

**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, JANUARY 3, 2012  
AT 6:00 P.M.**

The following were present: Mayor Magidson, Commissioners Gingell, Buzzett and Patterson. City Manager Charlie Weston, Attorney Russ Scholz and City Clerk Jim Anderson were also present. Commissioner Kennedy was absent.

**Consent Agenda:**

**Minutes:**

Motion by Commissioner Gingell, 2<sup>nd</sup> by Commissioner Patterson, to approve the Minutes for the December 20, 2011, Workshop Meeting and the December 20, 2011, Regular Meeting with the corrections. All in Favor; Motion carried 4-0.

**Regular Agenda:**

**City Attorney:**

**Ordinance 475, Capital Improvements:**

Motion by Commissioner Buzzett, 2<sup>nd</sup> by Commissioner Gingell, to have the 1st reading of Ordinance 475. All in Favor; Motion carried 4-0.

Motion by Commissioner Gingell, 2<sup>nd</sup> by Commissioner Buzzett, to advertise Ordinance 475. All in Favor; Motion carried 4-0.

**Ordinance 476, Planning & Development Review Board Membership:**

Motion by Commissioner Buzzett, 2<sup>nd</sup> by Commissioner Gingell, to have the 2<sup>nd</sup> reading of Ordinance 476. All in Favor; Motion carried 4-0.

Motion by Commissioner Buzzett, 2<sup>nd</sup> by Commissioner Gingell, to adopt Ordinance 476. All in Favor; Motion carried 4-0.

**Gulf Citizens for Clean Renewable Energy, Inc- Lawsuit:**

Mayor Magidson indicated that Attorney Gibson has tried to contact the plaintiff's attorney about an extension to the response time.

Attorney Scholz indicated that no response has been received from the plaintiff's attorney and he has called as well. The City was served on December 22, 2011 and a response is due by January 11, 2012.

Mayor Magidson requested that a formal request filed for an extension of time to respond to the lawsuit.

**City Manager, Charlie Weston:**

**Centennial Building Acoustics:**

Mr. Weston noted that he has contacted Paul Donofro who is an Architect working on a \$14M Arts & Cultural Center in Marianna. Mr. Donofro will review our facilities next week.

**City Manager Position:**

Mr. Weston noted that the position closed on December 31, 2011, and forty-one applications were received. He is working with Kim Bodine at the Workforce Board to screen the applications and provide a timeline to the Commission.

**Municode:**

Mr. Weston noted that we have received a quote of \$12K to codify the City Ordinances. The last update was done in 2007 and the quote includes a hard copy as well as an electronic version. Staff will continue to work with Municode this week on our options and the final cost.

**WindMark Developments of Regional Impact (HB 7207):**

Mr. Weston noted that the Joe Co. has been granted a four year extension for the WindMark Beach DRI based on HB 7207.

Mr. Anderson has contacted Mr. Gonzalez with the Joe Co. to discuss the terms of the extension.

**City Website:**

Mr. Weston indicated now that our new Website is live, the key will be maintenance and periodic updates. He has asked staff to provide data to integrate Code Enforcement, Parks & Recreation, Building Department and the Youth Leagues into the website.

**City Audit:**

Mr. Weston noted that Vance CPA has completed the field work for the City Audit and we should receive a draft in the next ten days.

**Public Works:**

Mayor Magidson asked, "When will we start flushing water lines at the beach?"

Mr. Grantland responded, "We started flushing WindMark Beach Phase I today."

Commissioner Patterson asked, "Have we fixed the driveway of Robert Branch at 1016 Marvin Avenue?"

Mr. Grantland responded, "No, not yet."

**Surface Water Plant:**

Larry McClamma noted that Air Gas has removed the unused Ammonia tank today. The City will now be saving on the rental charge for the tank.

**Waste Water Plant:**

**Headworks & Sprayfield Update:**

Lynn Todd noted that the GAC Contractors have de-watered the site and are continuing the work on the Headworks. The contractor is also laying the pipe to the Sprayfield on schedule.

Commissioner Patterson asked if the old wells have been capped.

Ms. Todd responded, "No, not yet." We will need to get a DEP Permit first."

**City Engineer:**

Clay Smallwood, III, noted that a 9:30 A.M. conference call is scheduled for tomorrow to discuss our options for the Phase I Water Distribution Upgrades.

Mayor Magidson asked, "Do we have an update on the Garrison/Madison multi-path?"

Mr. Weston responded, "I was assured today that the contractor will meet the deadline."

Commissioner Gingell asked, "Is there a daily penalty for not meeting the contract deadline?"

Mr. Smallwood responded, "Yes."

Mr. Weston noted that he also wanted to discuss Phase II of the Water Distribution System tomorrow and set-up a workshop with the Commission on January 12, 2012, at 5:00 P.M.

**Code Enforcement:**

Mr. Weston indicated that four structures are scheduled for demolition on January 9, 2012.

**Police Department:**

Mr. Weston noted that Chief Barnes had shoulder surgery and will be out for several weeks.

**Grants:**

Mrs. Pierce provided the Board with the grants activity for the past two weeks.

**PSJRA:**

No Update, Ms. Alsobrook was absent from the meeting.

Mayor Magidson asked, "When will the PSJRA Tower Project be moving forward?"

Commissioner Gingell responded, "The PSJRA is working on the design phase."

**Citizens to be Heard:**

**Christy McElroy:**

Ms. McElroy read a report from News Channel 13 ABC. Please see Ex. (A). Ms. McElroy also asked each Commissioner "Are those that intend harm on citizens and our neighbors the ones you want to import into our town? Do you want an overnight dormitory style Rescue Mission in our Town for example like the Panama City rescue Mission?"

Commissioners Patterson, Buzzett and Gingell responded, "No."

Mayor Magidson indicated that he is not going to be part of Ms. McElroy's inquisition. I have stated my position several times and if there is a problem, the City will deal with it.

Ms. McElroy asked that the Commission be proactive. "We can't afford to have a large criminal intent in our town."

Ms. McElroy asked, "Are you willing to create and institute ordinances that will protect against criminal transits that are looking for a haven for their nefarious intentions?"

Commissioner Buzzett stated, "I'm willing to look at ordinances that are within reason."

Commissioners Gingell and Patterson stated, "Yes."

Mayor noted that we are making a lot of assumptions. "I don't know where these assumptions are coming from."

Ms. McElroy indicated that she will back again until the Board is willing to do something.

Commissioner Gingell noted that she has already talked with legal and we are in the process of reviewing our options.

**Commissioner Comments:**

Commissioner Patterson asked, "What is the status of lighting on David B. Langston Drive?"

Mr. Weston noted that we have talked about lighting, but it's a function of money. Lighting for David B. Langston Drive is in the CIP Plan and we are looking for funding.

Commissioner Patterson indicated that the dumpster in the alley behind Sisters Restaurant is not being put back in the proper location by WastePro.

Mr. Weston noted that he worked with WastePro when the location for the dumpster was designed. Since that time, WastePro has indicated that they are having problems. He has talked to WastePro at least three times.

Commissioner Buzzett indicated that we need to vote on and approve the new volunteer for the Planning & Development Review Board. He requested that the item be placed on the January 17, 2012 Commission Agenda.

Commissioner Gingell requested that we invite Jim Garth, the potential new volunteer, to the January 10, 2012, PDRB Meeting.

Motion by Commissioner Gingell, 2<sup>nd</sup> by Commissioner Patterson, to adjourn at 6:54 P.M.

Approved this 7<sup>th</sup> day of February 2012.

  
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Mayor Magidson

  
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Jim Anderson, City Clerk