

July 17, 2012

**Budget 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
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 July 17, 2012**

Call to Order

Consent Agenda

Minutes

- **July 3, 2012 Regular Meeting** **Pages 1-6**

City Attorney

- **Ordinance 481, Nuisances** **Pages 7-8**
 - **First Reading**
- **Ordinance 482, Park Regulations** **Pages 9-12**
 - **First Reading**
- **Ordinance 483, Home Shelters** **Pages 13-18**
 - **First Reading**

City Manager Report

Old Business:

- **Centennial Building Acoustics- Update, Eric Davidson**
- **Lighthouse Facilities-Update**
- **Joint City/County Workshop- Update**
- **Irrigation Rates- Discussion** **Pages 19-22**
- **Utility Services Contract- Update**
- **Chipola Pump Station Inspection- Update**

New Business:

- **DR-420- Proposed Millage Rate**
- **Grinder Pump Bids (Handout, bids close at 3:00 on 7/13)**
- **Recycle Binds- Waste Pro**
- **Ship Program- County Inspection Request**

Public Works

- **Update**

Surface Water Plant

- **Update**

Waste Water Plant

- Update

City Engineer

- **Headworks and Sprayfield Project- Update**
- **Water Distribution System Upgrades Phase I & II- Update**

Page 23

Code Enforcement

- Update

Page 24

Police Department

- Roof Repairs

PSJRA

- Update

City Clerk

- Update

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 CHAMBER AT CITY HALL, July 3, 2012, AT 6:00 P.M.**

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

CONSENT AGENDA

Minutes

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, to approve the Minutes of the June 19, 2012, Regular Meeting and the June 26, 2012, Workshop Meeting. All in Favor; Motion carried 5-0.

CITY ATTORNEY - Tom Gibson

Gulf Pines Hospital Site Update

Mr. Gibson has reached out to the private companies that hold the tax liens but has not had a response from them. He will be contacting the IRS this week for a follow up on their lien.

CITY MANAGER'S REPORT

Old Business

CDBG Grant Application – Bruce Ballister

Mr. Ballister has been working with the engineers to obtain measurements for the amount of pipe that will be needed to complete the project that is not covered by CDBG Funds.

North Florida Child Development – Bruce Ballister

The road to the facility has been completed and we are waiting for the punch list items to be addressed.

Fair Housing Public Hearing - Bruce Ballister

Mr. Ballister reviewed the "Basic Facts About the Fair Housing Act" brochure and provided the Commission with a hand out of this information.

Centennial Building Upgrades - Eric Davidson

Mr. Davidson has completed his survey work and is processing the results. He provided the Commission a handout with pictures and data from the 2008 IDI / Waterfront Partnership Report Recommendations. Mr. Davidson has met with the "Save the Centennial Building" Committee. Their major concerns are Hospitality issues and would like to make a presentation of their present concerns and solutions to the Commission at the July 17, 2012.

Commissioner Buzzett reminded Mr. Davidson that the original purpose of his job was for acoustic improvements and asked that he focus on that rather than other issues.

Commissioner Kennedy reported that he had obtained copies of the Centennial Building plans prepared by Bay Design Associates Architects in 2001.

Workforce Board Lease Agreement

A motion was made by Commissioner Buzzett, second by Commissioner Patterson, to extend the Workforce Board Lease Agreement, as is, for an additional year at the Washington Sites of 307 Peters Street and 414 Kenney Street. All in Favor; Motion carried 5-0.

Maintenance Contract Proposal

After a presentation by Kenny Wood outlining his proposal, a motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to enter into a Professional Services Maintenance Contract with Mr. Wood. All in Favor; Motion carried 5-0. The contract rate is \$640 per month for six months. Additional work may be directed by the City Manager.

Christy McElroy questioned the need for a contract and asked that a critical eye be given to this proposal and that the City be conscientious before adding more cost. Ms. McElroy also offered her thanks to the City employees that were so prompt in cleaning up after Tropical Storm Debby and the employees that took water samples at her home.

IT Bid Proposals

This is a re-advertisement of RFP 2012-02. Bluemanta's quote was for \$50.00 per hour and TJ's Network was \$45.00 per hour. After considerable discussion and rebuttal by Chuck Edwards of Bluemanta, a motion was made by Commissioner Patterson, second by Commissioner Kennedy, to accept the proposal of Bluemanta. All in favor; Motion carried 5-0. (Note: City Manager Jim Anderson noted that the length of the current Bluemanta contract was for one year. Mr. Edwards was adamant that the contract was for two years. Staff researched the issue and found that the Bluemanta Contract was entered into on May 26, 2011, for a period of 12 months. Prior to that time, the contract had been with TJ's Network from the time of installation, and a contract date of February 26, 2008, until a Notice of Termination letter dated March 25, 2011 was sent to Mr. Pelham.)

ADA Compliance Project - Change Order #1

Commissioner Kennedy motioned, Commissioner Patterson second, for Change Order #1, to add steps and hand rails and other minor alterations for the City Hall renovations per RFP #3 (cost of \$1,354.02) and Contractor's proposal to add owner desired bottom rail to the handrail at the Centennial Building per RFP #2 and Contractor's proposal (cost of \$889.35) to be approved for the total amount of \$2,243.37. All in Favor; Motion carried 5-0.

Trash Dumpster Lease Agreement

Jeff and Candice Anderson have offered to extend the Trash Dumpster Agreement for an additional year. This dumpster is used by Sister's Restaurant, Pepper's Mexican Grill and Provisions. This past year the cost was covered by the City but future lease fees totaling \$150 per month will have to be shared by the restaurant owners. Mayor Magidson requested that this item be on the July 17, 2012, Agenda.

Leave Payout Policy- Requested by Commissioner Kennedy

Commissioner Kennedy has requested that research be done to see how other entities are handling Leave Payout Requests. Mr. Anderson shared that once the budget preparation is completed, these issues will be looked into.

Commissioner Buzzett asked that Staff gather information from cities of like size to see what their policies are and bring the information back to the Commission.

Lighthouse Facilities – Mayor Magidson

Mayor Magidson has been working with various agency representatives to try to cut out the unnecessary paper work to have the Cape San Blas Lighthouse Complex relocated. He shared that a General Services Administration Project Manager is trying to determine the best way to make the facility available to the City. Mayor Magidson announced that the July/August 2012 issue of Lighthouse Digest had a two page story on the immediate threats to the Cape San Blas facility.

Fourth of July Activities

Mr. Anderson thanked City Staff and volunteers for a job well done in preparing for the upcoming celebration. Everything is in place for all festivities.

Road Striping Plan

Mr. Anderson has been talking with Gulf County Administrator Don Butler on the Striping Plan. The County is in the process of identifying their funding source for the project and Mr. Butler will be getting back with Mr. Anderson when this is completed.

New Business

Joint City/County Workshop

The Gulf County Board of County Commissioners has requested a Joint Meeting between the County and City. Mayor Magidson reminded the Commission that he had sent a letter to the County in February 2012, asking for a meeting and had not received a response. After discussion, Mr. Anderson was instructed to meet with County Administrator Don Butler to determine tentative dates the County would be available and the issues they wished to discuss.

Ice Machine Presentation – Polarmatic

Charles Renauld of Polarmatic was unable to attend the meeting. A discussion concerning Public/Private Partnerships was discussed. The Commission was not inclined to compete with the local convenience stores and Piggly Wiggly for the sale of ice.

Sign Ordinance - Requested by Commissioner Patterson

Commissioner Patterson requested discussion on the City's Sign Ordinance. He has received complaints from business owners that the current Sign Ordinance prevents them from advertising off premises.

Local business owners, George Boyer, Darren McDaniel and Teresa Hammond addressed the Commission with their issues. After a lengthy discussion, a motion was made by Commissioner Kennedy, second by Commissioner McCroan, to allow off site sandwich board signs of up to 30" x 36" to be used until after Labor Day. These signs must not obstruct sidewalks.

2012-2013 Budget

Mr. Anderson reported that Staff is working to prepare the 2012 – 2103 Budget. The DR 420 Form has been received from Gulf County Property Appraiser Kesley Colbert's office. A 6% reduction in Advalorem Taxes is anticipated. The DR 420 must be returned to Mr. Colbert's office within 30 days. Mr. Anderson reminded the Commission the Millage Rate must be established and once it is set, the Commission cannot go up on the rate but can reduce it. We are waiting on Insurance Rates from Dwight Van Lierop to complete the budget planning.

Public Works

Mr. Grantland noted that the FL Department of Transportation, Transfield Services and GAC are working on the storm water issue at the Intersection of Garrison Avenue and Highway 71. They anticipate having the repairs made and the road reopened by the end of next week.

Surface Water Plant – Larry McClamma

Mr. McClamma reported that Membrane Tank Wall Cell #2 has been repaired. Rather than have any cells down during the holiday, work will resume on the other three cells on July 18, 2012.

Waste Water Plant – Kevin Pettis

Mr. Pettis advised the Commission that there had been a very small spill at the old primary headworks. DEP was notified and all paper work has been filed. The spill was contained with no additional issues.

Parshall Flume Closure

Preble Rish will be handling the construction engineering and inspection of the project for the City and North Florida Construction, Inc., will provide the equipment, labor, and materials to install concrete to fill the effluent flume at the lagoon discharge. This item is subject to more or less concrete as directed by the engineer, and will be paid for by invoices after actual quantities and specific materials are established. Concrete flume plug, \$4,600.00. This included Bond and Insurance coverage in the amount of \$69.00 for a total of \$4,669.00. A motion was made by Commissioner Buzzett, second by Commissioner Patterson, to approve the expenditure in the amount of \$4,669.00. All in Favor; Motion carried 5-0

City Engineer – Clay Smallwood

Surface Water Plant

High Surface Pump #2 has been repaired and is back in service. Pump #3 is currently being repaired and there is no delivery date on it yet. This will tie into what was already being tracked with the earlier failures on the pumps. CDM will incorporate this into the review of the first failures.

Today, Siemens has ordered the CIP Pumps they are supplying.

Headworks and Sprayfield Project

As of 5:30 P.M., today Progress Energy has power to the Headworks and completed that portion of their work. The substantially complete date of July 20, 2012, may have to be changed as company representatives will be coming from out of town and it will depend on travel schedules. Sprigging has begun at the Sprayfield. Progress Energy has the meter set at the grinder cans, Siemens is coordinating with Gilbert Pump for start up.

Mike Lacour expressed his concern that the sooner the facility is operational, the better we might have data to project properly the cost for the upcoming budget.

Water Distribution System Upgrades Phase I

Asphalt patches, not the final product, were installed today for Monument and Twelfth; Third and Fourth on Woodward; Third and Fourth on Long; First and Woodward. Scheduling issues with subs and rain have slowed the project down some.

The contractor is starting to connect services along Garrison. All of Westcott Circle will open up. Thursday the tie in to the Gulf County Court House will be made after hours. Thursday morning the tap will be made to the main on Long Avenue.

Mr. Grantland mentioned a stormwater problem with Bird Alley. He and Mr. Smallwood will look at the situation.

Commissioner Kennedy questioned when the three circles and Garrison Avenue would be tied in. Mr. Smallwood responded that lines have been cleared to South of Westcott Circle.

Code Enforcement

Mr. Burkett's report was reviewed.

Mayor Magidson confirmed that, effective immediately, all fines associated with off premise sandwich signs are to be waived. The issue will be addressed after Labor Day.

Police Department

Sgt. Burch attended the meeting for Chief Barnes and there were no reports to be given.

Mayor Magidson questioned if the opening for a Police Officer had been filled. Mr. Anderson responded that the closing date for applications was June 29, 2012, and neither this position nor the Public Works Utility Service Worker have been filled.

PSJRA – Gail Alsobrook

Ms. Alsobrook shared a list of new directors for the PSJRA which are Willie Ramsey, Chairman; Boyd Pickett Vice Chairman; Bill Reed, Secretary and Aaron Farnsley, Treasurer. She also noted that the USDA Grant in the amount of \$200,000 for the Martin Luther King, Jr., Boulevard Sidewalk Grant has been approved and obligated.

Twelve bike racks will be purchased and Ms. Alsobrook asked that the Commission identify the locations for the bike racks.

City Clerk

Mrs. Pierce shared that Mrs. Brenda Garth had delivered a plaque to the City for their participation in the Forgotten Coast Warrior Weekend. The inscription on the plaque read "In Appreciation for Your Support & Patriotism Forgotten Coast Warrior Weekend Honoring American Heroes 2012 Warrior Offshore Shootout Fishing Tournament"

Citizens to be Heard

Ann White questioned a Public Notice that was in the Star on June 21, 2012, concerning changing the number of meetings a city would have from two to one per month. Mr. Gibson explained that this was relative to the City of Wewahitchka and not Port St. Joe.

Discussion Items by Commissioners

Commissioner Kennedy asked that steps be taken to make the irrigation meters more affordable for citizens.

Commissioner Patterson requested that the Commission consider funding for the Gulf County Public Library in the upcoming budget.

ORDINANCE NO. : 481

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA AMENDING SECTION 30-27 OF THE CITY OF PORT ST. JOE CODE OF ORDINANCES, PROVIDING AN ADDITIONAL DEFINITION OF NUISANCE AS ANY ACTIVITY CONDUCTED ON A PROPERTY WITHIN THE CITY REQUIRING THE PRESENCE OF LAW ENFORCEMENT OFFICERS ON FIVE OR MORE OCCASIONS OF ANY THIRTY DAY PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the people of the City of Port St. Joe, Florida:

Section 1: Section 30-27 of the City of Port St. Joe Code of Ordinances is hereby amended to add sub-paragraph 23 to the definition of nuisance which will read as follows:

- a. Property or activity conducted on property within the City, whether owned, leased or used by a person or organization whether for profit or not for profit that requires the presence of law enforcement officers or emergency management services on their premises on five or more occasions within any thirty day period.
- b. Owners of property or lessees, users, or occupants of property that permit the existence of any illegal activities on such property that are prohibited by the laws of the State of Florida or the ordinances of the City requiring the presence of law enforcement officers or emergency management services on their premises on five or more occasions within any thirty day period.

2. REPEAL:

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

3. SEVERABILITY:

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

4. EFFECTIVE DATE:

This Ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe,
Florida this ____ day of _____, 2012

THE CITY OF PORT ST. JOE

By: _____
MEL MAGIDSON, JR.
MAYOR-COMMISSIONER

ATTEST:

CHARLOTTE M. PIERCE
CITY CLERK

The following commissioners voted yea:
The following commissioners voted nay:

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Commissioner Patterson asked what the \$5.00 maintenance fee was for on the grinder pumps. It was explained that this goes into a sinking fund for replacement of the pumps. This prevents the owner from having a large replacement cost for a pump when it goes out.

Commissioner McCroan - Nothing at this time.

Commissioner Buzzett complimented and thanked the City Staff for going above and beyond during Tropical Storm Debby.

Mayor Magidson reminded everyone that tomorrow is the 4th of July and is a very important holiday for our country. He encouraged everyone to be safe, enjoy the festivities, especially the fireworks, remember what we are celebrating and that freedom is not free.

A motion was made by Commissioner Kennedy, second by Commissioner McCroan, to adjourn the meeting at 8:25 P.M.

Approved this _____ day of _____ 2012.

Mel C. Magidson, Jr., Mayor

Charlotte M. Pierce, City Clerk

