

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, June 21, 2011 AT 6:00 P.M.

The following were present: Mayor Magidson, Commissioners Gingell, Kennedy, Patterson and Buzzett. City Manager Charlie Weston, Attorney Russ Scholz and City Clerk Jim Anderson were also present.

Consent Agenda:

The Consent Agenda was voted on by outgoing Commissioners Johnson and Stephens before the new officials were sworn in.

Motion by Commissioner Johnson, 2nd by Commissioner Stephens, to approve the Minutes for the May 17, 2011 Workshop, June 7, 2011 Regular Meeting and the June 9, 2011 Special Meeting. All in Favor; Motion carried 5-0.

Regular Agenda:

Recognition of outgoing Elected Officials:

Mayor Magidson recognized Commissioner Stephens for serving four years and Commissioner Johnson for serving two years as City Commissioners.

Swearing in of Newly Elected officials:

County Judge Tim McFarland administered the Oath of Office to the Newly Elected Officials that consisted of Commissioner Bo Patterson Group II, Bill Kennedy Group I and Mayor Mel Magidson, Jr. Mayor/Commissioner.

City Attorney, Russ Scholz:

BP Claim Update:

Attorney Scholz noted that City Staff has been requested to supply additional documents which has been completed. We should have information back as to our claim in the next few weeks.

Gulf Pines Hospital Update:

Attorney Scholz indicated that the site assessment should be complete in about three weeks.

Impact Fees for House Replacement:

Mr. Weston noted that it's no longer an issue because it has been resolved at the staff level.

City Manager, Charlie Weston:

Interlocal Agreement Update:

Mr. Weston noted that a number of actions have taken place on the Windmark Interlocal over the years. The county will vote on the new draft at their next meeting.

Frank Pate Park Sign Update:

Mr. Weston indicated that he is working with Kerigan Marketing and Associates on a classy Electronic Sign to keep the public informed. He will present the drafts to the Board at the next meeting.

Sign Ordinance update:

Mr. Weston noted that he has met with Attorney Gibson and Commissioner Gingell concerning the Sign Ordinance and plans to present the proposed changes at the next Commission Meeting.

Development order Update, Dollar General:

Mr. Weston indicated that the new color rendition of the proposed building was received today.

Commissioner Buzzett noted that the Development Order is still not final; we have some concerns about traffic flow.

Mr. Weston indicated that Bo Creel has been directed to talk with DOT and the developer reference traffic flow.

CDBG Grant –City Hall ADA Compliance:

Bruce Ballister from Apalachee Planning presented the Commission with an opportunity for ADA Compliance Improvements as part of a site visit. The original CDBG Grant was \$650K of which \$227K is left over from the project. Pat Howard from DCA has looked at ways to utilize the remaining funds. Currently City Hall is not ADA Compliant. He suggests using the money to install an elevator. The City would need to advertise an RFP for design and construction of an elevator. The funding has a limited life and wishes we could use the money elsewhere, but can't. The opportunity is there if the Commission so desires.

Mayor Magidson asked Clay Smallwood, III, if he had an idea of construction time for an elevator at City Hall.

Mr. Smallwood responded, "No idea."

Mr. Ballister noted that the construction time should be three to four months he would assume. Other things that could be looked at for ADA Compliance are the restrooms.

Commissioner Kennedy noted that the requirement is to remove access barriers. "Does it have to be used at City Hall?"

Mr. Ballister responded, "Yes, it's very limited."

Commissioner Gingell asked, "Can we first see if we have a change order on the road?"

Mr. Ballister noted that we have already added 10% to coverage a Change Order if needed.

Mayor Magidson indicated that we need to decide if our alternative site is adequate.

Attorney Scholz noted that we need to give considerable thought into making City Hall ADA Compliant.

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve making the City Hall down stairs restrooms and the fire station restroom ADA Compliant with the CDBG Grant funding. All in Favor; Motion carried 5-0.

Florida Retirement System Changes/FRS Contribution Adjustment:

Mr. Weston noted that all City employees in the FRS System have received a letter concerning new legislation requiring all employees to contribute 3% of their salary to the FRS starting July 1, 2011. As of July 1, 2011 the total contribution will be reduced as well having no affect on the City Budget.

Mayor Magidson noted that even if we follow staff recommendation to give the employee a 3% increase to off-set the FRS 3% employee contribution, the City contribution will still be less. It will be a positive impact on the budget either way. Our employees have not had a raise in three years.

Commissioner Gingell feels that this is a fair way to handle it.

Commissioner Buzzett noted that in the paper today the Teachers Union has filed a request for the contribution to be placed in escrow and we would have to rescind our motion if it happens.

Mayor Magidson believes that is an issue with the Teachers Union, but we would have to follow the Court Order.

Motion by Commissioner Gingell, 2nd by Commissioner Patterson, to follow staff recommendation of a 3% salary increase to all employees affected by the required 3% Employee Contribution to FRS. All in Favor; Motion carried 5-0.

Street Dance:

Mr. Weston noted that the initial plans are for the Street Dance to take place on July 3, 2011 starting at 9:00 P.M. on MLK Blvd. between Ave. A & Ave. C. Tan Smiley will be the Permit Holder. The two issues that need to be resolved are the placement of the speakers and the ending time of the event.

Troy White requested from the Commission that the Street Dance last from 9:00 P.M. – 2:00 A.M.

Commissioner Buzzett noted that he can't support any event in town lasting past 1:00 A.M.

Mr. White asked, "Is there an Ordinance for cut off of events?"

Attorney Scholz noted that permitted events are regulated by the City.

Mayor Magidson indicated that last year the speakers were turned toward the bay to have a limited affect on residents.

Commissioner Gingell has no problem with the event lasting till 2:00 A.M. if the speakers are facing west and the noise is not an issue.

Mr. White indicated that other events in town are loud and he wants to make sure we are fair and equitable.

Mayor Magidson noted that, to his knowledge, the Street Dance is the latest outdoor event requested. Most events end at midnight.

Chief Barnes indicated that if events don't close at 12:00 Midnight the Police Department says something to them.

Mr. Weston noted that due to a specific problem with a private land owner he was told that the same speaker location as last year is not an option. Mr. Smiley indicated that the only speaker placement would be to the south.

Mr. White indicated that the priority is to hold the event till 2:00 A.M. with the speakers facing north.

Commissioner Patterson feels that the Street Dance is a special event and we should accommodate it. The main issue is the noise.

Motion by Commissioner Gingell, 2nd by Commissioner Kennedy, to permit the Street Dance on July 3, 2011 from 9:00 P.M. - 2:00 A.M. on MLK Blvd from Ave A

to Ave C with Mr. Weston approving the speaker location. Motion carried 4-1.
Commissioner Buzzett, Nay.

Fireworks:

Mr. Weston is working on the final approval from the Joe Co. to utilize the old Paper Mill Site to stage the fireworks.

TDC Representative Appointment:

Mr. Weston noted that we need to appoint a City Representative to the TDC Board due to the departure of Commissioner Johnson.

Motion by Commissioner Buzzett, 2nd by Commissioner Kennedy, to appoint Mayor Magidson to the TDC Board. All in Favor; Motion carried 5-0.

Entryway Signs:

Mr. Weston noted that we are working on placing three signs at our City Limits that should be installed soon. One will be on Hwy 71 and two will be located on Hwy 98.

Marina Pennington Contract:

Mr. Weston presented the board with a proposed agreement for Marina Pennington to be the City Planning Consultant. The proposed agreement would provide a cap of \$20,000 for the FY 2011-2012. To date, for the FY 2010-2011, we have paid Ms. Pennington \$3,600.

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve Marina Pennington as the City Consultant for the FY 2011-2012 as presented by Mr. Weston (See attached ex. A).

2011-2012 Budget:

Mr. Weston noted that the first draft of the proposed 2011-2012 budget will be presented to the Commission in mid July.

Surface Water Plant:

Chipola Pump Station:

Mr. Davis indicated that an attempted repair to one of the pumps was not successful.

Commissioner Gingell asked, "Has Caterpillar given a proposal to rebuild and/or replace the pump?"

Mr. Weston responded, "Caterpillar has been on site and once we get a price we will need to make a decision. We could be in an emergency situation soon, I will call Caterpillar tomorrow.

White City Booster System:

Mr. Davis noted that if we have multiple fires in the White City Area we have the potential to deplete the water supply with the current Booster System.

Headworks and Sprayfield Project:

Mr. Davis indicated that 75% of the grubbing for the site is complete and the contractor started the relocation of the 46" line yesterday. He also noted that we need to return the requested easement to Progress Energy as soon as possible.

Public Works:

Water Meters:

Mr. Weston noted that staff has had three onsite visits with Master Meter. One of the problems we are having is keeping serviceable Radio Read Meters on hand.

Flushing Program:

Mr. Weston indicated that staff is in the process of flushing all four zones within the City Limits. Zones One and Two should be complete today with Three and Four being completed by mid July.

Water Quality Surveys:

Mr. Weston noted that the Water Quality Surveys that were sent out to sample our water customers within the City Limits are starting to come in.

Tapper Bridge Striping:

Mr. Weston indicated that DOT refinished the bridge striping today.

City Engineer:

Clay Smallwood III noted the Garrison/Madison Multi-Path is ready to go out to bid. The project is funded fully by a DOT Grant and the advertisement has been approved by DOT as well.

Motion by Commissioner Gingell, 2nd by Commissioner Kennedy, to go out for Bid on the Garrison/Madison Multi-Path. All in Favor; Motion carried 5-0.

Code Enforcement:

Trash Burning:

Mr. Weston reminded everyone that the City does have an Ordinance against burning trash within the City Limits.

Police Department:

No Update

Grants:

Grants Activity:

Mrs. Pierce provided the Commission a Grant Report that outlines the activity for the past two weeks.

PSJRA, Matt Flack:

Commissioner Gingell asked, "Have you met with the people from the Dollar General about the development Order?"

Mr. Fleck responded, "No, we are waiting on the developer to submit updated drawings."

Citizens to be Heard:

Jay Rish:

Mr. Rish approached the Commission in reference to the proposed Rescue Mission. He noted that a lot of information/misinformation is being passed around town about opening a homeless shelter. We already have approx. thirty facilities in our community to help with needs. I'm concerned we may become a magnet for a problem that we don't have. We have worked hard to improve our down town district. I'm here as a Christian and willing to help anyone I can. The needs are being met by our Ministerial Association and I ask that a Business Permit not be issued until we have a workshop.

Jim Norton:

Mr. Norton noted that the City of Panama City recognizes that they have a problem with the Homeless Shelter. The Homeless Shelter is a topic of discussion in Bay County this week as well. We don't know what their plans are for Port St. Joe.

Mayor Magidson attended a session about three weeks ago and he believes there is a lot of misinformation. They are not talking about a shelter. His understanding is the office will be open part-time and has been assured they are not going to house the homeless. He feels that it's important for people to get the correct information. They can't waste their resources if we don't have a problem.

Mr. Norton noted that perception is reality.

A workshop was scheduled for June 28, 2011 at 5:30 P.M..

Commissioner Gingell would like to see a full scope of the Rescue Mission's work to be performed.

Commissioner Buzzett indicated that the Leaser wrote in the lease that no vagrants would be allowed on the property.

Christy McElroy noted that eleven people recently arrested in Bay County gave their address as the Homeless Shelter. It's clearly noted that they desire to expand and she is concerned about them branching out to Port St. Joe. We need to focus on the facts and transparency.

Amy Rogers:

Mrs. Rogers asked, "When will the ditch on the east side of Hwy 98 between First Street and Avenue A be cleaned?"

Mr. Weston will research cleaning the ditch.

Mrs. Rogers noted that the restrooms at Peter's Park need to be addressed.

Mr. Weston noted that the City has spent approx. \$500K in the last six years on the complex and will review the restrooms.

Mrs. Rogers indicated that she has run a Summer Food Program for years. She feels that children on both sides of town are not getting the meals they need and is asking to provide lunchables to children at the STAC House. She noted that when the Workforce took over the Summer Recreation Program at Jones Gym that there was no mention of a Food Program. She was told today that kids are being turned away.

Mr. Weston noted that the Workforce Board is feeding approx. 150 kids a day a full breakfast and lunch. He needs to know who will be running the lunchable program that would like to provide food to children at the Stac House.

Mayor Magidson would like to see a plan for the distribution.

Commissioner Gingell noted that we need to know the source of the food being delivered to the children.

Troy White:

Mr. White is concerned about City Hall not being ADA Compliant. He doesn't understand why the Commission didn't opt for the elevator tonight.

Commissioner Comments:

Commissioner Kennedy noted that he plans to do his best for the community as a City Commissioner.

Commissioner Patterson indicated that he is glad to be here and is thankful for the support he received during his election as City Commissioner.

Commissioner Gingell encourages all citizens to fill out Emergency Contact Forms for the Police Department.

Motion by Commissioner Gingell, 2nd by Commissioner Buzzett, to adjourn at 8:03 P.M.

Approved this 5th day of July 2011.



Mayor Magidson



Jim Anderson, City Clerk