

December 20, 2011

**Observation Tower and Parking Workshop
5:00 p.m.**

**Regular Public Meeting
6:00 p.m.**

**Commission Chamber
City Hall
Port St. Joe, Florida**



City of Port St. Joe

Mel Magidson, Mayor-Commissioner
Bill Kennedy, Commissioner, Group I
Bo Patterson, Commissioner, Group II
Lorinda Gingell, Commissioner, Group III
Rex Buzzett, Commissioner, Group IV

[All persons are invited to attend these meetings. Any person who decides to appeal any decision made by the Commission with respect to any matter considered at said meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Board of City Commission of the City of Port St. Joe, Florida will not provide a verbatim record of this meeting.]

BOARD OF CITY COMMISSION

**Regular Public Meeting
6:00 p.m.
City Hall
Commission Chamber
Tuesday December 20, 2011**

Call to Order

Consent Agenda

Minutes

- **November 15, 2011 Regular Meeting Minutes** **Pages 1-12**
- **December 6, 2011 Workshop Minutes** **Pages 13-16**
- **December 6, 2011 Regular Meeting Minutes** **Pages 17-27**

City Attorney

- **Fire Arms Ordinance 474** **Page 28**
 - **2nd Reading and Consideration of Adoption**
- **PDRB Membership Ordinance 476** **Page 29**
 - **1st Reading**
- **Road abandonment Request- Susan Wright** **Page 30**

City Manager Report

Old Business:

- **Centennial Building Acoustics**
- **Gulf Citizens for Clean Renewable Energy, Inc- Request to rescind the Rentech Development Order** **Page 31**
- **Parking Ordinance**

New Business:

- **CIP Plan Update**
- **Fl. League of Cities, return on premium- Tom Conley**

Public Works

- **Update**

Surface Water Plant

- **Update**

Waste Water Plant

- **Update**

City Engineer

- **Headworks and Sprayfield Project- Update**
- **Water Distribution System Upgrades- Bid Recommendation** **Page 32**
- **Field of Dreams Road- Change Order**

Code Enforcement

- Update

Police Department

- Update

Grants

- Update

Page 33

PSJRA

- Update

City Clerk

Citizens to be Heard

Discussion Items by Commissioners

Motion to Adjourn

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, NOVEMBER 15, 2011 AT 6:00 P.M.

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

Consent Agenda:

Minutes:

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to approve the Minutes for the October 18, 2011 Workshop and the November 1, 2011 Regular meeting with the corrections. All in Favor; Motion carried 5-0.

Mr. Dave Dorris approached the Board and requested that the attached document be added to the record. Please see Ex. (A).

Regular Agenda:

City Attorney:

Gulf Pines Hospital Grant Application:

Attorney Gibson indicated that in order to apply for the grant the City will need to take title to property. The City would then have to work with the Gulf County School Board, Gulf County and the IRS in reference to back taxes. Demolition of the building will also have to be addressed so there are some risks. Sooner or later the IRS could also auction off the property or apply for a tax deed. The City is not liable for the past due taxes and there are several possibilities to make this work. We would also have no immediate out of pocket cost and the property could be re-zoned.

Mayor Magidson asked, "When is the grant award period?"

Mrs. Pierce responded, "March or April 2012."

Commissioner Kennedy asked, "What are we using as the basis for receiving the grant? Is it competitive?"

Commissioner Gingell responded, "Asbestos and yes, it is competitive."

Commissioner Patterson asked, "What kind of liability do we have if we take title to the property?"

Mr. Weston responded, "Probably only a maintenance issue."

Commissioner Buzzett, asked "The City will not take money out of its pocket to sit on the property until we find the money?"

Attorney Gibson responded, "Yes."

Mayor Magidson noted that the School Superintendent and County Commission Chairman are both willing to work with the City to defer any outstanding tax burdens until money is received from the sale of the property.

Mrs. Ann White asked, "If a zoning change is done, could someone build multi-family units?"

Commissioner Gingell noted that the property is currently zoned public but would like to see the property zoned for single family homes.

Commissioner Patterson indicated that the City could be looking at a loss in the end.

Motion by Commissioner Buzzett, 2nd by Commissioner Kennedy, to take title of the Gulf Pines Property which would allow the City to move forward on the grant proposal for the removal of asbestos. Motion carried 4-1. Commissioner Patterson, Nay.

Motion by Commissioner Gingell, 2nd by Commissioner Kennedy, to direct City Legal Staff to start the re-zoning process of the Gulf Pines Hospital Property from Public to R-1. All in Favor; Motion carried 5-0.

City Manager, Charlie Weston:

Mr. Weston stated that the Gulf Coast Hope Center has applied for a Business License and Matt Scoggins has asked to address the City Commission with a business plan.

Commissioner Buzzett would like to hear Mr. Scoggins' plan.

Commissioner Gingell would like to see Mr. Scoggins' name on the Business License Application.

Mr. Gibson noted that, from a legal stand point, Mr. Scoggins name not being on the application is not a problem.

Commissioner Kennedy has indicated that he doesn't know of anything in the business plan that will change his mind.

Commissioner Patterson thought that we couldn't allow the Gulf Coast Hope Center in the Port St. Joe Redevelopment Area.

Mayor Magidson indicated that he doesn't know of any prohibition. The property is zoned industrial.

Mr. Weston provided the Commission with a letter from the PSJRA. The question is whether the Gulf Coast Hope Center is in line with the City Comprehensive Plan.

Mayor Magidson noted that we must look at zoning. Has the applicant complied with all regulations? He feels that the same thing applies here as we did with the Bio Mass Development Order. We should be consistent. He suggested tabling the item.

Motion by commissioner Gingell, 2nd by Commissioner Patterson, to table the issuance of a Business License for the Gulf Coast Hope Center. All in Favor; Motion carried 5-0.

Planning and Development Review Board Membership:

Mr. Weston indicated that three members have terms that will expire on November 21, 2011. In discussion with Ms. Alsobrook, who submitted her name for the Planning & Development Review Board, we feel that the Technical Advisory Board maybe a better fit for her.

Motion by Commissioner Buzzett, 2nd by Commissioner Kennedy, for Jim Garth to replace whoever has the most absences during the past year out of the current members who's terms are up. That includes Jay Rish, Mitch Burke & Rawlis Leslie. See attached Ex. (A). All in Favor; Motion carried 5-0.

Community Appreciation Day:

Commissioner Kennedy is excited about the event. We have a lot of volunteers and space is still available for booths. The event is scheduled for 9:00 A.M. – 2:00 P.M. November 19, 2011.

Mr. Weston would like to thank Tim Croft at the Star for advertising the event.

ADA Compliance – City Hall, Centennial Bldg, & Fire Station:

Mr. Weston indicated that grant funds are available for ADA compliance at all three locations. The plans for the Centennial Bldg. and the Fire station look good, but we have some concerns about City Hall. He recommends bidding out the Centennial Building and Fire Station.

Buck Griffin Lake- Stocking of Fish:

Mr. Weston doesn't have an update at this time, but we are still pursuing our options.

Centennial Bldg. & Sports Complex Grants:

Mr. Weston noted that we are looking for a training system to locate available grant dollars. He has asked Mrs. Pierce to pull a list of possible grants together and then we plan to meet with the County.

Commissioner Gingell asked that we look for Boat Ramp Grants as well.

Commissioner Buzzett noted that the Centennial Bldg. is probably as close to a Civic Center, but the acoustics are bad. He would like to go out for bids to see what the cost would be. With all the events that the Tourist Development Council sponsors at this location, we may be able to use some BP Funding.

Commissioner Kennedy indicated that a plan for the Centennial Bldg. was completed six or seven years ago that could help with the bid process.

Mrs. Pierce noted that she believes Ralph Roberson chaired the committee that reviewed the Centennial Bldg. plan and he may have some of the documents.

Commissioner Buzzett and Mr. Weston will look for the plans.

Parking Ordinance:

Mr. Weston indicated that the City is in receipt of a letter from the PSJRA and a business owner asking the City to address overnight parking in public parking lots.

Mayor Magidson is glad Melissa Ferrell wrote the letter, he feels that the boat in the parking lot on Williams Avenue needs to be moved.

Jeff Anderson, the owner of the boat, was in attendance at the meeting and will move the boat.

Attorney Gibson asked, "What about the boat beside the Motorcycle Shop? Do you want to address these types of issues as well?"

Mr. Weston would like to address this type of issue as well.

Noise Ordinance:

Mr. Weston noted that we have an Ordinance to address loud music, but we had an issue with a furniture making business in a Residential District. We will be bringing some options for the Commission to consider.

Commissioner Patterson asked, "Don't we already have a Noise Ordinance?"

Chief Barnes responded, "We have a Fl. State Statute in reference to disturbing the peace."

Public Works:

Flushing Program:

Mr. Grantland indicated that the Flushing Program is on schedule. We have completed Oak Grove and Highland View should be complete on November 17th or 18th. Flushing will begin in White City on November 28th. The work is going well with no surprises.

Meter Installation:

Mr. Grantland noted that the new meters are installed and Scott McCrary will be in the first of next week to update the meters in Munis. He also indicated that the project is \$26K under budget.

Surface Water Plant:

Mr. Weston met with Larry McClamma acting Supervisor at the Surface Water Plant. The City will be working under his license at the Waste Water Treatment Plant and there are no issues with the Department of Environmental Protection on this.

Waste Water Plant:

Mr. Weston noted that Lynn Todd will be the acting Waste Water Treatment Plant Supervisor until new supervisor is hired. We are fine with the organization at this time.

Commissioner Buzzett asked, "What type of license does Lynn Todd have?"

Mr. Weston responded, "Water, the City has a new high tech plant and we are trying to build a team for both water and wastewater."

Commissioner Gingell asked, "Are we using the Workforce Board?"

Mr. Weston responded, "We are in close coordination with the Workforce Board."

City Engineer:

Headworks and Sprayfield Project:

Clay Smallwood, III, indicated that the Headworks and Sprayfield project is on schedule to be completed by June 2012. The bore under the Gulf County Canal should begin in a few days.

Commissioner Gingell noted that we talked about a Field Trip to review the project.

Mr. Smallwood indicated that there are three areas that can be visited and reviewed.

Attorney Gibson asked that Commissioners meet one on one with staff so we don't have to advertise it as a meeting.

Madison/Garrison Multi-Use Path:

Commissioner Patterson asked, "What is the status of the path?"

Mr. Smallwood noted that work will begin soon because the contract started yesterday.

Water Distribution Upgrades:

Mr. Weston indicated that Phase I of the upgrades is set to begin in the spring. We hope to submit for Phase II next year.

Commissioner Patterson asked, "Does Phase I take care of the worst pipe?"

Mr. Smallwood indicated that it's the starting point for removal of the largest metal pipe and improving the ability for Unilateral Flushing.

Code Enforcement:

Mr. Weston noted that Mr. Burkett is now working three days a week instead of two.

Police Department:

Commissioner Buzzett indicated that DOT is not in favor of reconfiguring First Street and Highway 98 for a turn lane.

Commissioner Kennedy noted that the merge lane between Monument Ave and Highway 98 also needs to be addressed.

Grants:

Mrs. Pierce provided the Board with an update of grant activity for the past two weeks. She also noted that the City is set-up with the Workforce Board to receive notice of applications for job vacancies.

PSJRA:

Rish Parking Lot:

Ms. Alsobrook requested a workshop to discuss the public purpose, ADA Compliance & Public Safety of the Observation Tower. The workshop was set for December 6, 2011 at 5:00. P.M.

Provisional PSJRA Board Members:

Ms. Alsobrook noted that the PSJRA Board is requesting that Bo Springs and Aaron Farnsley be approved as Provisional Board Members for four year terms.

Attorney Gibson asked, "Does Mr. Springs live or operate a business within the PSJRA boundaries?"

Ms. Alsobrook indicated that the statute requires that you live or operate a business within the City Limits.

Motion by Commissioner Kennedy, 2nd by Commissioner Gingell, to approve Bo Springs and Aaron Farnsley as Provisional Board Members for the PSJRA. All in Favor; Motion carried 5-0.

Ms. Alsobrook will bring back one of the two names for approval if a new Active Board Member is needed.

Ms. Alsobrook also noted that an RFP will be sent out for landscaping at the Rish Parking Lot.

Citizens to be Heard:

Mrs. Dorris thanked the City for its updated website that enables citizens to review documents.

Commissioner Comments:

Commissioner Kennedy also thanked the City Staff for the website upgrades. He would like to add Youth Sports to the site.

Commissioner Kennedy asked, "Is it illegal to discharge a firearm within the City Limits?"

Attorney Gibson noted that if your community has gun related laws that are different from the state, Commissioners can be penalized.

Chief Barnes indicated that the City will follow State Statues.

Chief Barnes also noted that the City needs to look at a Livestock Ordinance in reference to horses on the multi-use path.

Mayor Magidson indicated that the path was not designed for horseback riding.

Commissioner Gingell would like to send the nice map created for the Community Day event to the Visitors Center.

Mayor Magidson will present the map to the TDC for production.

Commissioner Kennedy indicated that Jack Kerigan produced the map at no cost to the City.

Mayor Magidson noted that we had a joint City/County meeting last spring and we committed to having another meeting. He would like to send a letter asking for dates to have a meeting. We should meet at least twice a year.

City Manager Retirement:

Mr. Weston addressed the Commission with the following: "I will have served as the City Manager for a period of 4 years when my contract expires in mid Jan 2012. It has been an honor and a privilege to serve the great people of Port St. Joe and I would like to thank everyone who has participated in their government and served their community. Over the past four years I have dedicated myself to the betterment of Port St. Joe and I am extremely proud of what City government has been able to accomplish. Although serving the City has been professionally rewarding it has taken a toll on my family. Betty Ray and I have a total of five grown children and eight grand children living in North Carolina, Georgia, Colorado and Arizona. I realize my time with my grand kids is slipping away and I need to devote more time to being a grandfather and less time as a City Manager. For this reason I will not be requesting an extension to my contract and will retire from City service as of January 15, 2012. I will be glad to assist in a transition plan if the Commission so desires."

Mayor Magidson indicated that we need to advertise for Mr. Weston's City Manager Position thru the League of Cities and the Workforce Board. It would be unfair to bring someone in at the last minute. We need to make plans for an orderly transition. Mr. Weston came on board with the City shortly after I did. The past five years have been some of the most active in City History. We all appreciate what you have done for this City.

