

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, September 18, 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 Patterson, second by Commissioner McCroan, to approve the Minutes of the Workshop and Regular Meeting of September 4, 2012, and the Special meeting of September 12, 2012. All in Favor; Motion carried 5-0.

CITY ATTORNEY - Tom Gibson

A Motion was made by Commissioner Kennedy, second by Commissioner Patterson, to have the Second Reading of Ordinance 485, Irrigation Rates. All in Favor; Motion carried 5-0.

A Motion was made by Commissioner Buzzett, second by Commissioner McCroan, to adopt Ordinance 485, Irrigation Rates. All in Favor; Motion carried 5-0.

CITY MANAGER'S REPORT

Old Business

Lighthouse

Mayor Magidson met on site September 10, 2012, with representatives involved in the relocation of the Cape San Blas Lighthouse Complex. Due to the rapid erosion, the U. S. Air Force will be temporarily moving the two keepers' quarters and the oil shed inland 100' to 150'.

RESTORE Act Committee

Commissioner Kennedy reported that the RESTORE Act Committee will be meeting each Tuesday from 11:00 A.M. to Noon at the Emergency Operations Center. Commissioner Kennedy requested that Mr. Anderson attend the meetings as a representative from the City.

Mayor Magidson encouraged citizen participation at these meetings.

Attorney Gibson cautioned the Commissioners that these meetings need to be publicly noticed if more than one Commissioner would be attending. Mr. Anderson will post the meetings.

Centennial Celebration

Mayor Magidson updated the Commission on the Committee Membership. Dr. Tim Nelson has agreed to serve on the Committee. The next Committee meeting will be September 20, 2012.

On-Call Policy

A Motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to adopt the revised On-Call Policy. All in Favor; Motion carried 5-0.

New Business

Jerry Stokoe Salvation Army Food Drive

Mr. Stokoe was unable to attend the meeting.

Planning Board Recommendations Development Order Request William J. Kennedy

The Planning and Development Review Board recommended approval of Commissioner William J. Kennedy's Development Order Request, contingent upon several items, to the Commission. The items in question, screening for the dumpster pad, an issue with the stormwater permit, and Contract with the Port Inn have been resolved.

Commissioner Kennedy completed Form 8B – Memorandum of Voting Conflict For County, Municipal And Other Local Public Officers. The form is attached and Commissioner Kennedy abstained from voting.

Jack Husband of Southeastern Consulting Engineers, Inc., spoke on behalf of Mr. Kennedy. Port Cottages LLC is proposing to construct a new development on two parcels located in Section 1 Township 8S Range 11W in Gulf County. The structures will be located at 314 Cecil G. Costin, Sr., Blvd and will feature six units of approximately 625 square feet each based on the old Florida style shotgun architecture. Each unit will be furnished and consist of two bedrooms, one and one half baths, fully equipped kitchen, and full size washer and dryer.

A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to approve the Development Order Request of William J. Kennedy. Mayor Magidson, Commissioners Patterson, McCroan and Buzzett voted in favor of the Motion. Motion carried 4-0 with Commissioner Kennedy abstaining.

Budget Schedule

Mr. Anderson reminded the Commissioners that the Final Hearing for the 2012 / 2013 Budget will be held on Friday, September 28, 2012, at 6:15 P.M.

Employee License Policy

After discussion, this item was tabled to allow more time for review.

Landscaping Contract for City Parks

A Motion was made by Commissioner Kennedy, second by Commissioner Patterson, to extend the Landscaping Contract for the City Parks with Gulf Coast Property Services LLC. The contract meets the criteria, and will provide 12 months of service for \$57,500 where the current contract was for 10 months at \$5,200 per month. All in Favor; Motion carried 5-0.

RFP 2012-07 Highway 98 and Highway 71 Landscaping

One proposal, from Coastal Design and Landscaping Inc., was received in the amount of \$17,750 for RFP 2012-07. It was the recommendation of Staff to accept the proposed amount of \$17,750. The Port St. Joe Redevelopment Association covers 25% of the cost. A Motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to approve the proposal. All in Favor; Motion carried 5-0.

RFP 2012-10 Police Department Roof

Four bids were received. Staff is reviewing each bid and will have a recommendation at the October 2, 2012, meeting.

RFP 2012-11 Chipola Pump Motor

One bid, in the amount of \$106,000.00, was received from Gilbert Pump and Mechanical, Inc. To date, \$38,685 has been spent leaving \$64,315 in the budget for the project.

Mr. Anderson noted that the options at this point were to sit back and wait, attempt to find money, or rebid the project.

Commissioner Buzzett requested that a letter be sent to Northwest Florida Water Management District asking for grant assistance with the motor.

A Motion was made by Commissioner Buzzett, second by Commissioner Kennedy, to proceed contingent upon funds from Northwest Florida Water Management District. All in Favor; Motion carried 5-0.

Public Works – John Grantland

A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to advertise for a new position of Utility Service Worker (Water Distribution) in the Public Works Department. All in Favor; Motion carried 5-0.

Surface Water Plant – Larry McClamma

Mr. McClamma did not have anything new to report at this time.

Wastewater Plant – Lynn Todd

Ms. Todd noted that there had been an electrical fire in the forklift. This is a very old piece of equipment, it is unserviceable and needs to be declared surplus.

City Engineer – Clay Smallwood

Headworks and Sprayfield Project

Mr. Smallwood reported that the Grit King representatives will be in town next Monday.

Water Distribution System Upgrades Phases I

Work continues on the project and there have been several water outages which have been addressed. Work will be starting in the vicinity of 6th, 7th, 8th, 9th and 10th Streets as well as Marvin and Woodward Avenues.

Mr. Anderson shared that information on the milestones that have been reached in the project will be placed in the Commissioner's mail boxes.

Mayor Magidson requested that the contractors be sensitive to the driveway issues of our citizens.

Code Enforcement

The Activity Report provided by Mr. Burkett was reviewed.

Commissioner Patterson shared his concerns of an overgrown grass issue on Third Street.

Police Department – Chief Barnes

Chief Barnes did not have any updates to share at this time.

PSJRA – Gail Alsobrook

A motion was made by Commissioner Patterson, second by Commissioner Buzzett, to award a Planning Grant in the amount of \$15,000 to The Associates LLC. These funds are to be used for Development / Architectural Design; Professional development consulting for services integrating planning and entitlements, architectural design, communications, environmental and specialty consulting essential to the feasibility, quality and sustainability of this project. All in Favor; Motion carried 5-0.

Ms. Alsobrook requested a letter from the City authorizing a separate budget for the PSJRA in the General Fund of the City's budget.

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

City Clerk – Charlotte Pierce

Nothing to report at this time.

Citizens to be Heard

No one from the public wished to speak.

Discussion Items by Commissioners

Commissioner Buzzett shared his concerns earlier in the meeting.

Commissioner McCroan, nothing at this time.

Commissioner Patterson did not have anything to discuss.

Commissioner Kennedy expressed his appreciation for the many acts of sympathy expressed to him and his family at the recent death of his father in law.

Mayor Magidson encouraged everyone to get the word out about the availability of local jobs with Eastern Shipbuilding. The company would like to hire local individuals but they have not had the response they anticipated.

A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to adjourn the Meeting at 7:15 P.M.

Approved this 2nd day of October 2012.



Mel C. Magidson, Jr., Mayor



Charlotte M. Pierce, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Kennedy, William J.		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Commission	
MAILING ADDRESS 1612 Monument Avenue		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Port St. Joe, Fl. 32456	COUNTY Gulf	<input checked="" type="checkbox"/> CITY	<input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED September 18, 2012		NAME OF POLITICAL SUBDIVISION: City of Port St. Joe	
		MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

A copy of the form must be provided immediately to the other members of the agency.

- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, William J. Kennedy, hereby disclose that on September 18, 20 12:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Development Order request for the Port Cottages to be located at 314 Cecil Costin Sr. Blvd.

9-18-12
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.