

**September 15, 2015**

**Special Meeting  
David Garner Grievance Committee Selection  
5:30 P.M.**

**Regular Public Meeting  
6:00 P.M.**

**Port St. Joe Fire Station  
402 Williams Ave  
Port St. Joe, Florida**



## **City of Port St. Joe**

Bo Patterson, Mayor-Commissioner  
William Thursbay, Commissioner, Group I  
David Ashbrook, 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.**

**Port St. Joe City Hall**

**Fire Station**

**Tuesday September 1, 2015**

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## **Call to Order**

## **Consent Agenda**

### **Minutes**

- **Regular Commission Meeting 9/1/15** **Pages 1-4**
- **Budget Workshop 9/1/15** **Page 5**
- **Joint City/County Workshop 9/2/15** **Page 6**
- **Burton & Associates Workshop 9/8/15** **Page 7**
- **Special Meeting 9/10/15** **Page 8**

### **PSJRA**

- **Update**

### **City Attorney**

- **Patton Park Plat Approval** **Pages 9-13**
- **Ordinance 518 Water Rates** **Pages 14-17**
  - **1st Reading**
- **Ordinance 519 Sewer Rates** **Pages 18-21**
  - **1st Reading**
- **Resolution 2015-06 Impact Fees** **Pages 22-25**
- **Jetty Park Name Change**

### **Old Business**

- **102 Stone Drive- Building Permit**
- **Northwest Florida Water Management District Grant- Update**
- **Hwy 98 Golf Cart Crossing- Mayor Patterson**

### **New Business**

- **Fee Waiver Request for the Centennial Bldg. 2/22/16-3/31/16**
  - **TDC Film Crew**
- **Kiosk Signs**
- **Cape Sewer Billing**
- **Old Ward Ridge City Hall Bldg.- Comm. Thursbay**
- **Flashing Sign on 20<sup>th</sup> Street- Comm. Thursbay**
- **Speed bumps on 6<sup>th</sup> Street- Comm. Thursbay**
- **Delineators on Hwy 98- Comm. Buzzett**
- **Employee Wellness Program- Comm. Buzzett**

- **Commercial Utility Rates- Mayor Patterson**
- **Commercial Trash Pick-Up- Mayor Patterson**

**Public Works**

- **Sick Leave Pool**

**Surface Water Plant**

- **St. Joe Beach Tank**

**Waste Water Plant**

- **Update**

**City Engineer**

- **Update**

**Code Enforcement**

- **Update**

**Page 26**

**Police Department**

- **Update**

**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 1, 2015, AT 6:00 P.M.  
The Meeting was held in the Port St. Joe Fire Department Meeting Room due  
to a request for accessibility from a citizen.**

The following were present: Mayor Patterson, Commissioners Buzzett, Ashbrook, McCroan, and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce and Attorney Tom Gibson were also present.

**CONSENT AGENDA**

**Retirement Recognition – Tom Haddock**

Mayor Patterson recognized and presented a Service Award to Tom Haddock for his 34 years, 9 months, and 7 days of dedicated service to the city of Port St. Joe.

**Minutes**

A Motion was made by Commissioner Ashbrook, second by Commissioner Thursbay, to approve the Minutes of the Regular Meeting on August 18, 2015. All in favor; Motion carried 5-0.

**PORT ST. JOE REDEVELOPMENT ASSOCIATION (PSJRA)**

Bill Kennedy, Executive Director of the PSJRA, expressed his appreciation for the opportunity to serve as the new director. He updated the Commission on the Open Air Information Center; shared the FRDAP sign for the Washington Site has been ordered; notification has been received that the FDOT Phase Five Landscape funding for Avenue D to the Overpass has been approved, and work is continuing with Littlejohn Engineering on the Amphitheater.

**CITY ATTORNEY – Tom Gibson**

Mr. Gibson did not have anything new to share with the Commission but noted there is a possibility the Port Authority Meeting for next week may be cancelled. He encouraged anyone interested in attending the meeting to call prior to the meeting for a status update.

Mayor Patterson asked if a draft was available yet on the Modular Home Ordinance and Mr. Gibson stated he was working on it. The Modular Home meets all state criteria, there could be an issue with the foundation and it would be good to have a Workshop on the issue. The PDRB will be looking at the issue at their next meeting on September 8, 2015.

**CITY MANAGER'S REPORT – Jim Anderson**

**Old Business**

*102 Stone Drive: Building Permit* – Mr. Anderson noted the Stop Work Order is still in place. Amy Rogers shared her concerns about double standards for Modular Homes in the City; Mary Baird, who owns property adjacent to 102 Stone Drive, asked that the issue be checked in to further as she feels tricky semantics have been used by the manufacturer and Matthew Taylor questioned if a City employee has been designated to negotiate with the property owner, the manufacturer and the City.

Mr. Anderson stated he has not received a response from Mr. Mike and the manufacturer wants to move forward on the project.

Mayor Patterson asked if the residents of the area were willing to help with the cost to fight allowing the Modular Home in their neighborhood. No one from the audience responded to his question.

*Boat Ramp Improvements* – Mr. Colson has been contacted, he will be here as soon as possible and with the upcoming weekend being a holiday weekend, Mr. Anderson noted this week was not the time to start the project.

*Northwest Florida Water Management District Grant* – Bids for the project, which covers the area of Tenth Street to Highway 71 and Long Avenue to Monument Avenue is approximately \$106,000 over the grant amount. Engineering will be talking with Northwest Florida Water Management District to see if additional funding is available. When this has been clarified, the information will be provided to the Commission.

*Industrial Park Sign:* Commissioner Thursbay noted he had spoken with Mr. Anderson and the Sign Application has been submitted to FDOT for approval; the individual businesses would be allowed to list their business on the signs and the St. Joe Company has signed off on the signs.

*Highway 98 Golf Cart Crossing:* Mayor Patterson requested this be on the Agenda for the September 15<sup>th</sup> Meeting and encouraged all golf cart owners who support the crossing to attend the meeting.

### **New Business**

*Fee Waiver Request for the Centennial Building 2/22/16 – 3/31/16 TDC Film Crew* – After discussion, Commission Ashbrook requested this be tabled until the next meeting so more details can be obtained. There were concerns about previously scheduled events, as well as the cost of the utilities and the inability to rent the Centennial Building during this time period.

*Museum Property* – The Lighthouse Keepers' Quarters will need to be repaired prior to moving any of the Museum contents and Commissioner Thursbay suggested the possibility of PSJRA funds to help with the needed renovations. A historic preservation grant has been applied for and if funded, would not be available until July, 2016.

*Legislative Funding Request* have been received from Senator Montford and Representative Beshears. Mr. Anderson asked the Commissioners to get with him on their thoughts for projects. Last year's funding requests included assistance with the Cape San Blas Sewer, reworking Long Avenue and projects for the Port. None of these projects were funded.

The *September Calendar* has numerous meetings and Mr. Anderson encouraged the Commissioners to be aware of the different meetings.

*Open Enrollment Options* – Carol Dixon, representing Woodmen of the World, has requested that their company be afforded the opportunity to meet with City employees during Open Enrollment to make them aware of Roth IRAs and the benefits they provided. There were no objections to this.

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, for Insurance Agent Dwight Van Lierop to provide an additional supplemental source provider during Open Enrollment. All in favor; Motion carried 5-0.

*Maddox House: Application for listing on the National Register of Historic Places* – A Motion was made by Commissioner Thursbay, second by Commissioner Buzzett, for the City to begin the process of having the Maddox House placed on the National Register of Historic Places. All in favor; Motion carried 5-0.

### **Public Works – John Grantland**

*Cape Sewer Extension* – Work on Sapodilla Lane should be completed by Thursday and crews will proceed to Hemmingway Court next.

*Blue Heron Drive Sewer* – A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to approve adding Blue Heron Drive to sewer work being done on the Cape. This will add an additional 1,500 LF, 18 lots, and require three taps to the sewer system. All in favor; Motion carried 5-0.

Commissioner Buzzett requested that billing issues on the Cape be on the Agenda for September 15<sup>th</sup>.

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

Moving of the *College Sample Location* has been approved by DEP; Lynn Todd is taking care of the paper work and the Auto Flusher has been removed.

#### **Wastewater Plant – Lynn Todd**

Ms. Todd shared that pipe line repairs to the effluent line will begin Wednesday.

**City Engineer - Clay Smallwood, III**, did not have any new updates for the Commissioners but noted the PDRB will be looking at the Patton Park Plat at their meeting on September 8, 2015.

#### **Code Enforcement**

Mr. Burkett's report was reviewed, no action was taken. Mayor Patterson shared that Mr. Burkett is very busy writing citations, checking on unlawful accumulation of items, and trying to keep the City clean.

**Police Department – Chief Herring** did not have anything new to update the Commission on.

Commissioner Buzzett expressed his concerns about drivers making left hand turns, across double yellow lines, to enter McDonald's and Hungry Howie's. Chief Herring will get with John Grantland to see if there are options to help this situation.

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

*Lighthouse Power* – A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to spend up to \$3,500 of BP Funds to get power to the Lighthouse. All in Favor; Motion carried 5-0.

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

Amy Rogers shared her concerns about the following issues:

- Making the museum more visible and providing more publicity about it.
- Following up on the renaming of Jetty Park to Clifford C. Sims Memorial Park. Attorney Gibson is checking on this.
- Thanked the Commissioners for replacing the sign at Bay Street.
- Asked what had been done to cleanup Business 98 by property owners. Commissioner Thursbay noted that Hal Keels is working on this this.
- Inquired as to when sidewalks would be provided on Avenue D. Commissioner McCroan shared that Gulf County Commissioner Quinn is looking into this and John Grantland will follow up with him on the issue.
- Requested the speaker's podium be moved to the side of the room rather than centered.

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

*Commissioner Thursbay* requested that flashing speed limit signs be considered for Garrison Avenue in the area of Faith Christian School.

*Commissioner Ashbrook* did not have anything to discuss.

*Commissioner McCroan* shared that there are issues with WastePro as he continues to receive complaints about their service as well as the liquids pouring from their trucks, messing up the roads, and vehicles having to drive through it.

Mr. Anderson noted that all complaints are reported daily to WastePro's administration with copies of the emails going to Mayor Patterson.

*Commissioner Buzzett* did not have anything to share.

*Mayor Patterson* noted the Florida League of Cities Conference was very informative; he has a copy of all sessions that were held and he gave the MP3 of the conference to Commissioner Ashbrook for his review. The MP3 can be shared with the Commissioners that did not attend the conference.

The Mayor requested that Commercial Rates for Water and trash pickup be on the next Agenda.

A Motion was made by Commissioner Thursbay, second by Commissioner McCroan, to adjourn the Meeting at 7:15 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James "Bo" Patterson, Mayor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



**MINUTES OF THE FY 2015 – 2016 BUDGET WORKSHOP FOR THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE PORT ST. JOE FIRE DEPARTMENT MEETING ROOM, September 1, 2015, AT 5:00 P.M.**

The following were present: Mayor Patterson, Commissioners Buzzett, McCroan, Ashbrook and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce, Financial Analysts Mike Lacour, Police Chief Matt Herring and Public Works Director John Grantland were also present.

The purpose of the Workshop was to discuss the FY 2015 – 2016 Budget with focus being on insurance renewal and a balanced budget.

Copies of the preliminary 2015 – 2016 Fiscal Year Budget were distributed.

Dwight Van Lierop, the City's Insurance Agent, discussed the rates and options for the coming year. Due to five claims for the previous year totaling over \$700,000 there was very little that could be negotiated about the rates for the coming year. Several options were discussed and reviewed with consensus being to raise the insurance cap to \$705 per employee for the coming year.

Commissioner Thursbay expressed his displeasure with Colonial Insurance and requested that an additional supplemental insurance provider be secured for Open Enrollment next week.

Mr. Lacour shared that adjustments and updates to the Budget had been made and it is balanced. He also shared the current draft Budget has no increase in AD Tax, 3% COLA for all employees; a new Police Officer at \$14.50 per hour; Increasing the Insurance Cap to \$705 per employee; very few Capital Improvements and \$10,000 for repairs to the STAC House.

Mr. Anderson reminded the Commissioners that the first Public Hearing on the Budget will be held on Thursday, September 10, 2015 at 5:01 P.M., in the Fire Department Meeting Room.

Mayor Patterson adjourned the Workshop at 5:53 P.M.

Approved this \_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James "Bo" Patterson, Mayor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date



**MINUTES OF THE WORKSHOP FOR THE JOINT CITY / COUNTY  
COMMISSION MEETING OF THE BOARD OF CITY COMMISSIONERS FOR  
THE CITY OF PORT ST. JOE FLORIDA AND THE GULF COUNTY BOARD OF  
COUNTY COMMISSIONERS HELD IN THE GULF COUNTY ADMINISTRATIVE  
OFFICE BUILDING ON September 2, 2015, at 3:00 P.M.**

The following were present: Mayor Patterson, Commissioners Ashbrook, McCroan and Thursbay. City Manager Jim Anderson, Attorney Tom Gibson, City Clerk Charlotte Pierce, Chief of Police Matt Herring, and Financial Analyst Mike Lacour were also present. Commissioner Buzzett was absent. Representing the Gulf County Board of County Commissioners were Chairman Ward McDaniel, Commissioners Joanna Bryan, Carmen McLemore and Sandy Quinn. County Administrator Don Butler, Attorney Jeremy Novak, Clerk Beck Norris, Sheriff Mike Harrison, Staff Joe Danford, Michael Hammond, Sherry Herring, Lynn Lanier, Leanna Roberts, and Rhonda Woodward were also present.

There was no printed or set Agenda for the Meeting which was opened for round table discussion on the topics of Road Paving / Road Bond Funds; Building Inspectors; Recreation; CBIRS; Beacon Hill and Cape Sewer Issues and the Port.

The meeting was called to order by Commissioner Ward McDaniel at 2:59 P.M. He expressed his appreciation for the joint meeting of the Boards and welcomed those present to the meeting.

Discussion ensued with all Commissioners sharing ideas on the various topics. The general consensus was that staff and both attorneys would work together on the issues discussed and formulate plans for future consideration.

Amy Rogers shared her concerns with those present.

Chairman McDaniel announced that Senator Bill Montford and Representative Halsey Beshears would be meeting with their constituents on Monday, September 28, 2015, at 5:00 P.M. in the Gulf County Administrative Building and encouraged those present to attend the meeting.

The meeting was adjourned at 3:50 P.M., by Chairman McDaniel.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James "Bo" Patterson, Mayor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**MINUTES OF THE FY 2015 – 2016 BUDGET WORKSHOP FOR THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE FLORIDA, HELD IN THE PORT ST. JOE FIRE DEPARTMENT MEETING ROOM, September 8, 2015, AT 5:00 P.M.**

The following were present: Mayor Patterson, Commissioners Ashbrook, Buzzett, McCroan, and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce, and Financial Analysts Mike Lacour were also present.

The purpose of the Workshop was to discuss the FY 2015 – 2016 Budget with focus being on the Water and Sewer rates for the coming fiscal year.

Andrew Burnham and Alexander Bellino of Burton and Associates provided a power point presentation of the different scenarios to consider for the coming year. Questions and discussion followed with the consensus being to continue with the Status Quo which will result in 2.75% increase in Water rates and a 3.75% increase in the Sewer rates. The consensus also was to reduce Impact Fees by 30% on a temporary basis.

Copies of the preliminary 2015 – 2016 Fiscal Year Budget were distributed.

Financial Analyst Mike Lacour discussed the budget process and noted the revisions that had been made since the previous Workshop. Mr. Lacour will revise the budget to include the rates discussed today.

Mr. Anderson shared that the First Public Hearing for the FY '15 – '16 Budget will be held on Thursday, September 10, 2015, at 5:01 P.M.

Mayor Patterson adjourned the Workshop at 6:00 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James "Bo" Patterson, Mayor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE, FLORIDA, HELD IN THE PORT ST. JOE FIRE DEPARTMENT MEETING ROOM, 402 WILLIAMS AVENUE, September 10, 2015, at 5:01 P.M.**

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

The purpose of the Special Meeting was Ordinance 516 – 2015 / 2016 Ad Valorem Tax Millage Rate Public Hearing and First Reading and Ordinance 517 – 2015 / 2016 Budget Public Hearing and First Reading.

Robert Stauffer asked about the proposed millage rate. Mr. Anderson explained that, for planning purposes, a 1 Mill increase was show but with the current, proposed budget, there would not be an increase.

No one from the public spoke on Ordinance 516.

A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, to have the First Reading of Ordinance 516. All in favor; Motion carried 4-0.

Attorney Gibson read Ordinance 516 in its entirety.

A Motion was made by Commissioner Buzzett, second by Commissioner Ashbrook, to move \$500 from the Fire Works line item to the Chamber of Commerce. All in favor; Motion carried 4-0.

No one from the public spoke on Ordinance 517.

A Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to have the First Reading of Ordinance 517. All in Favor; Motion carried 4-0.

Attorney Gibson read Ordinance 517 by Title only.

Mr. Anderson noted that the Final Public Hearing and adoption of Ordinance 516 AD Valorem Tax and Ordinance 517 Budget will be held on Tuesday, September 29, 2015 at 5:01 P.M.

Mr. Anderson reminded the Commissioners there will be Special Meeting on Tuesday, September 15, 2015, at 5:30 to appoint a Grievance Committee to hear the grievance in reference to David Garner.

A Motion was made by Commissioner McCroan, second by Commissioner Thursbay, to adjourn the Meeting at 5:23 P.M.

Approved this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

\_\_\_\_\_  
James "Bo" Patterson, Mayor

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS OF PATTON PARK SUBDIVISION**

**THIS DECLARATION**, Made this \_\_\_\_ day of \_\_\_\_\_, 2015, by the undersigned shall read as follows:

**W I T N E S S E T H:**

**WHEREAS**, The Grantor/Owner, CITY OF PORT ST. JOE, a Florida municipal corporation owns certain property located in Gulf County, Florida, more particularly described in the map or plat thereof recorded in Plat Book \_\_\_\_\_ at Page \_\_\_\_\_ of the public records of Gulf County, Florida; and

**WHEREAS**, in order to preserve and protect the value and desirability of the property, the Owner deems it prudent to place this Declaration of Covenants, Conditions and Restrictions of record and to impose same against the property.

**NOW, THEREFORE**, the Owner hereby declares that all of the property described in above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with the property and be binding on all parties having any right, title or interest in the property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

1. **PURPOSE AND INTENT.** The purpose and intent of these covenants is to assure that the development of the subject property is in harmony with the surrounding neighborhood and observes standards commensurate with the planning, design, general architectural scheme, layout, operation, various property owners' regimes and aesthetics of the neighborhood. The use of the property is restricted to single family residential dwellings and one out building which must be located in the back yard.

2. **SETBACK.** No buildings, parking areas or structures or other improvements (except landscaping and fencing approved pursuant to the City Land Development Regulations (LDRs)) shall be permitted or erected in any setback areas.

3. **IMPROVEMENTS.** The land shall not be improved with any structure unless each residential dwelling within such structure contains at least ONE THOUSAND EIGHT HUNDRED FIFTY (1,850) square feet of living space under roof.

The elevation of the top of the finished floor of the lowest floor of any dwelling constructed within the subdivision shall be no higher than eighteen (18) inches above base flood elevation.

The area between the ground and the lowest floor of any building constructed on any lot shall be skirted by material in keeping with the construction material of the building.

Manufactured housing, whether or not it is in compliance with state and federal regulation shall not be placed on any lot within the subdivision.

4. **CARE AND APPEARANCE OF PREMISES.** No tents, trailers of any description, whether readily movable or not, campers, motor homes, vans without side windows other than for those in the front doors, shacks, tanks or temporary buildings or structures, shall be placed or permitted to remain on the land except those needed during construction; and after the completion of construction of the structures on the land and issuance of all applicable final certificates of occupancy or acknowledgments of final inspection (by the relevant local government agency), all such tents, trailers of any description, campers, motor homes, vans, shacks, tanks, temporary buildings or structures shall be removed forthwith. Campers, boats and trailers and motor homes may only be stored in back yards behind privacy fences.

Accessory Structures may be allowed in the rear yard of any lot so long as they meet building code requirements.

At all times during the course of construction of improvements and landscaping upon the land, construction debris of all kinds will be removed from the land and adjoining streets and when such construction is substantially completed, all debris, equipment and excess, surplus or remaining construction materials, of whatever nature, shall be promptly cleared and removed from the land and all adjoining premises.

All utilities within the land, whether in street rights-of-way or utility easements or on private property, shall be installed and maintained underground.

No weeds, underbrush or other unsightly growths shall be permitted to grow or remain upon the land, and no waste paper, trash, refuse pile or unsightly objects shall be allowed to be placed or suffered to remain anywhere on the land. All garbage or trash containers must be located in compliance with city ordinance.

Fences are permitted in accordance with the LDRs and may be constructed within building setbacks. Chain link fences and fences in excess of six (6) feet high are not permitted.

5. **PARKING.** Except during construction or major repairs of its facilities or during an emergency, no trucks or other motor vehicles of the Lot owner, of a commercial nature, including any vehicle identified with Lot owner (or Lot owner's employer or affiliate) by color and/or design, other than cars, SUVs, pickup trucks or the equivalent shall be parked overnight or on any legal holiday or other non-work day, including Sundays, on any public or private street, road, drive, setback or other thoroughfare adjoining or adjacent to any of the above described land.

6. **COMPLIANCE WITH OTHER COVENANTS, CONDITIONS, RESTRICTIONS, ETC.** Lot owners, their heirs, successors and assignees shall at all times comply with all affirmative and negative requirements, covenants, conditions, restrictions, easements, laws, ordinances and regulations applicable to the land (or any applicable portion thereof) (collectively, the "Requirements"). Without limiting the generality of the foregoing, Lot owners, their heirs, successors and assignees shall comply with the requirements of all requirements imposed by applicable development orders, site plan approvals, zoning resolutions, water management districts, special taxing districts and federal, state, county and local governments and administrative agencies.

7. **BUILDOUT.** Within one calendar year of the date of purchase of any lot in the subdivision a lot owner shall commence construction of a residential dwelling. Such construction shall be completed within two calendar years of lot purchase. Lot owners who fail to comply with these time frames shall be subject to a fine equal to \$100.00 per day payable to the City of Port St. Joe. The fine shall be a lien upon the lot and may be foreclosed by the city in accordance with state law.

8. **PARTIES WHO MAY ENFORCE.** These restrictions shall be enforceable by all available legal and equitable means by Grantor, its successors and any owner of record of any lot described herein.

9. **RESTRICTIONS AND COVENANTS RUNNING WITH THE LAND.** The restrictions, covenants, conditions, obligations, reservations, rights, power and charges herein provided for shall constitute a servitude in and upon the land and every part thereof, and shall run with the land and insure to the benefit of and be enforceable by Grantor, its successors and assignees. Any failure to enforce any restriction, covenant, condition, obligation, reservation, right, power or charge herein contained shall in no event be deemed a waiver of the right to thereafter enforce any such restriction, covenant, condition, obligation, reservation, right, power or charge.

**IN WITNESS WHEREOF** we have hereunto set our hands and seals the date and year first above written.

Signed, sealed, and delivered  
in the presence of:

CITY OF PORT ST. JOE, a Florida  
municipal corporation

\_\_\_\_\_  
Signature of witness  
Printed Name: \_\_\_\_\_

By: \_\_\_\_\_  
James C. Patterson, Mayor

\_\_\_\_\_  
Signature of Witness

ATTEST: \_\_\_\_\_  
Charlotte M. Pierce

Printed Name: \_\_\_\_\_

City Clerk

STATE OF FLORIDA  
COUNTY OF GULF

I HEREBY CERTIFY that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared James C. Patterson, Mayor of the City of Port St. Joe, and Charlotte M. Pierce, City Clerk of the City of Port St. Joe, both on behalf of the City of Port St. Joe, known to me to be the person(s) described in and who executed the foregoing instruments, who acknowledged before me that they executed the same, that I relied upon the following form(s) of identification of the above-named persons: \_\_\_\_\_

Witness my hand and official seal in the County and State last aforesaid this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Notary Public State of Florida

My Commission Expires: \_\_\_\_\_





ORDINANCE NO. 518

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, AMENDING ORDINANCE 472, ESTABLISHING NEW BASE RATES BY CUSTOMER CLASSIFICATION; ESTABLISHING NEW VOLUME CHARGE, ESTABLISHING NEW ANNUAL ADJUSTMENTS TO THE BASE RATES AND VOLUME CHARGES; PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe owns and operates a water treatment facility that provides potable water to the city and surrounding areas; and

WHEREAS, the City of Port St. Joe has caused to be conducted by Burton and Associates, Inc., a rate study of the city water rates; and,

WHEREAS, the rate study found that the water rate increases provided for in Ordinance 472 were higher than necessary to meet the long term water needs of the City and the surrounding areas; and

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA, as follows:

1. The Monthly Base Rate Schedule and Usage Charge Volume Charge Rate Schedule attached to Ordinance 472, as shown in Exhibit A attached hereto is hereby amended as shown in Exhibit B attached hereto.
2. Beginning 2020, the base rate and the volume charge shall be adjusted each year on October 1 to reflect the changes in the consumer price index, as published by U.S. Department of Labor.
3. Water rates set forth in Exhibit "B" shall be retroactive to October 1, 2015.
4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.
6. This ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port  
St. Joe, Florida, this \_\_\_\_ day of October, 2015.

The City of Port St. Joe

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James A. Patterson  
Mayor-Commissioner

ATTEST:

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Charlotte M. Pierce  
City Clerk-Auditor

## EXHIBIT "A"

**Water Rate Schedule for Ordinance per 8/30/11 Commission Meeting****Monthly Base Rate Schedule**

<i>Effective Date:</i>	10/1/2011	10/1/2012	10/1/2013	10/1/2014	10/1/2015
<u>Customer Classification</u>					
Residential	\$ 21.88	\$ 22.97	\$ 24.12	\$ 25.33	\$ 26.60
Commercial I	\$ 32.82	\$ 34.46	\$ 36.18	\$ 37.99	\$ 39.89
Commercial II	\$ 65.65	\$ 68.93	\$ 72.38	\$ 76.00	\$ 79.80
Irrigation Only Meter	\$ 21.88	\$ 22.97	\$ 24.12	\$ 25.33	\$ 26.60
Hydrants	\$ 17.50	\$ 18.38	\$ 19.30	\$ 20.27	\$ 21.28

**Usage Charge Volume Charge Rate Schedule**  
(per 1,000 gallons or portion thereof)

<i>Effective Date:</i>	10/1/2011	10/1/2012	10/1/2013	10/1/2014	10/1/2015
<u>Residential</u>					
0 – 3,000	\$ 3.30	\$ 3.47	\$ 3.64	\$ 3.82	\$ 4.01
3,001 – 6,000	\$ 4.15	\$ 4.36	\$ 4.58	\$ 4.81	\$ 5.05
6,001 – 9,000	\$ 6.47	\$ 6.79	\$ 7.13	\$ 7.49	\$ 7.86
9,000 +	\$ 10.09	\$ 10.59	\$ 11.12	\$ 11.68	\$ 12.26
<u>Commercial I, Commercial II &amp; Hydrants</u>					
All Use	\$ 4.15	\$ 4.36	\$ 4.58	\$ 4.81	\$ 5.05
<u>Irrigation Only Meter</u>					
0 – 9,000	\$ 6.47	\$ 6.79	\$ 7.13	\$ 7.49	\$ 7.86
9,000 +	\$ 10.09	\$ 10.59	\$ 11.12	\$ 11.68	\$ 12.26

# Water Rate Schedule for Ordinance per 10/6/15 Commission Meeting

## EXHIBIT "B"

### Monthly Base Rate Schedule

Effective Date:	10/1/2015	10/1/2016	10/1/2017	10/1/2018	10/1/2019
<u>Customer Classification</u>					
Residential	\$ 26.03	\$ 26.74	\$ 27.48	\$ 28.23	\$ 29.01
Commercial I	\$ 39.03	\$ 40.11	\$ 41.21	\$ 42.34	\$ 43.51
Commercial II	\$ 78.09	\$ 80.24	\$ 82.44	\$ 84.71	\$ 87.04
Irrigation Only Meter	\$ 26.03	\$ 26.74	\$ 27.48	\$ 28.23	\$ 29.01
Hydrants	\$ 20.83	\$ 21.40	\$ 21.99	\$ 22.59	\$ 23.21

### Usage Charge Volume Charge Rate Schedule

(per 1,000 gallons or portion thereof)

Effective Date:	10/1/2015	10/1/2016	10/1/2017	10/1/2018	10/1/2019
<u>Residential</u>					
0 - 3,000	\$ 3.93	\$ 4.03	\$ 4.14	\$ 4.26	\$ 4.37
3,001 - 6,000	\$ 4.94	\$ 5.08	\$ 5.22	\$ 5.36	\$ 5.51
6,001 - 9,000	\$ 7.70	\$ 7.91	\$ 8.13	\$ 8.35	\$ 8.58
9,000 +	\$ 12.00	\$ 12.33	\$ 12.67	\$ 13.02	\$ 13.38
<u>Commercial I, Commercial II &amp; Hydrants</u>					
All Use	\$ 4.94	\$ 5.08	\$ 5.22	\$ 5.36	\$ 5.51
<u>Irrigation Only Meter</u>					
0 - 3,000	\$ 3.93	\$ 4.03	\$ 4.14	\$ 4.26	\$ 4.37
3,001 - 6,000	\$ 4.94	\$ 5.08	\$ 5.22	\$ 5.36	\$ 5.51
6,001 - 9,000	\$ 7.70	\$ 7.91	\$ 8.13	\$ 8.35	\$ 8.58
9,000 +	\$ 12.00	\$ 12.33	\$ 12.67	\$ 13.02	\$ 13.38

ORDINANCE NO. 519

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA, AMENDING ORDINANCE 473, ESTABLISHING NEW BASE RATES BY CUSTOMER CLASSIFICATION, ESTABLISHING A NEW VOLUME CHARGE, ESTABLISHING NEW ANNUAL ADJUSTMENTS TO THE BASE RATES AND VOLUME CHARGES, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith, PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe owns and operates a wastewater treatment facility that serves the city and surrounding areas; and

WHEREAS, the City of Port St. Joe has caused a rate study of its wastewater rates to be conducted by Burton and Associates, Inc.; and

WHEREAS, the rate study found that the wastewater rate increases provided for in Ordinance 473 were lower than necessary to meet the future wastewater needs of the City and the surrounding area;

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF PORT ST. JOE, FLORIDA, as follows:

1. The Monthly Base Rate Schedule and Usage Charge Volume Charge Rate Schedule attached to Ordinance 473, as shown in Exhibit A attached hereto is hereby amended as shown in Exhibit B attached hereto
2. Beginning 2020, the base rate and the volume charge shall be adjusted each year on October 1 to reflect the changes in the consumer price index, as published by U.S. Department of Labor.
3. Water rates set forth in Exhibit "B" shall be retroactive to October 1, 2015.
4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.
6. This ordinance shall become effective as provided by law.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port  
St. Joe, Florida, this \_\_\_\_ day of October, 2015.

The City of Port St. Joe

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James A. Patterson  
Mayor-Commissioner

ATTEST:

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Charlotte M. Pierce  
City Clerk-Auditor



## Sewer Rate Schedule for Ordinance per 8/30/11 Commission Meeting

EXHIBIT "A"

### Monthly Base Rate Schedule

*Effective Date:*                      10/1/2011    10/1/2012    10/1/2013    10/1/2014    10/1/2015

#### Customer Classification

Residential	\$	25.25	\$	26.39	\$	27.58	\$	28.82	\$	30.12
Commercial I	\$	38.29	\$	40.01	\$	41.81	\$	43.69	\$	45.66
Commercial II	\$	75.74	\$	79.15	\$	82.71	\$	86.43	\$	90.32

### Usage Charge Volume Charge Rate Schedule

(per 1,000 gallons or portion thereof)

*Effective Date:*                      10/1/2011    10/1/2012    10/1/2013    10/1/2014    10/1/2015

#### All Customer Classifications

All Use	\$	5.50	\$	5.75	\$	6.01	\$	6.28	\$	6.56
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## Sewer Rate Schedule for Ordinance per 10/6/2015 Commission Meeting

### EXHIBIT "B"

#### Monthly Base Rate Schedule

<i>Effective Date:</i>	<i>10/1/2015</i>	<i>10/1/2016</i>	<i>10/1/2017</i>	<i>10/1/2018</i>	<i>10/1/2019</i>
<u>Customer Classification</u>					
Residential	\$ 29.90	\$ 31.02	\$ 32.19	\$ 33.39	\$ 34.64
Commercial I	\$ 45.33	\$ 47.03	\$ 48.79	\$ 50.62	\$ 52.52
Commercial II	\$ 89.67	\$ 93.03	\$ 96.52	\$ 100.14	\$ 103.90

#### Usage Charge Volume Charge Rate Schedule

(per 1,000 gallons or portion thereof)

<i>Effective Date:</i>	<i>10/1/2015</i>	<i>10/1/2016</i>	<i>10/1/2017</i>	<i>10/1/2018</i>	<i>10/1/2019</i>
<u>All Customer Classifications</u>					
All Use	\$ 6.52	\$ 6.76	\$ 7.01	\$ 7.28	\$ 7.55

RESOLUTION 2015-06

A RESOLUTION OF THE CITY OF PORT ST. JOE, FLORIDA, MODIFYING ORDINANCE 455, PROVIDING FOR A TEMPORARY REDUCTION IN ITS CAPITAL FACILITIES CHARGE FOR WATER AND WASTEWATER, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Joe operates and maintains a water treatment and distribution system to provide centralized potable drinking water for the community and surrounding areas, and

WHEREAS, the City of Port St. Joe operates and maintains a wastewater collection and treatment system to provide centralized treatment of the wastewater generated within the community and surrounding areas, and

WHEREAS, the City of Port St. Joe's water system and wastewater system operate as enterprise funds that operate fiscally utilizing revenues associated with water treatment and wastewater treatment, and

WHEREAS, the City of Port St. Joe generates revenue to fund the construction of surface and groundwater production, water treatment and storage facilities, and a water distribution piping system by charging water capital facilities charges to each new connection; and

WHEREAS, the City of Port St. Joe generates revenue to fund the construction of wastewater collection, pumping, force main, treatment, and disposal facilities by charging wastewater capital facilities charges to each new connection; and

WHEREAS, the City of Port St. Joe has employed Burton and Associates, Inc., to study the water and wastewater capital facilities needs of the city, and

WHEREAS, Burton and Associates, Inc., have determined the current capital facilities charges for water and wastewater imposed by Ordinance 455 are in excess of charges necessary for the proper operation of the system; and

WHEREAS, the City Commission of the City of Port St. Joe determines the recommendations by Burton and Associates, Inc., are based on the most recent and localized data and that the recommendations are sound and fiscally responsible;

NOW THEREFORE, BE IT RESOLVED BY THE CITY Commission of the city of Port St. Joe, Florida as follows:

1. The capital facility charges identified in Ordinance 455 are hereby modified as set forth in Exhibit A attached hereto.
2. The capital facility charges set forth herein shall be effective September 15, 2015. They shall remain in effect unless changed by further action of this board.

3. Effective date. This Resolution shall become immediately effective.

DULY PASSED AND ADOPTED by the Board of City Commissioners of Port St. Joe, Florida, this \_\_\_\_ day of September, 2015.

The City of Port St. Joe

\_\_\_\_\_  
James A. Patterson, Mayor Commissioner

ATTEST: \_\_\_\_\_  
Charlotte M. Pierce, Clerk

**Exhibit A**

**Water Capital Facilities Charge Schedule for Ordinance per 10/6/15 Commission Meeting**

<b>Effective Date: 10/1/2014</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Water Capital Facilities Charge		
Size	Type			Treatment Facilities	Distribution Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,608.00	\$ 406.00	\$ 2,014.00
1"	Positive Displacement	25	2.5	\$ 4,020.00	\$ 1,015.00	\$ 5,035.00
1-1/2"	Positive Displacement	50	5.0	\$ 8,040.00	\$ 2,030.00	\$ 10,070.00
2"	Positive Displacement	80	8.0	\$ 12,864.00	\$ 3,248.00	\$ 16,112.00
3"	Compound	160	16.0	\$ 25,728.00	\$ 6,496.00	\$ 32,224.00
3"	Turbine	350	35.0	\$ 56,280.00	\$ 14,210.00	\$ 70,490.00
4"	Compound	250	25.0	\$ 40,200.00	\$ 10,150.00	\$ 50,350.00
4"	Turbine	1,000	100.0	\$ 160,800.00	\$ 40,600.00	\$ 201,400.00
6"	Compound	500	50.0	\$ 80,400.00	\$ 20,300.00	\$ 100,700.00
6"	Turbine	2,000	200.0	\$ 321,600.00	\$ 81,200.00	\$ 402,800.00

<b>Effective Date: 10/1/2015</b>						
30% Reduction for one year, 10/1/2015-10/1/2016						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Water Capital Facilities Charge		
Size	Type			Treatment Facilities	Distribution Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,125.60	\$ 284.20	\$ 1,409.80
1"	Positive Displacement	25	2.5	\$ 2,814.00	\$ 710.50	\$ 3,524.50
1-1/2"	Positive Displacement	50	5.0	\$ 5,628.00	\$ 1,421.00	\$ 7,049.00
2"	Positive Displacement	80	8.0	\$ 9,004.80	\$ 2,273.60	\$ 11,278.40
3"	Compound	160	16.0	\$ 18,009.60	\$ 4,547.20	\$ 22,556.80
3"	Turbine	350	35.0	\$ 39,396.00	\$ 9,947.00	\$ 49,343.00
4"	Compound	250	25.0	\$ 28,140.00	\$ 7,105.00	\$ 35,245.00
4"	Turbine	1,000	100.0	\$ 112,560.00	\$ 28,420.00	\$ 140,980.00
6"	Compound	500	50.0	\$ 56,280.00	\$ 14,210.00	\$ 70,490.00
6"	Turbine	2,000	200.0	\$ 225,120.00	\$ 56,840.00	\$ 281,960.00

**Exhibit A**

**Sewer Capital Facilities Charge Schedule for Ordinance per 10/6/15 Commission Meeting**

<b>Effective Date: 10/1/2014</b>						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Sewer Capital Facilities Charge		
Size	Type			Treatment Facilities	Collection Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 2,130.00	\$ 726.00	\$ 2,856.00
1"	Positive Displacement	25	2.5	\$ 5,325.00	\$ 1,815.00	\$ 7,140.00
1-1/2"	Positive Displacement	50	5.0	\$ 10,650.00	\$ 3,630.00	\$ 14,280.00
2"	Positive Displacement	80	8.0	\$ 17,040.00	\$ 5,808.00	\$ 22,848.00
3"	Compound	160	16.0	\$ 34,080.00	\$ 11,616.00	\$ 45,696.00
3"	Turbine	350	35.0	\$ 74,550.00	\$ 25,410.00	\$ 99,960.00
4"	Compound	250	25.0	\$ 53,250.00	\$ 18,150.00	\$ 71,400.00
4"	Turbine	1,000	100.0	\$ 213,000.00	\$ 72,600.00	\$ 285,600.00
6"	Compound	500	50.0	\$ 106,500.00	\$ 36,300.00	\$ 142,800.00
6"	Turbine	2,000	200.0	\$ 426,000.00	\$ 145,200.00	\$ 571,200.00

<b>Effective Date: 10/1/2015</b>						
30% Reduction for one year, 10/1/2015-10/1/2016						
Water Meter		Maximum Continuous Flow Rate	Equivalent Residential Connection	Sewer Capital Facilities Charge		
Size	Type			Treatment Facilities	Collection Facilities	Total
(in.)		(gpm)	(ERC)			
5/8" X 3/4"	Positive Displacement	10	1.0	\$ 1,491.00	\$ 508.20	\$ 1,999.20
1"	Positive Displacement	25	2.5	\$ 3,727.50	\$ 1,270.50	\$ 4,998.00
1-1/2"	Positive Displacement	50	5.0	\$ 7,455.00	\$ 2,541.00	\$ 9,996.00
2"	Positive Displacement	80	8.0	\$ 11,928.00	\$ 4,065.60	\$ 15,993.60
3"	Compound	160	16.0	\$ 23,856.00	\$ 8,131.20	\$ 31,987.20
3"	Turbine	350	35.0	\$ 52,185.00	\$ 17,787.00	\$ 69,972.00
4"	Compound	250	25.0	\$ 37,275.00	\$ 12,705.00	\$ 49,980.00
4"	Turbine	1,000	100.0	\$ 149,100.00	\$ 50,820.00	\$ 199,920.00
6"	Compound	500	50.0	\$ 74,550.00	\$ 25,410.00	\$ 99,960.00
6"	Turbine	2,000	200.0	\$ 298,200.00	\$ 101,640.00	\$ 399,840.00

**Code Enforcement 2015 Activity**  
**As of 9/10/15**

	Open	Closed	Total	Increase
Unlawful Accumulation	68	72	140	36
Substandard Structure	4	9	13	
Abandoned Vehicle	5	8	13	1
Unlawful Sewer				
Land regulation Violation		8	8	
Business Lic. Violation				
Special Master Hearings				
Building Demolition	5	12	17	2
Waste Violation	9	319	328	5
Sign Violation		78	78	1

Total	91	Total	506	Total	597	Total	45