

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CITY
COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD
IN THE COMMISSION CHAMBERS AT CITY HALL, September 6,
2011 AT 6:00 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Kennedy, Patterson and Buzzett. City Manager Charlie Weston, Attorney Tom Gibson and City Clerk Jim Anderson were also present.

Consent Agenda:

DAR Proclamation:

Mayor Magidson noted that Constitution week is September 17, 2011-September 23, 2011. The Proclamation was read and presented to DAR Representatives Virginia Harrison and Ild Stokoe.

Minutes:

Motion by Commissioner Kennedy, 2nd by Commissioner Patterson, to approve the Minutes for the July 19, 2011 Regular Meeting, July 28, 2011 Workshop, July 28, 2011 Special Meeting, August 2, 2011 Regular Meeting, August 9, 2011 Workshop and the August 16, 2011 Regular Meeting with corrections. All in Favor; Motion carried 5-0.

Regular Agenda:

City Attorney:

Ordinance 469 LDR/FLUM Map Amendment:

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to have the 2nd reading of Ordinance 469. All in Favor; Motion carried 5-0.

Motion by Commissioner Gingell, 2nd by Commissioner Buzzett, to adopt Ordinance 469. All in Favor; Motion carried 5-0.

BP Claim Update:

Attorney Gibson noted that a conference call was held today and another is scheduled for Friday in reference to our claim.

Gulf Pines Hospital:

Attorney Gibson indicated that the numbers are going in the wrong direction. The value of the property hasn't changed but the cost of fixing it has. We need to notify the court if we are going to dismiss our claim to the property or take possession.

Mayor Magidson asked, "Have we had any discussion with the County in reference to Property Taxes?"

Attorney Gibson has spoken to Don Butler Gulf County Administrator and approx. \$79K in tax deeds are due on the Gulf Pines Property. Mr. Butler is willing to take the issue to the County Commission to discuss a negotiation.

Commissioner Buzzett asked, "If we dismiss our lawsuit and the IRS takes possession of the property, what are our chances of getting the property?"

Attorney Gibson responded, "Presumably the IRS would be open to negotiations if it doesn't go to auction.

Commissioner Buzzett talked with Ken Reecy, acting Fl. Communities Trust Administrator and Director of the Division of Housing and Community Development today about the possibility of a grant to purchase the property. It would be nice to tear the building down and put it back on the tax roll for little to no money. Approx. 15 to 20 homes currently face the old building. He appreciates the work that has been done, but doesn't feel like we can do anything at this time. He will continue to push the City to look for a solution.

Mr. Gibson noted that we can't do any good with Code Enforcement action as long as the property is held by a receiver in California.

Mayor Magidson suggested that we keep pushing and maybe something good will happen. We have anywhere from a \$100K to 150K shortfall. We also have to consider the unknowns of leaving the building v/s the value of the homes around the property.

Attorney Gibson noted that the advantage to taking the property now is that you would get a good, clean, marketable title. If you buy it from the IRS as a straight Quit Claim Deed, there is no guarantee.

Commissioner Gingell indicated that unless we can work some magic, she thinks we should let it go back to the IRS.

Mayor Magidson requested that Mr. Weston get with County Administrator Don Butler to see if they will work with the City.

Attorney Gibson noted that the question is "If the County gives an abatement of taxes, will it get us to where we need to be?"

Commissioner Kennedy asked Clay Smallwood, III, if he knew of any Asbestos Grants.

Mr. Smallwood responded, "Only for the Phase I study, which has been completed."

Ordinance 468 Hours of Alcohol Sales:

Mr. Weston noted that Ordinance 468 will be on the September 20, 2011 agenda for a 2nd reading and consideration of adoption.

City Manager, Charlie Weston:

City Facilities-ADA Compliance:

Mr. Weston indicated that we received permission in July to use USDA Funding left over from the North Florida Child Development Project for ADA Compliance. The architect is working on the plans that will take approx. three weeks to complete, before we go to bid for the project.

Frank Pate Park Sign:

Mr. Weston has meet with Jack Kerigan to go over the conceptual design for the proposed sign.

Mayor Magidson noted that he spoke with Jack Kerigan and it's his understanding that the project is moving forward, but no decision has been made on the final design. The thought is to be able to see the sign from any direction and he is looking at the cost of a two sided sign. The Tourist Development Council may be interested in helping pay the cost of redesigning the sign. Mayor Magidson will clarify with the TDC Board and its director to see if there is an interest in a double face sign.

North Florida Child Development Impact Fee Waiver Request:

Jim McKnight approached the Commission requesting a waiver of impact fees for NFCD. He doesn't believe, due to the unique circumstances, that a waiver would set precedence. NFCD has been the City's partner throughout the process and paid \$53,750 for contract work on the road. They didn't budget for the impact fees and will have to submit a loan request to USDA for payment.

Mayor Magidson noted that this is the second impact fee waiver we have had recently and the Commission chose not to grant the waiver for First Baptist Church.

Commissioner Buzzett indicated that he was against a waiver for First Baptist Church because the City couldn't afford it and we are still not out of the woods financially, so he is against a waiver for North Florida Child Development as well.

No motion was made to waive the impact fees for NFCD.

Hwy 98 Banner Permits:

Mr. Weston indicated that we have had an increase in requests to place banners at the Intersection of Hwy 71 and Hwy 98. The issue is the length of time being requested. We are looking at a ten calendar day maximum and asking the

Commissioner Kennedy requested guidance. Once we have the new sign there should not be a need for banners.

Commissioner Kennedy agrees, and would also like to see a community calendar as well.

Commissioner Gingell asked, "Who puts the banners up and what is the charge?"

Mr. Weston responded, "The City at no charge."

City staff was directed to limit banner applications to ten calendar days.

Online Utility Payments/ City Website:

Mr. Weston noted that staff is moving forward with a target completion date of October 1, 2011.

Multi-Use Path Maintenance:

Commissioner Kennedy walked the entire path today. Phases I & II are in poor condition and need to be sprayed for weeds at least twice a year. We also need to keep an eye out for roots in the path.

Mr. Weston noted that he and Mr. Grantland have a plan to address the maintenance of the multi-use path.

Commissioner Buzzett indicated that Palm Blvd. needs to be addressed as well for a maintenance plan.

Pony League Baseball Field:

Commissioner Kennedy noted that when the Middle School was dissolved, approx. 18-20 kids no longer have a Baseball Program. The request is to convert the Softball Field across from the Centennial Building into a Dixie Boys Baseball Field for 13 & 14 yr olds at no cost to the City. The only items needed are permission from the City, two loads of sand and some fertilizer at a cost of approx. \$750.

Mr. Weston will work with Commissioner Kennedy on options for the Pony League Field.

Surface Water Plant:

Mr. Davis noted that the Surface Water Plant is working well and the TTHM Samples look good as well.

Waste Water Plant:

Mr. Davis indicated that the old generators that have been sold are currently being removed.

Public Works:

First Street Sewer Forcemain:

Mr. Grantland noted that the new 16" Forcemain on First Street is complete.

Flushing Program:

Mr. Grantland indicated that Phase II of the flushing program in the county will begin in the next two to three weeks.

Recycle Bin:

Mr. Weston noted that he has spoken with the Superintendent of Schools Jim Norton and a recycle container will be placed at the High School.

City Engineer:

SRF Water Distribution Project:

Mr. Clay Smallwood, III, indicated that the plan is to advertise for bids in December and begin the twelve month project in January.

Code Enforcement:

Mr. Weston noted that Mr. Burkett is dealing with a lot of high grass issues.

Police Department:

Chief Barnes indicated that the Elementary School Parking seems to be working well. He also noted that the "No Right Turn On Red" at the Intersection of First Street and Hwy 98 is in Place.

Chief Barnes informed the Commission that a JAG Technology Grant in the amount of \$18,059 has been approved.

Commissioner Patterson asked, "Why do we only have a turn lane on one side of the Intersection at First Street and Hwy 98?"

Chief Barnes responded, "I think it's due to limited space."

Grants:

Insurance Open Enrollment:

Mrs. Pierce noted that Insurance Open Enrollment is scheduled for September 15th & 16th.

Mrs. Pierce also informed the Commission of Grant activity for the past three weeks.

PSJRA:

Ms. Gail Alsobrook announced that the PSJRA Meeting times have changed to 10:00 EST on the 2nd Thursday of each month.

Ms. Alsobrook also noted that approval was given on September 19, 2011, for the Tower Grant at the new parking lot at the corner of Fourth Street and Hwy 98.

Citizens to be Heard:

Ted Lovelace indicated that he watched the Commission Meeting at which extending the hours of alcohol sales was discussed. He asked, "Will the public have an opportunity to speak on the topic?"

Mayor Magidson noted that the Commission will vote on the hours of alcohol sales at its next meeting on September 20, 2011, and the public will be given the opportunity to speak.

Mr. Loveless indicated that this is a very serious matter and asked the Commissioners give this issue serious consideration. He is concerned that we are creating an atmosphere where alcohol is the central theme.

Gary White asked, "Can someone tell me where the idea came from?"

Mayor Magidson responded, "Three businesses have asked that the Commission to consider matching the County hours of alcohol sales."

Commissioner Comments:

Commissioner Kennedy noted that Superintendent Jim Norton indicated that the school system will start maintaining the Soccer Fields.

Mike Lacour requested that we approach the school system about helping clean-up after the games and schedule a meeting to explore our options. He also noted that the school system was invoiced \$500 last year.

Commissioner Kennedy recognized James Hamilton for a job well done with the Street Sweeper.

Commissioner Patterson noted that he has received reports of dogs running loose in North Port St. Joe.

Commissioner Gingell thanked City staff for making the budget process easy this year.

Commissioner Gingell also asked citizens please remove their Yard Sale Signs when the sale is finished.

Motion by Commissioner Buzzett, 2nd by Commissioner Gingell, to adjourn at 7:37 P.M.

Approved this 20th day of September 2011.



Mayor Magidson



Jim Anderson, City Clerk