

**August 21, 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 August 21, 2012**

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**Call to Order**

**Consent Agenda**

**Minutes**

- **August 7, 2012 Workshop Meeting** **Page 1**
- **August 7, 2012 Regular Meeting** **Pages 2-7**

**City Attorney**

- **Ordinance 484, City Code Update** **Pages 8-9**
  - **2<sup>nd</sup> Reading & Consideration of Adoption**
- **Ordinance 485, Irrigation Water Rates** **Page 10**
  - **1<sup>st</sup> Reading**
- **Resolution 2012-02 , Authority to Acquire Property, Light House** **Pages 11-12**

**City Manager Report**

**Old Business:**

- **CDBG Grant Application- Update, Bruce Ballister**
- **Centennial Building Acoustics- Update, Eric Davidson**
- **RESTORE Act Committee- Update**
- **Sign Ordinance- Discussion**
- **Centennial Celebration**
- **Golf Cart Crossing- Discussion**
- **Joint City/County Meeting- Proposed Meeting Dates 9/10 or 9/17**

**New Business:**

- **Vance CPA- Engagement Letter** **Pages 13-19**
- **RFP 2012-06 Chipola Pump Motor (Handout)** **Pages 20-48**
- **FEMA Contract** **Pages 49-50**
- **ADA Upgrades- Change Order**

**Public Works**

- **Mower Quotes** **Pages 51-52**

**Surface Water Plant**

- **Update**

**Waste Water Plant**

- Update

**City Engineer**

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

**Code Enforcement**

- Update

**Page 53**

**Police Department**

- Roof Bid Proposals

**Page 54**

**PSJRA**

- Update

**City Clerk**

- Update

**Citizens to be Heard**

**Discussion Items by Commissioners**

**Motion to Adjourn**

**MINUTES OF THE BUDGET WORKSHOP FOR THE PROPOSED 2012 / 2013 BUDGET MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, August 7, 2012, AT 5:00 P.M.**

The following were present: Mayor Magidson, Commissioners Buzzett, McCroan, Patterson and Kennedy. City Manager Jim Anderson, Attorney Tom Gibson, City Clerk Charlotte Pierce, Financial Analyst Mike Lacour, Insurance Agent Dwight Van Lierop.

The purpose of the Workshop was to review the cost of Health, Property and Casualty Insurance for the proposed 2012 / 2013 Budget and receive input from the Commissioners on structuring the Budget.

Mr. Van Lierop provided documentation to the Commissioners reflecting the negotiated rates for the coming Fiscal year with Blue Cross Blue Shield of Florida for health insurance.

**RATE INFORMATION**

**Predictable Cost Plan 05772 RX: \$10 / \$30 / \$50**

<b>Employee Only</b> \$589.00	<b>Employee / Spouse</b> \$1,401.81	<b>Employee / Child(ren)</b> \$1,083.75	<b>Employee / Family</b> \$1,837.67
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The above rates reflect the following increases:

<b>Employee Only</b> From \$575.37 to \$589.00	<b>% Increase</b> 2.36	<b>Employee / Spouse</b> From \$1,277.31 to \$1,401.81	<b>% Increase</b> 9.74
<b>Employee Child(ren)</b> From \$1,047.17 to \$1,083.75	<b>% Increase</b> 3.49%	<b>Employee / Family</b> From \$1,766.37 to \$1,837.67	<b>% Increase</b> 4

Property and Casualty renewal rates have not been received from Florida League of Cities as of today.

Mayor Magidson adjourned the Workshop at 5:23 P.M.

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

\_\_\_\_\_  
Mel C. Magidson, Jr., Mayor

\_\_\_\_\_  
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, August 7, 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 Buzzett, second by Commissioner Patterson, to approve the Minutes of the Regular Meeting of July 17, 2012; Workshop Meetings of July 17, 2012, July 24, 2012, and July 31, 2012; and the Special Meeting of July 24, 2012. All in Favor; Motion carried 5-0.

**CITY ATTORNEY - Tom Gibson**

*Ordinance 481, Nuisances*

A motion was made by Commissioner Kennedy, second by Commissioner Buzzett, to have the Second Reading of Ordinance 481 by Title only. All in Favor; Motion carried 5-0.

It was noted that a letter from the ACLU concerning Proposed Ordinances 482 and 483 has been received. Mayor Magidson stressed that it has never been the intent of the City to adversely affect anyone in the City in need of help. A change / point of clarification was requested concerning the Domestic Violence section of the Ordinance. Mayor Magidson emphasized that any Domestic Violence issue would be promptly addressed and this was not an attempt to stop those in need of help from calling. Exempting Domestic Violence Calls would remedy the concerns. Mr. Gibson will make the change to Ordinance 481.

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to adopt Ordinance 481. All in Favor; Motion carried 5-0.

*Ordinance 482, Park Regulations*

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, to have the Second Reading of Ordinance 482 by Title only. All in Favor; Motion carried 5-0.

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to adopt Ordinance 482. All in Favor; Motion carried 5-0.

*Ordinance 483, Homeless Shelters*

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to have the Second Reading of Ordinance 483 by Title only. All in Favor; Motion carried 5-0.

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, to adopt Ordinance 483. All in Favor; Motion carried 5-0.

*Ordinance 484, City Code Update*

A motion was made by Commissioner McCroan, second by Commissioner Buzzett, to have the First Reading of Ordinance 484 by Title only and to advertise. All in Favor; Motion carried 5-0.

*Gulf Pines Hospital*

Attorney Gibson has received notification that the holder of the Tax Lien is ready to request a Tax Deed and this action will force the City's hand in this matter. Mr. Gibson will keep the Commissioners apprised of the actions.

### *Business Tax Ordinance*

Attorney Gibson has been talking with attorneys from the Florida League of Cities (FLC) and does not recommend any action by the Commission at this time as the Ordinances are still being reviewed.

## **CITY MANAGER'S REPORT**

### **Old Business**

#### *Centennial Building Upgrades - Eric Davidson*

Mr. Davidson shared that he has made the TDC aware of his proposal and they are in support of the efforts. He is attempting to garner a grassroots, broad support group to raise funds for the project.

#### *Lighthouse Facilities – Mayor Magidson*

Mayor Magidson referred to Florida Statute 380.285 and is in hopes that financial support will be available from this statute. Efforts are ongoing in the community to support the moving of the structures.

#### *RESTORE Act Committee*

Commissioner Kennedy reported that the initial meeting of the committee went well and that there is a potential for Gulf County to receive between \$25,000,000 to \$35,000,000 or funding could be reduce to almost nothing. Projects that are acceptable to the funding mandates need to be established. Commissioner Kennedy will be preparing a bullet sheet to review at the next meeting. Funds will basically need to meet criteria in Environmental, Infrastructure and Restoration of damage done by BP.

Mayor Magidson requested authorization to establish a Lighthouse Committee to work on the project. The following individuals will be asked to serve: Gail Alsobrook of the PSJRA; a representative from the Chamber, EDC, TDC; Charlotte Pierce will represent the City; Danny Raffield and Randy Lewis of MLD Architects.

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to form the Committee which will also oversee funding and future budgets of the project. All in Favor; Motion carried 5-0.

#### *Irrigation Rates*

Mr. Anderson presented a proposal to begin advertising for an Ordinance allowing a reduction in irrigation rates. This change would make the irrigation rates equal to residential rates and would, hopefully, increase usage by irrigation customers. Two Public Hearings are required and would be held on August 21, 2012, and September 18, 2012.

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, to advertise the Public Notice. All in Favor; Motion carried 5-0.

#### *Chipola Pump Station Inspection*

Gilbert Pump is working on the rehab of the pump and anticipates completion in six to eight weeks. Advertisement has begun for the motor and the bid closes on August 17, 2012.

### **New Business**

#### *Stormwater Issue – Nancy Mock*

Ms. Mock made the Commission aware of a water / drainage problem on her property. She feels that water runoff from her neighbors is causing the issue, that there is not proper City drainage to remove the water, and a ditch would resolve the problem.

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

Mr. McClamma shared that two clarifiers have been finished and the plant will be swapping to the remaining two next week.

Pump repairs are being taken care of by Bob Lyles and an update will be provided on them at the next meeting.

## **Waste Water Plant – Lynn Todd**

DEP has completed their inspection of the new facility today. Paper work, permits, reports, operational logs and records were reviewed and found to be in good order. DEP felt that the new facilities look great and it is time for the old facilities to go.

Demolition of the old Primary Lift Station, located near the Overpass, has begun. The old gravity sewer line has been abandoned, filled in and no more flow will be coming from that location. All electricity and water has been turned off.

Demolition of the old Ground Water Plant is being planned. Ms. Todd requested that the entire site be declared surplus tonight.

Mr. Anderson explained that the surplus items would have to be disposed of in one of the following manners: If there is value to the items, the City will have to receive sealed bids or go to a formal auction. If there is no value, it may be declared scrap and sold for scrap.

A motion was made by Commissioner Kennedy, second by Commissioner McCroan, to approve the demolition of the old Grand Water Plant. All in Favor; Motion carried 5-0.

There will be a walk through tomorrow of the new Headworks and Sprayfield for engineers, City employees and interested parties.

A motion was made by Commissioner Patterson, second by Commissioner Kennedy, to declare items at the old Ground Water Plant as scrap. All in Favor; Motion carried 5-0.

## **City Engineer – Clay Smallwood**

### *Headworks and Sprayfield Project*

These items were addressed by Ms. Todd.

### *Water Distribution System Upgrades Phase I*

Water service hookups are continuing South on Tenth Street and along Garrison. We are waiting on Bacti results for the area South of Bellamy Circle, between Bellamy and Twentieth Street on Garrison, and anticipate having them Thursday. Work continues on the other circles. Mr. Smallwood has met with Mr. Anderson and Mr. Grantland to discuss how to remove the old pipes.

Water outages will be coming shortly for Sixth, Seventh, Eighth, Ninth Street and Woodward Avenue as water improvements begin. Residents will be notified by door hangers and CodeRed. Commissioners Kennedy, Buzzett and Patterson expressed their concerns about unfinished repairs in several areas where the contractor has been working. Mr. Smallwood will follow up on this issue.

## **Code Enforcement**

The Commissioner reviewed the report provided by Mr. Burkett.

Commissioner Kennedy and Public Works Director John Grantland will make a sight visit to determine what can be done to resolve the issue.

*CJA Lease Proposal Amendment*

Mr. Anderson of CJA has proposed an Amendment to the existing agreement. This cost would be divided by the merchants using the cardboard bin. The previous cost to the City was \$150 and the proposed cost will be \$76.68 per merchant (Provisions, Pepper's and Sister's) and will include use of the cardboard bin and rental of the property where it is located.

A motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to approve the Amendment. All in Favor; Motion carried 5-0.

*100 Year Celebration Discussion*

Mayor Magidson requested permission to appoint a Committee to be composed of Dana Boyer, representatives from the Chamber of Commerce, St. Joseph Historical Society, Inc., the City of Port St. Joe and other citizens. The City was formed on July 1, 1913, and the celebration would be held in conjunction with the Fourth of July. Mayor Magidson asked for appointments by the Commissioners and other individuals that would like to serve. The TDC will be approached for additional funding for the combined festivities.

A motion was made by Commissioner Kennedy, second by Commissioner McCroan, to approve establishing a committee. All in Favor; Motion carried 5-0.

*Waste Pro annual CPI Increase request*

Mr. Anderson advised the Commission that Waste Pro has submitted a formal request for their annual CPI increase effective January 1, 2013, in the amount of .02487. No action was taken.

*Centennial Building Fee Waiver Request*

Brenda Garth, President and Co-Founder of Semper Fi Sisters has requested a waiver for the use of the Centennial Building Fees for October 17 – 21, 2012. Semper Fi Sisters draws participation from across America of Gold Star Mothers who have lost their sons / daughters in war, Silver Star Mother and Wives who have Wounded Warriors and Blue Star Mothers, Wives, Grandmother, Aunts, Sisters, Mothers-in-Law, God Mothers who are female family members of our U. S. Military serving or a Veteran. The group prepares, packs and ships donated items to deployed service members. Their "Boxes of Love from the Home Front" has grown from 36 boxes to over 700 last year and anticipate preparing over 1,000 this year.

A motion was made by Commissioner Buzzett, second by Commissioner McCroan, to waive the fee. All in Favor; Motion carried 5-0.

**Public Works – John Grantland**

Hunter Circle has been connected to the new water line.

There are issues with the First Street and Clifford Sims Lift Station Pumps. Data is being gathered to determine what needs to be done. Mr. Grantland feels that these issues are caused by the massive amounts of rain that the City has seen in the last few days.

Gulf County will be funding the striping on Avenue A. This leaves \$4,085.25 of Road Bond money for City use. First Street, Garrison, Long and Madison Avenues appear to be in the greatest need of striping.

Commissioner Kennedy shared that Road Bond money can also be used for road side drainage.

A motion was made by Commissioner Kennedy, second by Commissioner Patterson, to use the remaining Road Bond Funds for striping and road side drainage, if necessary, near Ms. Mock's home. All in Favor; Motion carried 5-0.



## **Police Department – Chief Barnes**

The Scallop Festival went well, traffic was pretty smooth and there was a very large crowd. The Port St. Joe Police Officers have received their Black Bear certification to deal with the local Black Bear population.

## **PSJRA – Gail Alsobrook**

Twelve Bike racks have been ordered and there will be sixteen locations to choose from for the racks to be placed. Ms. Alsobrook would like for the Commission to narrow their selection to the locations where they want the racks placed.

The PSJRA is delighted to be involved in the Cape San Blas Lighthouse project and will be offering financial assistance to the project.

Dedication of the Billy Joe Rish Parking Lot will be in either September or October.

## **City Clerk – Charlotte Pierce**

Mrs. Pierce mentioned that Tim Croft has been very supportive of the Cape San Blas Lighthouse Project. One of his recent articles has received an inquiry from British Columbia and they requested permission to run the story in their area. She also shared the St. Joseph Historical Society, Inc., has the new Christmas ornaments of the Cape San Blas Lighthouse. A portion of the proceeds will be used to relocate the facility.

## **Citizens to be Heard**

Matt Scoggins updated the Commission on the Hope Center. The facility has been well received by the community and they are helping people daily.

Christy McElroy shared that she felt the political season has been very nasty and she has spoken out again it. She advised the Commission that the African American Community was represented by Commissioner Tan Smiley on the subcommittee meetings for the Ordinances. Meetings were publicized, public participation was requested, attorneys for the County and City were present as well as other individuals. A concerted effort was made to help our community without adding tax expense to the citizens.

## **Discussion Items by Commissioners**

*Commissioner Kennedy* expressed his appreciation for the Community involvement with the Scallop Festival; it was a great event and thanked the City staff for their help.

*Commissioner Patterson* asked what could be done to improve the alley ways in St. Joe and he would like to see them better maintained.

There is an area of concern in the front driveway area of the St. Joe Auto Parts. A very uneven, large area needs repair and ownership of the particular site is in question. Mr. Anderson will add this area to the patch list.

*Commissioner McCroan*, nothing at this time.

*Commissioner Buzzett*, nothing at this time.

*Mayor Magidson*, nothing at this time.

The Meeting was adjourned by Mayor Magidson at 7:58 P.M.

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

\_\_\_\_\_  
Mel C. Magidson, Jr., Mayor

\_\_\_\_\_  
Charlotte M. Pierce, City Clerk

ADOPTING ORDINANCE  
ORDINANCE NO. 484

**AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF PORT ST. JOE, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**Section 1.** The Code entitled “Code of Ordinances, City of Port St. Joe, Florida” published by Municipal Code Corporation consisting of Chapters 1 through 70, and Part III, Land Development Regulations, each inclusive, is adopted.

**Section 2.** All ordinances of a general and permanent nature enacted on or before January 3, 2012, and not included in the Code or recognized and continued in force by reference, are repealed.

**Section 3.** The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

**Section 4.** Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof, shall be punished by a fine not exceeding \$500 or a term of imprisonment not exceeding 60 days or both. Each act of violation and each day upon which any such violation shall occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the City Commission may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

**Section 5.** Additions or amendments to the Code when passed in the form as to indicate the intention of the City Commission to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

**Section 6.** Ordinances adopted after January 3, 2012 that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

**Section 7.** This ordinance shall become effective immediately.

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 C. MAGIDSON, JR.  
MAYOR-COMMISSIONER

ATTEST:

\_\_\_\_\_  
CHARLOTTE M. PIERCE  
CITY CLERK

The following commissioners voted yea:

The following commissioners voted nay: