

July 18, 2017
Workshop-Lighthouse Keepers Quarters
5:30 P.M.
Regular Public Meeting
6:00 P.M.
2775 Garrison Avenue
Port St. Joe, Florida



City of Port St. Joe

Bo Patterson, Mayor-Commissioner
William Thursbay, Commissioner, Group I
David Ashbrook, Commissioner, Group II
Brett Lowry, 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

Workshop Meeting- Lighthouse Keepers Quarters

5:30 P.M.

Regular Public Meeting

6:00 P.M.

2775 Garrison Avenue

Tuesday July 18, 2017

Call to Order

Consent Agenda

Minutes

- Special Commission Meeting 7/6/17
- Human Resource Committee Meeting 7/6/17

Pages 1-4

Pages 5-9

PSJRA

- Update

City Attorney

- Medical Marijuana- Update
- Ordinance 534 Parking
 - 2nd Reading & Consideration of Adoption
- Lighthouse Keepers Quarters Lease Agreements

Pages 10-11

Old Business

- Commerce Park Lot Utilities – Update
- 2017-2018 Budget- Update

New Business

- CDBG Grant- Request to Bid Waterline Replacement Project

Public Works

- Update

Surface Water Plant

- Update

Waste Water Plant

- Update

Finance Director

- Update

City Engineer

- Projects Update
 - Frank Pate Park Boat Ramp Improvements
 - Long Avenue Water/Sewer/Road Paving
 - Jones Homestead Sewer

Code Enforcement

- Update

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Police Department

- Update

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 AT
2775 GARRISON AVENUE, July 6, 2017, AT 6:00 P.M.**

The following were present: Mayor Patterson, Commissioners Ashbrook, Buzzett, Lowry, and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce, and Attorney Clinton McCahill were also present.

CONSENT AGENDA

Minutes

A Motion was made by Commissioner Thursbay, second by Commissioner Lowry, to approve the Minutes of the Special Commission Meeting of June 13, 2017. All in favor; Motion carried 5-0.

PORT ST. JOE REDEVELOPMENT AGENCY (PSJRA)

PSJRA Chairman Rex Buzzett updated the Commission on the PSJRA Meeting held prior to the Commission meeting. He shared the following: The PSJRA approved giving \$20,000 to the North Port St. Joe PAC for a study of rezoning MLK Boulevard; lights are on the way for the lighthouse promenade; parking and power issues in Core Park were reviewed; the CRA sunsets in 2020 and they are considering a one time, 10 year extension request, and noted the Gateway Arch for 4th Street and Highway 98 should be completed in 30 days.

CITY ATTORNEY UPDATE –

Small Scale Plan Amendment Ordinance 533 – Zoning Change Request for Knowles Avenue, Parcel 04865-005R from R-1 to R-3 Kelli Newman: Public Hearing, 2nd Reading and Consideration of Adoption

Public Hearing – Mayor Patterson asked if anyone from the Public wished to speak on this item. No one from the public wished to speak.

A Motion was made by Commissioner Buzzett, second by Commissioner Thursbay, to have the Second Reading of Ordinance 533. All in favor; Motion carried 5-0. Attorney McCahill read Ordinance 533 by Title only.

A Motion was made by Commissioner Thursbay, second by Commissioner Buzzett, to adopt Ordinance 533. All in favor; Motion carried 5-0.

CITY MANAGER'S REPORT – Jim Anderson

Old Business

Commerce Park Lot Utilities Update – Mr. Anderson noted the proposed buyer has agreed for the City to crush the line in place. Mr. McCahill is working with Premier Chemical to have the easement abandoned so City Staff can crush the pipe.

2017-2018 Budget Update – Mr. Anderson shared the DR420, which provides preliminary Tax Roll numbers for the City's budget has been received from Gulf County Property Appraiser Mitch Burke. Currently, the City's Millage Rate is 3.5914 which would generate \$1,044,702. A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to set the preliminary FY 2017 – 2018 Millage rate at 4.5914 which will generate \$1,335,592. The proposed rate is for planning purposes and the final rate can be reduced but not increased. All in favor; Motion carried 5-0.

Budget Workshops were set for Noon on August 8th, August 22nd, and August 29, 2017.

New Business

Impact Fees – A Motion was made by Commissioner Thursbay, second by Commissioner Buzzett, to remove the current 30% reduction in Impact Fee Costs beginning October 1, 2017. All in favor; Motion carried 5-0.

Lighthouse Keepers Quarters – Commissioner Ashbrook asked that Attorney McCahill draft a rental agreement for each keepers' quarters.

Mimosa Avenue Lighting – A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to place the three lights, as recommended by Duke Energy, on Mimosa Avenue at a cost of \$28.15 per month per pole. All in favor; Motion carried 5-0.

Commissioners Thursbay and Buzzett each had several areas that need additional lighting and will provide this information to City Staff.

Planning Board Membership – Mr. Anderson shared that Alice Martin had resigned from the PDRB. Consensus was that 7 members are sufficient for the PDRB and a replacement was not needed.

Police Department Policy & Procedure Manuel – Commissioner Ashbrook: A Motion was made by Commissioner Thursbay, second by Commissioner Lowry, to adopt the Police Department Policy and Procedure Manuel. All in favor; Motion carried 5-0. The Human Resource Committee met earlier today and consensus was to recommend approval as the document had been reviewed by Attorney Bob Pell. The Commission asked that a letter be sent to State Attorney Glenn Hess thanking him for allowing Mr. Pell to work on the Manuel at no cost to the City.

Board Discussion – Commissioner Thursbay: Commissioner Thursbay stated that he would like to be added to the Committee working on the 10th Street Baseball Field Project. He asked that the County be contacted to see if he could be added to the group. City Staff will follow up on this. Commissioner Buzzett currently represents the City on this Committee.

Public Works – John Grantland did not have anything to discuss.

Commissioners Thursbay and Lowry thanked Mr. Grantland and his staff for work done during the 4th of July holiday keeping the City presentable.

Commissioner Ashbrook requested an update on the bridge between 18th and 19th Streets. Mr. Grantland is working on this.

Surface Water Plant – Larry McClamma

RFP 2017-05 St. Joe Beach Tank Lid – A Motion was made by Commissioner Ashbrook, second by Commissioner Buzzett, to award the Bid to FL Aqua Store in the amount of \$57,131. All in favor; Motion carried 5-0. The contractor that was originally awarded the bid has withdrawn his bid.

Wastewater Plant – Kevin Pettis noted the Willo Pump has been leaking oil and they are working with the manufacturer. The Grit King has stalled out, Staff is working on this. The filming of the well abandonment has been completed and sent to FL Rural Water for their review as well.

Finance Director – Mike Lacour shared that the Draft Budget is forthcoming. He will notify realtors of the Impact Fee rate increase and will set up a time for Auditor Ben Vance to make his presentation to the Commission.

City Engineer – Clay Smallwood, III

Project Updates -

Frank Pate Park Boat Ramp Improvements – Work is progressing on the South side of the ramp, the sheet metal is in, and timbers for the dock are about 1 month out.

Long Avenue Waters / Sewer / Road Paving – A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to advertise for materials and bores for the Long Avenue Project. All in favor; Motion carried 5-0. The water phase of the project is under review by John Grantland.

Jones Homestead Sewer – Mr. Smallwood anticipates having the permit to DEP in August.

Code Enforcement –

General Update – Mr. Burkett's report was reviewed, no action was required.

Police Department – Chief Matt Herring expressed his appreciation to Pastor Boyd Evans and First Baptist Church for the use of their facility as well as all the agencies and individuals that helped with the Public Safety Day. Chief Herring felt that it was a very successful day.

Chief Herring thanked the Commission for adopting the Port St. Joe Police Department Policy and Procedure Manual tonight. He also noted that State Attorney Glenn Hess allowed Attorney Bob Pell to review the document and expressed his appreciation to both gentlemen for their help. A letter of thanks will be written to Mr. Hess for the help provided by his office.

Commissioner Thursbay offered his gratitude and thanks to the Port St. Joe Police Department, citizens, businesses, and other agencies that have been involved in the search for the missing Alabama young man as a result of the accident that occurred on the 4th of July.

City Clerk – Charlotte Pierce shared that Ms. Loria Phillips of USDA had conducted an onsite audit Monday, July 3, 2017. Ms. Phillips was pleased with her inspection of the records and Incubator Building. The Incubator Building inspection will reoccur every three years since USDA invested money in the building. Ms. Phillips noted that she was closing out the sidewalk and light poles files as of her visit.

Citizens to be Heard –

Cheryl Steindorf representing the Safety and Wellness Committee of the NPSJ PAC shared their concerns about access to doctors, living safely in North Port St. Joe, stated the residents would like to see more Police presence in the evening hours and asked about the criteria for street light placement.

Mr. Anderson shared that the citizens should make a request, the Police Department will look at their request, and it will be sent to Duke Energy for their evaluation.

Ms. Steindorf stated she felt the CDBG Grant was sounding good and thanked Mayor Patterson for attending the Juneteenth Celebration.

Discussion Items by Commissioners

Commissioner Buzzett noted that he was passionate about the 10th Street Ballpark Project and was sorry if any feelings had been hurt over the project. He noted that he represents the City and what is in the best interest of the City.

Neither Commissioners Lowry nor Ashbrook had anything further to discuss.

Commissioner Thursbay stated he was not a "Yes man" to anyone, tried to help the under dogs, and would not agree to have the ball fields where children would be left in the woods.

Mayor Patterson shared that he thought the City was working with the County, that the County should help the City, and both entities should work together. He feels that the TDC wants the fifth cent sales tax for marketing and not baseball fields.

Commissioner Ashbrook stated he had just received a text from Boyd Pickett asking what the outcome of the Parking Ordinance was. There will be a Special Meeting at City Hall on Monday, July 24, 2017, at Noon to have the Second Reading and Consideration of Adoption of Ordinance 534.

A Motion was made by Commissioner Thursbay, second by Commissioner Ashbrook, to adjourn the Meeting at 7:24 P.M.

Approved this _____ day of _____ 2017.

James "Bo" Patterson, Mayor

Date

Charlotte M. Pierce, City Clerk

Date

**MINUTES OF THE HUMAN RESOURCES COMMITTEE MEETING OF THE
BOARD OF CITY COMMISSIONERS FOR THE CITY OF PORT ST. JOE,
FLORIDA, HELD AT 2775 GARRISON AVENUE, July 6, 2017, AT 12 Noon**

The following were present: Commissioners Ashbrook, Lowry, and Thursbay. City Manager Jim Anderson, City Clerk Charlotte Pierce, Chief of Police Matt Herring and Attorney Clinton McCahill were also present.

The meeting was chaired by Commissioner Ashbrook.

Commissioner Ashbrook provided a handout which is attached as Exhibit A.

The purpose of the meeting was to review the proposed changes to the Port St. Joe Police Department Policy and Procedure Manual.

1. In the Introduction, Omit the 7th paragraph.
2. In Section II Definitions – MEMEBERS - Omit Male and Female.
3. In Section II Definitions SHIFT – WATCH –TOUR Delete: Designated hours of duty and replace with: Assigned Hours of Duty.
4. In Section III Conduct, Subsection Conduct and Attitude: Omit the second half of the first paragraph starting with "He must be in good physical....."
5. Throughout the document, replace all gender specific references with gender neutral text.

Consensus of the Committee was to recommend approval with the changes to the City Commission at their meeting tonight.

Commissioner Thursbay asked that a letter be written to State Attorney Glenn Hess thanking him for allowing Bob Pell to review the Policy and Procedure Manual gratis.

A Motion was made by Commissioner Thursbay, second by Commissioner Lowry, to adjourn the meeting at 12:06 P.M.

Approved this _____ day of _____ 2017.

David Ashbrook, Chairman

Date

Charlotte M. Pierce, City Clerk

Date

Ours is a department for all people and our belief in equal treatment under the law is sincere. We shall enforce the law impartially. We shall be diligent in protecting all citizens in the exercise of their rights so long as their conduct does not violate the law.

It is the responsibility of this department to prevent crime insofar as possible, to search out violators of the law, to arrest them, unless the violation is of a minor nature and to present the facts of the case to the proper prosecuting or court officials. After arrest, the responsibilities for prosecuting, sentencing, and punishing or reforming criminals rests with other agencies. We shall continue to perform the law enforcement responsibility in this over-all process.

In order to give our citizens the best possible protection with the resources available, it is necessary to assign officers for law enforcement duty to those places and times where experience shows crime to be more prevalent. This is not in any sense differential application of the law: it is just good, efficient use of manpower.

The statutes and ordinances which you will be enforcing will sometimes be very specific, leaving little question as to interpretation. Often, however, they will, out of necessity, be written in broad language requiring a great deal of intelligent and careful consideration in their interpretation and enforcement. In all cases you will have a statute or ordinance which you must apply to a given situation or set of facts. First, you must determine whether and how the statute or ordinance applies. Then you will have to decide on a course of action, based upon your duty as an officer, always using the best discretion possible. You will often be required to make these decisions with little or no time to stop and contemplate all alternatives. However, the leadership of the Department will completely support your decision if it is shown that you made the best decision possible considering the conditions at the time and the facts as you perceived them, and your actions did not violate the policies and general orders of the department.

All persons who furnish information or who makes complaints, including complaints about officers, will receive courteous and serious attention. All complaints will be evaluated

MEMBERS: Sworn officers Including male and female of all ranks including civilian employees.

OFF DUTY: A member on his "days off" or on leave when he is free of the normal responsibility of performing his usual duties.

OFFICER: Synonymous with member, only having been sworn.

ON-CALL ASSIGNMENT: Any time when a supervisor has instructed the employee to remain available to work during an off duty period. An employee who is so instructed shall be required to be available to return to work on short notice to perform assigned duties.

ON DUTY: The period of the day (shift, watch or tour) when an officer is actively engaged in the performance of his duties. Technically an officer is on duty and subject to call at all times.

ORDER: An instruction or command, either written or verbal, given by a supervisory or superior officer to an employee of lesser rank.

PATROL VEHICLE: Radio equipped vehicle used for patrol purposes.

PERSONAL ORDERS: Orders issued by the Chief of Police to announce the appointment of new personnel, promotion or demotion, suspension, dismissal or restoration, terminations by resignation or retirement of members.

PROBATIONARY EMPLOYEE: The twelve-month training period, as approved by the Personnel Rules and Regulations, prior to permanent status.

PROCEDURES: The official method of dealing with any given situation prescribed by order of the Chief of Police or outlined by procedural guide.

RECRUIT: An employee of the Department prior to obtaining permanent status.

REPORTS: Written or oral communications relating to Department matters.

RULES AND REGULATIONS: Directives issued by the Chief of Police to define the policies and procedures of department business.

SERGEANT: Sergeants are responsible for the direct field supervision of Patrol Officers. The Sergeants function as squad or shift supervisors. Sergeants are responsible for the accuracy of all reports submitted by their squad. Sergeants are also responsible for the operation and maintenance of all equipment assigned to their respective squads. In the absence of both the Chief of Police and Lieutenant, the Sergeant will act as Department Supervisor. Sergeants shall spend a majority of their work time actually working with subordinates.

SENIOR OFFICER: An officer of equal rank with another but has served a longer length of service.

SHIFT - WATCH - TOUR: Designated hours of duty.

EXAMPLE: "B" Shift – 0500 hours to 1700 hours.

SPECIAL ORDER: A written order issued by the Lieutenant or Chief of Police which established a temporary principle or procedure on a given subject, usually for a specific length of time.

SUPERVISORY OR SUPERIOR OFFICER: Any officer of the rank of Sergeant or above, or any officer temporarily assigned by the Chief of Police vested with all the authority and responsibility of the position.

VACATION: In accordance with City Rules and Regulations.

The law enforcement officer shall take special pains to increase his perception and skill of observation, mindful that in many situations his is the sole impartial testimony to the facts of a case.

Article 11. Attitude toward Profession

The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement he shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. He shall appreciate the importance and responsibility of his office, hold police work to be an honorable profession rendering valuable service to his community and country.

CONDUCT AND ATTITUDE OF PORT ST. JOE POLICE DEPARTMENT OFFICERS

The selection of officers is unquestionably the most important task facing the leadership of the Department. The competence, intelligence, attitude and integrity of recruits determine the professional quality of the Department more than any other factor. Only the best candidates are considered, and any doubts as to a candidate's qualifications must be resolved in favor of the Department. In every case, the candidate selected must be well-suited to the performance of his job. He must be in good physical condition with no physical handicaps that would prevent performance of the demanding, often strenuous and sometimes dangerous duties that arise in law enforcement activities. A recruit should be of suitable size, have reasonable strength, agility, endurance and coordination, and should not be excessively over or under weight. These requirements are absolutely essential because the nature of the work is such that the lives of people will often depend on an officer's ability to perform his duties.

A Port St. Joe Police Department Officer works daily with people and must be temperamentally suited for this type work. He must be capable of dealing with people under a large variety of conditions, not always pleasant, in a calm, dignified and

ORDINANCE 534

AN ORDINANCE OF THE CITY OF PORT ST. JOE, FLORIDA REPEALING A SECTION OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF PORT ST. JOE, PROVIDING FOR REINSTATEMENT OF SECTION 5.07, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the people of the City of Port St. Joe, Florida:

1. Section 5.07 of Land Development Regulations for the City of Port St. Joe, Florida is hereby reinstated.

2. Section 5.07 of the Land Development Regulations for the City of Port St. Joe, Florida is hereby reinstated and reads as follows:

Off street parking facilities shall be required for all developments within the city pursuant to the requirements of this Code. The facilities shall be maintained as long as the use exists that the facilities were designed to serve. Nothing in this section shall be construed to require paving of parking areas, except as provided for handicapped parking areas in subsection 5.08(e). This section shall not apply to development or redevelopment located in the rectangle bounded by Baltzell Avenue, First Street, Long Avenue and Cecil G. Costin Boulevard and shall not apply to property located within a commercial or mixed use zoning category adjacent to Martin Luther King Boulevard.

3. REPEAL:

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

4. SEVERABILITY:

The provisions of this Ordinance are hereby declared to be severable. If any provision of this Ordinance, or the application thereof, to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application.

5. EFFECTIVE DATE:

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 _____, 2017.

THE CITY OF PORT ST JOE

By: _____
James "Bo" Patterson
MAYOR-COMMISSIONER

ATTEST:

CHARLOTTE M. PIERCE
CITY CLERK

The following commissioners voted yea:
The following commissioners voted nay:

**Code Enforcement 2017 Activity
As of 7/13/2017**

| | Open | | Closed | | Total | | Increase |
|-----------------|------|-------|--------|-------|-------|-------|----------|
| Unlawful | | | | | | | |
| Accumulation | 91 | | 148 | | 239 | | 32 |
| Substandard | | | | | | | |
| Structure | 11 | | 6 | | 17 | | |
| Abandoned | | | | | | | |
| Vechicle | 4 | | 1 | | 5 | | |
| Unlawful | | | | | | | |
| Sewer | | | | | | | |
| Land regulation | | | | | | | |
| Violation | 1 | | 2 | | 3 | | 1 |
| Business Lic. | | | | | | | |
| Violation | 0 | | | | | | |
| Special Master | | | | | | | |
| Hearings | | | | | | | |
| Building | | | | | | | |
| Demolition | 4 | | 4 | | 8 | | 1 |
| Waste | | | | | | | |
| Violation | 29 | | 152 | | 181 | | 14 |
| Sign | | | | | | | |
| Violation | | | 77 | | 77 | | |
| | | | | | | | |
| Total | 140 | Total | 390 | Total | 530 | Total | 48 |