

**September 3, 2013**

**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  
William Thursbay, 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 September 3, 2013

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## Call to Order

## Consent Agenda

### Minutes

- Regular Meeting 8/20/13 Pages 1-5
- Budget Workshop Meeting 8/20/13 Page 6
- Affordable Housing Workshop 8/21/13 Page 7
- Budget Workshop Meeting 8/27/13 Page 8

### City Attorney

- Interlocal Agreement Pages 9-11
- Interment Fees Pages 12-16
- Ordinance 494
  - First Reading and Request to Advertise Resolution 2013-05

## Old Business

- CDBG Grant Update- Bruce Ballister
- RFP 2013-05 Lighthouse Relocation Bid Award Page 17
- Chipola Pump Station Motor Replacement- Update
- Affordable Housing MOU, Paces Foundation Page 18-19
- Workforce Board Lease Agreement Page 20-22
- Regions Bank Loan Refinance- Update
- Landscaping Contracts- Update
  - Coastal Design & Landscape
  - Gulf Coast Property Services

## New Business

- FRDAP Committee- Update Page 23
- Computer System Repairs Page 24
- Planning Board Membership
- Business License Request for a Pawn Shop- Nicholas Dilallo Pages 25-26
- Rental Fee Waiver Request- St. Joseph bay Humane Society Page 27
- Roadside Pickup Amnesty Period- Comm. Thursday

## Public Works

- Update

**Surface Water Plant**

- Update

**Waste Water Plant**

- Update

**City Engineer**

- Traffic Study- Update
- Water Distribution Phase II- Update
- Water Study- Update

**Code Enforcement**

- Update

**Page 28**

**Police Department**

- Update

**PSJRA**

- MLK Sidewalk Project
- Memo- Board Development
- Phase IV Landscaping
- BayPark Recreation Area and Master Plan
- Tourist Corridor

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**Page 30**

**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, August 20, 2013, AT 6:00 P.M.**

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

**CONSENT AGENDA**

**Minutes**

A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to approve the Minutes of the Regular Meeting of August 6, 2013, and the Workshop Meetings of August 6, 2013 and August 13, 2013. All in Favor; Motion carried 5-0.

**CITY ATTORNEY – Tom Gibson**

*Interlocal Agreement*

Commissioner Buzzett requested that this be tabled until the possibility of keeping the tipping fees the same for the City is explored.

*Ordinances 491, 492 and 493 Comprehensive Plan Update*

Commissioner Thursbay asked if Ordinance 491 would have any impact on the PACES Foundation Affordable Housing project. Attorney Gibson responded that none of the Ordinances had anything to do with the property off Clifford Sims Drive.

*First Reading and Request to transmit to the Department of Economic Opportunity*

A Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to read Ordinances 491, 492 and 493 by Title only. All in Favor; Motion carried 5-0.

Attorney Gibson read Ordinances 491, 492 and 493 by Title only.

A Motion was made by Commissioner McCroan, second by Commissioner Patterson, to approved transmitting Ordinances 491, 492 and 493 to the Florida Department of Economic Opportunity and other state agencies. All in Favor; Motion carried 5-0.

*Ordinance 490 – Parking Requirements*

A Motion was made by Commissioner Thursbay, second by Commissioner Patterson, for the Second Reading of Ordinance 490 by Title only. All in Favor; Motion carried 5-0.

Attorney Gibson read Ordinance 490 by Title only.

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to adopt Ordinance 490. All in Favor; Motion carried 5-0.

**CITY MANAGER'S REPORT**

**Old Business**

*Lighthouse Update*

Mr. Anderson noted that the mandatory pre-bid meeting was held last week, bids will be received on August 29<sup>th</sup> and Staff hopes to have a recommendation for the September 3, 2013 Commission meeting.

*RFP 2013-04 Computer Services*

Only one bid was received for RFP 2013-04. Staff recommendation was to award the bid to T. J. Network

Consulting. A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to award the bid to T. J. Network Consulting. All in Favor; Motion carried 5-0.

#### *RFP 2013-03 Water System Phase II Improvements*

A low bid of \$623,537 was received for the project. A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to reject the bid. All in Favor; Motion carried 5-0.

Staff recommended that the City do the work in house and advertise for bids to provide the materials. A Construction Crew of current workers will be established and compensated for their time during the project. This compensation will be reflected in the FY '13 – '14 Budget.

A Motion was made by Commissioner Buzzett, second by Commissioner McCroan, to request materials by bid for the project. All in Favor; Motion carried 5-0.

#### *Chipola Pump Station Motor Replacement*

Mr. Anderson shared that the motor is in place and has been running smoothly. There will be a walk-through of the facility on August 29, 2013, at 10:00 A.M.

#### *Commission Chamber Upgrades*

With the exception of the overhead projector being installed, the upgrades have been completed. As soon as the projection bracket is received, the projector will be installed.

#### *Affordable Housing Workshop*

Mr. Anderson shared that the PACES Affordable Housing Workshop will be held at 9:00 A.M., tomorrow, August 21, 2013. PACES requested a change in the meeting date to meet a submittal deadline for their application.

#### *Tree Removal Gulf Pines Hospital*

The two trees have been removed by H & H Tree Service.

#### *Interment Fees – Commissioner Patterson*

A lengthy discussion was held concerning the \$50 fee charged by the City for a Certificate of Interment to mark a cemetery plot for burial.

Mr. Anderson shared that the purpose of the Certificate of Interment was for compliance, to assure that burial is in the proper plot and provide a record of who is interred in each plot.

Elaine Maige addressed the Commission and felt that the fee was too harsh for a grieving family.

Mrs. Pierce noted that most funeral homes will pay the fee for the family and include the charge in their bill rather than a family having to come to City Hall to take care of the certificate.

Robert Nedley spoke in opposition of the fee and opposed it on principal. Mr. Nedley shared with the Commission how the local cemeteries were provided, surveyed and that they were given to the City at no cost.

Lorida Gingell expressed her concern about local citizens' tax dollars being used for other than local residents. She offered a compromise of local residents being exempt from the fee and anyone outside of the City limits being charged. She supports a user fee being charged for the service provided by the City.

A Motion was made by Commissioner Patterson, second by Commissioner Thursbay, to amend the Ordinance to eliminate the Certificate of Interment Fee and increase the cost of cemetery plots. Voting in favor of the Motion were Commissioners Patterson, Thursbay and McCroan. Voting against the Motion were Mayor Magidson and Commissioner Buzzett because of the increased cost to citizens. Staff was instructed to come up with proposed cemetery plot cost increases.

#### *Regions Bank Loan Update – Finance Committee Recommendation*

Mr. Anderson presented the recommendation of the Finance Committee to accept the offer from Regions

Bank for a 3.39% interest rate, 25 year amortization with a 15 year balloon payment on our \$15,334,219 loan. The yearly payment will be \$910,380.

Michael McKenzie of Roberson and Associates shared that the Committee felt this was the best possible offer, would eliminate \$150,000 - \$200,000 in closing cost if the City chose to go with another institution and would keep attorney fees to around \$20,000.

A Motion was made by Commissioner McCroan, second by Commissioner Patterson, to approve the recommendation. All in Favor; Motion carried 5-0.

The Commission expressed their appreciation to the Finance Committee for their work on this project.

#### *Landscaping Contracts*

Staff is currently working with *Coastal Design and Landscape* and *Gulf Coast Property Services* to extend their respective contracts for an additional year.

Mr. Anderson shared that he spoke with a USDA representative today, the Martin Luther King, Jr., Sidewalk Project request is still sitting on a desk in Gainesville and they will have a state engineer in town on Thursday. Concerns are that the delay in approval is holding up the CDBG bidding process for water improvements in North Port St. Joe.

#### **New Business**

##### *Tourist Development Council (TDC) Kiosk Frank Pate Park*

Mr. Anderson noted that the TDC has requested permission to place a Kiosk near the Frank Pate Park boat ramp. This will be at no cost to the City. A Motion was made by Commissioner Buzzett, second by Commissioner McCroan, to approve the request but stipulated the TDC must work with John Grantland on the location for the Kiosk. All in Favor; Motion carried 5-0.

#### **Public Works – John Grantland**

Mr. Grantland reminded everyone of the City wide flushing of water lines that is currently being done.

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

Mr. McClamma shared that the plant is currently being manned around the clock and things are going very well.

#### **Wastewater Plant – Lynn Todd**

Ms. Todd noted the plant has had several brief equipment failures but everything is currently working. They are staying ahead of the thunderstorms and the grass is growing very well at the sprayfields. The Grit Kings have been working correctly and not presented any problems.

#### **City Engineer – Clay Smallwood**

The *Traffic Study* is still being worked on and should be completed shortly.

#### *Water Distribution Phase II Update*

Mr. Smallwood noted that the Water Distribution Phase II Project has been turned over to the City and that Mr. Grantland will be responsible for this update in the future.

#### *Water Study Update*

Mr. Smallwood will schedule a workshop with CDM-Smith after the budget process is completed. Coupon harvesting of City pipe is scheduled to begin. Originally, VA Tech was not equipped to handle anything larger than 4" pipe. Revisions have been made and they will be able to handle the City's 6" pipe samples.

#### **Code Enforcement**

Mr. Burkett's report was reviewed. No action was taken.

## **Police Department – Chief Barnes**

Chief Barnes did not have anything to report at this time.

Commissioner Thursbay asked where the Chief was on budget numbers for dispatch. Chief responded that his numbers had been provided to Mr. Anderson.

Mr. Anderson shared that he has spoken with Sheriff Harrison and he will not be going up on the cost.

## **Port St. Joe Redevelopment Association (PSJRA) – Gail Alsobrook**

*Meeting Minutes* of the PSJRA were included for the perusal of the Commission.

### *Phase IV Landscaping*

FRP 2013-01 has been revised and the PSJRA has received a Notice to Proceed from the FL DOT. A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to advertise for Bids. All in Favor; Motion carried 5-0.

### *Bay Park Recreation Area and Master Plan*

Ms. Alsobrook noted that the project has been closed out and payment made to the City by the State of Florida. She requested reimbursement of these funds from the City in the amount of \$7,000. Mr. Anderson questioned what project this was for as there was no project identification on the request. Ms. Alsobrook stated that it was for the Bay Park Master Plan. Mr. Anderson will take care of this.

### *Deck at Billy Joe Rish Memorial Parking Lot*

The deck has been completed and a USDA Site Visit will be conducted Thursday. The PSJRA will seal the wood and Ms. Alsobrook would like to see a Kiosk placed on the deck for businesses to promote their business.

### *Board of Directors Resignations*

Reverend Johnny Jenkins has resigned from the PSJRA due to business reasons. Willie Ramsey will rotate off the board this year and he has volunteered to serve out the 1 year remaining in Mr. Jenkins' term. A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, for Mr. Ramsey to complete Mr. Jenkins' term.

Two Provisional Directors, Patti Blaylock and Brian Hill will move to full time directors on October 1, 2013.

### *Banner Art Collateral Material*

The PSJRA will make banner art available for production and sale within the Community Redevelopment Area. Ms. Alsobrook is working with Attorney Gibson to resolve any legal issues on this. The series "People Who Have Been Here" is not currently included in this venture.

## **City Clerk – Charlotte Pierce**

Mrs. Pierce did not have anything to report at this time.

## **Citizens to be Heard**

Jai Bryant asked about the soil environmental cleanup of the cleaners and two gas stations in the USDA and CDBG project area. She is concerned that the area was not properly cleaned by EPA Guidelines. Mr. Anderson referred her to Zack Hodges who is responsible for Environmental issues in Gulf County. The issues in questions are on private property.

Christy McElroy noted that Attorney Marie Mattox has offered to drop the Federal Law Suit filed against her and she congratulated Mayor Magidson on the dismissal of the Federal Law Suit filed against him by Ms. Mattox.

Ms. McElroy asked the cost to Municipalities when such law suits are filed and also the cost to defend against such laws suits.

Attorney Gibson noted that the City is responsible for the deductible amount on the City's policy. Mr. Anderson stated that it is different with law suits. Mayor Magidson shared that the City cannot do anything about Ms. Mattox and her business plans.

Ms. McElroy is to make a Public Records Request for this information.

**Discussion Items by Commissioners**

*Commissioner Thursbay* noted that tonight's attendance was the largest he has seen since being in office. He thanked everyone for their participation.

*Commissioner Patterson* reminded citizens of the free water fill up at the Surface Water Treatment Plant and encouraged them to use it rather than buying bottled water. He also asked if anyone was familiar with the signage used in Ft. Walton for business purposes and plans to make a trip to look at them.

*Commissioner McCroan* did not have anything to discuss at this time.

*Commissioner Buzzett* asked about the anticipated cost of \$25,280 for the Phase II Water Improvements Construction Crew. When the project is completed, the workers will revert to their previous pay grade. This amount will need to be added to the FY '13 – '14 Budget. The source for funding this amount will be determined by Staff.

*Mayor Magidson* did not have anything to discuss at this time.

A Motion was made by Commissioner McCroan, second by Commissioner Patterson, to adjourn the Meeting at 7:40 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk



**MINUTES OF THE BUDGET WORKSHOP MEETING FOR THE PROPOSED 2013 / 2014 BUDGET FOR THE WATER FUND ACCOUNT OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, August 20, 2013, AT 5:15 P.M.**

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

The purpose of the Workshop was to review the Water Fund for the proposed 2013 / 2014 Budget and receive input from the Commissioners on structuring the Budget.

Documentation was provided to the Commissioners reflecting the current Water Fund Budget, Water Fund Proposed Budget and line item detail was provided for both Revenue and Expenditures.

Mr. Anderson reminded the Commissioners of the State Retirement and Health Insurance increases for the coming fiscal year. Nothing has been received from FL League of Cities on the Property and Casualty Insurance as of today.

Staff reviewed the Water Fund in its entirety, had a brief discussion on items that will be discussed in length next Tuesday in reference to the Solid Waste and Waste Water Funds.

A discussion was held on the option of the entire Water Distribution Phase II Project being handled by staff.

The recommendation of the Finance Committee for the Regions Bank Loan was discussed. The recommendation is to stay with Regions Bank with a 3.39% interest rate, 25 year amortization and a 15 year balloon payment on our \$15,334,219 loan. The yearly payment will be \$910,380.

Mr. Anderson and Mr. Lacour reviewed the budget and answered questions.

Commissioners shared their thoughts on various items.

The next Budget Workshop will be on August 27, 2013, when the Wastewater and Solid Waste Funds will be reviewed.

Mayor Magidson adjourned the Workshop at 5:50 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk

**MINUTES OF THE WORKSHOP MEETING BETWEEN THE PACES FOUNDATION AND THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, August 21, 2013, AT 9:00 A.M.**

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

PACES Foundation President Mark Dumas, AICP Consultant Ron Thompson and Rick Haymond Development Associate met with the Commission to propose a partnership between the PACES Foundation and the City of Port St. Joe. The PACES Foundation, Inc., a 501 (c) (3) and CHDO, is a community housing development organization. The St. Joe Company gave the City approximately 40 acres of land on the North side of Clifford Sims Drive to be used for affordable housing. PACES is proposing to use a portion of the property to provide 50 -70 affordable housing units to residents in Phase I. The properties are professionally managed and discretionary income is available.

Rent levels are based on the income of the residents and units would run \$419 - \$588 per month for a 2 Bedroom; \$468 - \$663 for a 3 Bedroom and \$508 - \$725 for a 4 bedroom unit.

After the presentation by PACES Foundation representatives, Commissioners shared their concerns.

Commissioner Buzzett noted the need for the project, was concerned about the homeless issue, who would pay the property taxes, issues with rail traffic, how water and sewer payments would be made and if PACES would sell the units to other entities. Mr. Dumas noted the units are not for homeless people nor are they Section 8 based. In year 15 of the project, the units will be given to PACES and may then be purchased by the tenants.

Attorney Gibson questioned the number of units that would be built over 15 years and changes that may be necessary in the Comp Plan. Mr. Haymond noted there would be 50 – 70 units and there should not be any need to change the Comp Plan.

Mr. Anderson asked about the PACES Foundation application, tax credits, what the real cost to the City would be, who would be responsible for the water / sewer infrastructure and the cost for a new lift station. Mr. Haymond responded that they would provide the forms and would need Zoning Letters; a commitment from the local governments, and Water, Sewer and road access. He also stated they would hope the City would waive the large item expenses.

Mayor Magidson questioned who would pay the property taxes, the cost of Building Permits, Impact Fee costs, and stated he would not support an added burden to the local tax payers. Mayor Magidson verified that the proposed area is in the extended Port St. Joe Redevelopment Agency boundaries. He is ready to get the project going but wants to know all the cost upfront.

Mr. Anderson asked about the Memorandum of Understanding and verified that there would be no out of pocket cost for the City.

Commissioner Thursbay questioned if the taps would be separately metered, he sees this as a good project for the community but noted that the City could not obligate any money.

Commissioner McCroan asked if the PACES Foundation was tied to any builders and requested that local individuals be considered for any available work.

A contribution, in the amount of \$2,500 was requested from the City as a show of local support for the project.

Mayor Magidson asked that the PACES Foundation work with the City to craft the Memorandum of Understanding.

Mayor Magidson adjourned the Workshop at 10:10 A.M.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2013.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk

**MINUTES OF THE BUDGET WORKSHOP MEETING FOR THE PROPOSED 2013 / 2014 BUDGET FOR THE WASTEWATER AND SOLID WASTE FUND ACCOUNTS OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, August 27, 2013, AT 5:00 P.M.**

The following were present: Mayor Pro Tem Buzzett, Commissioners Buzzett, McCroan, Patterson and Thursbay. City Manager Jim Anderson and City Clerk Charlotte Pierce were also present. Mayor Magidson was absent due to a doctor's appointment. The Workshop was chaired by Mayor Pro tem Buzzett.

The purpose of the Workshop was to review the Wastewater and Solid Waste Accounts of the proposed 2013 / 2014 Budget and receive input from the Commissioners on structuring the Budget.

Documentation was provided to the Commissioners reflecting the current Wastewater and Solid Waste Budgets. The Wastewater and Solid Waste Budgets and line item detail was provided for both Revenue and Expenditures.

Mr. Anderson reminded the Commissioners of the State Retirement and health insurance increases for the coming fiscal year. Nothing has been received from FL League of Cities on the Property and Casualty Insurance as of today.

The provided information was reviewed and there are no big movers in the budget this year.

A wrap up Budget Workshop will be held on September 3, 2013, at 5:00 P.M.

The first Public Hearing will be held on September 12, 2013, at 5:01 P.M., and the final Public Hearing on September 24, 2013, at 5:01 P.M.

Mayor Pro tem Buzzett adjourned the Workshop at 5:45 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2013.

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Mel C. Magidson, Jr., Mayor

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Charlotte M. Pierce, City Clerk

