

**October 15, 2013**

**Workshop Meeting  
Boat Ramp Fees  
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 October 15, 2013

---

## Call to Order

## Consent Agenda

### Minutes

- Special Meeting 9/30/13 Pages 1
- Regular Meeting 10/1/13 Pages 2-5

### City Attorney

- Ordinance 494, Interment Fees
  - 2<sup>nd</sup> Reading & Consideration of Adoption Pages 6-9
  - Resolution 2013-05 Page 10
- Affordable Housing
  - Amended MOU Pages 11-12
  - FLUM Amendment

### Old Business

- Lighthouse- Update
- Workforce Board Lease Agreement Pages 13-15
- Roadside Pick-up Amnesty Month- Update
- Ghost on the Coast

### New Business

- Sign Ordinance- Comm. Thursbay
- Animal Control Ordinance- Comm. Patterson Pages 16-23
- RFP 2013-07 2012 CDBG Water System USDA MLK Sidewalks Page 24
- RFP 2013-08 Landscaping & Grounds Maintenance Bid Award Page 25

### Public Works

- Update

### Surface Water Plant

- Update

### Waste Water Plant

- Solar Aeration System- Request to Bid

### City Engineer

- Traffic Study- Update
- Water Study- Update
- NFWMD Grant Application- Update

**Code Enforcement**

- Update

**Police Department**

- Update

**PSJRA**

- Status Update Request- Phase IV Landscape Project

**City Clerk**

- Update

**Citizens to be Heard**

**Discussion Items by Commissioners**

**Motion to Adjourn**

**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 30, 2013, at 5:01 P.M.**

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

The purpose of the Special Meeting was Ordinance 495 – 2013 / 2014 Ad Valorem Tax Millage Rate Public Hearing and Second Reading; Ordinance 496 – 2013 / 2014 Budget Public Hearing and Second Reading; and consideration of Adoption of both Ordinances.

**Ordinance 495, Ad Valorem Taxes**

No one from the public addressed the Commission.

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to have the Second Reading of Ordinance 495. All in Favor; Motion carried 5-0.

City Manager Jim Anderson read Ordinance 495 in its entirety.

A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to adopt Ordinance 495. All in Favor; Motion Carried 5-0.

**Ordinance 496, 2013 – 2014 Budget**

No one from the public addressed the Commission.

A Motion was made by Mayor Magidson, second by Commissioner McCroan, to have the Second Reading of Ordinance 496. All in Favor; Motion carried 5-0.

City Manager Jim Anderson read Ordinance 496 in its entirety.

A Motion was made by Commissioner Thursbay, second by Commissioner Patterson, to adopt Ordinance 496. All in Favor; Motion carried 5-0.

**Regions Bank Loan – Letter of Commitment**

An updated Letter of Commitment has not been received from Regions Bank. A Motion was made by Commissioner Thursbay, second by Commissioner Patterson, to table this item until tomorrow's regular meeting.

**Motion to Adjourn**

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to adjourn the Meeting at 5:15 P.M.

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

\_\_\_\_\_  
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, October 1, 2013, AT 6:00 P.M.

The following were present: Mayor Pro tem Buzzett, Commissioners McCroan, Patterson and Thursbay. City Manager Jim Anderson and City Clerk Charlotte Pierce were also present. Mayor Magidson and Attorney Tom Gibson were absent. City Attorney Russ Scholz filled in for Attorney Gibson.

## CONSENT AGENDA

### Minutes

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to approve the Minutes of the Regular Meeting of September 17, 2013. All in Favor; Motion carried 4-0.

Later in the Meeting, under the PSJRA Report, Gail Alsobrook asked that the Minutes reflect that she is paid to write grants but does not receive a percentage of the grant award. A Motion was made by Commissioner Thursbay, second by Commissioner Patterson, for this statement to be added to the Minutes. All in Favor; Motion carried 4-0.

### CITY ATTORNEY – Russ Scholz

Mr. Scholz did not have anything to share.

### CITY MANAGER'S REPORT

#### Old Business

##### *Lighthouse*

Mr. Anderson noted that Staff is still reviewing the bids and are looking at ways to value engineer the project.

##### *Workforce Board Lease Agreement*

Mr. Anderson has talked with Workforce Board Executive Director Kim Bodine and she will present the Lease to her board at their next monthly meeting.

##### *Regions Bank loan Refinance Update*

A Letter of Commitment was received today quoting today's floating rate of 3.41%. Maturity date is fifteen years from closing with an amortization period of twenty five years and a seven year pre-payment penalty. Ralph Roberson spoke on behalf of the City's Finance Committee and recommended that, pending legal review and approval, the Commission accept the Regions Bank offer. The actual rate will be fixed one day prior to closing and if the Libor Swap Rate is less than 3.38% at closing, the interest rate will remain at 3.41%. If the swap rate exceeds 3.38% the interest rate will be adjusted accordingly. Regions should be able to provide their closing packet within a week.

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, that pending legal approval, the Regions Bank offer be accepted. All in Favor; Motion carried 4-0.

##### *Roadside Pick-up Amnesty Month*

Mr. Anderson noted that the October Roadside Pick-Up Amnesty Period has been advertised on our water bills, website and through flyers. He encouraged citizens to participate in this opportunity.

## **New Business**

### *Dispatch Contract*

Mr. Anderson shared that Sheriff Mike Harrison will continue the Dispatch Contract for FY 2013 – 2014 at the same rate as the previous year, \$66,000. A Motion was made by Commissioner Patterson, second by Commissioner Thursbay, to approve the Dispatch Contract. All in Favor; Motion carried 4-0.

### *Ghost on the Coast*

The Gulf County Chamber of Commerce will be hosting Ghost on the Coast on October 31, 2013. A notice will be placed on the City water bills reminding citizens of the event and asking for donations of candy to be used by the merchants. Donations for the event may be dropped off at City Hall.

### *Sign Ordinance – Commissioner Patterson*

Ann White again questioned the approval of the sign for First Baptist Church. Mr. Anderson noted that a Special Exception had been requested, it was properly advertised and then approved by the Planning Development Review Board (PDRB). The Land Development Regulations (LDR) provides for approval by the PDRB and does not have to be referred to the Commission.

Commissioner Patterson shared that Toye Roberts has again requested help with signage for businesses in the Industrial Park as signs are not allowed on the Right of Way. It was suggested that Mr. Roberts contact land owners in the area, requesting their permission to place signage on private property, and bring their responses back to the City Commission.

Christy McElroy suggested that Mr. Roberts contact the Port Authority as they are in a fund raising campaign and perhaps something could be worked out with them to rent an area for signs.

### *Boat Launch Fees – Commissioner Patterson*

Commissioner Patterson suggested that a fee be considered for parking while using the Frank Pate Park Boat Ramp. Discussion was held on how fees are handled in adjoining areas. There will be a Workshop on Tuesday, October 15, 2013, at 5:00 P.M., prior to the next regular Commission Meeting, to discuss this.

### *Feral Cats – Commissioner Patterson*

Telephone calls have been received by Commissioner Patterson concerning Feral Cats. Connie Lamb, representing *Alley Cats* shared they have permission to go on property owners premises to feed, trap and transport cats to the veterinarians for surgery and shots to prevent an explosion in the cat population.

Laura Adams shared her concerns about Feral Cats in the neighborhoods and requested help in removing them.

Nancy Mock, Helen Carroll and Linda MacLeod noted their efforts to help rescue cats and provide homes for them.

After a lively discussion, it was determined that the City will be working with the Gulf County Animal Control Officer to resolve this issue.

### *Fee Waiver Request – Semper Fi Sisters*

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to grant the Fee Waiver requested by the Semper Fi Sisters for the use of the Centennial Building on October 13 and 14, 2013. All in Favor; Motion carried 4-0.

## **Public Works – John Grantland**

### *Water Distribution Phase II Bores – Request to Bid*

A Motion was made by Commissioner Patterson, second by Commissioner McCroan, to advertise for Water Distribution Phase II Bores. All in Favor; Motion carried 4-0.

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

### *Ground Storage Tank Cleaning*

Mr. McClamma noted that the cleaning will be done on Wednesday, October 9, 2013, and our system will be running off the Clear Wells. Back up pumps have been tested and they are running smoothly.

Mr. McClamma shared that two City operators will be visiting the Dalton, Georgia water plant on Wednesday, October 23, 2013.

## **Wastewater Plant – Kevin Pettis**

Mr. Pettis advised that the Grit Kings are down again and that all involved parties are working for a solution to the problem. He noted that cutting of the grass at the Spray Fields takes about a week using the new equipment.

## **City Engineer – Clay Smallwood, III**

The *Traffic Study* has been submitted to Transfield Services and he is waiting to hear from the Florida Department of Transportation.

### *Water Study Update*

Mr. Smallwood noted that more water will be shipped to Virginia Tech Monday for use in their study of our water.

### *Northwest Florida Water Management District (NFWMD) Grant Application*

Mr. Smallwood shared that the application is being worked on.

### *CDBG Grant Application*

This project is currently out for bid. A bid opening will be held on October 10, 2013.

## **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**

*Minutes* of the PSJRA's August 15, 2013, meeting were included for the Commission's perusal.

### *Request to construct additional access point at the Billy Joe Rish Memorial Parking Lot at no cost to the City*

Ms. Alsobrook requested permission to add an additional pedestrian access point to the deck on the US 98 side. There were no objections by the Commissioners.

## **City Clerk – Charlotte Pierce**

Mrs. Pierce did not have anything to report.

## **Citizens to be Heard**

Christy McElroy provided the Commissioners with a copy of an email from Jennifer Jenkins, Gulf County Tourist Development Council Executive Director, to Gulf County Administrator Don Butler and County Attorney Jeremy Novak concerning the use of the TDC Building for a concealed carry permit class on April 20, 2013. (At the request of Ms. McElroy, this documents is attached to the Minutes as Exhibit 1 but it is noted that the document is unverified and unedited.) Ms. McElroy stressed that there should be no "sacred cows" and asked that everyone be treated the same.

Mayor Pro tem Buzzett requested that in the future, Ms. McElroy communicate with the Commissioners before the meeting. He requested that information be provided to Mr. Anderson, he will place the documents in the Commissioners' mailboxes and this will give the Commissioners time to review the information before the meeting.

**Discussion Items by Commissioners**

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

*Commissioner Patterson* asked Mr. Grantland if he had been able to look in to a problem they had been discussing. Mr. Grantland responded that it had been checked and there was no problem today.

*Commissioner Thursbay* reminded citizens of the Roadside Pickup Amnesty Month and encouraged them to take advantage of the opportunity.

He also noted that he had attended a Workforce Board Meeting and tour and was impressed with what is being done. Commissioner Thursbay encouraged citizens to participate in the Food Pantry Project as it is a very worthwhile project that assists many people. He asked citizens to purchase an extra nonperishable item when they are shopping to contribute to the Food Pantry. Donations may be left at City Hall.

*Mayor Pro tem Buzzett* had attended a meeting concerning the pretreating of water, he would like to get CDM involved in the process and continue working on this project.

Mayor Pro tem Buzzett recognized Barry Sellers, welcomed him back and wished him a speedy recovery.

A Motion was made by Commissioner Patterson, second by Commissioner Thursbay, to adjourn the Meeting at 7:10 P.M.

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

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

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



ORDINANCE #494

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA RELATING TO CEMETERIES, PROVIDING FOR CERTIFICATE OF INTERMENT, PROVIDING FOR FEES, PROVIDING FOR STANDARDS FOR INTERMENT WITHIN CITY OWNED CEMETERIES, PROVIDING FOR MAINTENANCE AND LANDSCAPING REQUIREMENTS, PROVIDING FOR RESTRICTIVE COVENANTS IN CEMETERY DEEDS, PROVIDING FOR AUTHORITY TO ESTABLISH RULES, PROVIDING FOR PENALTIES, PROVIDING FOR REPEAL OF ANY ORDINANCE IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA

SECTION 1: Certificate of interment.

No interment shall be made in any City cemetery and no grave shall be opened therein or body removed there from except by written permit or certificate issued by the City Clerk or their designate.

SECTION 2: Fees.

- A. City shall charge an administrative fee of \$30.00 payable at the time of purchase of any cemetery plot which will cover deed preparation and recording, including any documentary stamps, which shall be paid at the time of application for a permit or certificate. The City Commission may impose a fee in excess of \$30.00 by resolution.
- B. The City Commission shall, by Resolution shall set the price to be charged from time to time for cemetery plots within the city owned cemeteries

SECTION 3: Standards for interment.

- A. No interment (with the exception of cremations) shall take place in any City owned cemetery without the use of concrete vault or concrete grave liner.
- B. All vaults or grave liners shall be installed in such a manner that the top the vault is at least eight (8) inches below grade.
- C. Each grave shall have a permanent marker installed within six (6) months of the date of interment.

SECTION 4: Maintenance and landscaping.

- A. The owner of record of any cemetery lot is responsible for maintenance and repair. Any repair work required as a result of damage to the grave site or vault shall be in compliance with any City maintenance requirements in effect at the time of the repair.
- B. Any lot owner, by acceptance of a deed to any cemetery lot, thereby authorizes City, its agents, employees or contractors to enter on the lot for the purpose of repair or maintenance.
  - 1. Prior to commencing any work pursuant to this paragraph, City shall notify the lot owner at the address contained in City records.
  - 2. Any lot owner shall hold City harmless for any liability incurred as a result of City's entry on the lot for purposes of maintenance and repair.
  - 3. City may perform any work required hereunder with its own work crews or may employ subcontractors.
- C. Landscaping shall comply with City landscaping requirements in effect at the time of interment. No planting shall be allowed of anything larger than dogwood, crepe myrtle, sago palm, azaleas or other similar, native plants.
- D. No invasive species or any species otherwise prohibited by City Land Development Regulations shall be allowed.

SECTION 5: Restrictive covenants.

The requirements of this ordinance shall constitute covenants running with the land and shall be reflected in every cemetery deed issued by City. A copy of this ordinance shall be provided each lot owner at the time of purchase of any cemetery lot.

SECTION 6: Authority to establish rules.

The City Manager shall have the authority to promulgate rules and regulations pertaining to all City cemeteries. Such rules shall be made available to the public at the City Hall.

SECTION 7. Penalties.

Any person who violates such rules or regulations or refuses to comply with a directive from a City official enforcing such rules and regulations shall be punished in accordance with Section 1-15 of the City of Port St. Joe Code of Ordinances.

SECTION 8. Repeal.

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

SECTION 9. Severability.

If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 10. Effective date.

This ordinance shall become effective upon passage by the City Commission.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida this \_\_\_\_ day of \_\_\_\_\_, 2013.

THE CITY OF PORT ST. JOE

By: \_\_\_\_\_  
MEL C. MAGIDSON, JR.  
MAYOR-COMMISSIONER

ATTEST:

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

**CURRENT AND PROPOSED  
CEMETERY PLOT CHARGES**

August 26, 2013

<b>CURRENT RATES</b>		<b>PREPARE, RECORD AND MAIL DEED</b>	<b>CERTIFICATE OF INTERMENT</b>	<b>MAXIMUM COST TO OWNER</b>
Single Plot	\$300	\$25	\$50	\$375
Double Plot	\$400	\$25	\$50 / \$100	\$525
Plot for 4	\$600	\$25	\$50 / \$200	\$825
Plot for 8	\$800	\$25	\$50 / \$400	\$1,225

<b>PROPOSED RATES</b>		<b>PREPARE, RECORD AND MAIL DEED</b>	<b>CERTIFICATE OF INTERMENT</b>	<b>MAXIMUM COST TO OWNER</b>
Single Plot	\$400	\$30	0	\$435
Double Plot	\$600	\$30	0	\$635
Plot for 4	\$800	\$30	0	\$835
Plot for 8	\$1,200	\$30	0	\$1,235

