Works Building on 10<sup>th</sup> Street, M-F from 8:00-4:00 and at the Transfer Station on Industrial Road, M-F from 7:30-5:00. The items that can be recycled are cardboard, paper, aluminum & plastic. Household garbage will not be accepted in the Recycle Bins and cardboard must be broken down."

Mr. Weston indicated that the details of the Recycle Plan will be provided to the public shortly.

Commissioner Gingell asked, "Can we look at recycling glass in the future?"

Mr. Wood responded, "There is no real market for glass at this time."

Commissioner Gingell asked, "Does Waste-Pro have any information that can be given out at the Salt Air Market on Saturday?"

Mr. Wood will create a flyer for the event.

**RFP 2011-05 Hwy 98 & Hwy 71 Landscape Maintenance:**

Tabled until the May 17, 2011 Regular Meeting.

Amy Rogers asked the Board if the ditch beside the Piggly Wiggly could be cleaned.

Mr. Weston noted that the ditch is on property owned by the Joe Co. George Duren owner of the Piggly Wiggly is looking into a continuation of the landscaping in that area.

**David B. Langston Drive Update:**

Clay Smallwood, III, reported to the Board that the Sewer Forcemain upgrade is complete and the sod should be finished by the middle of next week.

**Interlocal Agreement Update:**

Mr. Weston noted that the County is currently reviewing our proposed update to the current Interlocal Agreement concerning utilities.

**Budget Guidance:**

Mr. Weston indicated that all Department Heads have been given guidance for preparation of the 2011-2012 budget.

### **Community Appreciation Event:**

Mr. Weston would like to have a Community Event to showcase some of the City's asset such as the multi-use path. He would like for it to be a fun event that would be at a low cost to the City. October would be the proposed month of the event and a cookout provided thru donations could be held at the Centennial Bldg.

### **Community Garden:**

Mr. Weston would like for the City to consider a Community Garden for citizens to utilize individual 20' x 20' plots on City property located behind Frank Pate's house at the corner of Sixteenth Street and Marvin Avenue. Mr. Roy Lee Carter from the Gulf County Extension Office has evaluated the site and feels it would be a good location. Irrigation could also be provided by Buck Griffin Lake. Mr. Weston has viewed the Elementary School Garden and met several volunteers who are interested in a Community Garden. The intent would be to make it a low cost project.

Mayor Magidson suggested having a Town Hall Meeting to discuss the proposed Community Garden.

Mr. Weston noted that this would probably not take place until the fall and staff will do the background work.

### **Commerce Park Advertising:**

Mr. Weston indicated that a Business Owner in Commerce Park has approached the City Staff about the inability to advertise offsite and requested that it be brought back to the City Commission. One option is a digital sign at the corner of Highway 71 and Highway 98, which we are currently working with the TDC. The other option is a Digital Sign at the Port Property located at the corner of Highway 98 and Industrial Road. Tommy Pitts at the Port Authority is receptive of the idea and the City could possibly charge all the business's in town time to advertise. Obviously, it's a money issue, but BP Money may become available thru the TDC.

Commissioner Stephens noted that we need signage for the Commerce Park and is all for whatever it takes to get a sign.

Commissioner Johnson indicated that he is for a sign as long as it's on private property. We made all the churches remove their signs.

Mayor Magidson indicated that the problem was created by the Joe Co. when the park was developed. We need to find a solution, but the City didn't create the problem.

Mr. Weston recommends a digital sign at the corner of Highway 71 and Highway 98 first and if it works then consider the Industrial Park Site.

Mayor Magidson noted that if the sign can't be funded by the TDC, he doesn't know where the funds will come from.

Commissioner Johnson feels that we should address each location as separate issues.

Commissioner Buzzett asked, "If an Ordinance is approved will this open a can of worms for other off premise signs?"

Mr. Weston noted that the signs will be owned by the City.

Motion by Commissioner Johnson, 2<sup>nd</sup> by Commissioner Stephens, to proceed with the Highway 71 & Highway 98 Intersection Sign Project. All in Favor; Motion carried 5-0.

**Public Works, John Grantland:**

Mr. Grantland noted that a precautionary Boil Water Notice will be sent out to residents in close proximity to the Fire Hydrants that are being replaced. A replacement schedule has been given to the Commission and will continue until May 10<sup>th</sup>. Water outages will be kept to a minimum.

Glenn Davis noted that the precautionary Boil Water Notices went out yesterday and staff is preparing Code Red for notices to be sent out as well. A dedicated phone line for Water Quality issues is being discussed.

**Surface Water Plant, Glenn Davis:**

Commissioner Buzzett asked, "When will we start using the 50/50 Corrosion Inhibitor Mix?"

Mr. Davis responded, "The 50/50 Corrosion Inhibitor Mix should be in next week."

**City Engineer, Clay Smallwood, III:**

No Update

**Code Enforcement, Richie Burkett:**

No Update

**Police Department, Chief Barnes:**

No Update

**Grants, Charlotte Pierce:**

**Grants Activity:**

Mrs. Pierce provided the Commission a Grant Report that outlines the activity for the past two weeks. She also provided the Commission with a document that outlines the guidelines for City property that has utilized FRDAP Grant Funds.

Commissioner Stephens asked, "Is the City keeping all of our parks up?"

Mrs. Pierce Responded, "Yes."

**PSJRA, Matt Flack:**

No Update

**Citizens to be Heard:**

**Marjorie Stitt:**

Ms. Stitt indicated that all Gulf County Leaders seem to be in favor of the proposed Bio Mass Plant. I hope some have listened to the dangers of such an

experimental plant. It seems our leaders are willing to play Russian Roulette with our citizens.

None native plants will be grown and burned at the plant. She asked, "How will this affect our landscape?" The plant will also use 800,000 gallons of water per day and my water smells and taste bad. If the plant uses our water system and are not charged the same rate, you will have a public outcry. None of you seem to have a solution. This is our City and County.

Mayor Magidson noted that the City has lost Arizona Chemical which placed a \$750K hole in the City Budget. The proposed plant will pay a commercial rate on the treated water. The proposed plant will not use a lot of treated water.

Ms. Stitt indicated that her water is terrible and does realize that she may have some lead pipes under her house.

Mayor Magidson indicated that the City didn't create this problem. The problem was created by a mandate from the DEP to treat the water. We acknowledge that we have a problem and have been working on this issue for over a year.

Ms. Stitt feels the Commission has not done its homework. "Why should we pay for someone's mistake?"

Mayor Magidson noted that a great deal of time is spent on this issue; no one is dodging the issue.

Ms. Stitt asked, "Do I have your commitment that the Bio Mass will be charged for the water?"

Mayor Magidson responded, "Yes."

**Christy McElroy:**

Ms. McElroy realizes this is not the Commission's fault, but people were hired to look out for our interest such as the City Engineers, CDM and Marshall Brothers. Their needs to be accountability and we need to hire independent people to find the problem and hold those at fault.

Mayor Magidson noted that we have been so consumed with fixing the problem that we haven't looked into accountability. We still don't have a good handle on what caused the problem, and we can't start the finger pointing until we know.

**Commissioner Comments:**

Mayor Magidson noted that the Commission has agreed to name the City Hall after T.H. Stone. We need to come to some understanding as to what can be done. He indicated that we have a place in the City Hall foyer that can be utilized and suggested using an insert from the book written by Beverly Doud's under Mr. Stone's photo.

Commissioner Buzzett asked, "Can we direct staff to give a recommendation?"

Commissioner Johnson requested the item be placed on the May 17<sup>th</sup> Commission Agenda.

Motion by Commissioner Stephens, 2<sup>nd</sup> by Commissioner Johnson, to adjourn at 7:17 P.M.

Approved this 17<sup>th</sup> day of May 2011.

  
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Jim Anderson, City Clerk

  
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Mayor Magidson