

June 19, 2012

**\*\*Commission Reception\*\***  
**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  
Phil McCroan, 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 June 19, 2012

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## Call to Order

## Consent Agenda

### Minutes

- June 5, 2012 Workshop Page 1
- June 5, 2012 Regular Meeting (Monday Delivery)  
*Special Meeting June 15, 2012*

### Swearing In of New Elected Official

### City Attorney

- Marina Pennington Contract Renewal Page 2-3
- Gulf Pines Hospital Site Appraisal- Update

### City Manager Report

#### Old Business:

- CDBG Grant Application- Bruce Ballister
  - Fair Housing Public Hearing
- Centennial Building Upgrades- Dave Ashbrook
- Lighthouse Facilities
- Fireworks
- North Florida Child Development- Update Page 4
- Soccer Complex
- Chipola Pump Station Inspection- Update
- Brownfield Clean-up Grant- Update

#### New Business:

- Sick Leave Payout- Clarence Hogue Page 5
- 2012-2013 Budget- Update

### Public Works

- Update

### Surface Water Plant

- Update

**Waste Water Plant**

- Update

**City Engineer**

- Headworks and Sprayfield Project- Update
- Change Order #4 Headworks and Sprayfield
- Water Distribution System Upgrades Phase I- Update

**Page 6**

**Page 7-8**

**Code Enforcement**

- Update

**Page 9**

**Police Department**

- Dispatch Contract

**Pages 10-16**

**PSJRA**

- Update

**City Clerk**

- Update

**Citizens to be Heard**

**Discussion Items by Commissioners**

**Motion to Adjourn**

**MINUTES OF THE WORKSHOP MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, June 5, 2012, AT 5:00 P.M.**

The following were present: Commissioners Buzzett, Gingell, Patterson and Kennedy. City Manager Jim Anderson, Attorney Tom Gibson, City Clerk Charlotte Pierce, Wastewater Treatment Plant Supervisor Lynn Todd, Chief Electrician Bob Lyles, Kevin Pettis and Preble-Rish Engineers Willie Payne and Clay Smallwood were also present. In the absence of Mayor Magidson, Mayor Pro tem Buzzett chaired the meeting.

This Workshop is a follow up to the Workshop Meeting of May 15, 2012, to discuss the needs and wish list at the Headworks and Sprayfield.

The Owner's Contingency with the State Revolving Fund Grant was \$352,454.00. Of this amount, \$36,034.58 has been submitted to SRF for payment and a charge of \$25,053.33 will be submitted. Currently, there is \$281,366.09 in the Remaining Contingency. The desired work by Wastewater Staff totals \$132,000.00. Estimates of the Unaddressed Needs totals \$194,000.00.

\$150,000.00 has been placed in a segregated account for the cleanup of the Headworks as part of the Arizona Chemical Closeout Agreement. After review, the funds could be utilized to make the additional upgrades to the Wastewater Plant, since the Headworks cleanup is covered in the initial scope of work.

After a discussion by the Commission, it was requested that SRF be contacted to see if additional items under the Scope of Work (plug pipes in lagoon, install Grinder w/Electrical, Emergency Back-Up Power for the Existing WWTP, estimated cost from Progress Energy Power for Stormwater Pump Station power and PCBs in Transformers at Primary) and could be bid out to obtain a better price.

A handout, consisting of a letter and picture, was provided by Mr. Lyles concerning the backup power for the Wastewater Treatment Plant. It is the opinion of the Wastewater Treatment Plant Staff that the proposed connections from the WWTP Sprayfield electrical switchgear to our existing facilities and the connection from Progress Energy to the Stormwater Lift Station will do away with most of the problems of the Dewatering Building and provide our facility with backup power where it is needed. Staff believes it is necessary and should proceed. Alternatives to the backup plan were requested that would be a cost savings to the City.

Willie Payne presented archive drawings of the lagoon and explained the need to plug the pipes in the lagoon to prevent a catastrophic spill from the lagoon.

The Unaddressed Needs will be discussed after it has been determined how much of the \$150,000.00 will be needed for the cleanup of the Headworks.

Mayor Pro tem Buzzett adjourned the meeting at 5:42 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk

# **MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, June 5, 2012, AT 6:00 P.M.**

The following were present: Commissioners Buzzett, Gingell, Patterson and Kennedy. City Manager Jim Anderson, City Attorney Tom Gibson, and City Clerk Charlotte Pierce were also present. In the absence of Mayor Magidson, Mayor Pro tem Buzzett chaired the meeting.

## **Consent Agenda**

### **Minutes:**

A motion was made Commissioner Gingell, seconded by Commissioner Kennedy, to approve the Minutes of the May 15, 2012, Workshop and Regular Meeting. All in Favor; Motion carried 4-0.

## **Regular Agenda**

### **City Attorney, Tom Gibson**

#### **Comprehensive Plan Amendment, Port Planning Area Ordinance 480**

A motion was made by Commissioner Gingell, second by Commissioner Patterson, to have the Second Reading of Ordinance 480. All in Favor; Motion carried 4-0.

A motion was made by Commissioner Gingell, second by Commissioner Kennedy, to adopt Ordinance 480. All in Favor; Motion carried 4-0.

#### **Homeless Shelter Ordinance**

Mr. Gibson has been meeting with the county attorney and their committee to address the Homeless issue in Gulf County. The group will refer their document to the Gulf County PDRB to be reviewed. The City will need to redefine our definition of a nuisance and delineate what can and cannot be done in City parks and property within the City limits. The Commission requested that the completed ordinance be reviewed by the City's PDRB in July before being submitted to the Commission for their approval.

#### **Gulf Pines Hospital Site Appraisal**

The appraisal has been completed and Mr. Gibson will forward the report to the IRS when it is received.

## **City Manager Report**

### **Old Business:**

#### **Centennial Building Acoustics, Eric Davidson**

Mr. Davidson gave an update of the sound measurements he has been taking at Centennial Building events. He has two remaining functions to monitor and anticipates having a recommendation and cost projection in three to four weeks.

**Lighthouse Facilities** – Delayed until Mayor Magidson's arrival.

## **Fire Works**

The County and TDC will each contribute \$5,000 to provide fireworks for July 4, 2012. Commissioner Patterson motioned for the City to also contribute \$5,000 for the fireworks. The motion died for the lack of a second. The City will be doing the logistics for the fireworks and providing police support. It was noted that there was to have been a fundraising effort for 2012 rather than have to contribute municipal funds.

## **IT Contract**

After discussion on when travel time starts and continuing the contract with the current provider until a new contract is signed, a motion was made by Commissioner Gingell, second by Commissioner Patterson, to rebid the contract. All in Favor; Motion carried 4-0. The new RFP is to be very specific in what services are included and staff was directed to require Liability Insurance by the provider.

## **Buffer Preserve Public Meeting Notice**

Mayor Pro tem Buzzett requested that the City have representation at the meeting on June 16, 2012, at 6:00 P.M.

## **ADA Compliance Update, Bruce Ballister**

The Field of Dreams road has been completed but several punch list items need to be addressed.

The Notice to Proceed has been issued and negotiations are going on to reduce the 180 days allowed for completion to 150.

Mr. Ballister has made the contractor aware that the Centennial Building Restrooms need to be completed in a timely manner. This is a revenue source for the City and he has asked that the renovations be made within the allotted time.

## **Mayor Magidson joined the meeting at 6:20 P.M.**

## **CDBG Grant Application Update, Bruce Ballister**

The North Port St. Joe Water Project Survey is nearing completion. Several houses that are less than 100' to the proposed new water line cannot be included in the project funding. Mr. Ballister made the Commission aware of this issue and asked for their assistance in covering these costs. This would provide service to the residents and the City's contribution would be considered as a match contribution.

Mr. Ballister announced that there will be a Fair Housing Workshop on June 19, 2012, during the regular Commission Meeting.

Commissioner Kennedy asked about the lack of progress on the North Florida Child Development Field of Dreams Project. There has been a glitch in the NFCD's funding but it has been resolved, deliveries are being made and the contractor is remobilizing.

## **Lighthouse Facilities – Mayor Magidson**

Mayor Magidson is working to promote the relocation of the Cape San Blas Lighthouse Complex to town. He taped an interview with WJHG-TV on Monday that is to be on their website. The Mayor has been communicating with FL Lighthouse President, Ken Smith, and others to come up with viable ways to accomplish the moving of the lighthouse complex. The Air Force is working to

transfer the ownership to the City. The City has received an offer from Ponce Inlet Lighthouse to be responsible for removing, restoring, and reinstalling the lens and clock works.

### **New Business:**

#### **Recycle bins**

Commissioner Kennedy expressed his displeasure with the service received for the recycling program. The collection point on Eighth Street is a disaster, the schools never received their recycle container and he would like for staff to discuss these issues with Waste Pro.

Mr. Anderson stated that he has a scheduled meeting with Waste Pro tomorrow and these issues will be addressed.

#### **Chipola Pump Station Inspection – RFP 2012-03**

A motion was made by Commissioner Buzzett, second by Commissioner Gingell, to award the contract to Gilbert Pump in the amount of \$8,750.00 and to allow up to an additional \$10,000 for work and or parts that might be needed rather than have to call a Special Meeting to approve the expenditure. All in Favor; Motion carried 5-0.

#### **Street Dance**

Commissioner Gingell motioned, Commissioner Patterson second, to approve the request from Gulf County Commissioner Tan Smiley to hold the annual Fourth of July Street Dance from 9:00 P.M. July 3<sup>rd</sup> until 2:00 A.M. July 4<sup>th</sup>, 2012. Commissioner Smiley has a committee that will be helping him and the logistics will be the same as last year. All in Favor; Motion carried 5-0.

#### **City Projects – Commissioner Gingell**

Commissioner Gingell would like to ensure that the WorkForce Board is used when hiring new employees. Their decision would be unbiased and this would eliminate numerous rumors as to how and why people are hired.

Mayor Magidson stressed that we have used the WorkForce Board in the past and would continue to do so.

Commissioner Gingell is concerned that when projects are planned there is not an adequate forensic trail on how the project was planned, how the money is spent, by whom, the operation of the project and how phase out will be accomplished. She requested that the City explore the possibility of having a better forensic audit trail on projects.

#### **Roof Top Signs – Commissioner Gingell**

The Bay Artiques Business has closed. When their business was established, the existing sign was grandfathered in, and when the business closed, their sign was not removed. Mark Harris has relocated his business, Bow Wow Beach Shop, to the building and would like to use the same sign. The sign is considered a roof top sign and based on the Land Development Regulations, is not allowable. After a discussion, it was recommended that Mr. Harris request a Special Exception from the Planning Development Review Board.

The Port St. Joe Redevelopment Association's Façade Grant Program is still available and Gail Alsbrook suggested that Mr. Harris talk with them about a sign.

## **Public Works – John Grantland**

### **Road Striping Project**

Mr. Anderson has spoken with Gulf County Administrator Don Butler and Commissioner Tan Smiley about various roads in the City that are in need of striping. Preble Rish has completed a Striping Plan for the City. Staff is reviewing options of solid lines vs skip lines as a cost savings measure. Mr. Grantland's recommendation is that First Street, Garrison and Long Avenues be given priority. He advised that there is approximately \$4,100.00 available from Road Bond Money which would be about half the cost of the estimated expense.

Commissioner Kennedy would like for each Commissioner to review the list and offer their recommendation.

Mr. Grantland made the Commissioners aware that Sam Buccieri has submitted his Letter of Resignation effective June 8, 2012. This will create an opening in the Public Works Department and a replacement needs to be hired.

### **Surface Water Treatment Plant – Larry McClamma**

A motion was made by Commissioner Kennedy, second by Commissioner Gingell, to purchase two F-150's at a cost of \$14,232 each. These funds are in the budget. All in Favor; Motion carried 5-0.

### **Wastewater Plant – Lynn Todd**

Ms. Todd did not have anything new to report that was not covered in the earlier workshop.

### **City Engineer - Clay Smallwood, III**

#### **Headworks and Sprayfield Project – Update**

Clay Smallwood gave a report for Philip Jones on the Surface Water Treatment Plant:

*Membrane Tank* – The start date of June 18 will now be June 25 as Seimens must be here and participate in the process.

Commissioner Kennedy discussed the CIP Pumps and Fitting failures. The statement was made several months ago that these were improper fittings and he would like for PRI to look into this. Flanged or ferrule fittings with proper safety materials on the outside of the flanges should be used. Commissioner Kennedy stated that threaded fittings should not be used in caustic and acid work conditions.

Mayor Magidson reminded the Commission that Square D Pumps had stated their pumps were not the problem. Mr. Anderson has requested a report from AAG as to their findings when they rewound the motor of the pumps. Mayor Magidson would like to review the report before deciding what action should be taken.

Progress Energy began installing poles last week and they anticipate having power by June 15, 2012.

#### **Water Distribution System Upgrades Phase I – Update**

It is anticipated that the cuts to the drive ways in the First, Third and Fourth Street areas will be made on Friday and Monday. Asphalt road patches will be done on June 14 and 15, 2012. Work is continuing on Garrison and Hunter Circle. Over one third of the pipe is in the ground.



## **Code Enforcement**

The Commission asked that Mr. Burkett continue to enforce the Sign Ordinance and requested that all politicians be sure to keep their signs off the Right of Way. When signs are picked up by Code Enforcement, they are taken to Public Works.

## **Police Department – Chief Barnes**

Officer David Oliphant has resigned and his last day will be June 21, 2012. Due to the recent death of Officer Oliphant's mother, he will be relocating to be near his family. Chief Barnes will need to advertise for a replacement.

## **Port St. Joe Redevelopment Agency – Gail Alsobrook**

The PSJRA / City has been awarded a Coastal Partnership Initiative Matching Grant for \$15,000. The PSJRA will be providing \$15,000 as a match to fund this Planning Grant to develop the bay front recreation area of George Core Park.

The USDA Martin Luther King, Jr., Boulevard Sidewalks Grant Application, in the amount \$200,000 is in its final stages. Ms. Alsobrook anticipates having some good news at the next meeting.

## **City Clerk – Charlotte Pierce**

Nothing to report at this time.

## **Citizens to the Heard**

*Jim Garth* shared his concerns about the possibility of hiring a part time engineer for the City. He would like for the City to look at the feasibility of the City, County and possibly the City of Wewahitchka sharing an engineer. He has studied the current engineering invoices and feels that there is room for savings.

Mayor Magidson asked that Mr. Garth meet with Mr. Anderson concerning his findings. The Mayor also pointed out that many cities, larger than ours, do not have an in-house engineer.

Mr. Garth shared that the PAC supports the moving of the Cape San Blas Lighthouse and is willing to help as needed.

*Barry Sellers*, Gulf County Chamber of Commerce Executive Director, thanked the City for the support the Chamber is receiving. He shared that during the month of May they had eight leads generated, had four visits and two of these are coming back for a second visit. The Chamber is in need of an Administrative Assistance due to the resignation of their current assistant.

*John Rich* approached the Commission concerning the need for lighting on David B. Langston Drive. He also asked that, in the future, new roads have proper lighting incorporated in the project.

*Ann White* thanked everyone for their prayers, cards and words of encouragement during her recent surgery and recovery.

## **Discussion Items by Commissioners**

*Commissioner Buzzett* asked that he be allowed to work with staff on rearranging the Commission Chamber to allow for more seating. There were no objections to his request.

*Commissioner Gingell* thanked the Commissioners and City Staff for their help during her tenure on the Board. She wished incoming Commissioner, Phil McCroan, well and offered to continue helping the City in any way that she can.

*Commissioner Patterson* requested that Code Enforcement check the property at the Intersection of First Street and Woodward Avenue and see what can be done to clean it up. Commissioner Buzzett requested a written report when Mr. Burkett will not be at the Commission Meetings.

*Commissioner Kennedy* would like to work with the FMC to establish boater education for St. Joe Bay. He is also concerned about horses being on the bike path and safety issues from their presence.

*Mayor Magidson* did not have any concerns to be discussed.

Motion by Commissioner Gingell, second by Commissioner Patterson, to adjourn the meeting at 8:00 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, June 15, 2012, at Noon**

The following were present: Mayor Magidson, Commissioners Gingell, Patterson and Kennedy. City Manager Jim Anderson, City Attorney Tom Gibson, and City Clerk Charlotte Pierce were also present. Commissioner Buzzett participated by telephone.

The purpose of the Special Meeting was to address the issue of Fireworks for the Fourth of July.

Dana Boyer addressed the Commission on her personal endeavors to raise funds for the Fourth of July Fireworks. Numerous residents, merchants and City Commissioners have contributed to the fund and over \$5,000 has been raised.

Mrs. Boyer has been successful in fund raising efforts in past years to establish the Mexico Beach fireworks and she offered to spearhead a fund drive, beginning in September, to collect funds for next year's City fireworks.

Mayor Magidson noted that City residents would be paying twice for the fireworks as the citizens pay City and County taxes and with budget constraints what they are, blowing up \$5,000 was not a prudent use of City funds. He feels that this is a TDC issue and, as a member of that board, he will bring this issue to their attention. Mayor Magidson expressed his appreciation to Mrs. Boyer and Mr. and Mrs. John Parker for their efforts to raise the funds for this year's fireworks.

Commissioner Buzzett commend Mrs. Boyer and Mr. and Mrs. Parker for their efforts. He also expressed his strong displeasure of statements made by the Gulf County Board of County Commissioners concerning the City Commission and their leadership. Commissioner Buzzett stated "Honestly, I feel like the county commission made the most vindictive, spiteful, childish decision I have ever heard come out of the county court house to make us look like bad guys when we are trying to be frugal with tax payer dollars. I did not appreciate it at all. I feel like they were trying to intimidate us into making a decision that we could not afford to make. Nobody said that the City had been providing fireworks for 20 -25 years or for however it has been going on. Now that we are trying to watch our pennies and dollars we are made out to look like bad guys."

Commissioner Gingell reminded the Commission that there was to have been a fund raising effort by the Gulf County TDC and Gulf County Chamber of Commerce to raise funds for the fireworks and thus the City did not include the expenditure in our budget. She did acknowledge that both entities had been through a number of changes this past year and the event may have been lost in the process. Commissioner Gingell commended the fund raising group for their incredible efforts.

Commissioner Kennedy expressed his appreciation to Mrs. Boyer and everyone involved in the fund raising efforts and offered his assistance to help raise funds for the coming year.

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, for the City to contribute \$500 to the fireworks fund for this year. The motion also stipulated that the fireworks must be held in the City of Port St. Joe. All in Favor; Motion carried 5-0.

Towan Kopinsky, Gulf County Grant Coordinator, has contacted both Pyrotecnico and Pyro Shows to see if they would be available on July 4, 2012. Pryotecnico was booked but Pryo

