

# MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD AT 2775 GARRISON AVENUE, December 17, 2019, at Noon.

The following were present: Mayor Buzzett, Commissioners Ashbrook, Hoffman, Langston, and Lowry. City Manager Jim Anderson, and City Clerk Charlotte Pierce were also present.

## CONSENT AGENDA

### Minutes

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to approve the Minutes of the Workshop and Regular Meeting, both held on December 3, 2019. All in favor; Motion carried 5-0.

### Dixie Youth Baseball Team Recognition

Mayor Buzzett recognized the Port St. Joe Dixie Youth Baseball team and coaches. Scooter Acree introduced the team and asked that they come to the podium area for the presentation of their state championship rings.

The local team is the Florida Dixie Youth Baseball Division II AAA State Champion and World Series attendees who placed first in the Florida DYB District Four Tournament in Apalachicola and was undefeated. They placed first in the Florida DYB State Tournament in Bristol where they won 3 and lost 1 game winning the final game 11-0. They also represented Florida in the inaugural AAA DYB Division II World Series in Lumberton, NC. Team member Eli Harris made it to the finals of the Home Run Derby and also hit the first ever home run in the AAA Dixie Youth Division II World Series. This group also played together and was runner-up in the Florida Dixie Youth Baseball AA State Tournament in Sebring, FL in 2017.

Coaches are Harold Williams, Eric Mace, and Rashed Brown. Team Members are: Angel Mace, Zay Jenkins, Eli Harris, Terrell Williams, Ja' Corey Williams, William Shoaf, Kaden Brown, Cayson Reed Ashcraft, Easton Buchanan, Darion Cherry, Jayden Reese, Stratton Levins.

### Building Department Update – Quarterly

### Long Term Recovery Committee Update –

*Nancy Stuart* shared that they are partnering with the CCDF and Diana Burkett to retarp a number of homes. There will be 40 Auburn Students here December 30, 2019 – January 3, 2020, to help with this project.

She also noted that Legal Services of Northwest Florida will be holding monthly Workshops beginning January 15, 2020, at the Port St. Joe Fire Department. These Workshops will be held the 3<sup>rd</sup> Wednesday of each month in the mornings in Port St. Joe and Wewahitchka in the afternoons.

### PSJRA Chairman David Ashbrook – Update

The PSJRA will be meeting at Noon on January 7, 2020, for their monthly meeting and there will be a PSJRA Workshop on Tuesday, January 14, 2020, at Noon.

### City Attorney –

*New Attorney Search* – A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to hire Clinton McCahill as the City's Attorney. All in favor; Motion carried 5-0. No RFP was required for this opening, and the salary is \$4,500 per month.

### CITY MANAGER'S REPORT – Jim Anderson

### Old Business

*Government Complex Grant Update* – Mayor Buzzett noted that Jorge Gonzales of the St. Joe Company is having an appraisal done of the properties offered and once that is completed, Mr. Gonzalez will get back with Mayor Buzzett.

*City Commission Meeting Date/Time – Commissioner Langston*

After discussion, a Motion was made by Commissioner Langston, second by Commissioner Ashbrook, that all future meetings of the City Commission be held at Noon on the First and Third Tuesday of each month. Motion carried 4-1 with Mayor Buzzett voting no. This will begin with the January 7, 2020, meeting.

**New Business**

*Fair Housing Workshop – Bruce Ballister:*

Mayor Buzzett temporarily suspended the public hearing portion of the Agenda to permit a Fair Housing Workshop to be conducted by the City's CDBG grant administrator, Bruce Ballister. Mr. Ballister reminded the Commissioners that holding a fair housing workshop once per quarter is a requirement of HUD for every quarter year that a CDBG grant is open.

Mr. Ballister reminded the commissioners and the attendees that the City has enacted Resolution 2018-09 that adopts a Fair Housing Policy with regards to all financial, rental, and other real estate transactions or contracts that provide protections for anyone seeking housing or housing finance from discrimination on the grounds of race, color, national origin, religion, sex, marital status, familial status, handicap or age.

He asked if there were any questions from the commissioners or the public.

A local realtor in attendance asked if one of the four activities per quarter could address the local realtors group. Mr. Ballister said yes and that one was being planned.

Mayor Buzzett reconvened the regular public meeting.

*Ordinance 565 Small Scale Plan Amendment – SRS Land Co., LLC – First Reading:*

City Planner, Ray Greer, reviewed Ordinance 565 with the Commission.

A Motion was made by Commissioner Langston, second by Commissioner Hoffman, to have the First Reading of Ordinance 565 for Parcel #04594-030R changing it from Industrial to High Density Residential R-3. Motion carried 4-0 with Commissioner Lowry abstaining. He completed Form 8B Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers which is attached. City Manager Jim Anderson read Ordinance 565 by Title only.

*Ordinance 566 Large Scale Amendment – David Warriner First Reading and Request to Transmit to DEO:*

*Ray Greer, City Planner, reviewed Ordinance 566 with the Commission.*

A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to have the First Reading of Ordinance 566 for Parcels #03037-000R and #03040-001R changing them from Low Intensity Commercial to Medium Density Residential R-2, and transmitting the Request to DEO. Motion carried 4-0 with Commissioner Ashbrook abstaining. He completed Form 8B Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers which is attached. City Manager Jim Anderson read Ordinance 566 by Title only.

*Ordinance 567 Planned Unit Development – David Warriner First Reading:*

*City Planner, Ray Greer, reviewed Ordinance 567 with the Commission.*

A Motion was made by Commissioner Lowry, second by Commissioner Hoffman, to have the First Reading of Ordinance 567 for the Planned Unit Development. Motion carried 4-0 with Commissioner Ashbrook abstaining. He completed Form 8B Memorandum of Voting Conflict for County, Municipal and Other Local Public Officers which is attached. City Manager Jim Anderson read Ordinance 567 by Title only.

*Maddox Park Task Order*

After discussion, a Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, to proceed with the Task Order, in the amount of \$3,500 with Dewberry. All in Favor; Motion carried 5-0. This would be to install pipe in an existing ditch in Maddox Park / Shipyard Cove that runs parallel to Miss Zola's Drive and begins near the Lighthouse Complex and ends at Captain Fred's Place. A permit from the Northwest FL Water Management District and the Army Corp of Engineers will be required. Dewberry will

perform a wetland delineation of the area, prepare both permit applications along with supporting documentation, and submit the applications on behalf of the City.

*Triumph Application – Commissioner Hoffman:*

Commissioner Hoffman suggested that the Commission compile a list of projects that could be considered for funding by the Triumph Funds. He feels that Water / Sewer lines, and underground electrical from Highway 71 to Avenue G could possibly be covered. A Motion was made by Commissioner Hoffman, second by Commissioner Langston, to submit a request from the City to the Triumph Board. All in favor; Motion carried 5-0.

*Resolution 2019-10 Scallop Season –*

A Motion was made by Commissioner Ashbrook, second by Commissioner Lowry, to adopt Resolution 2019-10 supporting Scallop Season remain on the current commencement date of August 16<sup>th</sup> each calendar year through September 15<sup>th</sup> or as near as possible. All in favor; Motion carried 5-0

*Rotary Club Civic Project – Jim Sickels*

Mr. Sickels requested that the Rotary Club be allowed to purchase and provide three benches to be used on the Florida Communities Trust Property located near the First United Methodist Church. Mr. Sickels provided a hand drawn layout of the site. They would like to add an additional table with a gazebo at a later date. A Motion was made by Commissioner Ashbrook, second by Commissioner Hoffman, to approve the items on the hand drawn layout. All in favor; Motion carried 5-0.

**Public Works – John Grantland**

*First Street Traffic Light Repairs* – A Motion was made by Commission Ashbrook, second by Commissioner Lowry, to pay Murdock Investments, LLC \$25,400 to replace the First Street and 98 Intersection Light Cabinet. All in favor; Motion carried 5-0. FL DOT has agreed to reimburse the City \$25,400 for the cabinet, countdown inserts, and pedestrian push buttons.

**Surface Water Plant – Larry McClamma** shared that the City has passed the 4<sup>th</sup> Quarter Disinfectant By-Products Test for the 4<sup>th</sup> Quarter and the entire year of 2019. He also noted all levels were well below the EPA Standards.

**Wastewater Plant – Kevin Pettis** was not at the meeting due to surgery for his mother.

Mr. Anderson noted the plant will be replacing filters for the next 2 – 3 weeks and spraying will resume at the beginning of the New Year.

Finance Director – Mike Lacour continues to work with FEMA and our insurance carrier on Hurricane Michael issues.

City Engineer – Clay Smallwood, III

*Trail Lighting / Upgrades Grant Update* – A response has not been received as to whether the grant would cover lighting a tennis court.

*Road Bond Money* – Some patches are being made in the area and Mr. Smallwood anticipates work will begin on the project soon.

**Code Enforcement** – No report necessary.

Mr. Anderson shared that Frankie Fennell has been hired as a part-time Code Enforcement Officer and is training with Mr. Burkett.

A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to send two properties to the Special Master for a hearing. All in favor; Motion carried 5-0.

Commissioner Hoffman requested that the City keep a focus on the personal side of this issue and suggested that possibly, some community organizations could help with this project.

Mayor Buzzett shared that he has been talking with the Panama City Mayor and they add cleanup charges to the Property Tax bill of the owner. He will follow up on this method.

**Police Department – Chief Matt Herring** did not have anything to update the Commission on. He wished everyone a Merry Christmas.

**City Clerk - Charlotte Pierce**

Mayor Buzzett offered his thanks for the work done on the Christmas Parade. He noted it was a very nice parade and feels that it is the largest and best the City has had.

*Christmas Ad* – A Motion was made by Commissioner Ashbrook, second by Commissioner Langston, to purchase a holiday ad in the Star. Cost of the ad is \$281.25. All in favor; Motion carried 5-0.

**Citizens to be Heard –**

*Robert Branch* shared his concerns about the lack of funding for the 5 penny sales tax from the TDC.

*Tan Smiley* voiced his objections to someone seeking a commission seat having to pay a qualifying fee. Mr. Anderson responded that this can be changed by Ordinance and was discussed last year.

**Discussion Items by Commissioners**

Commissioner Langston stated he has not received any calls from the community about the possible use of the tennis courts at the Washington site. He asked about the gym lighting and Mr. Grantland responded they are waiting on the lights. Commissioner Langston also noted that fruit on the Orange trees located on MLK Boulevard are for citizens to take. He wished everyone a Merry Christmas, encouraged them to be safe, and have fun.

*Commissioner Ashbrook* shared the PSJRA will be meeting at 11 A.M. the first Tuesday of each month beginning in January. He also asked about the final trash pickup by the City to which Mr. Grantland responded that it had been made.

*Commissioner Lowry* asked for an update on the Tennis and Pickle Ball Courts. Mayor Buzzett responded that he had spoken with Gulf County School Superintendent Jim Norton and he favors a lease to the City rather than partnering with the City. Commissioner Hoffman suggested that the TDC might be able to help with this. Commissioner Lowry wished everyone a Merry Christmas and a Happy New Year.

Mr. Anderson shared the City has received a quote for less than \$10,000 to repair and stripe the Tennis Court at Frank Pate Park and we just need direction from the Commission as to the use.

*Commissioner Hoffman* expressed his appreciation for the Christmas Parade, the work done by City Staff to have the parade, and he felt the parade was a great success. He reminded the employees of the Employee Appreciation Lunch Friday, December 20, 2019, at 12:30 P.M.

*Mayor Buzzett* offered his condolences to Commissioner Langston in the death of his grandfather, Billy C. Quinn, Sr. He also noted that a long time City employee, Tommy Haddock, had passed away. Mayor Buzzett also thanked Commissioners Langston and Hoffman for heading up the Employee Appreciation Lunch.

A Motion was made by Commissioner Hoffman, second by Commissioner Ashbrook, to adjourn the meeting at 1:27 P.M.

Approved this 7<sup>th</sup> day of January 2020.

  
\_\_\_\_\_  
Rex Buzzett, Mayor

1/7/20  
\_\_\_\_\_  
Date

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

1/7/20  
\_\_\_\_\_  
Date

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

LAST NAME—FIRST NAME—MIDDLE NAME <i>Lourey Brett Charles</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Port St. Joe Board of City Commissioners
MAILING ADDRESS <i>134 Gulf Coast Circle</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY Port St. Joe, FL	COUNTY Gulf
DATE ON WHICH VOTE OCCURRED <i>12/17/2019</i>	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 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 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 would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a 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 (CRAs) 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 are not prohibited by Section 112.3143 from otherwise participating 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.

**IF 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 page 2)

**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, Brett C. Lowry, hereby disclose that on Dec. 17<sup>th</sup>, 20 19:

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

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, Ralph Aish, Developer;
- 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 subsidiary, or sibling 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:

I have a business relationship with Mr. Aish.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12/17/2019  
Date Filed

[Signature]  
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.



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

LAST NAME—FIRST NAME—MIDDLE NAME <b>ASHBROOK-DAVID-ALLEN</b>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <b>Port St. Joe Board of City Commissioners</b>
MAILING ADDRESS <b>909 20th ST</b>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <b>Port St. Joe, FL</b>	COUNTY <b>Gulf</b>
DATE ON WHICH VOTE OCCURRED <b>12-17-2019</b>	NAME OF POLITICAL SUBDIVISION: <b>City of Port St. Joe</b>
	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

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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 and filing the form.

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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:

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**APPOINTED OFFICERS (continued)**

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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, David Asllorad, hereby disclose that on December 17<sup>th</sup>, 20 19:

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

- 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 David + Patricia Warriner, by whom I am retained; or
- inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling 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:

Ordinance(s) 566 and 567  
Large Scale Map Amendment  
Planned Unit Development

I AM EMPLOYED BY TAPPET + COMPANY PROPERTIES MANAGEMENT, INC. WHICH DAVID + PATRICIA WARRINER OWN.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12-17-2019  
Date Filed

David Asllorad  
Signature

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