

**September 17, 2013**

**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 17, 2013

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## Call to Order

## Consent Agenda

### Minutes

- Regular Meeting 9/3/13 Pages 1-5
- Budget Workshop Meeting 9/3/13 Page 6
- Special Meeting 9/12/13 Page 7

### City Attorney

- Interlocal Agreement Page 8-10
- Department of Economic Opportunity
  - Competitive Florida Partnership Program
- Resolution 2013-06, City Pay Scale Page 11
- Interment Fees, Ordinance 494
  - First Reading and Request to Advertise Pages 12-15
  - Resolution 2013-05 Page 16

### Old Business

- Computer System Repairs- Banyon Pelham Page 17
- FRDAP Committee Recommendation- Bill Kennedy
- Business License Request for a Pawn Shop- Nicholas Dilallo Pages 18-19
- Waste Pro- Chester Davis
- RFP 2013-05 Lighthouse Relocation Bid Award Page 20
- Incubator Building- USDA Request
- Workforce Board Lease Agreement Pages 21-23
- Regions Bank Loan Refinance- Update
- Roadside Pick-up Amnesty Month- Update
- Budget Update
- Alamo Tractor- Update

### New Business

- Community Yard Sale- Merchants Association Page 24
- Road Closure Request- Faith Christian School Page 25
- Dixie Phonics Music Revue- H. J. "Kuntry" Carter

### Public Works

- RFP 2013- Water Distribution Phase II Material Bids (Handout)
- Water Meter Replacement Quotes Page 26-28

**Surface Water Plant**

- **Ground Storage Tank Cleaning- Update**

**Waste Water Plant**

- **Update**

**City Engineer**

- **Traffic Study- Update**
- **Water Study- Update**
- **NWFWMD Grant Application**

**Code Enforcement**

- **Update**

**Page 29**

**Police Department**

- **FWC Request to utilize City Property next to the Fire Station for Boat Storage**

**PSJRA**

- **RFP 2013- 01, Landscaping Phase IV- Bid review and Award**
- **Downtown Landscape Maintenance- Bid Review Process**

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**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, September 3, 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.

Mayor Magidson noted that the Agenda needed to be amended to include discussion on a law suit. A Motion was made by Commissioner McCroan, second by Commissioner Patterson, to amend the Agenda. All in Favor; Motion carried 5-0.

## CONSENT AGENDA

### Minutes

A Motion was made by Commissioner McCroan, second by Commissioner Buzzett, to approve the Minutes of the Regular Meeting of August 20, 2013; Budget Workshop Meetings of August 20, 2013 and August 27, 2013 and the PACES Foundation Affordable Housing Workshop on August 21, 2013. All in Favor; Motion carried 5-0.

### CITY ATTORNEY – Tom Gibson

Attorney Gibson attended a mediation hearing today on the lawsuit of Montford vs. City of Port St. Joe and shared that the requested settlement was well within the proposed settlement limits. A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to settle the law suit. All in Favor; Motion carried 5-0.

### *Interlocal Agreement*

The proposed Interlocal Agreement was discussed and Attorney Gibson recommend that Paragraph 4 be modified to make it clear that rates for services in the unincorporated areas will be the same as rates in the city.

Mayor Magidson has reservations about paragraph 9.

A Motion was made by Commissioner Buzzett, second by Commissioner Patterson, to approve the Agreement. All in Favor; Motion carried 5-0. Mayor Magidson requested that the record reflect that he voted yes while holding his nose on the issue.

### *Interment Fees, Ordinance 494 First Reading and Request to Advertise, Resolution 2013-05*

This will be discussed at the September 17, 2013 meeting.

## CITY MANAGER'S REPORT

### Old Business

CDBG Grant Update – Bruce Ballister

Mr. Ballister shared that the North Port St. Joe Water System Improvements Phase I is being advertised. USDA has finally approved their portion of the project which has caused a delay in the bid advertising. There is a possibility that the City may be able to have Phase II of the project considered in the next grant cycle as a rule change is being requested by the Department which will delay the application date. If Phase II is approved in the next grant cycle, the neighborhood improvements would be completed in two years.

### *RFP 2013-05 Lighthouse Relocation Bid Award*

Mr. Anderson noted that Staff and Preble-Rish are reviewing the bids and hope to have a recommendation for the September 17, 2013 meeting.

Commissioner Thursbay requested a copy of the proposals.

### *Chipola Pump Station Motor Replacement Update*

The motor is running and a site visit will be held soon.

### *Affordable Housing MOU, PACES Foundation*

The PACES Foundation has reviewed the MOU and requested that the land transaction be dealt with in a separate transaction. The transfer of ownership would take place after the grant is approved. PACES needs to spell out several terms for Florida Housing before the document is completed. A Motion was made by Commissioner Patterson, seconded by Commissioner Thursbay, to approve the MOU. All in Favor; Motion carried 5-0.

### *Workforce Board Lease Agreement*

The Commission requested an exhibit to define the areas covered in the agreement. This will be discussed at the September 17, 2013 Meeting.

### *Regions Bank loan Refinance Update*

Mr. Anderson noted that a Letter of Commitment has not been received from Regions Bank as of today. He anticipates something shortly.

### *Landscaping Contracts*

*Coastal Design & Landscape* will provide services for the coming year at the same cost as last year for Highways 71 and 98. A Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to approve the contract. All in Favor; Motion carried 5-0.

### *Gulf Coast Property Services*

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, for discussion. Commissioner Thursbay would like to see the contract for the parks and ball fields advertised. After discussion, a Motion was made by Commissioner Thursbay, second by Commissioner Buzzett, to advertise for bids for the parks and ball fields. All in Favor; Motion carried 5-0.

## **New Business**

### *FRDAP Committee Update*

Mike Lacour updated the Commission on the possibility of FRDAP Funds being available this year. Previous FRDAP Committee Members agreeing to continue serving are: Missy Ramsey, Rachel Crews, and Sandy Quinn. Bill Kennedy and Bobby Pickels have agreed to serve as new members. Mr. Lacour recommended that Bill Kennedy serve as chairman due to his past experience with FRDAP Grants.

Commissioner Thursbay requested that Glenn Davis and Harlan Haddock be added to the committee.

The grant application has to be submitted by September 30, 2013.

The Commission asked Mr. Lacour to move forward with the FRDAP Committee and submit a grant request.

### *Computer System Repairs*

T J's Network Consulting has recommended the purchase of software to repair the failing email system the City is currently using and provide an additional server. If the City and Sheriff's Department purchase the upgrades together the cost is approximately \$5,000 per entity. If purchased separately, the cost will be approximately \$8,000. The Commission has requested more information and will discuss this at the September 17, 2013 Meeting.

### *Planning Development and Review Board Membership*

Mr. Anderson shared that Mark Godwin has resigned from the PDRB. A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to advertise for a replacement on the Board. All in Favor; Motion carried 5-0.

*Business License Request for a Pawn Shop – Nicholas Dilallo*

Mr. Anderson noted that our City Ordinance requires approval of the City Commission before a Business License can be approved for a Pawn Shop. Mr. Dilallo assured the Commission this was not a typical Pawn Shop but would be dealing mostly in estate jewelry, bronze and paintings. Commissioner Buzzett request that this be placed on the September 17, 2013, Agenda to allow input from the public. Mr. Dilallo invited the Commissioners to visit his shop.

*Rental Fee Waiver Request – St. Joseph Bay Humane Society*

A Motion was made by Commissioner Buzzett, second by Commissioner McCroan, to wave the Rental Fee for the Centennial Building on October 26, 2013, for the Humane Society's Bow Wow Bash Fund Raising event. All in Favor; Motion carried 5-0.

*Roadside Pickup Amnesty Period – Commissioner Thursbay*

A Motion was made by Commissioner Thursbay, second by Commission Patterson, to designate October 1 – November 1, 2013, as an amnesty period for trash to be picked up in the City limits. Mr. Anderson and Mr. Grantland will work out the details for the cleanup. All in Favor; Motion carried 5-0.

**Public Works – John Grantland**

Mr. Grantland noted that unidirectional flushing is continuing in the City.

Commissioner Buzzett asked if meter box lids were inspected. Mr. Grantland responded that they are being checked when possible.

Mr. Gibson cautioned that from the length of time that a damaged lid is reported until it is fixed can be an issue. He encouraged promptness in making repairs.

**Surface Water Plant – Larry McClamma**

Mr. McClamma noted that the plant is currently running 24/7 and doing well. The ground storage tank is scheduled for cleaning the first of October.

**Wastewater Plant – Lynn Todd**

Ms. Todd shared that the Disinfectant Bi-products Sample Results were below the MCL. The quarterly results were significantly down from last quarter's results.

**City Engineer – Clay Smallwood, III**

*The Traffic Study*

Mr. Smallwood noted that the 24 hour traffic count is underway and maps are being put together for the study. He anticipates this will be completed shortly.

*Water Study Update*

Coupon samples were sent to Virginia Tech last week and when the budget workshops are completed, a workshop will be set up with Dave Kozan of CDM-Smith.

**Code Enforcement**

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

**Police Department - Officer Ricky Tolbert**

Officer Tolbert did not have anything to report.

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

*MLK Sidewalk Project* is ready to go, a pre-bid meeting will be held on September 19, 2013, and bids should be advertised in October.



*Memo - Board Development* – A memo overview of the Board Development process was provided for the Commission reviewing how members are selected for the PSJRA.

*Phase IV Landscaping* – Bids will be opened for the re-advertisement of RFP 2013-01 on September 12, 2013 at 3:00 P.M. at City Hall.

*Bay Park Recreation Area and Master Plan* – After discussion, a Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to disband the Committee as their assignment has been completed. All in Favor; Motion carried 5-0.

*Tourist Corridor* – This is a topic for future consideration. Ms. Alsobrook is to provide Mr. Anderson with her suggestions which will in turn be provided to the Commissioners.

Commissioner Thursbay asked that Ms. Alsobrook be mindful of applying for grants as they are turned over to the City for upkeep and maintenance and are becoming increasingly costly.

Ms. Alsobrook responded that all grants are approved by the Commission before they are applied for.

Commissioner McCroan inquired as to the status of the fountains in Buck Griffin Lake and George Core Park which are not working. Repairs have not been made due to cost.

Ms. Alsobrook would like to add a kiosk to the Billy Joe Rish Parking Lot Deck. She also noted that lights would be available on Langston Drive when the sidewalks are provided.

#### **City Clerk – Charlotte Pierce**

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

#### **Citizens to be Heard**

Christy McElroy shared her concerns about the Bay Park Master Plan. She distributed an email from Dewey Blaylock providing a citizen's perspective to the Bay Park Master Plan utilizing knowledge of the environment of aquatic and marine habitats. (She also provided a copy of the Gulf County Restore Act Project Pre-Proposals; Florida DEP Forms of the Environmental Resource Permitting, Wetland Resource Permitting and Submerged Lands Programs with Additional Information and Drawing Checklist Dredge; and a list of St. Joe City Limits Parks. At the request of Ms. McElroy, these documents are attached to the Minutes as Exhibit 1 but it is noted that they are unverified and unedited.) She also noted that the map depicting the location of the lighthouse has not been updated and reflects the site that was suggested by Eric Davidson.

Ms. McElroy referenced several sites around town that need upgrading before additional money is spent on another new park facility.

#### **Discussion Items by Commissioners**

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

*Commissioner McCroan* asked about the Windmark fire pump. Mr. Anderson responded that a closed loop system has been installed eliminating the need for a meter.

*Commissioner McCroan* asked Mayor Magidson to explain the tipping fee vs. one-half cent sales tax receipts with Gulf County. Mayor Magidson shared that several years ago the county imposed a half cent sales tax on the citizens and the City chose to collect their share of the sales tax money rather than give it to the county. He felt that this was a good business decision for the City because of the difference in the costs.

Mr. Anderson noted that there is not an agreement with the county on the sales tax.

Mr. Gibson shared that the county reinstated the sales tax and one half of the funds raised would go to Sacred Heart Hospital and the other half to tipping fees for the county. The City elected to keep the sales tax and pay the tipping fees.

*Commissioner Patterson* thanked John Grantland for his help with a project.

Commissioner Thursbay asked about sidewalk repairs for Monument Avenue. Mr. Grantland noted that a funding source is needed.

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

A Motion was made by Commissioner Patterson, second by Commissioner Thursbay, to adjourn the Meeting at 7:55 P.M.

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

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Mel C. Magidson, Jr., Mayor

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



**MINUTES OF THE BUDGET WORKSHOP MEETING FOR THE PROPOSED 2013 / 2014 BUDGET FOR THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE COMMISSION CHAMBER AT CITY HALL, September 3, 2013, AT 5:00 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 Wastewater and Solid Waste Funds of the proposed 2013 / 2014 Budget and receive input from the Commissioners on structuring the Budget.

Documentation was provided to the Commissioners reflecting the proposed FY 2013 – 2014 Budget with line item detail provided for both Revenue and Expenditures.

Dwight Van Lierop, provided an insurance overview for the upcoming budget cycle. He noted that a Return of Premium check in the amount of \$40,818 would be forthcoming from the Florida Municipal Insurance Trust for Property and Casualty.

Health insurance through Blue Cross Blue Shield will have a slight increase this year.

After a review of the budget information, Commissioners expressed their appreciation for all the hard work that had gone into the budget preparation.

Ralph Robertson stated that he felt the City has done a good job managing their finances, they have been conservative in their approach, costs do go up and down the road there may have to be an increase in taxes but at this point an overall good job has been done. The City has been balancing the revenues and cutting cost where possible and there is not a lot of waste in the budget.

Mayor Magidson noted that the City was in good shape for the shape we are in and he felt that staff has done a good job.

The total budget for FY 2013 – 2014 is \$11,250,000 which is down 5% from the current fiscal year.

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

Mayor Magidson adjourned the Workshop at 5:45 P.M.

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

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Mel C. Magidson, Jr., Mayor

\_\_\_\_\_  
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, September 12, 2013, at 5:01 P.M.**

The following were present: Commissioners McCroan, Patterson and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce, Financial Analyst Mike Lacour, and City Attorney Tom Gibson were also present. Mayor Magidson participated by telephone. Commissioner Buzzett was absent. The meeting was chaired by Commissioner Patterson.

The purpose of the Special Meeting was Ordinance 495 – 2013 / 2014 Ad Valorem Tax Millage Rate Public Hearing and First Reading and Ordinance 496 – 2013 / 2014 Budget Public Hearing and First Reading.

No one from the public spoke on Ordinance 495.

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to have the First Reading of Ordinance 495. All in Favor; Motion carried 4-0.

Attorney Gibson read Ordinance 495 in its entirety.

No one from the public spoke on Ordinance 496.

A Motion was made by Mayor Magidson, second by Commissioner McCroan, to have the First Reading of Ordinance 496. All in Favor; Motion carried 4-0.

Attorney Gibson read Ordinance 496 in its entirety.

Mr. Anderson noted that the Final Public Hearing and adoption of the 2013 – 2014 Budget will be held on Monday, September 30, 2013.

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to adjourn the Meeting at 5:13 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

## **AMENDED AND RESTATED INTERLOCAL AGREEMENT**

**WHEREAS**, Gulf County, Florida, a political subdivision of the State of Florida and the City of Port St. Joe, a Florida municipal corporation, each acting by and through its respective Board of Commissioners entered into an Interlocal Agreement (hereinafter "Agreement") which the City executed on November 29, 2005 and the County executed on November 30, 2005, and

**WHEREAS**, the Agreement set forth various agreements and obligations related to the City's annexation of the Windmark Beach area, and

**WHEREAS**, the annexation of the Windmark Beach Area described in the Agreement has been completed and with the exception of those identified herein, the various agreements and obligations have either been completed or waived by the parties, and

**WHEREAS**, it is in the best interest of the County and the City to amend the Agreement to eliminate the portions of the Agreement that have been completed and/or waived and to amend and restate the agreement as to continuing and/or additional obligations,

**NOW, THEREFORE**, in consideration of the mutual covenants and conditions contained herein City and County agree as follows:

1. The following paragraphs of the Agreement have been completed, waived or covered by current state law and are hereby eliminated and removed and neither party is under any further obligation pursuant to these paragraphs: 1, 3, 5, 6, 7, 8, 9, 10, 11, and 15.
2. The City shall provide primary fire protection coverage in the Area of Oak Grove.
3. Within 30 days of the date hereof, City shall prepare and execute a warranty deed transferring ownership of the real property upon which the Tourist Development Council building is located. City shall retain a reversionary interest in the property in the event that it is used for any non-public purpose. City shall retain the portion of the property necessary to construct a north-south road link between Fourth Street and Fifth Street.
4. City acknowledges that a portion of the consideration for the transfer of County water systems to City ownership which occurred on June 21, 2008 was an

